



northern
beaches
council

AGENDA

Notice is hereby given that a Ordinary Northern Beaches Council Meeting will be held in the Council Chambers at the Civic Centre, Dee Why on

Tuesday 10 December 2024

Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.

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.

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

In accordance with Part 6 of the Code of Meeting Practice, Council will consider apologies, requests for leave of absence, and requests to attend meetings remotely via audio-visual link.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE ORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 12 NOVEMBER 2024

RECOMMENDATION

That the minutes of the Ordinary Northern Beaches Council Meeting held on 12 November 2024, 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.

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.

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1 NORTHERN BEACHES COUNCIL DISCRETIONARY FUND - QUARTERLY REPORT

PURPOSE

The purpose of this report is to provide an update on the recipients and projects that have received an allocation from the Northern Beaches Council Discretionary Fund during the past quarter.

EXECUTIVE SUMMARY

- The Northern Beaches Council Discretionary Fund (Fund) provides the opportunity for the Mayor and Councillors to respond to requests for financial assistance from local individuals and community groups.
- The Fund is governed in accordance with the Northern Beaches Council Discretionary Fund Policy (Policy).
- The Policy allows Council to support local individuals and community groups through small financial donations, including for activities that further develop their education or sporting endeavours at a representative level.
- The Policy requires that details of payments be reported quarterly to Council.
- For the period 10 October 2024 to 4 December 2024, payments totalling \$11,200 have been allocated from the Fund to Premiere Care, 3 local residents, Sunnyfield, Engage Northern Beaches, Rotary Club of North Sydney Sunrise, Manly Wheelchair Basketball Association, Warringah Amateur Swimming Association, Special Olympics Sydney Northern Beaches, Soroptomist International Northern Beaches, Zonta Club of the Northern Beaches and Empowering Parents in Crisis.
- There is an annual budget of \$30,000 for the Fund, with an amount of \$13,500 remaining in the Fund after these payments.

RECOMMENDATION

That Council note payments totalling \$11,200 have been allocated from the Northern Beaches Council Discretionary Fund for the period 10 October 2024 to 4 December 2024.

BACKGROUND

The Northern Beaches Council Discretionary Fund Policy (Policy) supports individuals and community organisations through small financial donations. It also provides assistance to local residents, including for activities that further develop their education or sporting endeavours at a representative level. The Policy requires recipient and project details to be reported quarterly to Council. This report only includes allocations that have been finalised.

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

All requests to the Northern Beaches Council Discretionary Fund are submitted to the Mayor, Deputy Mayor or a Councillor with the CEO to certify that the allocation is made in accordance with the Policy and that the funds are available. The table below includes the name of the Councillor who put forward the discretionary fund application.

DISCUSSION

For the period 10 October 2024 to 4 December 2024, payments from the Northern Beaches Council Discretionary Fund totaling \$11,200 have been made, as shown in the table below.

Recipient	Description	Allocation	Supported by Councillor **
Premiere Care (Absolute Fitness Centre Pty Ltd)	Financial assistance towards the NSW Gone Fishing Day – <i>Learning to Cast Beyond Boundaries</i> event, providing opportunities for all abilities to learn about recreational fishing	\$1,000	Received directly through the Office of the Mayor
Local Resident *	Financial assistance towards representing Australia at the 15 th Asian Dragon Boat Championships in China (24-27 October 2024)	\$500	Received directly through the Office of the Mayor
Sunnyfield	Financial assistance towards its event to celebrate International Day of People with Disability 'ID Day' on 3 December 2024	\$1,000	Received directly through the Office of the Mayor
Engage Northern Beaches	Financial assistance towards development of a parents and carers hub for the local community	\$750	Received directly through the Office of the Mayor
Rotary Club of North Sydney Sunrise Inc.	Financial assistance for 5 special needs and/or disadvantaged children from the Northern Beaches to attend the World Festival of Magic with funding also going towards Streetwork and Royal Far West	\$700	Received directly through the Office of the Mayor
Manly Wheelchair Basketball Association	Financial assistance to assist with hosting the 2025 National Wheelchair Basketball League on the Northern Beaches	\$1,000	Received directly through the Office of the Mayor
Warringah Amateur Swimming Association Inc.	Financial assistance towards its 60 th Anniversary celebrations	\$1,000	Cr De Luca OAM
Special Olympics Australia Sydney Northern Beaches	Financial assistance for its State Swimming Carnival to be held at the Warringah Aquatic Centre	\$1,000	Received directly through the Office of the Mayor
Local Resident *	Funding towards the Bondi to Barrenjoey Charity Walk with funds going towards the Sydney FC Foundation's mental health activities	\$1,000	Cr De Luca OAM

Recipient	Description	Allocation	Supported by Councillor **
Soroptomist International Northern Beaches Inc.	Financial assistance towards Christmas hampers donated to families in need who attend local Northern Beaches schools	\$1,000	Received directly through the Office of the Mayor
Zonta Club of the Northern Beaches Inc	Financial assistance towards the annual Women's Day Breakfast on 5 March 2025	\$750	Received directly through the Office of the Mayor
Local Resident *	Financial assistance towards representing Australia at the World Parkour Championships held in Japan (14-17 November 2024)	\$500	Received directly through the Office of the Mayor
Empowering Parents in Crisis Pty Ltd	Financial assistance towards providing youth mental health first-aid training to parents/carers of young people on the Northern Beaches	\$1,000	Received directly through the Office of the Mayor

* individual recipients' details are not included in this report for privacy reasons. All residents in receipt of funds are verified as residents of the Northern Beaches.

**As per resolution of 26 September 2023. Indicates application put forward by a Councillor rather than directly to Office of the Mayor

CONSULTATION

Requests for the Northern Beaches Council Discretionary Fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer for approval in accordance with the policy.

TIMING

The Policy requires a quarterly report to be presented to Council.

FINANCIAL CONSIDERATIONS

The recommendations in this report do not result in any change to the existing Council budget. The funds allocated are provided from the existing annual budget of \$30,000 for the Northern Beaches Discretionary Fund. An amount of \$13,500 remains in the fund. For comparison, an amount of \$14,800 remained in the fund at the same time last year, noting that requests are received on an ad hoc basis. No funding will be provided outside of the allocated budget in each financial year.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund have satisfied the requirements of the Policy. The next quarterly report is intended to be tabled to the Ordinary Council meeting on 18 March 2025.

ENVIRONMENTAL CONSIDERATIONS

The monies in the Northern Beaches Council Discretionary Fund can be used in connection with environmental matters.

SOCIAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund supports individuals and community organisations and provides assistance to local residents, including for activities that further develop their education or sporting endeavours at a representative level.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes and Goals:

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

Reporting team	CEO
TRIM file ref	2024/829393
Attachments	Nil

9.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 9.1 REVIEW AND REVOCATION OF VARIOUS POLICIES

PURPOSE

The purpose of this report is to seek the adoption of 4 Northern Beaches Council policies, place the Community Engagement Strategy and Community Engagement Policy on public exhibition and revoke 5 policies.

EXECUTIVE SUMMARY

- Council's Policy Framework (Framework) outlines the strategic principles for certain corporate documents including Council policies.
- Council is progressively reviewing all corporate documents covered by the Framework.
- Four Council policies have been reviewed and are proposed to be adopted.
- The Community Engagement Strategy and Policy have been reviewed and are proposed to be placed on public exhibition for a period of 28 days with the outcome of the public exhibition to be reported to Council.
- Two Northern Beaches Council policies and 3 policies of the former councils have been reviewed and are considered to be no longer required and are proposed to be revoked.

RECOMMENDATION

That Council:

1. Adopt the:
 - a. Asbestos Management Policy
 - b. Councillor Expenses and Facilities Policy
 - c. Social Media Policy
 - d. Sponsorship Policy.
2. Place the Community Engagement Strategy and Policy on public exhibition for a period of 28 days with the outcome of the public exhibition to be reported to Council.
3. Revoke the:
 - a. Councillor Use of Social Media Policy
 - b. Communications Policy
 - c. Sponsorship Council Activities and Events (former Manly)
 - d. Sponsorship Policy (former Pittwater)
 - e. Corporate Sponsorship Policy (former Warringah).

BACKGROUND

Council adopted a Policy Framework (Framework) at the Ordinary Council meeting held on 28 November 2023. The Framework provides the strategic principles for all Council policies and sets out the governance arrangements for the establishment and review of Council policies and other internal facing corporate documents.

All existing Council policies and other relevant internal corporate documents are progressively being reviewed in accordance with the settings of the Framework which provide that Council policies:

- provide high level strategic direction, are linked to Council's Community Strategic Plan (CSP) and/or are required by relevant legislation and have community focus and/or significant public interest
- will, where 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
- will not simply duplicate or re-state legislative requirements but, where appropriate, may expand on Council's application of legislation.

The Framework provides that Tier 1 documents (Council policies) are governed by resolution of the elected Council, and the management of Tier 2 and 3 documents are the operational responsibility of the Chief Executive Officer.

DISCUSSION

Policies for adoption

Asbestos Management Policy

The Asbestos Management Policy is based on the NSW Office of Local Government's Model Asbestos Policy, and ensures an appropriate response is taken in the management of asbestos containing materials, whilst maintaining the health, safety and wellbeing of the Northern Beaches community, Council staff and other workers. The policy, which is accompanied by an Asbestos Management Guideline, aims to provide clear guidance on eliminating or appropriately managing risk of exposure when working with asbestos (including storage, transport and disposal), in accordance with SafeWork NSW requirements.

A scheduled review of the policy has been undertaken in consideration of Council's Policy Framework. The body of the policy document remains substantially unchanged, with minor amendments proposed to remove duplication and/or restatement of legislation. The amendments do not impact Council's operational management of asbestos related matters and it is proposed Council adopts the policy at Attachment 1.

Councillor Expenses and Facilities Policy

The draft Councillor Expenses and Facilities Policy seeks to provide reasonable and appropriate support to Councillors and the Mayor to assist in fulfilling their civic duties.

At its meeting of 8 October 2024 Council resolved (230/24) to place the draft Councillor Expenses and Facilities Policy on public exhibition with the outcome of the exhibition to be reported to Council.

The draft policy was placed on exhibition from 11 October to 8 November 2024 with 2 submissions received. A response to the feedback from the submissions is provided in the Engagement Report at Attachment 2.

Since the policy was exhibited one further change is proposed in the draft policy provided at Attachment 3. The proposal is to extend the provisions currently provided to the Mayor in clause 10.22 to all Councillors (and then delete 10.22 as it is no longer required). This change would

mean the annual financial caps for attendance at conferences and seminars will be in addition to the costs associated with attending and representing Council at the two key industry conferences, the Local Government NSW Annual Conference and the Australian Local Government Association Annual Conference each year.

Social Media Policy

Council's current Councillor Use of Social Media Policy (Attachment 4) was adopted in 2021 and is due for its scheduled review. Since the policy was adopted, the NSW Office of Local Government (OLG) released a [Model Social Media Policy](#) which incorporates examples of best practice from the social media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

In accordance with the Policy Framework, a draft Social Media Policy has now been prepared based on the OLG model policy (Attachment 5). It is proposed that the draft policy would replace the Councillor Use of Social Media Policy and its application be extended to all council officials.

The draft policy provides a framework for the administration and management of social media platforms and sets standards of conduct for all council officials who use social media in their official capacity. It only applies to Council officials' use of social media in an official capacity or in connection with their role as a Council official. It does not apply to personal use of social media that is not connected with a person's role as a Council official.

The policy also establishes a dedicated role of the Social Media Coordinator under the Chief Executive Officer to oversee the operation, maintenance and governance of Council's social media platforms. While responsibility and management of Council's social media platforms is already established in the organisational structure, this framework strengthens the governance in relation to this issue.

The policy also provides guidance for Councillors on the use of social media platforms and articulates that Councillors are responsible for the administration and moderation of their own social media platforms. This is consistent with the current policy for Councillors.

As the policy is based on the Model OLG policy and does not substantively change Council's policy position in relation to social media, it is not considered necessary to undertake consultation prior to adopting this policy.

Sponsorship Policy

The draft Sponsorship Policy (Attachment 6) has been developed to consolidate the policies of the former Manly, Pittwater and Warringah Councils and guides the management of the receiving of sponsorships. The draft Policy has been developed based on the guidelines set out by the Independent Commission Against Corruption publication entitled 'Sponsorship in the public sector'.

At its meeting of 15 October 2024 Council resolved (257/24) to place the draft Sponsorship Policy on public exhibition with the outcome of the exhibition to be reported to Council.

The draft policy was placed on exhibition from 17 October to 17 November 2024 with 2 submissions received. A response to the feedback from the submissions is provided in the Engagement Report at Attachment 7.

One submission made reference to sponsorship from gambling or alcohol products. The draft Sponsorship Policy addresses this issue under the heading 'Process for Assessing Sponsorship' and provides:

Sponsorship proposals must be assessed against the below predetermined and publicly available criteria:

- the sponsoring organisation must be compatible with Council's values and strategic objectives.

As such, any proposals from alcohol/gambling products and services would be viewed through the Council's adopted Gambling Harm Minimisation Policy (NB-P-21).

Furthermore the draft Policy also requires sponsorships to be approved by the Chief Executive Officer or delegated Council officers and that sponsorship proposals greater than \$100,000 per year must be reported to Council and approved by the elected Council.

There are no changes proposed to the policy following exhibition and it is recommended for adoption.

Policies for exhibition

Community Engagement Strategy and Policy

The Policy defines Council's commitment to engaging with the community and stakeholders and the Strategy outlines how we communicate with and listen to the community during the various stages of consultation, ensuring that community voices are heard and valued. By establishing clear processes for engagement before, during and after consultations, the Strategy facilitates open dialogue, encourages diverse participation and aims to strengthen trust between Council and the community.

Council's current Strategy and Policy were revised, exhibited for community consultation and adopted in 2022 as part of Council's ongoing Policy Review Framework.

Under the Office of Local Government post-election Integrated Planning & Reporting (IP&R) obligations, councils must review the Community Engagement Strategy within 3 months of the election as part of the broader review of the Community Strategic Plan.

As such, a review of the current Strategy and Policy has been undertaken involving internal consultation and a desktop review of other councils' similar policies and strategies. This has highlighted several minor themes for improvement, including:

- the need for clear, plain English and less jargon and the policy structure simple and easy to digest
- considering how forms, submissions, petitions are referenced
- continuing to clearly separate the role of the Community Participation Plan (CPP) in strategic planning matters and development applications
- making clear how feedback is used to inform project outcomes
- clearly define the parameters of the project
- demonstrating how we engage with diverse community groups, such as youth.

The proposed changes to the Strategy and Policy are highlighted in the documents (Attachments 12 and 13) and reflect the new policy template and remove duplication.

It is recommended that the Strategy and Policy be exhibited for community feedback with a report to be brought back to Council on the outcomes of the engagement and any proposed changes to the documents for consideration for adoption.

Policies to be revoked

Communications Policy and Councillor Use of Social Media Policy

Council's Communications Policy was adopted in 2019 and is due for its scheduled review (Attachment 11). The policy applies to Council staff and simply defines the parameters for staff's use of communication tools, channels and spokespeople. These matters do not require a Tier 1 Council policy as they are standard operational business practices with defined internal processes and delegations already in place.

The additional statement regarding the role of the Mayor as the official spokesperson of the Council duplicates the provisions of section 226 of the *Local Government Act 1993*.

The policy also provides the guidance and policy settings for staff's use of social media which, subject to Council's consideration, would be replaced with the Social Media Policy described above, if adopted. Similarly the original Councillor Use of Social Media Policy will become redundant with the new draft based on the NSW Government model policy.

Given this, it is proposed both the Communications Policy and the Councillor Use of Social Media Policy are no longer required and can be revoked.

Former Council sponsorship policies

Should Council resolve to adopt the Sponsorship policy which consolidates the relevant policies of the former Councils, Manly (Attachment 8), Pittwater (Attachment 9) and Warringah (Attachment 10) and reflects the current ICAC guidelines as noted above, these redundant policies can be revoked.

CONSULTATION

While Council's [Policy Framework](#) encourages involvement by the community in developing and reviewing its policies, it acknowledges that consultation may not be required in all circumstances, such as where a policy is to be re-adopted or is consistent with a model policy provided by the NSW Government.

As the Asbestos Management Policy remains substantially unchanged and consistent with principles of the NSW Office of Local Government (OLG) Model Policy, public exhibition is not considered necessary in this instance. The Social Media Policy is in accordance with the OLG model policy and likewise is not proposed to be publicly exhibited.

The draft Councillor Expenses and Facilities Policy and the Sponsorship Policy were exhibited for community consultation.

FINANCIAL CONSIDERATIONS

The recommendations of this report do not result in any change to the existing Council budget.

GOVERNANCE AND RISK CONSIDERATIONS

The recommendations of this report are in line with Council's Policy Framework. The Framework provides for an improved governance outcome for the management of Council policies.

Under [section 252](#) of the *Local Government Act 1993* Council is required to adopt a policy concerning the payment of expenses and the provision of facilities to the Mayor and Councillors in relation to discharging the functions of civic office within the first 12 months of each term of Council. A policy under section 252 must comply with the provisions of the Act, the Local Government (General) Regulation 2021 and the guidelines issued by the OLG under section 23A of the *Local Government Act 1993*. The draft Policy (Attachment 1) has been prepared in accordance with these requirements and is based on the OLG's policy template.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts to consider in respect of the recommendations of this report.

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.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Governance & Risk
TRIM file ref	2024/709672
Attachments	<ul style="list-style-type: none"> ⇒1 Asbestos Management Policy 2024 (Included In Attachments Booklet) ⇒2 Community Engagement Report - draft Councillor Expenses and Facilities Policy (Included In Attachments Booklet) ⇒3 Draft Councillor Expenses and Facilities Policy (Included In Attachments Booklet) ⇒4 Councillor Use of Social Media Policy (Included In Attachments Booklet) ⇒5 Draft Model Social Media Policy (Included In Attachments Booklet) ⇒6 Draft Sponsorship Policy (Included In Attachments Booklet) ⇒7 Community Engagement Report - draft Sponsorship Policy (Included In Attachments Booklet) ⇒8 Sponsorship Council Activities and Events (Former Manly Council) (Included In Attachments Booklet) ⇒9 Sponsorship Policy (Former Pittwater) (Included In Attachments Booklet) ⇒10 Corporate Sponsorship Policy (Former Warringah Council) (Included In Attachments Booklet) ⇒11 Communications Policy (Included In Attachments Booklet) ⇒12 Draft Community Engagement Policy (Included In Attachments Booklet) ⇒13 Draft Community Engagement Strategy (Included In Attachments Booklet)

ITEM 9.2 SPECIAL VARIATION TO RATES - COMMUNITY ENGAGEMENT AND PRODUCTIVITY JOURNEY AND IMPROVEMENT PLAN - UPDATE

PURPOSE

The purpose of this report is to provide a further update to Council on the progress of community engagement on options for a Special Variation (SV) to rates that will improve Council's financial sustainability and infrastructure investment and on the further development of the 'Preliminary Productivity Journey and Improvement Plan 2024' (Attachment 1).

EXECUTIVE SUMMARY

- On 12 November 2024 Council resolved to commence community engagement between mid-November 2024 and mid-January 2025 on proposed options for a Special Variation to rates.
- At the meeting 12 November 2024, Council was presented with a Preliminary Productivity Journey and Improvement Plan 2024 that outlined Council's consistent approach to productivity improvements and cost containment initiatives since amalgamation.
- Further development of the Preliminary Productivity Journey and Improvement Plan 2024 has been completed outlining further detail on estimated savings that could be realised by Council (subject to Council approval in relation to some services).
- On 18 November 2024, Council's community engagement commenced with the launching of a Your Say page outlining Council's reasoning for a special variation based on 4 options. The engagement webpage offers clear and easy to understand resources such as fact sheets, a video explainer and frequently asked questions.
- Information stations have been provided across Council locations including our customer service centres, aquatic centres, early learning centres and libraries. Print advertising has also been undertaken through local publications.
- A letter has been posted directly to all 96,156 ratepayers and more than 78,000 email subscribers have received direct emails from Council.
- 7 community pop-up sessions were held in November 2024 and further sessions are scheduled for December 2024.
- An online community webinar was held on 2 December 2024 and a second webinar will be held on 11 December 2024.
- Following community engagement, a report is intended to be tabled to Council in late January 2025 to consider if Council should proceed to submit an application to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Variation to rates of one of the options included in the consultation with the community.

RECOMMENDATION

That:

1. Council note the community engagement activities undertaken to date and the updated Preliminary Productivity Journey and Improvement Plan 2024 at Attachment 1.
2. An extraordinary meeting of Council be held at 6pm on 28 January 2025 to consider whether to proceed with an application to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Variation to rates.

BACKGROUND

Like many councils in NSW, Council is facing growing pressure to its financial sustainability as increases in income, under the NSW rate peg system, have not reflected the rising costs of materials, contracts, and construction, with Sydney's inflation over the 4 years to 30 June 2024 being almost double the increase in rates income.

Councillors serving in the previous and current terms have been briefed on the Council's financial sustainability, looking at the current and projected financial position over the next 10 years, cost containment strategies to date and opportunities for future improvement. Councillors have been advised that without a reduction in services, Council's long term financial sustainability including responsible management of over \$3.9 billion in infrastructure assets will continue to deteriorate.

A Special Variation (SV) to rates will be required if Council intends to continue to meet community expectations and deliver existing services and service levels as well as ensure availability of funding for new and upgraded assets, environmental outcomes, loans and unforeseen events such as storm events, to be financially sustainable in the long-term.

Accordingly, on 12 November 2024 Council resolved (289/24) to:

1. Approve community engagement to be undertaken between mid-November 2024 and mid-January 2025 on proposed options for a Special Variation to rates.
2. Endorse community engagement on the below options for a Special Variation to rates:
 - a. Option 1 Reduce service - Rate peg only (current path)
 - b. Option 2 Maintain service - Rate peg + 6% pa over 3 years
 - c. Option 3 Improve service - Rate peg + 8.3% pa over 2 years and 8.4% in year 3
 - d. Option 4 Increase service - Rate peg + 10% pa over 3 years.
3. Endorse the Community Engagement Plan.
4. Endorse the Delivery Program 2024-2028 and Operational Plan 2024/25 draft Addendums for options of a Special Variation to rates and revised Long-Term Financial Plan 2024-2034 for public exhibition during the community engagement period.
5. Note that the outcomes of the community engagement process will be reported to Council at an extraordinary meeting to be held in January 2025, with Council to determine whether an application should be submitted to IPART to apply for a Special Variation to rates to support Council's financial sustainability.

On 18 November 2024 Council commenced engagement with the community. An update on the engagement process to date is provided in this report.

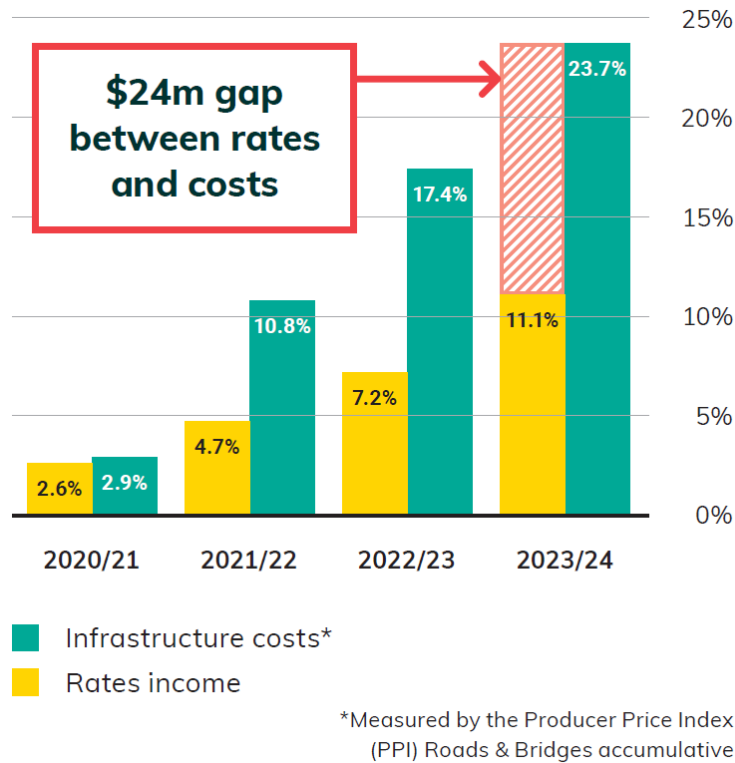
Further to Council's community engagement plan, a preliminary report entitled Preliminary Productivity Journey and Improvement Plan 2024 was presented to Council at the November Council meeting that outlined a past, present and forward look at Council's organisational productivity improvements and cost containment strategies it has undertaken in an effort to reduce the burden on rates for its financial sustainability and infrastructure investment.

Council has further progressed its Preliminary Productivity Journey and Improvement Plan 2024 and an update is provided within this Report.

DISCUSSION

Council's financial sustainability is at risk. The Long-Term Financial Plan highlighted that high inflation, severe weather events, the COVID-19 pandemic and significant increases in costs like the Emergency Services Levy, insurance and gas, alongside constraints on rates income is placing significant pressure on Council's ability to maintain infrastructure and services at the required level.

Infrastructure inflation, indicated by the Producer Price Index for Roads and Bridge Construction, over the 4 years to 30 June 2024 was more than double the increase in rates income, which is equivalent to an accumulative variance of 12.6%, or \$23.6 million in rates income. This gap is now built into Council’s ongoing rates income, meaning the rate base will be permanently lower without intervention.



Council has undertaken a number of measures to assist in offsetting cost pressures in recent years including fee reviews, achieving efficiency gains and cost savings. This includes \$0.4 million in the development of the 2024/25 budget along with over \$2 million in the previous two financial years.

Council has also been able to reduce its overall establishment FTE positions since amalgamation in 2016, from a level of 1,315 FTE in 2016 to 1,287 (FTE) in 2024, maintained a workforce layering (6 layers) and a span of control (5 to 6 including casuals) consistent with the Australian Public Service Commission’s recommended range and remains on par with industry with respect to ratios relating to FTE approved positions and per head of population. Council has also maintained its workforce operating expenditure as a percentage of total operating expenditure (39.1%) in line with the industry average of 39.12% (2022/23) for very large urban councils, and more recently reduced executive management positions.

While improvement opportunities are continuously sought, these measures alone are unable to fully offset the impact of recent high inflation levels, and we are not alone.



For the 2025/26 financial year we are aware that at least 4 other councils are considering a Special Variation to their rates, ranging from 8% (over 1 years) up to 111% (over 3 years). Additionally, other State agencies such as Sydney Water and the Valuer General have also applied to IPART for a fee increases. Sydney Water has applied for an increase of over 50% (excluding inflation) over 5 years to keep up with rising costs and asset demands and the NSW Valuer General has applied to IPART to increase their prices for land valuation services to Councils of between 21% and 38% in the next financial year.

Community Engagement Update





As part of the process of considering whether to submit an application for a Special Variation (SV) to rates, to increase above the fixed rate peg issued by IPART, Council is engaging with our community.






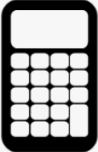

A comprehensive community engagement plan was presented to Council at the 12 November 2024 Council Meeting outlining a variety of consultation methods and communication tools to ensure our ratepayers and residents are aware of the financial problem and the alternative solutions (Options) being proposed to address the shortfall and provide financial sustainability to the Council for future years.

An update as at 2 December 2024 on the progress on Council’s SV engagement is presented in the tables below:

 Total unique responses	<h1>2,362</h1>	
 How responses were received	Submission form (survey) Written responses (email/letter)	Completions: 2,127 No. received: 235

How we engaged:

 Have Your Say: visitation stats	Unique visitors: 12,579	Visits: 16,753	Average time onsite: 3 m 17 sec
 Council website	Homepage carousel News story		Clicks: 555 Views: 1,199
 Social media	Organic post (video): 3 (Facebook, LinkedIn, Instagram) Paid post (photo set): 1 (18 Nov – 10 Jan Facebook, Instagram)		Organic: Views: 5,252 Clicks: 594 Reach: 6,029 Paid: 170,121 reach 270,285 impressions 260 link clicks 274 engagement
 Videos	Video explainer - YouTube		Views: 1,059
	Direct letter to all ratepayers Postcards Brochure		Distribution: 96,156 Print run: 2,000 Print run: 1,200

 Print collateral	Collateral availability at Council service centres/ Information stations (Libraries, Customer Service Centres and Aquatic Centres)	Number of sites: 12
 Media	Media briefing Media release Media coverage (print, digital, broadcast) Pittwater Life: print ad Peninsula Living: print ad Peninsula Living (south ed.): print ad Digital ads Manly Observer and Northern Beaches Advocate	Attendance: 3 14 news items Distribution: 32,000 Distribution: 30,000 Distribution: 57,000 Distribution: 50,000 Estimated reach: 320,000 page views per month
 Electronic direct mail (EDM)	Community Engagement (fortnightly) e-news: 2 x newsletters Council (weekly) e-news: 3 Stakeholder email: 3	Distribution: 21,900 subscribers Distribution: 58,100 subscribers Distribution: 705
 Face-to-face sessions	Webinar Information session: 1 Pop up / Drop in session: 7	Attendance: 14 Attendance: 1,112
 Key stakeholder engagement	Resident associations Group notification Group discussion (in-person meetings) Online information session for local business chambers	Distribution: 52 Meetings: 7 Attendance: 10
 Rates calculator utilisation	Rates calculator: Live 18 November 24	Utilisation: 7,489
 Outdoor advertising	Outdoor advertising on bus shelters and EV charging stations at highly trafficked sites	Bus shelters: 6 locations in Dee Why x 2, Belrose, Collaroy, Manly, Forestville EV charging stations: 3 locations in Narrabeen, Collaroy and Dee Why
Other	Digital advertising at Customer Service Centres and Libraries	Locations: All locations

A final summary of the outcomes of Council's community engagement on the SV Options is intended to be presented to Council at an extraordinary meeting proposed to be held on 28 January 2025.

Productivity Journey and Improvement Plan - 2024

In an effort to reduce the burden on rates, Northern Beaches Council has been on an improvement journey since its inception in 2016 and remains committed to continuing saving initiatives as part of its whole of organisation improvement plan.

During the course of the community consultation and debate in the chamber at the 12 November 2024 Council Meeting, the topic of productivity improvements and changes to services to reduce costs was raised. Productivity improvements form a core part of management's continuous improvement program and are reviewed constantly and reported to Council's Audit Risk and Improvement Committee (ARIC) on an ongoing basis.

Council's organisational improvement plan seeks to continue the focus on cost containment strategies, service reviews, process and productivity improvements as well as funding opportunities and continuing to drive a culture of improvement within Council employees. This position was recognised in 2022 with Council being awarded the AR Bluett Memorial Award by Local Government NSW as the most progressive metropolitan council in NSW.

While these above initiatives have assisted Council's financial sustainability to date, they are not of a scale that can ensure its financial security long term.

Historically, the Executive has been asked to look at staff structure, salaries and oncosts and possible reforms and savings that could be implemented. At the Council meeting held on 25 June 2024, a confidential attachment of discretionary services currently delivered by the council was presented for consideration as to what potential service reductions could be made with associated cost savings. At the Council meeting held on 12 November 2024, Council was also presented with a Preliminary Productivity Journey and Improvement Plan – 2024 that outlined past savings as well as areas of focus for future savings.

In further progressing Council's Preliminary Productivity Journey and Improvement Plan – 2024, an achievable amount of savings underpinned by service reductions and other cost containment strategies is now contained within the forward plan that Council could consider as a part of its future budget development. These estimated savings are outlined below and further summarised in the table presented later in this report.

It should be noted that these service reductions and cost containment strategies amount to approximately \$4.9 million dollars per annum which represents only a very small proportion of the annual need for asset renewal and maintenance, natural disaster preparedness and long term financial sustainability. These reductions would not remove the need for a Special Variation and would be highly disruptive with the removal of services and functions valued by the community.

- **Service and Associated Cost Rationalisation Plan**

Council will continue to focus on the rationalisation of discretionary services with a view to adjust the level of some services to meet both the Community Strategic Plan priorities and organisational financial sustainability. It is anticipated that an estimated \$2.1 million dollars could be saved on annual basis within 3 years (subject to Council consideration) with some moderate level of service reductions. Examples of service reductions can be found in the confidential reports to the business paper on tonight's agenda and previous decisions of Council.

- **Workforce Management**

Council will continue to focus on workforce efficiency in the same manner that it has to date. Council will review and where feasible improve its organisational design to ensure it is cost effective and has an optimal structure to deliver efficient community services and

infrastructure in line with the Community Strategic Plan. It is anticipated that through natural employee attrition, innovation, and process improvements, in addition to the rationalisation of discretionary services, the full time effective (FTE) workforce may be reduced over 3 years at an estimated annual savings of \$1.7 million dollars (based on an average employee cost of \$100,000) – pending any new or increased services that Council may determine to deliver.

- **Property Rationalisation Plan**

Council will continue to focus on the optimisation of the community's property portfolio including the appropriate divestment of poorly utilised land parcels. It is estimated that \$2 million dollars could be realised over the next 1-5 years with a further \$4 million dollars realised over the following 5 years through the sale of Council property and land holdings. Property rationalisation will be based on a review noting:

1. Council's property portfolio is highly valued by the community with only a small percentage of parcels currently seen as not providing community value
2. Council is restricted in its capacity to dispose of land, with the vast majority of Council's property portfolio categorised as community land and therefore is not able to be sold
3. The optimisation of Council's property portfolio also looks at re-purposing for a community use in the analysis of 'highest and best' use
4. Taking all of the above into account, there remains opportunity to deliver a financial outcome from consolidating uses and divesting or developing some parcels

It is important to acknowledge that proceeds from the sale of property is one-off, is often complex and contentious, has long lead times and subject to significant considerations to proceed to sale (such as re-zoning, assessment of community need and consultation processes). Realised funds, while unable to resolve Council's immediate financial concerns, would support rate income into the future with re-investment into the renewal and delivery of new community facilities and assets.

- **Fleet Optimisation Plan**

Council provides a fleet of vehicles (cars, utes etc.) to facilitate the delivery of services and capital works to the community of the Northern Beaches. Council will continue to focus on the rationalisation of its vehicle fleet undertaking a net cost containment plan though staff contribution increases, a reduction in Council pool cars, purchasing rationalisation to lower cost vehicles and FBT savings. It is estimated that the above strategies will facilitate net savings/income of over \$580,000 by year 3, with a capital savings of approximately \$43,000 also able to be realised.

A detailed review of the opportunity to move from leaseback vehicles for applicable staff to novated leases has been undertaken however this would result in higher operational costs for Council than the current approach and will not proceed.

- **Energy Efficiency Plan**

Council will continue to focus on its energy efficiency and solar opportunities including the facilitation of:

- an additional 370kW of solar on Council facilities (including solar at Cromer Depot and Dee Why Civic Centre) expected to save around \$55,000 p.a. on energy bills
- energy efficiency works such as HVAC and sports field lighting upgrades with estimated cost savings over \$100,000 p.a.
- an energy efficient heat pump upgrade at Manly Andrew 'Boy' Charlton Aquatic Centre which is expected to save \$550,000 in energy bills and over 1,600 tonnes in greenhouse gas emissions each year. (Note: an investment of approximately \$2.5 million (grant funds) will be required in the heat pump upgrade at Manly Andrew 'Boy' Charlton Aquatic Centre to achieved estimated annual savings.)

- additional transition from gas/electrification projects, including energy efficient electric hot water systems, gas cooking and heating upgrades, expected to save over \$50,000 p.a. in energy bills and around 180 tonnes in greenhouse gas emissions each year.

It is estimated that the above energy efficiency opportunities will provide \$755,000 in savings by year 3.

- **Workers Compensation Self Insurance Continuation**

Council will continue to manage workers compensation under its own self insurance licence to maintain significant annual savings in premium costs. This will continue to allow Council to save an estimated \$1.5 million per annum. It should be noted that this amount is already built into Council's budget and as such is not an additional saving.

Financial Summary - Improvement Plan

As discussed above, a number of initiatives are planned to continue the focus on cost containments, efficient utilisation of assets and to reduce the burden on rates. These initiatives are summarised below and are subject to Council decision. The total savings achieved after 3 years represent only a very small proportion of the annual need for asset renewal and maintenance, natural disaster preparedness and long term financial sustainability. Implementation of the Improvement Plan does not remove the need for a Special Variation.

Initiative	Description	Operational Savings/Costs (after year 3)	Capital Savings/Costs (after year 3)
Service and Associated Cost Rationalisation Plan	Council will continue to focus on the rationalisation of discretionary services with a view to adjust the level of some services	\$2,100,000	\$330,000
Workforce Management	Council will review and where feasible improve its organisational design to ensure it is cost effective and optimal structure	\$1,700,000	\$0
Property Rationalisation Plan	Council will continue to focus on the rationalisation of its property portfolio to realise a transfer of underutilised assets from property to cash	-\$200,000 (potential loss of rental income)	\$2,000,000
Fleet Optimisation Plan	Council will continue to focus on the rationalisation of its vehicle fleet undertaking a net cost containment plan	\$580,000	\$43,000
Energy Efficiency Plan	Council will continue to focus on its energy efficiency and solar opportunities	\$755,000 (subject to grant funding)	\$0
Total New Estimated Savings	Estimated savings in addition to current LTFP budget estimates	\$4,935,000	\$2,373,000 (one off)
Workers Compensation Self Insurance Continuation	Council will continue to manage workers compensation under its own self insurance licence	\$1,500,000 (savings currently imbedded in budget)	\$0

CONSULTATION

Community consultation commenced mid November 2024. Notwithstanding the minimum obligatory requirements of 28 days, the community engagement period has been extended and will run through to mid-January 2025, to provide additional time for the community to understand the options being proposed.

TIMING

IPART requested that councils provide a non-binding notice of their intention to apply for an SV by 29 November 2024. This correspondence was issued to IPART following the Council meeting held on 12 November 2024.

It is proposed that a further report would be tabled to an extraordinary meeting of Council in late January 2025 following the community engagement process, for Council to determine whether to proceed with an application to IPART for a Special Variation.

The timing is inflexible due to the deadline set by IPART for all councils, with all applications having to be made to IPART by 3 February 2025. An extraordinary meeting would be required as the next ordinary meeting of Council is not scheduled until 18 February 2025. It is recommended that an extraordinary meeting of Council be held on Tuesday 28 January 2025 as the last Tuesday before the IPART deadline, to allow the longest available period for community engagement.

FINANCIAL CONSIDERATIONS

Council's financial sustainability is at risk. High inflation, severe weather events, the COVID-19 pandemic and significant increases in costs like the Emergency Services Levy, insurance and gas, alongside constraints on rates income is placing significant pressure on Council's ability to maintain infrastructure and services at the required level.

In order to remain financially sustainable without service level reductions, Council should seek to make an application to IPART for a Special Variation to rates to take effect from the 2025/26 financial year.

The Special Variation project will be resourced primarily by existing staff under a Project Steering Group (PSG). This PSG, combined with assistance from other staff and support by expert consultants will facilitate all necessary work for the community engagement and SV application process. Funds associated with Council's SV process and community engagement have been included in the 2024/25 budget process.

GOVERNANCE AND RISK CONSIDERATIONS

Under the *Local Government Act 1993* (section 8B – Sound Financial Management) principles of sound financial management are outlined. Additionally, guidelines of the NSW Integrated, Planning and Reporting Framework (IP&R), stipulate that Council has a duty to set appropriate rates, fees and charges and monitor Council's progress in delivering priorities, projects and services through the Operational Plan.

Accordingly, to ensure Council adheres to the *Local Government Act 1993* and IP&R Guidelines a transparent process to discuss Council's financial sustainability with the community has commenced.

ENVIRONMENTAL CONSIDERATIONS

The proposed actions in this report are expected to result in an improved environmental outcome as it is proposed that SV funds will be directed towards a number of environmental programs as well as future risk reduction management programs.

SOCIAL CONSIDERATIONS

The proposed actions in this report while not directly impacting our social initiatives may result in a beneficial social outcome as it is proposed that SV funds will be directed towards future projects that will improve the liveability and wellbeing of our community

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes and Goals:

- 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.

Reporting team	Strategy & Performance
TRIM file ref	2024/800157
Attachments	⇒ 1 Northern Beaches Council - Preliminary Productivity Journey and Improvement Plan 2024 (Included In Attachments Booklet)

ITEM 9.3 MONTHLY INVESTMENT REPORT - OCTOBER 2024

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 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 31 October 2024, Council had total cash and investments of \$225,401,485 comprising:

Trading Accounts	\$2,375,427
Investments	\$223,026,058
- The portfolio achieved a return of 0.418% for the month of October, which was 0.048% above the benchmark AusBond Bank Bill Index return of 0.37%.
- The weighted average interest rate of the portfolio at month end is 5.01%, consistent with the prior month.
- Total investment income year to date to October 2024 was \$3.8 million compared to budget of \$3.6 million principally as a result of both a higher than anticipated level of investments and higher investment interest rates.

RECOMMENDATION

That Council note the Investment Report as at 31 October 2024, including the certification by the Responsible Accounting Officer.

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 – *Caroline Foley, Chief Financial Officer*.

INVESTMENT REPORT

Investment Balances

INVESTMENT BALANCES						
As at 31-Oct-2024						
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE	
Trading Accounts						
Commonwealth Bank of Australia Ltd	A1+	1,001,046			4.40%	
National Australia Bank Ltd	A1+	4,651			4.35%	
		1,005,697				
At Call Accounts						
Commonwealth Bank of Australia Ltd	A1+	2,243,791		At Call	4.45%	
		2,243,791				
Mortgage Backed Securities						
Emerald Series 2006-1 Class A	A*	532,418	17-Jul-06	21-Aug-51	5.7293%	
		532,418				
Term Deposits						
National Australia Bank Ltd	A1+	3,000,000	13-Feb-24	05-Nov-24	5.15%	
Bank of Queensland Ltd	A2	1,000,000	22-Feb-24	05-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	27-Feb-24	07-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	27-Feb-24	12-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	29-Feb-24	14-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	29-Feb-24	19-Nov-24	5.10%	
National Australia Bank Ltd	A1+	3,000,000	27-Feb-24	19-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	29-Feb-24	21-Nov-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	29-Feb-24	26-Nov-24	5.10%	
National Australia Bank Ltd	A1+	3,000,000	29-Feb-24	03-Dec-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	29-Feb-24	05-Dec-24	5.10%	
Suncorp Bank	A1+	2,000,000	07-Mar-24	10-Dec-24	5.17%	
Suncorp Bank	A1+	2,000,000	07-Mar-24	12-Dec-24	5.17%	
National Australia Bank Ltd	A1+	1,000,000	11-Apr-24	17-Dec-24	5.05%	
Suncorp Bank	A1+	3,000,000	07-Mar-24	17-Dec-24	5.17%	
Judo Bank	A2	2,000,000	11-Apr-24	19-Dec-24	5.10%	
National Australia Bank Ltd	A1+	3,000,000	27-Jun-24	23-Dec-24	5.35%	
Judo Bank	A2	2,000,000	11-Apr-24	23-Dec-24	5.10%	
National Australia Bank Ltd	A1+	2,000,000	30-Apr-24	02-Jan-25	5.20%	
National Australia Bank Ltd	A1+	2,000,000	11-Apr-24	07-Jan-25	5.05%	
National Australia Bank Ltd	A1+	2,000,000	30-Apr-24	09-Jan-25	5.20%	
Judo Bank	A2	4,000,000	09-May-24	14-Jan-25	5.20%	
Bank of Queensland Ltd	A2	2,000,000	16-May-24	16-Jan-25	5.10%	
Bank of Queensland Ltd	A2	2,000,000	16-May-24	21-Jan-25	5.10%	
National Australia Bank Ltd	A1+	2,000,000	31-May-24	23-Jan-25	5.15%	
National Australia Bank Ltd	A1+	2,000,000	27-Jun-24	28-Jan-25	5.35%	
National Australia Bank Ltd	A1+	3,000,000	02-May-24	28-Jan-25	5.20%	

ITEM 9.3 NORTHERN BEACHES COUNCIL MEETING - 10 DECEMBER 2024

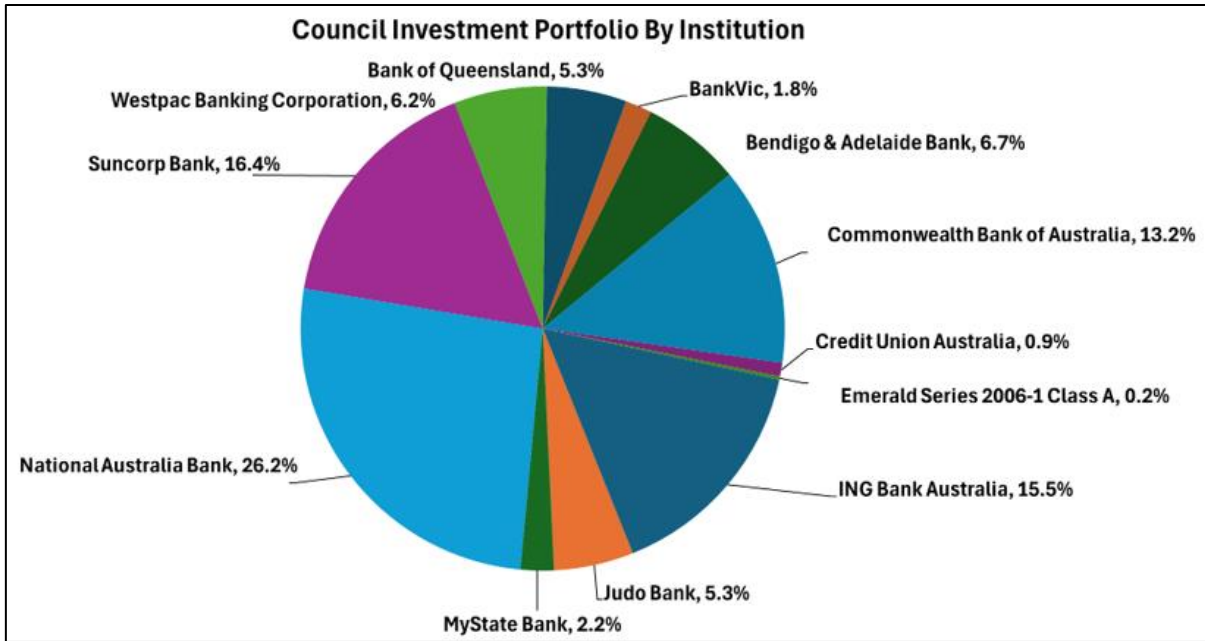
INVESTMENT BALANCES					
As at 31-Oct-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
MyState Bank Ltd	A2	2,000,000	30-May-24	30-Jan-25	5.15%
National Australia Bank Ltd	A1+	2,000,000	31-May-24	04-Feb-25	5.15%
National Australia Bank Ltd	A1+	2,000,000	31-May-24	06-Feb-25	5.15%
Judo Bank	A2	4,000,000	23-May-24	11-Feb-25	5.15%
Bank of Queensland Ltd	A2	2,000,000	02-Jul-24	13-Feb-25	5.32%
Bank of Queensland Ltd	A2	2,000,000	02-Jul-24	18-Feb-25	5.32%
National Australia Bank Ltd	A1+	2,000,000	25-Jul-24	20-Feb-25	5.30%
MyState Bank Ltd	A2	3,000,000	30-May-24	25-Feb-25	5.20%
National Australia Bank Ltd	A1+	2,000,000	25-Jul-24	27-Feb-25	5.30%
National Australia Bank Ltd	A1+	2,000,000	30-Jul-24	04-Mar-25	5.30%
National Australia Bank Ltd	A1+	2,000,000	30-Jul-24	06-Mar-25	5.30%
National Australia Bank Ltd	A1+	1,000,000	30-Jul-24	11-Mar-25	5.30%
Bank of Queensland Ltd	A2	3,000,000	28-Jun-24	11-Mar-25	5.30%
Credit Union Australia Ltd	A2	2,000,000	06-Aug-24	13-Mar-25	5.05%
ING Bank Australia Limited	A1	2,000,000	08-Aug-24	18-Mar-25	5.00%
ING Bank Australia Limited	A1	2,000,000	08-Aug-24	20-Mar-25	5.00%
National Australia Bank Ltd	A1+	3,000,000	02-Jul-24	25-Mar-25	5.37%
ING Bank Australia Limited	A1	2,000,000	13-Aug-24	27-Mar-25	4.96%
ING Bank Australia Limited	A1	2,000,000	13-Aug-24	01-Apr-25	4.96%
ING Bank Australia Limited	A1	2,000,000	15-Aug-24	03-Apr-25	4.96%
ING Bank Australia Limited	A1	4,000,000	08-Aug-24	08-Apr-25	5.00%
Suncorp Bank	A1+	2,000,000	16-Aug-24	10-Apr-25	4.83%
Suncorp Bank	A1+	2,000,000	16-Aug-24	15-Apr-25	4.83%
BankVic	A2	2,000,000	20-Aug-24	17-Apr-25	4.95%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	26-Aug-24	22-Apr-25	4.75%
ING Bank Australia Limited	A1	3,000,000	15-Aug-24	22-Apr-25	4.96%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	22-Aug-24	24-Apr-25	4.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	26-Aug-24	29-Apr-25	4.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Aug-24	01-May-25	4.88%
Bendigo & Adelaide Bank Ltd	A2	4,000,000	26-Aug-24	06-May-25	4.75%
Suncorp Bank	A1+	2,000,000	27-Aug-24	08-May-25	4.83%
Suncorp Bank	A1+	2,000,000	27-Aug-24	13-May-25	4.83%
Suncorp Bank	A1+	2,000,000	27-Aug-24	15-May-25	4.82%
Bendigo & Adelaide Bank Ltd	A2	4,000,000	22-Aug-24	20-May-25	4.80%
Suncorp Bank	A1+	2,000,000	29-Aug-24	22-May-25	4.85%
Suncorp Bank	A1+	2,000,000	29-Aug-24	03-Jun-25	4.84%
Suncorp Bank	A1+	2,000,000	29-Aug-24	05-Jun-25	4.84%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	10-Jun-25	4.89%

ITEM 9.3 NORTHERN BEACHES COUNCIL MEETING - 10 DECEMBER 2024

INVESTMENT BALANCES					
As at 31-Oct-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
Westpac Banking Corporation Ltd	A1+	2,000,000	30-Aug-24	10-Jun-25	4.90%
Westpac Banking Corporation Ltd	A1+	2,000,000	30-Aug-24	12-Jun-25	4.90%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	12-Jun-25	4.89%
Suncorp Bank	A1+	2,000,000	10-Oct-24	17-Jun-25	5.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	17-Jun-25	4.89%
BankVic	A2	2,000,000	22-Aug-24	17-Jun-25	4.95%
National Australia Bank Ltd	A1+	3,000,000	13-Jun-24	17-Jun-25	5.25%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	19-Jun-25	4.89%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	24-Jun-25	4.89%
ING Bank Australia Limited	A1	4,000,000	03-Sep-24	01-Jul-25	4.91%
ING Bank Australia Limited	A1	2,000,000	05-Sep-24	03-Jul-25	4.91%
ING Bank Australia Limited	A1	2,000,000	10-Sep-24	08-Jul-25	4.90%
ING Bank Australia Limited	A1	2,000,000	10-Sep-24	10-Jul-25	4.90%
ING Bank Australia Limited	A1	4,000,000	17-Sep-24	15-Jul-25	4.89%
Suncorp Bank	A1+	3,000,000	10-Oct-24	17-Jul-25	5.10%
Suncorp Bank	A1+	2,000,000	24-Oct-24	22-Jul-25	5.08%
ING Bank Australia Limited	A1	4,000,000	31-Jul-24	29-Jul-25	5.29%
Suncorp Bank	A1+	2,000,000	24-Oct-24	05-Aug-25	5.08%
Suncorp Bank	A1+	2,000,000	31-Oct-24	07-Aug-25	5.09%
Suncorp Bank	A1+	3,000,000	31-Oct-24	12-Aug-25	5.09%
		195,000,000			
Kimbriki Environmental Enterprises Pty Ltd					
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	1,369,730			4.30%
		1,369,730			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	275,576		At Call	4.35%
Commonwealth Bank of Australia Ltd	A1+	2,350,610		At Call	4.35%
		2,626,187			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Oct-24	11-Nov-24	4.45%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	19-Aug-24	19-Nov-24	4.69%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	09-Oct-24	07-Jan-25	4.84%
Commonwealth Bank of Australia Ltd	A1+	18,623,662	28-Aug-24	24-Feb-25	4.73%
		22,623,662			
Total Cash and Investments		225,401,485			

*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

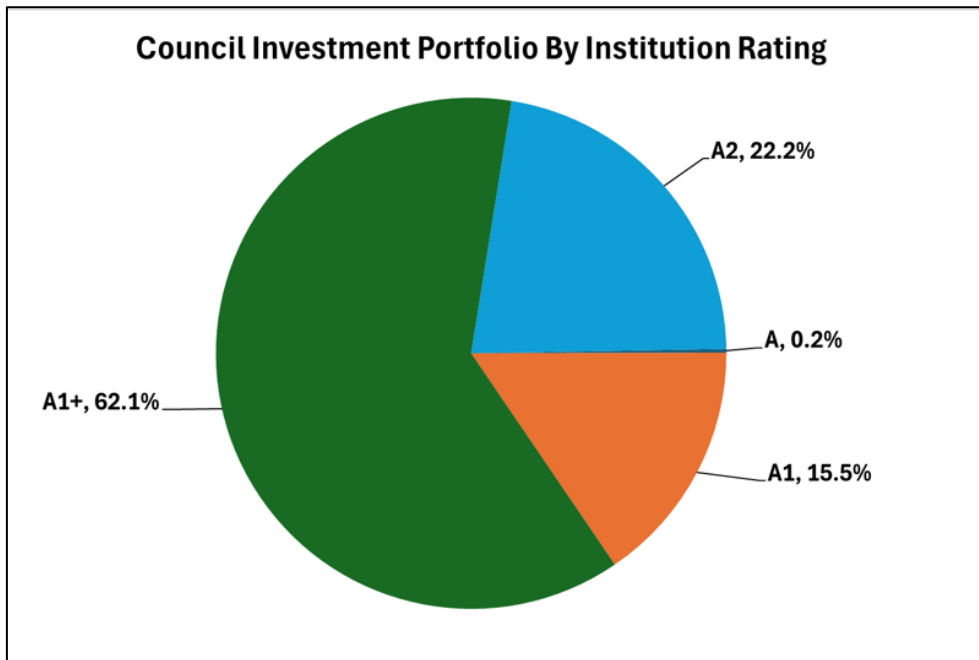
Clause 4.2.2 of Council’s Investment Policy requires that the exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

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.



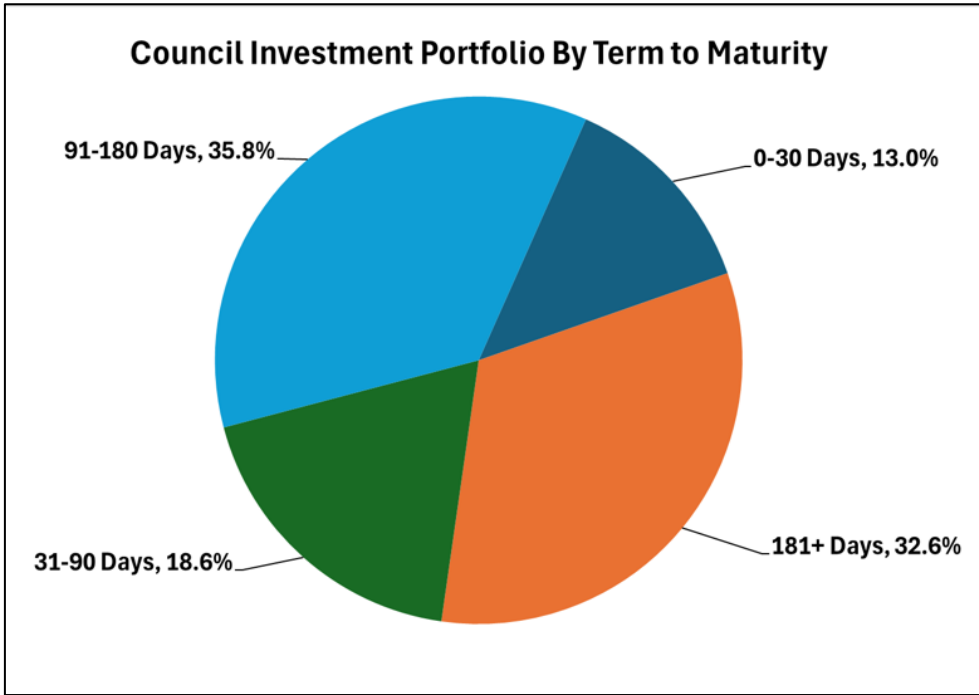
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

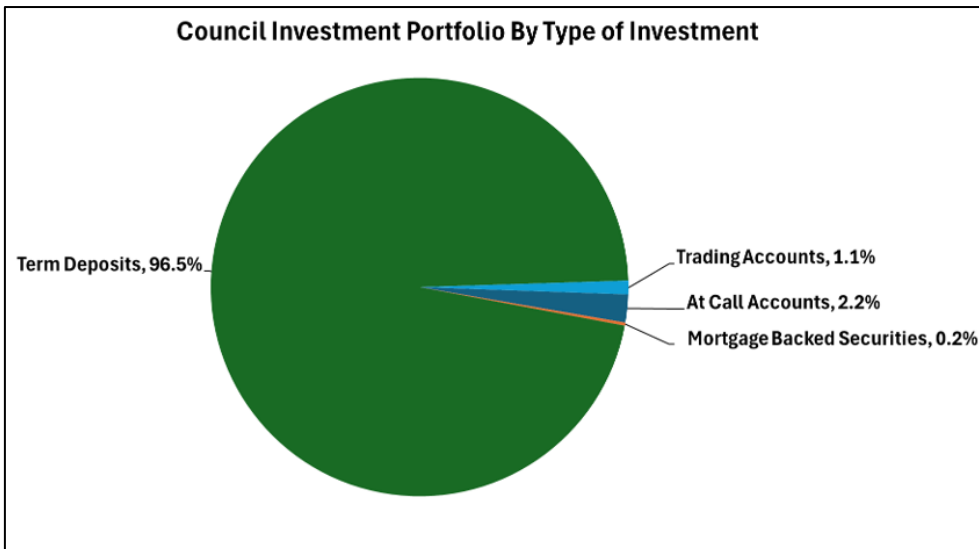
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



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

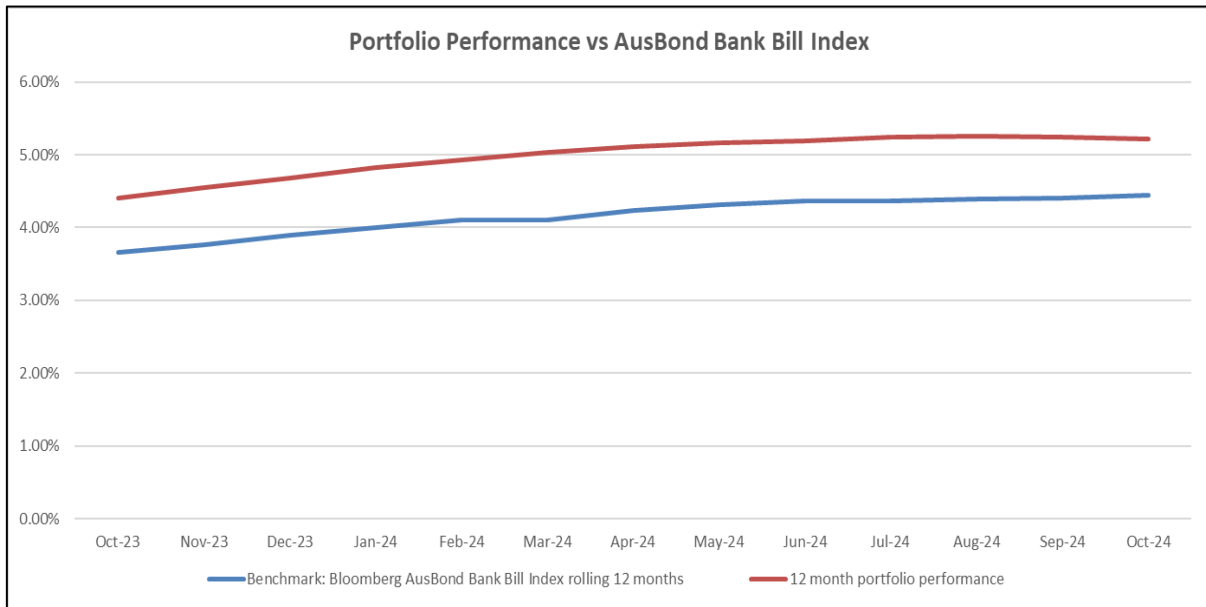
	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 Month	0.418%	0.37%
3 Months	1.242%	1.12%
FYTD	1.670%	1.49%
12 Months	5.222%	4.45%

* 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 0.418% for the month of October which was 0.048% above the benchmark AusBond Bank Bill Index return of 0.37%. For the past 12 months the portfolio achieved a return of 5.222% which was 0.772% above the benchmark AusBond Bank Bill Index return of 4.45%.



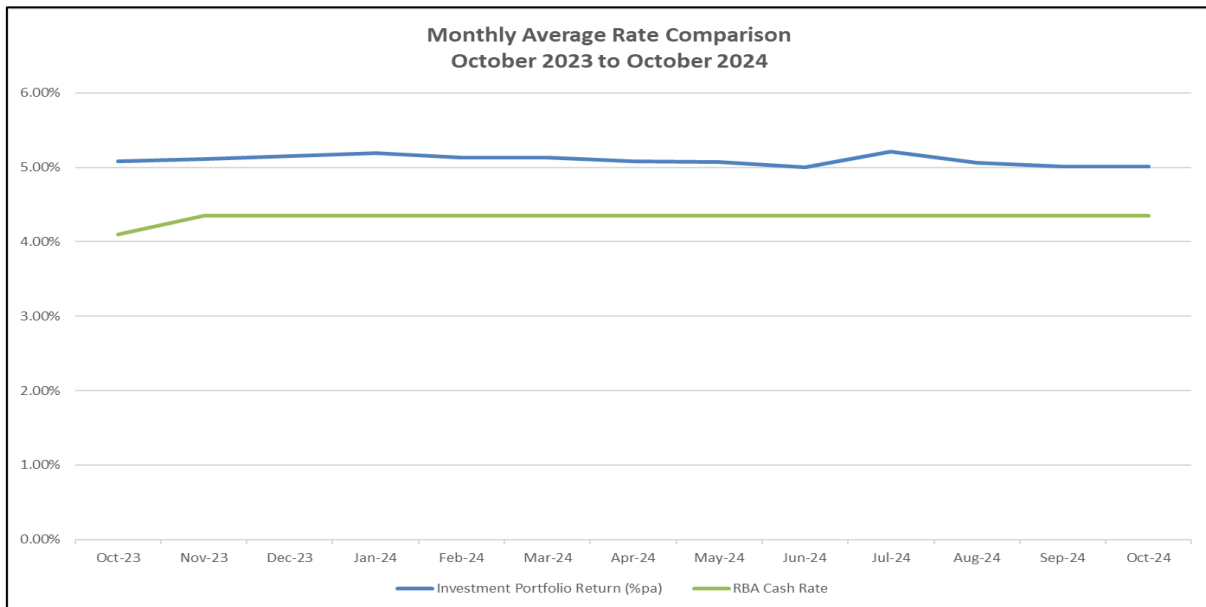
b) Portfolio Interest Rate vs Benchmark

	Weighted Average Portfolio Interest Rate (%pa) *	Average RBA Cash Rate
1 Month	5.01%	4.35%
3 Months	5.03%	4.35%
6 Months	5.06%	4.35%
FYTD	5.07%	4.35%
12 Months	5.10%	4.35%

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

The weighted average interest rate of the portfolio is 5.01%, consistent with the prior month's rate. For the past 12 months the weighted average interest rate of the portfolio was 5.10% compared to the average Reserve Bank of Australia Cash Rate of 4.35%.

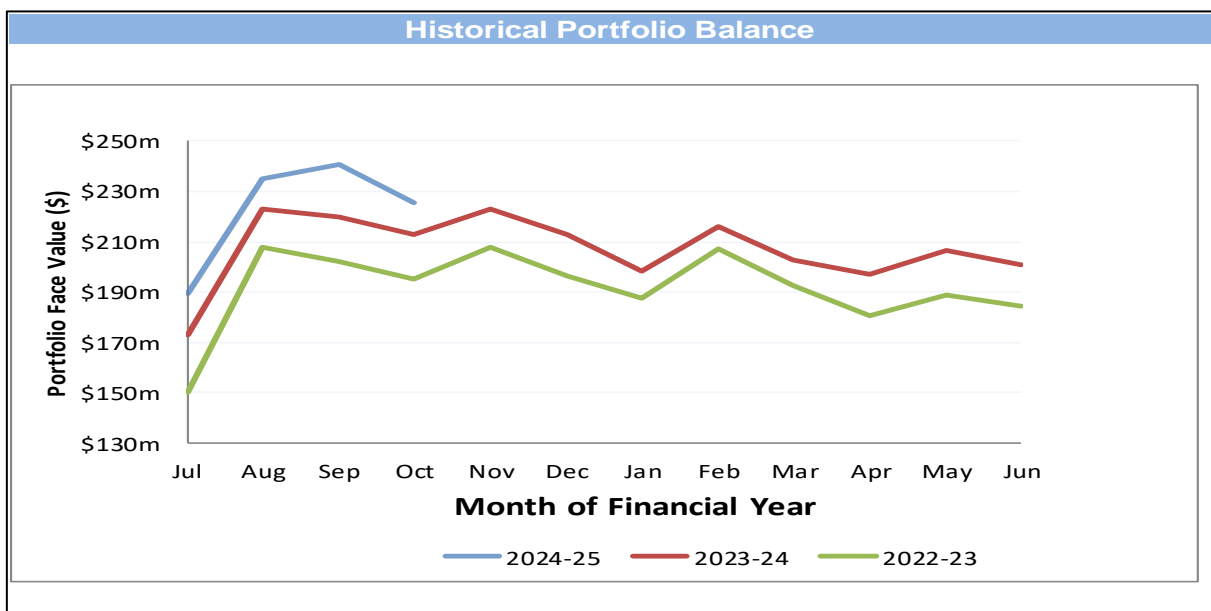


Investment Income* vs Budget

	Year to Date \$
Investment Income	3,755,645
Adjustment for Fair Value	11,125
Total Investment Income	3,766,770
Budgeted Income	3,550,240

*Includes all cash and investment holdings

Historical Portfolio Balance			
	2024-25	2023-24	2022-23
Jul	\$190m	\$173m	\$150m
Aug	\$235m	\$223m	\$208m
Sep	\$241m	\$220m	\$202m
Oct	\$225m	\$213m	\$195m
Nov		\$223m	\$208m
Dec		\$213m	\$196m
Jan		\$198m	\$187m
Feb		\$216m	\$207m
Mar		\$203m	\$193m
Apr		\$197m	\$181m
May		\$206m	\$189m
Jun		\$201m	\$184m
Average Portfolio Balance	\$223m	\$207m	\$192m



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

At the end of October 2024 total cash & investments were \$225,401,485 and were made up of the following reserve allocations.

Allocation of Funds	Amount (\$)	Percentage
Externally Restricted	\$60m	26.7%
Internally Restricted	\$86m	38.1%
Total Restricted	\$146m	64.8%
Unrestricted	\$79m	35.2%
Total	\$225m	100.0%

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2024 to date was \$3,766,770 compared to budgeted income of \$3,043,604, a positive variance of \$723,166 principally as a result of both a higher than anticipated level of investments and higher investment interest rates.

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 its meeting in December 2023, and no changes to the Policy were proposed.

Council’s Investment Policy and Strategy was reviewed in September 2024 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”.

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.

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.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Finance
TRIM file ref	2024/828252
Attachments	Nil

11.0 ENVIRONMENT AND OPEN SPACE DIVISION REPORTS

ITEM 11.1 RESPONSE TO NOTICE OF MOTION NO 20/2024 - NORTHERN BEACHES SURFING HERITAGE INTERPRETATION PLAN

PURPOSE

The purpose of this report is to respond to Notice of Motion No 20/2024 - Northern Beaches Surfing Heritage Interpretation Plan.

EXECUTIVE SUMMARY

- At its meeting of 30 July 2024 Council considered Notice of Motion No 20/2024 and resolved that the Chief Executive Officer prepare a report on the options for developing a heritage interpretation plan relating to surfing history on the Northern Beaches.
- Given the historical and contemporary importance of surfing culture to the Northern Beaches the proposed plan will require significant research, stakeholder consultation and wider consultation with the community.
- Based on Council's experience with other similar plans, such as the Northern Beaches Coast Walk Strategy, it is expected that the Plan will take 12 months to develop and cost \$60,000 (excluding GST) excluding implementation.

RECOMMENDATION

That Council note the report.

BACKGROUND

At its meeting of 30 July 2024 Council considered Notice of Motion No 20/2024 - Northern Beaches Surfing Heritage Interpretation Plan. Council subsequently resolved (184/24):

That the Chief Executive Officer prepare a report on the options for developing a heritage interpretation plan relating to surfing history on the Northern Beaches, including engagement with relevant stakeholders and opportunities to:

1. Update the Freshwater Surfing 'Walk of Fame.'
2. Update/expand the surfing heritage walk map to reflect the existing and proposed surfing heritage recognition projects.
3. Update/modernise the signage at existing recognition sites on the Northern Beaches.
4. Find ways to celebrate local female surfing stories and pioneers.
5. Identify any other suitable opportunities.

Surfing on the Northern Beaches

The Northern Beaches is a renowned destination for surfboard riding and is characterised by its iconic and unique surfing beaches and breaks and surfing community and culture. Surfing is an integral part of the Northern Beaches history and identity and provides our community with significant social, recreational, and economic benefits.

The local surfing community and culture also has broad reaching impacts. There are Northern Beaches surfers, surfing characters, surfboard shapers, surfing entrepreneurs and brands that have influenced and continue to influence surfing culture regionally, nationally, and internationally.

Currently there is no integrated plan for the preservation and promotion of the Northern Beaches surfing culture. Surfing is recognised in an ad hoc way through, for example interpretive signs, a heritage walk and map and occasional events.

There is an opportunity to celebrate, preserve and share the Northern Beaches surfing culture in an integrated and more effective way through a heritage interpretation plan (HIP). This report outlines for consideration the preparation of a Northern Beaches Surfing Heritage Interpretation Plan.

DISCUSSION

A heritage interpretation plan would be a strategic document designed to communicate the significance of cultural and historical sites, items, and stories to the public. It would be based on research and analysis and outlines how to effectively interpret and present heritage values through various means, such as exhibitions, signage, guided tours, events, educational programs, and digital media.

Such a plan would aim to provide thematic storylines that reveal the meaning of places, things, people, and events in memorable ways that stimulates thought and curiosity for various audience groups.

A Northern Beaches Surfing Heritage Plan could include:

- a literature review and historical chronology and summary of key events and milestones
- an audit and assessment of current interpretation methods
- community engagement with key stakeholders to obtain ideas on themes, stories and feedback on current and future interpretation
- development of key themes and storylines

- identification of best practice interpretation methods to reach key audience groups including residents and visitors, surfers and non-surfers of various ages
- implementation costs.

Options for consideration:

- Engage a suitably qualified consultant to develop a Northern Beaches Surfing Heritage Interpretation Plan including cost estimates for implementation, or
- Continue to recognise surfing culture as resources are available including:
 - consider new surfing signage in response to community requests
 - update the surfing heritage walk map (online) and surfing information on Council's website in 2025/26
 - celebrate local surfing stories as opportunities arise through Council's events program.

CONSULTATION

Targeted and detailed community engagement with key stakeholders including but not limited to board rider clubs and surf clubs would be required for the preparation of a Northern Beaches Surfing Heritage Interpretation Plan. A Level 2 engagement process per Council's Community Engagement Framework would also be required.

TIMING

Should funding be made available in the 2025/26 operational budget for a Northern Beaches Surfing Heritage Interpretation Plan this project could commence in late 2025. This project would take at least 12 months to complete.

FINANCIAL CONSIDERATIONS

It is estimated to cost in the order of \$60,000 (ex GST) to engage a suitably qualified consultant to prepare a Northern Beaches Surfing Heritage Interpretation Plan (excluding implementation). This estimate is based on staff undertaking community engagement for the project.

There are no funds to develop a plan in the 2024/25 Parks and Open Space operational budget nor the 2024-2028 Delivery Program.

Should Council wish to prioritise the development of a heritage interpretation plan, projects that could be deferred include:

- Governor Phillip Park Plan of Management
- Deep Creek Reserve Plan of Management.

GOVERNANCE AND RISK CONSIDERATIONS

The subject of this report presents no substantive risk implications for Council.

This report has been informed by sources including the *Interpreting Heritage Places and Items Guidelines*, NSW Heritage Office 2005 and *Interpreting Our Heritage*, Freeman Tilden, 1977.

ENVIRONMENTAL CONSIDERATIONS

The subject of this report presents no adverse environmental implications for Council.

SOCIAL CONSIDERATIONS

Surfing culture is considered to be a key part of the identity of the Northern Beaches and its community, and as such there is merit in continuing to recognise and preserve its surfing heritage.

LINK TO STRATEGY

This report relates to these Community Strategic Plan 2040 Outcomes and Goals:

- Community and belonging - Goal 9 Our community is inclusive and connected.
- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community.

Reporting team	Parks & Open Space
TRIM file ref	2024/635256
Attachments	Nil

ITEM 11.2 NORTH HEAD ACTIVATION UPDATE**PURPOSE**

The purpose of this report is to provide an update on the engagement with the Sydney Harbour Federation Trust (Trust) on the potential development of an Environmental Sustainability Education Centre in the North Fort precinct of North Head Sanctuary.

EXECUTIVE SUMMARY

- Council staff have been in discussions with the Trust since early 2019 to explore possible opportunities to collaborate on activating under-utilised sites at North Head Sanctuary.
- Council submitted an Expression of Interest (EOI) in September 2019 for the use of Building 205 as an Environmental Sustainability Education Centre, however this was not supported by the Trust at that time.
- At the Council Meeting on 25 May 2021, Council resolved to formally express its support for an Environmental Education Centre at North Head and sought a further report from staff on the benefits and costs of operating one or more of these sites, once an appropriate level of information was available from Sydney Harbour Federation Trust.
- Further discussions have been held with the Trust on the potential utilisation of various sites, however none were considered suitable by the parties.
- In February 2024, the Trust subsequently published a Masterplan for North Head which includes an Ecology and Environmental Centre, however it does not reflect the location or the pattern of usage that Council had envisaged during its discussions with the Trust.
- While Council welcomes the proposed Ecology and Environmental Centre and will collaborate with the Trust on mutually beneficial programs, it is considered that reasonable efforts have been exhausted and Council note no further action is taken with respect to providing funding for the activation or rehabilitation of North Head sites.

RECOMMENDATION

That Council note the report.

BACKGROUND

The Sydney Harbour Federation Trust (the Trust) is responsible for the rehabilitation of prominent former Defence sites on Sydney Harbour and opening them for public access as per the *Sydney Harbour Federation Trust Act 2001*. This includes the former Artillery site at North Head where many of the current buildings are vacant, in poor condition and require significant capital investment to bring them up to minimum building requirements.

In early 2019 potential opportunities were identified for Council to work with the Trust in delivering some of the strategic goals and aims outlined in the North Head Management Plan for community use. Following a meeting to explore opportunities for Council and the Trust to work collaboratively on activating North Head Sanctuary, Council was encouraged to make a written approach outlining how some of the buildings could potentially be used.

An Expression of Interest (EOI) was subsequently prepared and provided to the Trust in September 2019 and included the refit and use of a vacant building (Building 205) as an Environmental Sustainability Education Centre, which would meet the Trust's objectives, including improved access for community benefit, improved environmental education facilities, and preservation of the cultural heritage of the area. Consideration was given to Council funding the fitout of the proposed Centre.

Although the Trust acknowledged an alignment of interests, it indicated in February 2020 that it did not support the EOI at that time. There remained difficulties in agreeing mutually acceptable sites, and it was unclear how any lease arrangements would work, which was essential to staff being able to advise Council on the benefits and costs associated with potential projects.

The Trust began developing a Masterplan for the North Head Sanctuary, commencing with a Concept Plan in 2021. To inform Council's submission on the draft Concept Plan, a report was provided to the 25 May 2021 Council meeting, which subsequently resolved (124/21) that:

1. Council express its support for an Environmental Education Centre at North Head as part of any response from the Chief Executive Officer to the North Head Sanctuary Draft Concept.
2. Council continues to engage with the Sydney Harbour Federation Trust on the potential development of an Environmental Education Centre in the North Fort precinct of North Head Sanctuary.
3. Staff prepare a further report to Council on the benefits and costs associated with operating one or more sites on North Head, once an appropriate level of information is available from Sydney Harbour Federation Trust.

DISCUSSION

Since that time, discussions with the Trust have continued to better understand benefits and costs, and what sites, if any, would be suitable to both parties for activation. To date, none of the options offered by the Trust are considered suitable to Council due to the:

- provision of accessibility
- length and costs of tenure
- significant financial investment required to bring the option to a 'warm shell'
- expected life cycle costs of all the proposed sites.

In February 2024, the Trust subsequently published a Masterplan for North Head which includes an *Ecology and Environmental Centre*. While the proposed Centre is welcomed, it does not reflect the location or the pattern of usage that Council had envisaged during its discussions with the Trust.

Despite the various discussions since the May 2021 resolution, it is not possible for Council to adequately define the benefits and costs of site activation at North Head and as such it would not

be appropriate to recommend the allocation of Council funding at this time. Accordingly, it is considered that reasonable efforts have been exhausted and Council note no further action with respect to funding the activation or rehabilitation of North Head sites.

CONSULTATION

Council has provided various submissions to the Trust, and met with Trust officials on numerous occasions, over the last 4 years to discuss available options.

FINANCIAL CONSIDERATIONS

Subject to the adoption of the report recommendation, there are no adverse financial impacts associated with this report.

GOVERNANCE AND RISK CONSIDERATIONS

Should Council consider options to work with the Trust in future regarding potential properties, appropriate risk assessments will be undertaken to identify and manage risks in accordance with Council’s risk management practices.

ENVIRONMENTAL CONSIDERATIONS

The proposed *Ecology and Environmental Centre* identified in the North Head Sanctuary Masterplan will provide positive environmental education outcomes, and Council will collaborate with the Trust on mutually beneficial projects and programs.

SOCIAL CONSIDERATIONS

Council will continue to work with the Trust to pursue projects and programs that are of benefit to the local community and aligned to Council’s strategic goals.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Environment & Climate Change
TRIM file ref	2024/268181
Attachments	Nil

ITEM 11.3 OUTCOME OF PUBLIC EXHIBITION - DRAFT NORTH NARRABEEN RESERVE PLAN OF MANAGEMENT

PURPOSE

The purpose of this report is to inform Council of the outcome of the public exhibition of the draft Plan of Management for North Narrabeen Reserve and to seek its adoption.

EXECUTIVE SUMMARY

- At its meeting of 26 March 2024, Council resolved to place the draft Plan of Management for North Narrabeen Reserve (draft PoM) on public exhibition and that the outcomes be reported to Council.
- The draft PoM was publicly exhibited for community feedback from 9 May to 30 June 2024.
- Following the public exhibition period, a review of the 148 submissions received was undertaken as set out in the Community Engagement Report (Attachment 1) and summarised in the consultation section of this report.
- The majority of submissions received supported the draft PoM, with a number suggesting minor changes, while a smaller minority were either opposed or neutral.
- Based on the review of the community submissions and feedback, minor changes (as outlined in Table 1 of this report) have been incorporated, and the final draft PoM is now presented for adoption (Attachment 2).
- Proposed actions within the final draft PoM are subject to obtaining all required environmental, planning and other approvals and confirmation of funding.

RECOMMENDATION

That Council:

1. Note its consideration of submissions received in respect of the draft North Narrabeen Reserve Plan of Management (2024).
2. Note its opinion that the amendments to the draft North Narrabeen Reserve Plan of Management (2024) as per Table 1 and Attachment 2 of the report for this item are not substantial.
3. Adopt the North Narrabeen Reserve Plan of Management (2024) at Attachment 2 as the Plan of Management for the community land concerned.
4. Note that the adoption of the North Narrabeen Reserve Plan of Management (2024) revokes the current North Narrabeen Reserve Plan of Management (2004).

BACKGROUND

North Narrabeen Reserve (the Reserve) is an integral part of the Northern Beaches network of parks and sportsgrounds. The Reserve is highly valued and well used by residents and visitors, sport, recreation and community groups, schools, volunteers, players, spectators, families and local businesses as a place for sport, recreation and play.

Plans of Management are key strategic documents that guide the future use, management and development of Council land. The current Plan of Management (PoM) for the Reserve was adopted in 2004 and given the significant changes to our community's sport and recreation needs and expectations since that time, it was decided that a new North Narrabeen Reserve PoM should be developed. This was subsequently included as an action within Council's Open Space and Outdoor Recreation Strategy 2022.

A draft PoM and associated Masterplan was subsequently prepared in accordance with the *Local Government Act 1993*. At its meeting of 26 March 2024 Council considered the draft PoM and resolved (60/24):

That Council place the draft North Narrabeen Reserve Plan of Management on public exhibition for a minimum of 42 days and the outcomes of the public exhibition be reported to Council.

DISCUSSION

In response, the draft PoM was placed on public exhibition from 9 May to 30 June 2024. The majority of submissions received were supportive or supportive with changes of the draft PoM. Details of the public exhibition are summarised in the following section of this report. Based on the review of these submissions and comments received, minor changes are proposed to the PoM including:

- Increase the size of the proposed multi-use sportsfield 7 to accommodate more sport including 2 touch football fields.
- This increase will be supported by:
 - redesigning the carpark proposed for the area adjacent to sportsfield 7
 - with a hybrid hard / soft surface treatment
 - to provide more parking bays including by removing a drop off bay and reconfiguring the entry
 - realigning sections of the proposed new pathways which will also reduce potential conflicts with use of the sports amenities building south (the AFL clubhouse).
- Relocate proposed new seating further way from nearby homes.
- Consider artificial nesting habitats for fauna as required.
- Consider reviewing the golf centre as required for viability, functionality, parking and safety.

A final draft PoM for North Narrabeen Reserve has now been prepared (Attachment 2) and is informed by the review of submissions and comments received during exhibition.

CONSULTATION

The draft PoM (along with a draft masterplan and an easy read version) was publicly exhibited from 9 May to 30 June 2024. The opportunity to provide feedback was promoted via emails to stakeholders, letters to local residents, temporary signs at the Reserve, Council's email newsletters, a Have Your Say project page and 3 pop-ups/drop-ins at the Reserve. Feedback was collected through an online submission form as well as letters, emails and from meetings held with key stakeholders.

During the public exhibition period, 148 submissions were received. Of these, a significant majority supported the PoM, or supported it with changes, while the minor remainder either opposed the PoM or were neutral.

Details of the public exhibition, including a review of submissions and comments received, are set out in the Community Engagement Report (Attachment 1). Key themes that arose and staff responses are presented in Table 1 below.

Table 1: Public Exhibition of the Draft Plan of Management for North Narrabeen Reserve - Summary of issues, suggestions, requests and other considerations and Responses

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
Sports and Recreation	<p>Concerns and support for an all-weather multi-sport synthetic field including:</p> <p>Request for a synthetic sportsfield suitable for rugby union.</p> <p>Requests for a synthetic sportsfield suitable for hockey.</p> <p>Request for 2 all-weather fields.</p> <p>Support for field 2 to be converted to synthetic.</p> <p>Request that sportsfield 7 be converted to synthetic and sportsfield 2 remain a natural turf field.</p> <p>Concerns about environmental impacts of a synthetic field including on waterways and about heat.</p> <p>Request to use natural infill for the synthetic field such as cork.</p>	<p>The draft PoM proposed to investigate conversion of the natural turf playing surface on sportsfield 2 to an all-weather synthetic field and to implement if feasible and subject to environmental assessment and environmental, planning, funding and other required approvals. Environmental assessment would include an assessment of any heating and waterway impacts. A natural infill would be considered. Council would not be in a position to progress this project until the NSW Department of Planning, Housing and Infrastructure releases its guidelines for synthetic sportsfield development.</p> <p>The focus of the PoM is about better accommodating the needs of existing users. The new synthetic surface would be planned to be suitable for existing users including rugby union, touch football, football (and small-sided soccer) and school sport. The type of surface for these sports would not be suitable for hockey competition. Junior hockey fitness training may be undertaken on this surface.</p> <p>Investigations are underway to find a suitable location within the LGA for a synthetic field suitable for the needs of hockey.</p> <p>The draft PoM proposed to consider only one new synthetic field for the Reserve. It is preferred and prudent to consider a broad distribution of synthetic fields across the LGA based on need.</p> <p>Sportsfield 2 is more suitable to be converted to a synthetic surface given that its size and shape can accommodate a full-size rugby union field and its access to the rugby park.</p> <p>The Field 7 area is preferred for a new natural turf sportsfield and for formalising part of the adjoining overflow carpark. The new field in this area does not accommodate a full-size rugby union field though can accommodate touch football and other sports. No change proposed to the PoM.</p>

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
	Request for a basic mountain bike area.	The draft PoM proposed to investigate a small-scale bike area (that does not impede sport use) within the Reserve in line with Council's Open Space and Outdoor Recreation Strategy 2022. No change proposed to the PoM.
	Request for the current overflow parking within the field 7 area to be made into an additional field for a range of sports.	The eastern part of the field 7 area is currently a low quality unlit sportsfield. The western part of this area is currently used as an overflow parking area. The draft PoM proposed to improve this area with a new high quality natural turf full-size rectangular lit sportsfield for a range of sports and a new all-weather car park. No change proposed for the PoM.
	Request for the proposed sportsfield 7 to accommodate senior AFL and touch football. Prefer more space for fields and green space rather than for hard surface parking.	The new sportsfield 7 proposed in the draft PoM is planned to accommodate a range of sports including AFL training and football, rugby union and touch football and school sport. This field adjoins an existing senior AFL oval. However, there is not the area available to develop another full-size AFL oval for senior AFL competition without compromising the proposed new car park and the southern edge of the rugby park. No change proposed to the PoM to accommodate more senior AFL competition. The size of field 7 is extended in the masterplan to accommodate more sport training and 2 touch football fields – the footprint of the proposed play zone reduced, path realigned, and the proposed car park reconfigured to enable the extension. The proposed carpark design has been altered in the masterplan to include a hybrid hard/soft surface.
	Request for lighting on sportsfield 5 to allow baseball to play at night.	The draft PoM proposed new lighting on sportsfield 5. No change proposed to the PoM.
	Request for a new cricket net facility.	A new cricket net facility was not proposed for the Reserve as the focus is on existing users. Cricket is not played at the Reserve. There are cricket nets, and a cricket oval located approximately 1km from the Reserve at Lake Park. No change proposed to the PoM.
	Request to close Brookvale Park and develop North Narrabeen Reserve further so both NRL and Rugby can use the one facility. Request for Brookvale Park and facilities at Newport to be upgraded instead of North Narrabeen Reserve.	Considering integrating Brookvale Park within the Reserve is out of scope for this PoM. Nonetheless, the focus of the PoM is about better accommodating the needs of existing users. Rugby league is not a current user. Upgrades to Brookvale Park and Newport are guided by separate PoMs and are out of scope for this PoM. Specific upgrade requests from the community are considered on a case-by-case basis by Council and informed by relevant strategies including the

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
		Sportsgrounds Strategy 2017. No change proposed to the PoM.
	Requests for lighting upgrades for sportsfield 6. Requests for improved drainage, irrigation and rectification of sportsfields to improve playability and capacity to be played on during wet weather.	The draft PoM proposed improvements to the capacity and resilience of sportsfields to enable more sport to be played more often. This includes improvements to drainage, irrigation and lighting for sportsfield 6. No change proposed to the PoM.
	Requests for play zone to include outdoor basketball/netball court, climbing towers/rock walls, ladders, bridges, slides and swings and children’s playground.	The draft PoM proposed a new inclusive play zone. When this project is approved and funded community engagement undertaken, and feedback received will inform the final design and the play elements included. This feedback will be considered at that time. No change proposed to the PoM.
	Requests for an aquatic centre/50m swimming pool.	The draft PoM does not include consideration of an aquatic centre for the Reserve. A feasibility study would be required to identify the need for such a facility and to identify potential locations should there be a need. The focus of the PoM is on existing users. No change proposed to the PoM.
Leasing, licensing	Request to allow leasing parts of the rugby park for new services	The draft PoM expressly authorises leasing and licensing in keeping with the status of the land and the PoM. No change proposed to the PoM.
	Rugby club should not be allowed to charge money to use the overflow carpark.	Referred to the Property team to consider during leasing and licencing negotiations. No change proposed to the PoM.
Facilities and Infrastructure	AFL facilities are small and outdated and no proper undercover area for players and spectators.	The draft PoM proposed to upgrade and expand the Sports South Amenities Building (the AFL clubhouse) including additional storage, change rooms and amenities. No change proposed to the PoM.
	Requests for additional park furniture including seating and bins.	The draft PoM proposed the provision of more bins and new park furniture such as seating. No change proposed to the PoM.
Traffic and Parking	Request non commuter parking in the Park&Ride commuter carpark on weekends.	This request has been sent to Transport for NSW for their consideration. No change proposed to the PoM.
	Concerns and ideas raised include: <ul style="list-style-type: none"> • Not enough parking. • Proposed new carpark on field 7 area does not have as many parking bays as the current overflow carpark. • Extend the proposed new carpark on field 7 area to the 2nd gate on Walsh Street. • Illegal parking on neighbouring streets. • Request for speed control measures. 	The proposed car park on the field 7 area has been reconfigured in the masterplan to include more parking bays. The PoM has been amended to include that a review of the golf centre area be undertaken as required by Council including for viability, safety, functionality and parking. Temporary event parking may be permitted in the rugby park with Council approval. Angled parking and speed control measures along Walsh Street are out of scope for the PoM. These requests have been referred to the Transport Network Team.

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> • Modify internal roads for better traffic flow. • Consider making the laneway one way from Walsh Street to Pittwater Road. • Relocate the proposed entry/exit to the proposed new carpark on field 7 area from the lane to Walsh Street to lessen impact on nearby residents. • Consider angle parking along Walsh Street. • Consider parking within the Rugby Park precinct. • Requests to reduce the size of the golf centre to allow for car parking. 	
	Request to name the road that runs through the Reserve to help with directions and emergency services.	Requests to name roads can be made by submitting a formal proposal to Council. No change proposed to the PoM.
	Concerns about the heating impacts associated with adding an asphalt carpark.	The draft PoM reiterates environmental assessments will be undertaken as required for projects. The design of proposed new car parking will consider heat and other impacts as part of an environmental assessment. No change proposed to the PoM.
	Requests to change Friday bin day to alleviate issues with parking in local streets on market day Fridays.	Referred to the Waste Management & Cleansing team to consider. No change proposed to the PoM.
	Request to fix the Park&Ride carpark usage indicator. Request to add an additional level to the Park&Ride carpark.	Referred to Transport for NSW to consider. No change proposed to the PoM.
Safety and connectivity	Concerns the proposed path around the AFL clubhouse and the play zone will encroach on field space. Field space to be a priority.	All paths proposed within the PoM will be designed to ensure there is an appropriate buffer between playing fields and these paths. No change proposed for the PoM. A minor realignment of the path around the Sports South Amenities Building (the AFL clubhouse) has been made in the masterplan.
	Consider extending the paths so they loop the park area, providing a path to walk/run around.	The draft PoM proposed pathway improvements to improve the safety, connectivity and functionality for pedestrians and cyclists. This includes a shared path. No change proposed to the PoM.
	Concern about stray golf balls from the golf centre.	The draft PoM proposed improvements to the golf centre including an upgrade to the protection netting to control stray balls. No change proposed to the PoM.
	Requests to move location of the markets somewhere else in the Reserve.	The licence for the markets prescribes the location for the market within the Reserve. The location will be reviewed each time the licence is reviewed, based on staff, community and operator feedback. The draft

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
		PoM authorises a licence for markets. No change proposed to the PoM.
	Request for lighting on path from Park&Ride to sportsfield 1. Don't support pathway lighting.	The draft PoM proposed lighting to public spaces including along pathways. Public lighting is supported by the Police. No change proposed to the PoM.
	Request to maintain a gate at the roadway to Field 5 parking for security reasons at night.	The draft PoM proposed actions to ensure the Reserve is a safe place day and night this includes ensuring gates are closed as required. No change proposed to the PoM.
Environment and green space	Request for Council to use renewable sources where possible.	Actions within the draft PoM will be carried out in line with Council's environmental sustainability and related policies. Renewable sources will be considered as required and where practicable. No change proposed to the PoM.
	Requests relating to vegetation include: <ul style="list-style-type: none"> • mulched garden beds • native trees and shrubs • more trees for shade • leave bushland behind the golf business as it • plant a diversity of different vegetation types to create a pollinator and wildlife corridor about fields 5 and eastern side of the Reserve. Don't support planting of fire prone vegetation.	The draft PoM proposed retaining and enhancing existing bushland areas through tree plantings and native feature gardens including along park frontages as well as conserving existing shade tree canopy and extending to create more shade. Vegetation is managed by Council to minimise fire risks. No change proposed to the PoM.
	Request to leave the osprey nest on the sportsfield lighting and for an additional artificial nesting tower. Request for bird/possum boxes.	The Eastern osprey is listed as vulnerable and is provided protections under the <i>Biodiversity Conservation Act 2016</i> . There are no plans to move the osprey nest. The PoM has been amended to include consideration of the need for artificial habitats and to install as required.
	Request to return the Reserve to the environment by developing a park, botanic or else, with a cultural vision.	The draft PoM outlines the importance of the Reserve and its facilities as a sport, recreation and community hub that is required to meet current and future needs. The PoM aims to have improved environmental outcomes at the Reserve. No change proposed to the PoM.
	Request to avoid plover nesting areas.	Nesting areas will be managed in accordance will relevant legislation and guidelines. No change proposed to the PoM.
Local Resident Considerations	Request to ensure open drain at the rear of properties on Collins Street is adequately maintained to avoid flooding. Requests to address drainage issues along the Sydney Road edge of the Reserve.	Drainage in the Reserve is maintained in accordance with Council's Asset Management Plans. These matters referred to the Parks & Open Space Operations team. The draft PoM proposed upgrades to drainage throughout the Reserve. No change proposed to the PoM.

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Responses
	Concerns of new sportsfield lighting impacting on nearby residents.	The new sportsfield lighting proposed in the draft PoM is to be designed to minimise lighting impacts (spillage) on nearby residents. Users of sportsfield lighting are required to have Council approval and to abide by the conditions of their approval including time restrictions. No change proposed to the PoM.
	Concern about noise from concerts and use of hooters during sport.	The draft PoM proposed that events are managed to minimise local resident impacts. Council approval is required to hold a concert in the Reserve. Concert organisers and other users of the Reserve are to abide by Council's conditions of use related to noise set out in Council's approval for use. Users of the Reserve are also to abide by noise regulations set out in relevant legislation. No change proposed to the PoM.
	Concerns about proximity of picnic tables/seating to nearby homes.	The location of proposed seating has been relocated away from nearby homes in the masterplan.
Out of Scope	Report of cars drag racing on Walsh Street.	Referred to the Transport Network Team to consider any relevant road treatments on Walsh Street. No change proposed to the PoM.
	Cars parking on median strip at eastern end of Walsh Street obstructing views.	Referred to the Transport Network Team to consider any street design modifications. No change proposed to the PoM.
	Consider changing traffic light timing at Pittwater Road to assist in traffic flow.	Referred to the Transport Network Team to take up with Transport for NSW. No change proposed to the PoM.

TIMING

Should the final draft PoM be adopted by Council, it will come into immediate effect.

FINANCIAL CONSIDERATIONS

The proposed actions within the final draft PoM are unfunded until confirmed in Council's Delivery Program for operational and capital funding. Funding for these proposed actions would be considered as required during the annual process for developing Council's Delivery Program. State and Federal Government grants and other grants will also be sought to funds these actions.

GOVERNANCE AND RISK CONSIDERATIONS

The final draft PoM has been prepared in accordance with the *Local Government Act 1993* and relevant Council strategies, plans and policies. If adopted, the final draft PoM will supersede and revoke the North Narrabeen Reserve Plan of Management (2004).

Given the estimated cost and scope of the actions within the final draft PoM masterplan, these actions will be prioritised over at least 10 financial years to minimise financial risks for Council. Prioritisation of actions will be based on, among other things, availability of funding, obtaining environmental, planning and other required approvals and community feedback and need (at the time the action is considered).

ENVIRONMENTAL CONSIDERATIONS

The final draft PoM aims to have improved environmental outcomes at the Reserve through increased tree planting, improved water quality and introduction of additional habitat. Infrastructure actions will be designed to comply with Council’s Sustainable Design Guidelines.

The adoption of this plan of management identifies the purposes for which the land the subject of this plan will be used and actions to achieve these purposes.

The implementation of each of the actions identified in this PoM is dependent on resourcing and funding, feasibility research and obtaining any necessary approval, licence, authorisation or permission.

Prior to carrying out actions identified in this plan, it may be necessary to obtain development consent or undertake an environmental assessment under Division 5.1 of Part 5 of the *Environmental Planning and Assessment Act 1979*.

SOCIAL CONSIDERATIONS

The final draft PoM aims to support and enable, among other things:

- accessible and higher quality sport and recreation facilities for a diverse range of sports and for casual recreation
- increased capacity of sportsfields and facilities to assist in meeting the need for greater access for training and competition
- a broad variety of higher quality, more accessible sport, recreation and community experiences and opportunities particularly for children and young people
- appropriate and viable commercial opportunities
- equitable access to and equitable management of the Reserve and its facilities.

LINK TO STRATEGY

The PoM aligns with strategies and plans including the Community Strategic Plan 2040, Sportsgrounds Strategy 2017 and Let’s Play - the Northern Beaches Open Space and Outdoor Recreation Strategy 2022.

This PoM relates specifically to these Community Strategic Plan 2040 Outcomes and Goals:

- Environmental sustainability - Goal 5 Our built environment is developed in line with best practice sustainability principles.
- 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.
- 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.

Reporting team	Parks & Open Space
TRIM file ref	2024/507974

Attachments

- ⇒1 Community Engagement Report Stage 2 - Draft North Narrabeen Reserve Plan of Management (Included In Attachments Booklet)
- ⇒2 North Narrabeen Reserve Plan of Management (Draft) (Included In Attachments Booklet)

ITEM 11.4 PUBLIC EXHIBITION - DRAFT MONA VALE BEACH (SOUTHERN END) PLAN OF MANAGEMENT

PURPOSE

The purpose of this report is to seek Council's approval to assign a community land category to Crown reserve 1040912 and place the draft Mona Vale Beach (Southern End) Plan of Management on public exhibition.

EXECUTIVE SUMMARY

- At its meeting of 22 August 2023 Council resolved (225/23), among other things, to prepare a plan of management for the southern end of Mona Vale Beach that incorporates a proposal for an off-leash dog trial.
- In response, the draft Mona Vale Beach (Southern End) Plan of Management (PoM) has been prepared in accordance with the *Local Government Act 1993* and the *Crown Land Management Act 2016*, and is provided at Attachment 1.
- The draft PoM is a site-specific natural area Plan of Management that includes Crown land managed by Council, and Council-owned Community land, and covers land that includes beach (foreshore), vegetated dunes and escarpment.
- Consistent with Resolution 225/23, the draft PoM incorporates a proposal for an off-leash dog trial.
- In accordance with the *Local Government Act 1993* the draft PoM was referred to the NSW Department of Planning, Housing and Infrastructure which has provided Council with its consent to publicly exhibit the draft PoM.
- Dogs are not presently permitted at the southern end of Mona Vale Beach and will not be permitted unless Council, among other things, adopts the draft PoM, amends the current prohibition on dogs on the beach and, in relation to off-leash dogs, declares the relevant land to be an off-leash dog area under section 13(6) of the *Companion Animals Act 1998*.

RECOMMENDATION

That Council:

1. Assign the category Natural Area Foreshore to that part of Crown reserve 1040912 which falls within the boundary of the draft Mona Vale Beach (Southern End) Plan of Management and do all things necessary to progress this categorisation in accordance with the *Crown Land Management Act 2016* including to give written notice to the Minister of the category assigned to this land.
2. Place the draft Mona Vale Beach (Southern End) Plan of Management (Attachment 1) on public exhibition for a minimum of 42 days in accordance with the *Local Government Act 1993*.
3. Receive a further report on the outcome of the public exhibition.

BACKGROUND

At its meeting of 22 August 2023 Council considered Item 11.1 Outcome of the Public Exhibition of the draft Review of Environmental Factors for the Proposed Trial Dog Off-leash Areas at Palm Beach (North) and Mona Vale Beach (South). Council subsequently resolved (225/23):

That Council:

1. Note the draft Community Engagement Report at Attachments 1, 2 and 3.
2. Note the findings of the revised draft Review of Environmental Factors at Attachment 4.
3. Negotiate with Crown Lands for Council to obtain care, control and management of as much land as is necessary to effect progress of the draft Plans of Management and proposed off-leash dog trials.
4. Take the necessary steps to assign categories to the relevant Crown land at Palm Beach (North) and Mona Vale Beach (South) under section 3.23 of the *Crown Land Management Act 2016*.
5. Prepare a draft Plan of Management under the *Crown Land Management Act 2016* for Governor Phillip Park incorporating a proposal for an off-leash dog trial as described in Attachment 4.
6. Prepare the necessary draft Plan/s of Management under the *Local Government Act 1993* and the *Crown Land Management Act 2016*:
 - a. for the management areas of Mona Vale Beach indicated in Figure 11 of the Ocean Beaches Plan of Management (2005), extending as far north as Golf Avenue; and
 - b. that incorporate/s a proposal for an off-leash dog trial at Mona Vale Beach as described in Attachment 4.

This report responds to Parts 3 and 4 (insofar as these items relate to Mona Vale Beach) and Part 6 of the Resolution as outlined below.

Item 3 – Negotiation with Crown Land

On 26 April 2024 Council was appointed Crown land manager for Crown reserve 1040912 (R1040912). This provides Council with the care, control and management of the additional Crown land necessary to progress the draft Mona Vale Beach (Southern End) Plan of Management (PoM) including the proposed off-leash dog trial at Mona Vale Beach (south) contemplated by Council.

Item 4 – Assign appropriate land categories

At its meeting of 30 April 2024 Council resolved (107/24) to assign land categories to 35 Crown land reserves (at 33 locations) and to notify the Minister administering the *Crown Land Management Act 2016* of the assigned categories. This included part Crown reserve 45244 (R45244) which falls within the draft PoM boundary.

On 20 August 2024 the Department of Planning, Housing and Infrastructure (DPHI) confirmed agreement with Council's assigned categories of Natural Area Foreshore and Bushland for R45244.

Having regard to the relevant guidelines under the *Local Government Act 1993* (LG Act), the draft PoM also proposes the category of Natural Area Foreshore for that part of R1040912 which falls within the boundary of the draft POM. This is the most appropriate category and is consistent with the categories assigned by Council at its meeting of 30 April 2024, at which time Council also assigned the category of Natural Area Foreshore to the immediately adjacent foreshore land to the west that forms part of R45244. In reviewing the draft PoM, DPHI did not raise any concerns with this proposed categorisation and consented to its inclusion in the draft POM. Accordingly, it is proposed that the category Natural Area Foreshore now be assigned to the applicable part of R1040912.

No change is proposed to the existing categories of the Council owned Community land, these being Natural Area Foreshore, Bushland and Escarpment. A map of the categories and the objectives of each category can be found within the draft PoM (figure 5, page 16).

Item 6 – Prepare the necessary Plans of Management

The draft PoM has been prepared in accordance with the LG Act and the *Crown Land Management Act 2016* (CLM Act).

In accordance with Resolution 225/23 the draft PoM also incorporates a proposal for an off-leash dog trial at Mona Vale Beach (the Trial) as described in the revised draft Review of Environmental Factors for the Proposed Dog Off-leash Trial Areas Palm Beach (north) and Mona Vale Beach (south) dated 20 June 2023 (draft REF 2023).

The land covered by the draft PoM includes Council-owned community land and Crown land managed by Council.

The LG Act requires that any PoM for a Crown reserve is referred to the NSW Government (as owner of the land) in draft form prior to Council placing the PoM on public exhibition. The draft PoM was referred to the DPHI on 3 June 2024 for review and consent to publicly exhibit. On 30 August 2024 the DPHI provided its consent to Council to publicly exhibit the draft PoM.

DISCUSSION

The draft PoM specifically addresses the management of Mona Vale Beach (southern end). It outlines the way this land is proposed to be used, managed and developed. The actions in the draft PoM aim to balance community need with the sustainability of the natural environment.

Key proposed actions in the draft PoM include:

- conserve, manage and improve native coastal vegetation
- protect the dune and tidal foreshore system
- monitor storm conditions and impacts, including coastal erosion
- maintain and improve infrastructure such as paths, fences and signage
- establish a dog off-leash area on a trial basis

The draft PoM also allows for Council to consider making the trial more permanent, noting this would require further consideration and approvals before such a decision could be made.

All proposed actions in the draft PoM are subject to availability of funding and resources and any required environmental, planning or other approvals.

Generally a PoM will provide the framework for Council to follow in relation to the authorisation of leases, licences and other estates. There are no current leases, licences or other estates on the land covered by the draft PoM.

Should this draft PoM eventually be adopted by Council, it is intended that the relevant sections of the existing Ocean Beaches Plan of Management (e.g. those that relate to Mona Vale Beach (South)) will no longer apply, and instead be replaced by this draft PoM. The draft PoM contains provisions to amend the existing Ocean Beaches Plan of Management.

CONSULTATION

Section 38 of the LG Act requires Council to give public notice of the draft PoM, including exhibition for at least 28 days, and a period of at least 42 days after the first day of public exhibition during which submissions may be made to Council.

Should the recommendations within this report be approved the draft PoM will be placed on public exhibition for a minimum of 42 days, during which community feedback will be sought.

The opportunity to provide feedback would be promoted via temporary signs at the site, letters to nearby residents, emails to stakeholders, an on-line Your Say web page, book-a-call (where people can book a time to speak to staff over the phone) and Council's electronic newsletters and social media platforms. Feedback would be collected through an online form, letters and emails.

An easy read version of the draft PoM and the draft REF 2023 will be available on the Your Say web page as part of the document library for the public exhibition.

A public hearing is not required. No land category changes are proposed in the draft PoM for community land or R45244. A public hearing is not required to assign a category to R1040912. for the first time.

TIMING

Public exhibition of the draft PoM will commence as soon as practicable should Council resolve to place it on public exhibition.

The outcomes of the public exhibition of the draft PoM along with a final draft PoM will be reported to a Council meeting following a review of the community feedback received.

Dogs are not presently permitted at the southern end of Mona Vale Beach and will not be permitted unless Council, among other things, adopts the draft PoM, amends the current prohibition on dogs on the beach and, in relation to off-leash dogs, declares the relevant land to be an off-leash dog area under section 13(6) of the *Companion Animals Act 1998*.

FINANCIAL CONSIDERATIONS

Council has budgeted for the costs associated with publicly exhibiting the draft PoM.

GOVERNANCE AND RISK CONSIDERATIONS

Should the draft PoM subsequently be adopted it will amend Pittwater Council's Ocean Beaches PoM (2005) such that it will no longer apply to the southern end of Mona Vale Beach, and instead will be amended and replaced by the draft PoM in respect of this land.

Regarding the Trial, the report to the Council Meeting held 22 August 2023 Item 11.1 indicated that along with a PoM that permits use of the land for the Trial:

- Council would need to determine whether to proceed with the Trial, and if it determines to do so, vary the existing Pittwater Council Dog Control Policy (No 30), and make orders under the *Companion Animals Act 1998* to permit dogs off-leash for the purpose of the Trial.
- The decision to proceed would need to be accompanied by relevant environmental assessments in line with the judgment in *Palm Beach Protection Group Incorporated v Northern Beaches Council [2020] NSWLEC 156* and the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

It is planned that these matters along with the outcomes of the public exhibition of the draft PoM would be the subject of the future report to Council reporting on the outcomes of the public exhibition.

ENVIRONMENTAL CONSIDERATIONS

The draft PoM is consistent with the draft REF 2023 insofar as it relates to Mona Vale Beach. Given the recency of the draft REF 2023 it is considered there is no need to update the draft REF 2023 at this time for the purpose of the public exhibition of the draft PoM.

In regard to the draft REF 2023 the report to the Council meeting held 22 August 2023, Item 11.1 indicated that the draft REF 2023:

- takes into account environmental considerations, having regard to the requirements of the EP&A Act, Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and the Guidelines for Division 5.1 assessments (Department of Planning and Environment, June 2022)
- concludes that the proposed Trial is not likely to significantly affect the environment, including threatened species, populations, ecological communities, or their habitats
- recommends the implementation of a range of measures as part of the Trial to eliminate, ameliorate, or further minimise the predicted impacts. The proposed Trial will not impact on any Matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

SOCIAL CONSIDERATIONS

Council has received community feedback that there is a need for more off-leash areas in Council's parks and for beach locations to be considered. The draft PoM and Trial if implemented would potentially provide recreational, social and well-being benefits for people who enjoy time with their dogs at the southern end of Mona Vale Beach.

Council has also received community feedback that dogs should not be allowed on any beaches, no matter whether on or off-leash.

LINK TO STRATEGY

This report relates to these Community Strategic Plan 2040 Outcomes and Goals:

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.
- 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.

Reporting team	Parks & Open Space
TRIM file ref	2024/269161
Attachments	⇒1 Draft Mona Vale Beach (southern end) Plan of Management (Included In Attachments Booklet)

**ITEM 11.5 RESPONSE TO NOTICE OF MOTION NO 21/2024 - URGENT
FRESHWATER VILLAGE SAFETY, TRAFFIC, MAINTENANCE AND
OPERATIONAL ISSUES**

PURPOSE

The purpose of this report is to respond to the Notice of Motion No 21/2024 – Urgent Freshwater Village Safety, Traffic, Maintenance and Operational Issues.

EXECUTIVE SUMMARY

- Council resolved (185/24) to, among other things, request that staff consult with local stakeholders regarding a range of potential improvements to Freshwater Village and bring back a report to Council.
- Freshwater Village was upgraded in 2009 and is considered to be in good condition.
- Service levels for maintenance of Freshwater Village are consistent with Town and Village areas across the Northern Beaches categorised as Local Centres.
- Council has a prioritised Renewal Program for Town & Village Centres and Freshwater is not a priority for renewal at this stage.
- Options to improve traffic management, pedestrian access and wayfinding are programmed to be considered as part of our Safer Neighbourhoods Program in the 2025/26 financial year.
- Provision of a disabled public toilet is currently programmed as part of the Public Amenities Renewal Program in 2026/27 financial year.
- Council can deliver some minor Capital Works in the area including a water refill station and community notice board in the 2024/25 financial year.

RECOMMENDATION

That Council note the report.

BACKGROUND

At its Ordinary Council Meeting held 30 July 2024, Council resolved (185/24):

That Council:

1. In collaboration with Manly Chamber of Commerce sub committee, Friends of Freshwater and other interested parties investigate opportunities to address maintenance, cleansing, community board, bubblers, bins, lighting, signage, pedestrian safety and active transport.
2. Investigate the following for inclusion in a future capital expenditure plan:
 - a. Landscaping
 - b. updating public amenities
 - c. accessible pathways.
3. Investigate options for funding Freshwater Village improvement works
4. Bring a report back to Council within 3-6 months.

DISCUSSION

Staff met with members of the Manly Chamber of Commerce Freshwater Sub Committee and Friends of Freshwater on Wednesday 28 August 2024 to discuss issues raised in the original Notice of Motion. An inspection also occurred on Friday 18 October 2024 with a subset of the group. An additional meeting was held on Monday 18 November 2024.

There are approximately 80 town and village centres within the Northern Beaches Local Government Area (LGA). This includes 5 strategic centres such as Manly and Mona Vale, 10 local centres such as Manly Vale and Avalon, with the remainder categorised as neighbourhood centres. Freshwater Village is a local centre and was last upgraded in 2009. The centre is in good condition.

Current service levels

Service levels within Freshwater Village are consistent with those applied across all local centres. Routine servicing of the Freshwater Village is undertaken as follows:

- Daily litterbin collection from 7 bin enclosures, along with litter pick and removal
- Weekly garden and paving maintenance and a general blow out of hard surface areas
- Demand based illegal dumping removal
- Demand based rapid graffiti removal
- Mechanical sweeping of residential streets on a 10-weekly cycle
- Annual cleaning of shade sails, with the sail in the main square last cleaned in October 2024, and the shade structures above the seating pods on Lawrence Street last cleaned in August 2024
- Annual high pressure washing and cleaning of paved footpath and common areas within the Freshwater Village area.

The services will be monitored and opportunities to improve performance investigated where possible. Higher service levels are not possible at this stage within Council's existing funding envelopes.

Improvement programs

Current priorities for the Town and Village Centres 4-year Renewal Program include Church Point, North Narrabeen, Seaforth and Balgowlah.

Preparation of a comprehensive landscaping plan for Freshwater Village, including garden upgrades, additional shade structures and lighting, is not considered a priority at this stage. However, minor works including the installation of a water refill station and community notice board, can be undertaken within the 2024/25 financial year. Bin enclosures will be progressively renewed as part of Council's bin replacement program.

Council has a Safer Neighbourhoods Program in place, which considers matters such as traffic calming, speed reduction, parking provision, pedestrian and vehicle interactions, and wayfinding signage. The Freshwater Village and beach precinct is due to be reviewed under this program in 2025/26. Full community consultation will be undertaken during that process to understand priorities for the area.

The existing primary access pathways between the beach and the village are the 2 footpaths either side of Moore Road. It is acknowledged that sections of these footpaths are starting to show signs of age and minor deterioration, however the overall condition of these footpaths does not warrant a full renewal in the short term (i.e. less than 5 years).

Minor trip hazards that are identified on the footpath can and will be continued to be remediated through routine maintenance activities. Widening the footpaths will be considered at the time of a major renewal and will be implemented having consideration of all constraints (i.e. utilities, street trees). Improved mobility around bus shelters along Moore Street can be realised upon renewal of the bus shelters whereby their location can be slightly adjusted.

In terms of public amenities, it is intended to upgrade the toilets at the rear of the Aboriginal Heritage Office in Lawrence Street. The facility will include provision for people with disabilities in accordance with the relevant standards. This is currently identified for the 2026/27 financial year in the Public Amenities Program.

CONSULTATION

Staff met with representatives of the Manly Chamber of Commerce Freshwater Sub Committee and Friends of Freshwater on Wednesday 28 August 2024, Friday 18 October 2024 and Monday 18 November 2024.

TIMING

Works and investigations recommended in this report will take place over various years, in accordance with existing forward Capital Works programs. Minor works will be undertaken in 2024/25 financial year, investigations under the Safer Neighbourhoods Program in 2025/26, and the Public Amenities Program in 2026/27 pending adoption of the relevant Delivery Plan and no unexpected changes in the conditions of other buildings that may warrant reprioritisation.

FINANCIAL CONSIDERATIONS

Funding to undertake the installation of a bubbler and community notice board can be accommodated in the current Parks & Open Spaces Capital Works program. As identified in the report, a number of matters are included in forward capital renewal programs, which will consider and address the issues raised.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance and risk issues.

ENVIRONMENTAL CONSIDERATIONS

The subject of this report has no adverse environmental implications for Council.

SOCIAL CONSIDERATIONS

The improvements discussed in this report will have positive social outcomes for the community through improved safety of town and village centres and streetscapes, as well as improved amenities available for the public.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Parks & Open Space
TRIM file ref	2024/744608
Attachments	Nil

ITEM 11.6 NSW SHARK MANAGEMENT PROGRAM

PURPOSE

To advise Council of the proposed response to the NSW Government's survey on preferred shark mitigation measures on the Northern Beaches.

EXECUTIVE SUMMARY

- The NSW Department of Primary Industries and Regional Development – Fisheries (Fisheries) has written to Council advising of the development of its next Shark Management Program (Program), and seeking Council's response to a survey on preferred shark mitigation measures.
- The Program was developed in response to the NSW Shark Management Strategy which had an overall aim of increasing protection for beachgoers from shark interactions, while minimising harm to sharks and other marine mammals.
- The Program uses a range of mitigation measures including SMART drumlines, drones, listening stations and shark nets at beaches from Newcastle to Wollongong (including 15 in the Northern Beaches LGA).
- In 2021, Council resolved, in part (095/21), that it does not support shark mesh nets, has a low preference for their use compared with other measures, and requested that alternative shark mitigation strategies be deployed instead of shark meshing.
- This position has been used as the basis for Council's subsequent representations on the issue.
- In preparing the next five-year Program (2026-2030), Fisheries is undertaking targeted surveys with 25 Councils to understand the level of support for the various mitigation measures in the Program.
- Staff intend to use the current Council resolution to inform the submission of the current Fisheries survey which is due to be submitted by 20 December 2024.

RECOMMENDATION

That Council:

1. Note the report and proposed survey response in Table 1.
2. Write to the NSW Minister for Agriculture advising of point 3 in Council Resolution 095/21 on shark mitigation measures.

BACKGROUND

The NSW Department of Primary Industries and Regional Development – Fisheries (Fisheries) developed and implemented a Shark Management Program (Program) which has been operating since 2021. The Program has the following objectives:

- Reduce risk to humans from shark bites at beaches within the Program area, and
- Minimize the impact on non-target species and to ensure that the Program does not jeopardise the survival or conservation status of threatened species, populations and ecological communities.

The NSW Minister for Agriculture recently announced that the 2024/25 Program will comprise tagged shark listening stations, SMART drumlines, shark nets, Surfing NSW trauma kits, drones, the SharkSmart app, a community awareness campaign, and shark and social research.

Fisheries wrote to Council on 22 November 2024 advising of the development of its next Program (2026-2030), providing a range of information on the current Program including community sentiment, and seeking Council's response to a survey on preferred shark mitigation measures (Attachment 1).

In this correspondence, Fisheries outlines the shark mitigation measures deployed on the Northern Beaches in the 2024/25 management period. These include 15 shark nets deployed between 1 September and 31 March (weather permitting), 30 SMART drumlines deployed daily (weather permitting), 3 tagged shark listening stations and 3 drone surveillance sites, provided in the peak swimming seasons by Surf Life Saving NSW. Further information can be found on page 9 of Attachment 1.

Council has previously considered feedback on the shark management measures, and at its meeting of 27 April 2021 resolved (095/21) as follows:

1. Amend the Draft Survey at Attachment 1 as follows:
 - A. Question 4.4 Shark mesh nets - be amended from 'supported' to 'not supported'.
 - B. Question 6.5 Shark mesh nets - be amended from '8 – High Preference' to '2 - Low Preference'.
2. Submit the survey to DPI Fisheries by close of business 30 April 2021 following the incorporation of the above amendments.
3. Write to DPI Fisheries expressing:
 - A concern over the harm to wildlife caused by shark meshing
 - B. support for the replacement of shark meshing with a combination of modern and effective alternative shark mitigation strategies that maintain or improve swimmer safety
 - C. note that smart drum lines and drones are Council's preferred options
 - D. request that the alternative shark mitigation strategies be deployed instead of shark meshing this coming season.

Council staff have continued to make representations on the basis of the above position, including correspondence to relevant Ministers and completion of subsequent surveys.

DISCUSSION

Targeted consultation is currently being undertaken by the NSW Government with 25 Councils, to ensure the next Program is aligned with the values of coastal communities. Councils are being asked to provide preferences for shark mitigation measures within their Local Government Area.

This year's draft survey response, identifying the shark mitigation measures Council supports for implementation within the Northern Beaches LGA, is shown in Table 1. This response reflects Council's previous resolution on this matter.

Table 1: Draft Preferences Survey response

Shark Mitigation Measure	Northern Beaches Council's support for the measures in their LGA
Drones	YES
SMART drumlines	YES
Tagged shark listening stations	YES
Nets	NO

Notwithstanding the survey response, it is recommended that Council write to the current Minister for Agriculture outlining Council's existing position on shark mitigation options as expressed in Item 3 of the above resolution (095/21).

CONSULTATION

Councillors and staff have previously participated in Fisheries' forums associated with the Survey. Environment and Resilience staff have sought and received comments from other relevant teams within Council such as Beach Safety.

Fisheries have undertaken community sentiment research on shark mitigation, which is also provided in Attachment 1. The research indicates that there are a range of opinions on various shark mitigation measures.

TIMING

A response to the Survey is required by 20 December 2024.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

There are risks and benefits associated with a change in shark mitigation strategies. While a change in strategy may result in a reduced bycatch, it may inadvertently increase the risk of an interaction. While the data on reduced bycatch from different options appears robust, there does not appear to be sufficient data to determine which if any option materially reduces the risk of human interaction with sharks (simply because the background risk is so low).

Accordingly, while Council can make comment with respect to survey feedback, any decision to replace the current strategy is the responsibility of Fisheries in consideration of all the relative risks and benefits to both the environment and the swimming population. Council will continue to rely on the advice of Fisheries on the appropriate detection and deterrence actions for shark interactions on the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

Fisheries has the expertise and responsibility for determining the significance of the Program's impacts on aquatic ecology and threatened species. The Program is subject to environmental assessment by Fisheries and is reviewed by NSW Fisheries Scientific Committee. Staff agree that programs or technology that seek to lower shark and/or non-target bycatch mortality should be supported where they maintain or improve the safety of recreational beach users.

SOCIAL CONSIDERATIONS

The safety of our community while swimming at our beaches is a priority for Council.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome/s and Goal/s:

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.

Reporting team	Environment & Climate Change
TRIM file ref	2024/856763
Attachments	⇒1 NSW Dept of Primary Industries and Regional Development - Shark Management Program - Northern Beaches Council Mitigation measures information package (Included In Attachments Booklet)

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1 OUTCOME OF PUBLIC EXHIBITION AND PUBLIC HEARING - PLANNING PROPOSAL FOR LOT 2 WINBOURNE RD, BROOKVALE (PEX2024/0003)

PURPOSE

This report presents the outcomes of the public exhibition of a planning proposal for land located at Lot 2 DP1174201 Winbourne Road, Brookvale and the associated public hearing in relation to the proposed reclassification of the land and seeks Council's endorsement to progress the planning proposal for finalisation by the Department of Planning, Housing and Infrastructure.

EXECUTIVE SUMMARY

- In May 2024, Council received a planning proposal request to rezone Lot 2 DP1174201 in Winbourne Road, Brookvale from RE1 Public Recreation to E4 General Industrial, and to reclassify the land from Community to Operational.
- The land is a small Council-owned drainage reserve that is no longer required for drainage.
- Council at its Ordinary Meeting on 30 July 2024 resolved to forward the planning proposal for a Gateway Determination, and a Gateway Determination to proceed subject to conditions was issued on 30 August 2024.
- The Gateway Determination included conditions requiring minor amendments to the planning proposal. An updated planning proposal was forwarded to the Department of Planning, Housing and Infrastructure and was approved by the Department on 4 September 2024.
- Statutory public exhibition in accordance with the Gateway Determination was undertaken from 27 September 2024 to 25 October 2024 and two submissions were received, with one later withdrawn. The remaining submission sought explanation rather than raising objection to the proposal, and the submitter's main concern was to ensure that the community is aware of the proposal as it involves public land.
- An independent planning consultant, DFP Planning, has reviewed the compliance of the planning proposal with the Gateway Determination, the public exhibition process and the submissions received, and has recommended that Council progress the Planning Proposal.
- A public hearing into the proposed reclassification of land was held on 18 November 2024, at which no members of the community attended.
- The public hearing was chaired by an independent person whose report on the hearing concluded that the proposed reclassification is appropriate and recommended that Council progress the planning proposal.

RECOMMENDATION

That Council:

1. Endorse the planning proposal in respect of the site at Lot 2 DP 1174201, at Attachment 1 to this report (Planning Proposal).
2. Request the Department of Planning, Housing and Infrastructure, as the Minister for Planning and Public Space's delegate, to make the Local Environmental Plan under s.3.36 of the *Environmental Planning and Assessment Act 1979*.
3. Advise the applicant and submitter of Council's decision.

BACKGROUND

The site

The site is legally described as Lot 2 DP1174201 (site) and is a small Council-owned strip of land originally dedicated as a drainage reserve. The site is currently classified as community land under the Local Government Act 1993.

It has an area of 92sqm and is located in Brookvale’s eastern industrial precinct, between 39 and 41 Winbourne Road (see Figures 1, 2 and 3 below).

The original drainage reserve extended through to Chard Road to the south. However, the southern half of the reserve was rezoned, reclassified, sold and developed in conjunction with adjoining land more than 10 years ago.

The site is no longer required for drainage.



Figure 1 Location (site outlined in red)



Figure 2 Streetview

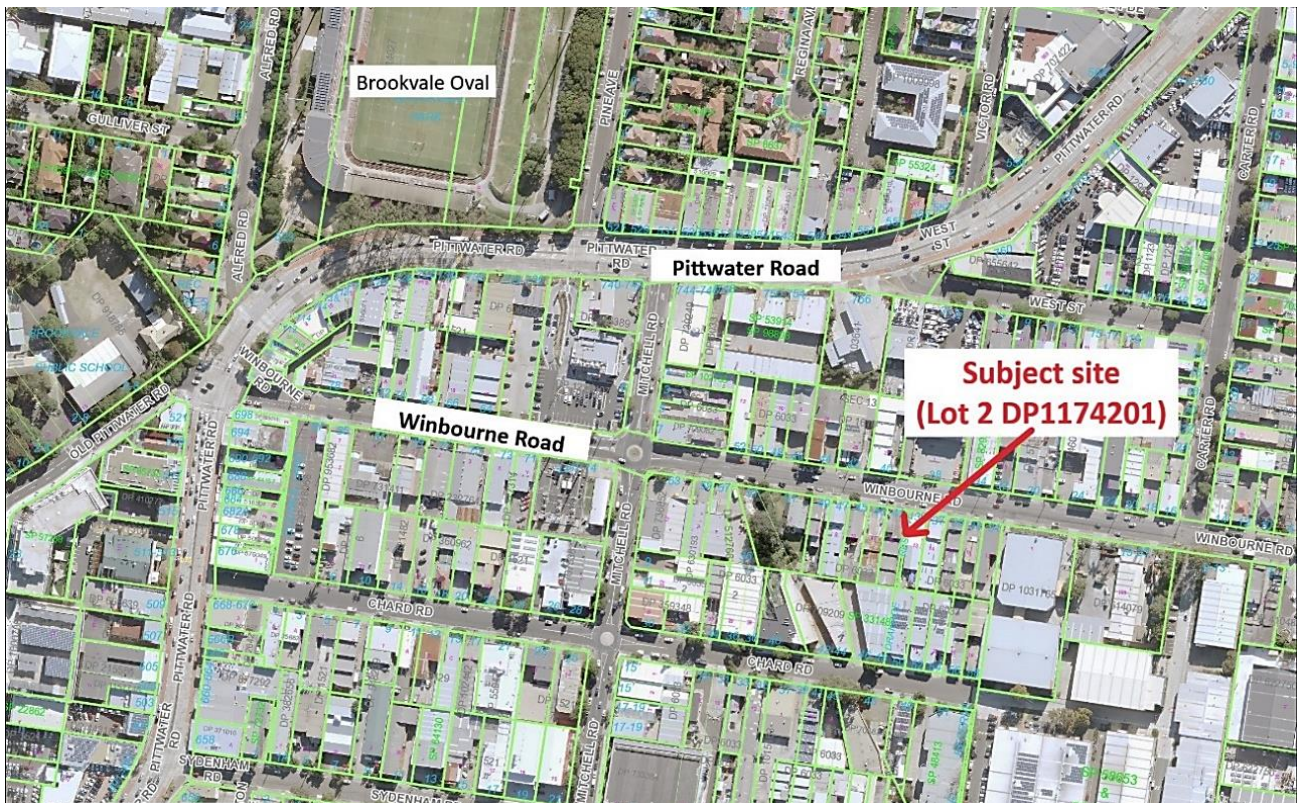


Figure 3 Location within broader context of industrial precinct

The planning proposal

The planning proposal seeks to amend the *Warringah Local Environmental Plan 2011 (WLEP)* to:

- rezone the site from RE1 Public Recreation to E4 General Industrial,
- apply a maximum building height of 11m on the Height of Buildings Map for the site;
- apply a minimum lot size control of 4,000sqm on the Lot Size Map for the site (consistent with adjacent land currently zoned E4 General Industrial); and
- list the site in Part 2 of Schedule 4, so as to reclassify the site from community to operational land as per the *Local Government Act 1993*.

The Planning Proposal request was made by the owners of adjoining industrial properties who aim to purchase the site from Council to amalgamate with the adjoining properties, thereby achieving a larger development site. No development is proposed at this stage. Before the site can be considered for sale, it must be rezoned and reclassified to operational land as per the *Local Government Act 1993*.

Pre-lodgement discussions about the proposal were held and Council as the owner of the site gave owner's consent for the request for the rezoning and reclassification to be made.

For probity reasons, an independent planning consultant DFP Planning (DFP) was engaged to assess the planning proposal. DFP recommended that Council progress the planning proposal.

The Northern Beaches Local Planning Panel at its meeting on 17 July 2024 recommended that Council endorse the planning proposal.

Council at its Ordinary Meeting on 30 July 2024 resolved to forward the planning proposal for a Gateway Determination.

DISCUSSION

Gateway Determination

A Gateway Determination to progress the planning proposal, subject to conditions, was issued on 30 August 2024 by the NSW Department of Planning, Housing and Infrastructure (DPHI).

In accordance with conditions 1 and 2 of the Gateway Determination, the planning proposal was updated with information on the height of overhead electrical lines and a revised timeframe for finalisation. The updated planning proposal was submitted to DPHI. On 4 September 2024, DPHI confirmed that conditions 1 and 2 were satisfied and approved the updated planning proposal (Attachment 1) (Planning Proposal) accordingly.

The Gateway Determination also noted that, because the proposal seeks to reclassify Council land, Council should not be authorised as the local plan making authority. Under s3.31 of the *Environmental Planning and Assessment Act 1979*, this function is held by the Minister for Planning and Public Spaces, which means it is the Minister's responsibility for make the Local Environmental Plan.

Other conditions of the Gateway Determination related to consultation with AUSGRID, statutory exhibition, and a public hearing. These are discussed below.

Referral to AUSGRID

The Planning Proposal was referred to AUSGRID for comment. AUSGRID provided a response detailing considerations and conditions that can be dealt with at a future development application stage. No issues were raised that would hinder the proposed rezoning and reclassification of the site.

Statutory Exhibition

The Planning Proposal was placed on statutory (post-Gateway) public exhibition for a period of 20 working days, as required by the Gateway Determination.

Two submissions were received. One was withdrawn as the submitter mistook the site location.

The other sought further explanation and queried whether Council has any intention to develop the site and sell it. Further information was provided to the submitter by email and telephone. The submitter did not raise any issues other than concern that the public is aware of the proposal as it involves Council-owned land.

All necessary notification procedures have been undertaken to promote public awareness of the Planning Proposal including signage on the site's frontage, letters to surrounding landowners and occupiers, and notices on Council's website and in newsletters emailed to community members, including over 60,000 registered recipients of the weekly Community News newsletter.

Independent Post-Gateway Assessment

DFP, the independent planning consultant engaged to assess the Planning Proposal, completed a post-Gateway review of compliance with the Gateway Determination, the statutory public exhibition process and the submissions received. DFP's report (Attachment 2) states that the one submission has been satisfactorily addressed and all Gateway conditions that can be complied with at the time of writing have been complied with. DFP recommends that Council progress the Planning Proposal for finalisation by DPHI.

Public Hearing

Where land is proposed to be reclassified from Community to Operational, the *Local Government Act 1993* requires a public hearing to be held. This provides an opportunity for community members to express and have their views considered by an independent chairperson. The Gateway Determination also required the public hearing pursuant to s.3.34(2)(e) of the *Environmental Planning and Assessment Act 1979* and s.29 of the *Local Government Act 1993*.

Public notice of the hearing was provided and complied with the requirement (as per the Gateway Determination) for a minimum 21-day public notice (23 days was provided) between the end of the statutory exhibition of the Planning Proposal and the date of the hearing.

The public hearing was held at 6pm on 18 November 2024 in Curl Curl Sports Centre Main Hall. No members of the public attended. The hearing was independently chaired by Monique Darcy of MBWA Consulting. The chairperson's report on the hearing (Attachment 3) expressed satisfaction that Council provided ample opportunity for members of the community to provide input, and that having regard to the circumstances and merits of the case as well as the broader public benefit, the proposed reclassification of the site is appropriate. The chairperson recommends Council progress the Planning Proposal.

Strategic and Site-Specific Merit

Analysis of the proposal's strategic and site-specific merit is set out in the Planning Proposal (Attachment 1). In summary:

- The site is no longer required for drainage and is not suitable for any public purpose such as a pathway or open space.
- The site's current RE1 Public Recreation zoning and Community classification are an anomaly as the site has never been used for recreation and is not accessible by the public.
- The Planning Proposal is consistent with the strategic planning framework and aligns with a key planning priority to retain and manage industrial land and encourage employment opportunities and economic growth.
- The Brookvale Structure Plan, adopted by Council in November 2023, specifically identifies the site as one of two drainage reserves recommended for rezoning to E4 General Industrial.
- Feedback provided by Council's Floodplain Planning, Stormwater Operations, Development Advisory Services, Traffic, and Property teams indicates that the site is considered suitable

for the proposed rezoning and reclassification, and any potential environmental impacts can be addressed in detail at a future development application stage.

- The proposed rezoning and reclassification would result in a positive economic outcome for the broader community through the provision of additional employment generating industrial land in an already densely developed, high-functioning industrial precinct.

No further issues have arisen through the Gateway Determination, statutory public exhibition, or public hearing process which would bring into question the merits of the Planning Proposal.

CONSULTATION

Non-statutory (pre-Gateway) public exhibition of the draft planning proposal took place for a 14-day period from 3 June to 16 June 2024 inclusive. No submissions were received, apart from one submission which was later withdrawn as the submitter mistook the site for a different location.

Statutory (post-Gateway) public exhibition of the Planning Proposal took place for a period of 20 working days from 27 September to 25 October 2024 inclusive. Two submissions were received. One was later withdrawn as the submitter mistook the site for a different location. The other submitter, upon further information exchange, did not raise any issues other than concern that the public was aware of the proposal.

All necessary notification procedures for both the statutory public exhibition and the public hearing were undertaken in accordance with relevant legislation and Council's standard procedures.

A public hearing was held on 18 November 2024, with no members of the public attending.

The independent chairperson's report on the public hearing recommends that Council progress the Planning Proposal.

FINANCIAL CONSIDERATIONS

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

Costs associated with engaging both the independent planning consultant to assess the Planning Proposal and the independent chairperson for the public hearing are covered by the fees paid by the proponent.

If the Planning Proposal is progressed and finalised, the potential sale of the land would provide revenue for Council.

GOVERNANCE AND RISK CONSIDERATIONS

For probity reasons, given the land is owned by Council, an independent planning consultant was engaged to assess the proposal, and an independent person was engaged to chair and report on the public hearing.

Any future sale of the site will be a separate transparent process managed by Council's Property team.

ENVIRONMENTAL CONSIDERATIONS

Environmental considerations formed part of the planning assessment.

Given the site's small area and isolated location in an established industrial precinct, any remaining vegetation is unlikely to be of value in terms of biodiversity or habitat. Information submitted by the proponent in relation to flooding and contamination has been reviewed by the relevant teams within Council. Those teams have indicated that the site is considered suitable for the proposed rezoning and reclassification, and any potential environmental impacts can be addressed in detail at a future development application stage.

SOCIAL CONSIDERATIONS

The recommendations in this report will have positive social outcomes for the community through the provision of additional industrial zoned land. Social benefit will be derived from allowing the land to be divested by Council and amalgamated with adjoining land to increase the development options which will further support employment opportunities and economic growth.

LINK TO STRATEGY

This report relates to the Brookvale Structure Plan, endorsed by Council in 2023, which specifically identifies the site as one of two Council-owned drainage reserves to be rezoned from RE1 Public Recreation to E4 General Industrial.

This report relates to the Community Strategic Plan Outcomes and Goals:

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.
- 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.
- 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.

Reporting team	Strategic & Place Planning
TRIM file ref	2024/772025
Attachments	<p>⇒1 Planning Proposal as updated September 2024 (Included In Attachments Booklet)</p> <p>⇒2 Independent Post-Gateway Assessment by DFP Planning (Included In Attachments Booklet)</p> <p>⇒3 Public Hearing Report - MBWA Consulting (Included In Attachments Booklet)</p>

ITEM 12.2 DUAL OCCUPANCY MINIMUM LOT SIZE - WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

PURPOSE

The purpose of this report is to recommend Council request the NSW Government establish minimum lot size controls for dual occupancy development within the former Warringah local government area (LGA) that are consistent with the dual occupancy controls proposed to be introduced in the draft Northern Beaches Local Environmental Plan.

EXECUTIVE SUMMARY

- On 1 July 2024, Stage 1 of the NSW Government's low and mid-rise housing reforms commenced, which made dual occupancies permitted with consent in all R2 Low Density Residential zones across NSW, meaning that for the first time, dual occupancies are now permissible in the former Warringah LGA.
- On 25 September 2024, the Department of Planning, Housing and Infrastructure (DPHI) invited Councils to nominate by 14 February 2025 a recommended minimum lot size control for dual occupancies where they have been introduced for the first time, such as in the former Warringah LGA.
- DPHI advised that there would be a delayed commencement of a complying development pathway for the subdivision of dual occupancy development in the former Warringah LGA.
- The establishment of minimum lot size controls for dual occupancy developments is important, because this development control establishes the minimum lot size for the subdivision of dual occupancies.
- The alternative is a complying development pathway which enables the subdivision of dual occupancy development on lots that are predominately less than councils' minimum controls.
- On 17 June 2024, Council resolved to submit the draft Northern Beaches Local Environmental Plan (draft LEP) to the Department for 'Gateway Determination' to permit public exhibition. Amongst other things, the draft LEP proposes to introduce dual occupancies in the R2 Low zone in the former Warringah LGA and establish consistent site area controls for dual occupancies throughout the Northern Beaches.

RECOMMENDATION

That Council:

1. Note the draft Northern Beaches Local Environmental Plan proposes to introduce dual occupancy development in the R2 Low Density Residential Zone in the former Warringah local government area (LGA).
2. Note the draft Northern Beaches Local Environmental Plan proposes to establish a minimum lot size of 800m² and a minimum lot frontage of 18m for dual occupancy developments in all R2 Low Density Residential zones in the Northern Beaches.
3. Advise the Department of Planning, Housing and Infrastructure to establish development controls for dual occupancy development in the R2 zone in the former Warringah LGA that are consistent with the controls proposed in the draft Northern Beaches Local Environmental Plan.

BACKGROUND

NSW Housing Reforms

In August 2023, the National Cabinet endorsed a national target to build 1.2 million well-located homes over the next 5 years. The NSW Government committed to delivering 377,000 new homes by 2029.

This housing target has informed the NSW Government's package of housing reforms, which include a series of 'low and mid-rise housing' reforms being implemented in 2 stages:

1. From 1 July 2024, Stage 1 permits dual occupancies and semi-detached dwellings in all R2 low-density zones in NSW, except in certain excluded areas.
2. Stage 2, to be implemented in late-2024 will permit residential flat buildings up to six-storeys in identified town centre precincts.

All councils in NSW are awaiting confirmation from the DPHI as to which town centres will be subject to the Stage 2 housing reforms, as well as the specific planning controls and development types that will become permissible.

It is expected that these new controls will be announced before the end of 2024 and will over-ride the local controls that otherwise apply in the identified town centres once they commence. Council staff will provide a separate briefing on the Stage 2 housing reforms, and their implications for the Northern Beaches, when they are released.

As referred to above, Stage 1 of the Government's housing reforms now allow dual occupancies and semi-detached dwellings to be permissible with consent in all R2 Low Density Residential zones across NSW, including under the Warringah Local Environmental Plan 2011. Complying development for dual occupancies in the R2 zone has been temporarily paused to enable councils to consider and implement a minimum lot size.

On 25 September 2024, the Department wrote to Council inviting it to consider a minimum lot size for dual occupancies in R2 Low Density Residential zone under Warringah LEP 2011 where it has been newly permitted.

The new minimum allotment size will be implemented by a further amendment to the Housing SEPP by the State Government, bundling together similar amendments to at least 10 other LEPs for other local government areas in NSW where dual occupancies have also been introduced for the first time in the R2 Low Density Residential zone.

DISCUSSION

Draft Northern Beaches Local Environmental Plan

On 17 June 2024, Council resolved to submit a planning proposal for a consolidated Local Environmental Plan (LEP) for the Northern Beaches to the Minister for Planning and Public Spaces for a Gateway Determination.

The development of the draft LEP has been built on extensive community and stakeholder consultation over a number of years, through the Planning Our Sustainable Future programme. This began with the statutory exhibition of the Local Strategic Planning Statement (LSPS) in 2020 and continued with preparation of Council's Local Housing Strategy in 2021. Feedback from these public exhibitions informed the development of the Planning Proposal. Engagement specific to this proposal included the LEP/DCP Discussion Paper, which saw contributions from over 2,300 individuals.

The draft LEP will consolidate all the statutory planning controls that currently apply across the Northern Beaches into one new comprehensive LEP. The draft LEP will also introduce dual occupancies in all R2 Low Density Residential zones throughout the Northern Beaches, and harmonise the existing controls that apply, by establishing an 800 sqm minimum lot size and an 18m frontage requirement.

The key aims of the proposed dual occupancy standards are:

1. to retain local character and tree canopy by ensuring dual occupancy developments are attached rather than detached (except on corner lots, dual-frontage properties, and heritage-listed sites), which supports the protection of landscaped gardens and encourages shared driveways
2. to standardise density and dual occupancy controls to provide consistency across the Northern Beaches, ensuring properties in the same zoning have equal development potential
3. to responsibly increase housing density in response to demand on the Northern Beaches while preserving neighbourhood character.

The proposed development controls for dual occupancies were informed by a comprehensive urban design study by Tract & Allen Jack+Cottier Architects, and peer review of controls in other comparable LGAs. The proposed controls also align the development standards with the current Pittwater LEP 2014 (minimum lot size 800 sqm) and Manly Development Control Plan (minimum lot size 1000 sqm).

The proposed 800 sqm lot size standard for dual occupancies is slightly more restrictive than local government areas such as Willoughby and Bayside but less restrictive than Ku-ring-gai and Georges River and other similar local government areas.

It is estimated that there are 6,016 allotments of land located in the Warringah LEP area that have a site area more than 800 sqm. When overlaid with a minimum 18m allotment width there remains 5,174 allotments which would be eligible for dual occupancy development.

Council's draft LEP is expected to go to public exhibition in mid-2025, following the issue of a Gateway Determination by DPHI and compliance with any conditions of the gateway approval.

It is anticipated that minimum lot size controls for dual occupancy developments will be an aspect of the draft LEP that is of interest to the community. On the one hand, the introduction of minimum lot sizes for dual occupancy developments less than 800 sqm could allow more low-rise housing supply to be delivered across the Northern Beaches. On the other hand, some community feedback may also seek to retain an 800 sqm lot size as a mechanism to preserve local character and tree canopy coverage.

Following public exhibition of the draft LEP, Council staff will provide a comprehensive review of the issues raised by the community and consider whether any recommended changes to the draft LEP are proposed to address public feedback. There will be further briefings with Council following exhibition.

Given the policy position endorsed by Council on 17 June 2024 related to dual occupancy development standards in the draft LEP it is recommended that Council advise DPHI to establish development controls for dual occupancy development in the R2 zone in the former Warringah LGA that are consistent with the controls proposed in the draft Northern Beaches Local Environmental Plan.

TIMING

The DPHI requested that the Council provide the endorsed minimum lot size for dual occupancies in the R2 Low Density Residential Zone under the Warringah Local Environmental Plan 2011 by 14 February 2025.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The recommendation in this report is consistent with the adopted position of Council as outlined in the draft Northern Beaches LEP.

The proposed 800 sqm minimum lot size for dual occupancy developments is not an additional restriction on development as it will only apply to R2 zoned land under Warringah LEP 2011. This will be an interim measure until the finalisation of the Northern Beaches LEP when standardised development controls for dual occupancy developments on all R2 land throughout the Northern Beaches will be introduced.

As referred to above, Council's endorsed 800 sqm minimum lot size control can be further reviewed following public exhibition of Council's draft Northern Beaches LEP next year.

Reporting team	Strategic & Place Planning 2
TRIM file ref	2024/790744
Attachments	Nil

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1 EXEMPTION FROM TENDERING FOR THE PROVISION OF LAUNDRY SERVICES AT SYDNEY LAKESIDE HOLIDAY PARK

PURPOSE

To consider, in accordance with section 55(3)(i) of the *Local Government Act 1993*, a request for exemption from tendering for the ongoing weekly linen service at Sydney Lakeside Holiday Park, North Narrabeen.

EXECUTIVE SUMMARY

- Northern Beaches Council has a Management Agreement with NRMA Resorts for daily operations of Sydney Lakeside Holiday Park, North Narrabeen.
- Council holds a contract with Sunshine Linen Services Pty Ltd to provide laundry services for the park, set to expire on 25 September 2025.
- Under section 55 of the *Local Government Act 1993*, contracts over \$250,000 (including GST) ordinarily require a public tender process.
- Higher-than-expected occupancy, more frequent visitor turnover, and inflation have increased laundry costs, causing the contract to exceed the \$250,000 threshold before its scheduled expiry in 2025.
- Continuing the current laundry services contract until its expiry would allow a new park operator to have input into the scope and scheduling requirements for the upcoming laundry contract.

RECOMMENDATION

That Council:

1. Continue to engage Sunshine Linen Services Pty Ltd for laundry services at Sydney Lakeside Holiday Park until the contract expires on 25 September 2025.
2. Resolve, pursuant to section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result would not be achieved by inviting tenders for the above contract referred to in 1 because of extenuating circumstances by reason of the following:
 - a. There is a current contract with Sunshine Linen Services Pty Ltd which does not expire until 25 September 2025
 - b. A tender process has commenced for the Management of Sydney Lakeside Holiday Park for the period commencing June 2025. After this date a new tender process for laundry services is planned to be completed that includes the scope of service in line with the new park manager's operational requirements
 - c. There is an immediate and critical need for provision of the services
 - d. A short-term contract for the provision of services is likely to result in greater costs to Council
 - e. The current contractor is well acquainted with the current service needs.

BACKGROUND

Northern Beaches Council has a contractual obligation, under its Management Agreement with NRMA Parks and Resorts, to provide laundry services for Sydney Lakeside Holiday Park. This park, which accommodates approximately 77 dwellings (including villas, bungalows, studio cabins, and accessible bunk houses), requires up to four laundry services weekly. The laundry service includes linen hire, delivery, and pick-up, as well as laundering items owned by the park. Few laundry providers can meet both service requirements and the required delivery schedule.

The current three-year contract with Sunshine Linen Services Pty Ltd (RFQ 2022/078) was initiated with an approximate value of \$240,000, within the \$250,000 threshold for quotations. However, increased occupancy and shorter visitor stays, along with inflation, have led to higher laundry frequency, and it is now anticipated that total costs will exceed the threshold before the contract's scheduled end in 2025.

Council has released a tender for a new Management Services Agreement for Sydney Lakeside Holiday Park, due to commence in July 2025.

DISCUSSION

Section 55 of the *Local Government Act 1993* requires that contracts over \$250,000 (including GST) ordinarily must go through a tender process, but exemptions are permitted under certain conditions, including when extenuating circumstances or limited supplier availability prevent satisfactory results through public tender.

The June 2022 procurement for laundry services revealed no viable alternatives capable of meeting the park's required scope. The current contractor is well acquainted with the service needs, including collection and delivery schedules, and can provide additional linen products when needed. Moreover, the pricing under the current contract is below that achieved in a recent procurement for laundry services at Currawong. While not directly comparable, this suggests the current pricing is competitive and in line with or below market rates.

Continuing with the existing contract until its expiration would also allow any future park operator to participate in defining the requirements for the new laundry service, ensuring the service aligns with their operational strategies. Additionally, a new operator may leverage different supplier relationships to secure competitive rates in the future.

TIMING

The current expenditure is projected to exceed the procurement threshold by December 2024. The new park management contract is set to begin in July 2025, with the existing laundry services contract scheduled to expire in September 2025.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council as laundry costs have been included in the park's operating budget.

GOVERNANCE AND RISK CONSIDERATIONS

Council approval for exemption from tendering is required in order to satisfy the requirements of section 55(3)(i) of the *Local Government Act 1993*.

Under its Management Agreement with NRMA Parks and Resorts, Council is required to maintain a laundry services contract for Sydney Lakeside Holiday Park. Continuing with Sunshine Linen Services Pty Ltd minimises the risk of service disruptions and maintains service quality standards.

ENVIRONMENTAL CONSIDERATIONS

The subject of this report has no environmental implications for Council. Sunshine Linen Services Pty Ltd are committed to supporting environmental sustainability and technologies to enhance water and energy efficiency.

SOCIAL CONSIDERATIONS

Providing consistent and high-quality laundry services is essential to maintain the high standards of Sydney Lakeside Holiday Park, ensuring guest satisfaction and retaining the park's reputation.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Property, Buildings & Beach Services.
TRIM file ref	2024/708843
Attachments	Nil

ITEM 13.2 PROPOSED CLASSIFICATION OF LAND AT 32 RABBETT STREET, FRENCHS FOREST AS OPERATIONAL

PURPOSE

This report seeks a resolution to classify recently acquired land at 32 Rabbett Street, Frenchs Forest as operational land under the *Local Government Act 1993*.

EXECUTIVE SUMMARY

- At the Council meeting of 15 October 2024, Council resolved to authorise the purchase of 32 Rabbett Street, Frenchs Forest (land) for the purpose of providing future open space within the Frenchs Forest Town Centre and to give public notice of the intent to classify the land as 'Operational' under the provisions of the *Local Government Act 1993*.
- The land was acquired for future open space identified in the Frenchs Forest Town Centre Section 7.11 Contributions Plan using developer contributions funds.
- Public notification of this proposed classification was published on Council's website on 28 October 2024 for a 28-day period, closing on 25 November 2024.
- No submissions were received during the notification period.

RECOMMENDATION

That Council:

1. Note the outcomes of the public notice of the proposal to classify 32 Rabbett Street, Frenchs Forest, as operational land.
2. Classify 32 Rabbett Street, Frenchs Forest as operational land under section 31(2) of the *Local Government Act 1993*.

BACKGROUND

At its meeting of 15 October 2024, Council resolved (267/24) the following:

That Council:

1. Authorise the purchase of the property identified in this report for an approved price in accordance with Council's policies, for the purposes of providing open space under and in accordance with the Frenchs Forest Town Centre Section 7.11 Contributions Plan (s7.11 Plan).
2. Authorise the funding of the purchase of the property from the Northern Beaches Section 7.12 Development Contributions Plan (s7.12 Plan) Financial Reserve pursuant to the pooling provisions of both the s7.11 Plan and the s7.12 Plan, and the Environmental Planning and Assessment (Local Infrastructure Contributions – Pooling of Contributions) Direction 2009, to be repaid (with the applicable interest) following collection of sufficient contribution funds from the s7.11 Plan.
3. Following the proposed acquisition, give public notice in accordance with the *Local Government Act 1993* of the proposal that the land be classified as Operational Land under the *Local Government Act 1993* and report back to Council to determine the proposed classification following the public notification.
4. Delegate authority to the Chief Executive Officer to execute all necessary documentation and take all necessary actions to give effect to this resolution.

Following this resolution, contracts were exchanged between the parties on 25 October 2024 and notice of the intention to classify the land as “Operational” occurred on 28 October 2024. Settlement occurred on 25 November 2024 along with the closing of the notification period.

DISCUSSION

Under Chapter 6 Part 2 Division 1 of the *Local Government Act 1993*, all public land must be classified as either community land or operational land. Community land, which is intended for public access and use, requires a Plan of Management (POM) and generally cannot be leased for residential purposes without specific authorisation in a POM. Operational land, however, is typically used for the day-to-day functions of a Council, including income-generating activities, and does not require a POM.

There is presently a dual occupancy dwelling house on the land, which Council will lease until the land is required for public open space, at which time, Council will seek development consent to demolish the dwellings. Until that time, it is proposed to classify the land as operational. In addition, this report presents the outcomes of the public notification of the proposed classification of the land.

To maximise the temporary utility of 32 Rabbett Street, Frenchs Forest (land), pending its use as open space in connection with the future expansion of Rabbett Reserve, it is proposed to classify it as operational land, allowing Council to rent the property's dwellings without restriction. This rental income will service the loan from the Section 7.12 Financial Reserve until the land is repurposed as community land for public open space and integrated into Rabbett Reserve. At this time, it is planned to reclassify the land as community land.

CONSULTATION

Acquisition of the land is in accordance with the Frenchs Forest Place Strategy 2041 and the Frenchs Forest Town Centre Section 7.11 Contributions Plan, both of which underwent extensive community consultation.

Public notification of the classification proposal was issued in accordance with the *Local Government Act 1993*, with no submissions received.

TIMING

Section 31(2) of the *Local Government Act 1993* provides that before Council acquires land or within 3 months after it acquires land, a council may resolve that the land be classified as Community land or Operational land. Land that is not classified under section 31(2) is, at the end of the 3 month period, taken to have been classified under a local environmental plan as Community land. Having acquired the land on 25 November 2024, the land must be classified as Operational land prior to 25 February 2025 otherwise it will be classified as Community land.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. However, not classifying the land as operational land may prevent leasing the property, hindering Council's ability to generate income to repay the internal loan from the Section 7.12 Development Contributions Plan Financial Reserve.

GOVERNANCE AND RISK CONSIDERATIONS

Under section 31 of the *Local Government Act 1993*, if Council intends to classify land as operational, it must do so before acquiring the land or within 3 months of acquiring the land. Failure to meet this timeline could have financial consequences as noted above.

ENVIRONMENTAL CONSIDERATIONS

The subject of this report has no adverse environmental implications for Council.

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community. Classifying the land as operational allows the temporary use of the site's two dwellings as rental properties, supporting local housing needs until the land is repurposed for public open space in the future expansion of Rabbett Reserve, enhancing community amenities for Frenchs Forest residents.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome and Goal:

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

Reporting team	Property, Buildings & Beach Services
TRIM file ref	2024/764863
Attachments	Nil

14.0 NOTICES OF MOTION

ITEM 14.1 NOTICE OF MOTION NO 41/2024 - REVIEW OF COUNCIL'S ADMINISTRATIVE OFFICE ACCOMMODATION AND POTENTIAL PROPERTY RATIONALISATION

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council receives a report within 6 months on opportunities to cut costs by rationalising its operational properties that are currently occupied for administrative purposes.

BACKGROUND FROM COUNCILLOR HACKMAN

As part of our commitment to delivering efficient and effective operations for the benefit of our community, I believe that it would be appropriate that Council undertake a review of staff office accommodation across the six administration buildings and three depots currently in use, from Manly to Mona Vale. This review could assess whether a rationalisation of staff office accommodation is feasible, with the goal of delivering financial savings and enhancing service delivery for the community.

I note that the Vuko Place administration building at Warriewood currently accommodates approximately 100 Council staff over three levels, in addition to temporarily housing the Peninsula Bridge Club. The Bridge Club is scheduled to relocate to the new Warriewood Valley Community Centre in 2026 and this presents a timely opportunity to consider the future use of these Warriewood sites.

If there are opportunities to rationalise this could reduce Council's ongoing operational costs and potentially generate income from the disposal of surplus properties, which could then be reinvested to deliver other community benefits, and/or financial savings.

TRIM file ref	2024/860664
Attachments	Nil

ITEM 14.2 NOTICE OF MOTION NO 42/2024 - DELIVERING COST OF LIVING RELIEF THROUGH MODERN TECHNOLOGY

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council:

1. Using readily available information, prepare desktop case studies that outline the potential financial benefits to homeowners and residents of electrification in a number of household and business scenarios applicable to typical Northern Beaches residents.
2. Brief Councillors on the completed case studies and the potential financial benefits to homeowners and residents.
3. Publish the case studies on Council's website.

BACKGROUND FROM COUNCILLOR HACKMAN

Everyday Australians are currently in the midst of a housing and cost-of-living crisis. As interest rates and rents continue to rise, more people are struggling to pay their increasing energy bills. According to the Australian Energy Regulator, since July this year, NSW residential energy customers faced gas price increases of as much as 23.7%.¹

Rising energy prices are impacting households who are already struggling with spiralling housing and food costs. A recent Energy Consumers Australia survey of 2,500 people found that more than one quarter of households are struggling to pay their energy bills.² Local businesses, particularly small businesses, are reporting that spiralling energy costs are impacting on their viability.³

Research suggests that the best way to put downward pressure on energy bills is to go all-electric. Virtually every credible study of electrification within the past five years emphatically demonstrates that all-electric homes are far cheaper to run per year than alternatives.⁴

There are two main reasons why all-electric homes are far cheaper to run. Firstly, modern, electric appliances like heaters, coolers, ovens, cooktops and hot water heaters, are now so efficient that they use a fraction of the energy compared with their antiquated counterparts. For example to produce the same amount of heating or cooling as gas-fired heaters/coolers, reverse cycle heaters/coolers use at least five times less energy and cost considerably less over the lifetime of the appliance, as well as having health benefits.⁵ In a more relatable tone, that's like the difference between going on a quick trip to Queensland and choosing to ride a horse or drive a car.

¹ Hannam, P., Karp, P., and Kolovos, B., Most Australian states face sharp power bill rises, despite government's intervention, The Guardian, 15 March 2023, accessed 26 July 2023, <https://www.theguardian.com/australia-news/2023/mar/15/power-bills-in-three-australian-states-to-rise-by-almost-a-quarter-but-its-not-as-bad-as-it-could-have-been>

² Thielemans, R., How increases in energy prices are impacting consumers, Energy Consumers Australia, 9 November 2022, accessed 26 July 2023, <https://energyconsumersaustralia.com.au/news/how-increases-in-energy-prices-are-impacting-consumers#:~:text=Energy%20affordability%20is%20not%20just,in%20the%20past%2012%20months>

³ Packham, C., Fowler, E., and Mizen, R., Small firms hit as gas prices increase despite caps, Australian Financial Review, 16 January 2023, accessed 26 July 2023, <https://www.afr.com/companies/energy/small-firms-hit-as-gas-prices-increase-despite-caps-20230116-p5ccqe>

⁴ 350 Australia, List of electrification studies, accessed 2 December 2024, https://350.org.au/files/2024/04/Benefits-of-Electrification_List-of-Studies.pdf

⁵ Ryan, P., & Pears, A. (2019). Unravelling home energy use across Australia, Renew, accessed 2 December 2024, <https://renew.org.au/renew-magazine/efficient-homes/unravelling-home-energy-use-across-australia/>

The same electric technology to heat water also uses around 75% less energy compared with outdated gas heating appliances, and offer significant cost savings.⁶ It's important that we highlight the facts about efficiencies and cost savings, especially while our community is undergoing financial strain.

The following councils have gone through this process of highlighting available savings for their residents:

1. Lane Cove Council
2. City of Newcastle
3. Waverley Council
4. Parramatta Council
5. Hornsby Shire Council

It is important during these tight financial times that we quantify the savings that are possible for Northern Beaches residents and businesses and offer this information on our website.

TRIM file ref	2024/868763
Attachments	Nil

⁶ Victorian Department of Energy, Environment and Climate Action, Sustainability Victoria (2024)., Heat-pump hot water systems, accessed 2 December 2024, <https://www.sustainability.vic.gov.au/energy-efficiency-and-reducing-emissions/save-energy-in-the-home/water-heating/choose-the-right-hot-water-system/heat-pump-water-heaters>

ITEM 14.3 NOTICE OF MOTION NO 43/2024 - NORTHERN BEACHES HOSPITAL

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council:

1. Reaffirm its concerns regarding Northern Beaches Hospital, as per past Resolutions, particularly in relation to staff, services and funding cuts at the Hospital.
2. Note that on 5 November 2024 300 Healthscope nurses and midwives at Northern Beaches Hospital went on strike to demand a 15 per cent wage increase to match public hospital pay standards and their Healthscope QLD counterparts who are being paid 16 per cent more than NSW standards.
3. Note that nurse-to-patient ratios were also a crucial demand of the strike.
4. Note the statement by NSW Nurses and Midwives Association’s Shaye Candish “*Our members have been negotiating with Healthscope for almost six months now with little progress on our pay and conditions claim. Members feel they have no choice but to take industrial action, after being undervalued and receiving inadequate recognition for their incredible contribution to patients and workplaces*”.
5. Write to the CEO of Health Scope, the NSW Minister and Shadow Minister for Health as well as all local State MPs stating Council’s support for the nurses and midwives pay and conditions claims and reiterating Council’s concerns in relation to staff, services and funding cuts at the Hospital.
6. Write to the NSW Audit Office providing a copy of this resolution and previous resolutions of Council from July 2022 onwards concerning Northern Beaches Hospital.

BACKGROUND FROM COUNCILLOR DE LUCA OAM

Concerns regarding Northern Beaches Hospital and support for nurses and midwives call for better conditions and salaries.

TRIM file ref	2024/866220
Attachments	Nil

ITEM 14.4 NOTICE OF MOTION NO 44/2024 - E-BIKES AND E-SCOOTERS**COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING MOTION:****MOTION**

That Council:

1. Note:
 - a. The NSW government has announced plans to legalise e-scooters as part of its new E-micromobility Action Plan.
 - b. Continued concerns in our community as to the safety risks and lack of proper regulation of riders of both e-bikes and illegal e-scooters that are currently being ridden yet not yet legal.
 - c. That on 13 May 2023 NSW Police Traffic and Highway Patrol Command Northern Sydney Sector raised the need for tighter regulations on e-bikes at the launch of an e-bike safety campaign in Manly and yet no significant progress has occurred on regulatory reform.
2. Write to the Premier, Leader of the Opposition, Ministers and Shadow Ministers for Transport and Roads and all local State MPs calling for proper legislation on:
 - a. Speeding of e-bikes on roads, and their presence on footpaths and shared path
 - b. The need for education, a licensing, registration and mandatory 3rd party insurance system for all riders of e-bikes
 - c. That the use of e-bikes be prohibited for those under 16 years of age
 - d. The carrying of more than one passenger on e-bikes be prohibited and fines and other penalties be introduced for contravention of this requirement
 - e. More significant Fines and penalties for the altering of e-bike systems to prevent the requirement for pedalling or preventing top speed controls
 - f. Setting an appropriate maximum size and weight of an e-bike to reduce risks to pedestrians; and
 - g. Legislative reforms that enables Local Government to have adequate compliance and enforcement powers to prohibit e-bikes in certain areas, fine riders and owners for contravention of the law and impound e-bikes where contravention of any law is apparent.
3. Write to the Premier, Leader of the Opposition, Ministers and Shadow Ministers for Transport and Roads and all local State MPs opposing the legalisation of E-Scooters until a proper regulatory scheme and issues raised in (2) above are properly addressed.

BACKGROUND FROM COUNCILLOR DE LUCA OAM

Opposition to State Government's announcement to legalise E-Scooters and need for better regulation of E-Bikes.

TRIM file ref 2024/867153

Attachments Nil

ITEM 14.5 NOTICE OF MOTION NO 46/2024 - BENCHMARKING REPORT

COUNCILLOR BEAUGEARD SUBMITTED THE FOLLOWING MOTION:

MOTION

That a benchmarking report be tabled to Council annually, with finance, workforce and operational metrics, to demonstrate Council's performance compared to Office of Local Government benchmarks and similar councils, and any available report be tabled as soon as possible.

BACKGROUND FROM COUNCILLOR BEAUGEARD

With any discussion on a change to rates, some members of the community are no doubt concerned that Council is performing its legislative functions in the most efficient way possible. Quoting raw figures with no background can confuse community members and goes against our goal of transparency.

However every council is different and the public and private sector are so different as to be almost unable to be compared.

How is our community to gauge whether the services provided represent value for money, today and over time?

We need a simple way to communicate this to our community and;

I am aware that Council has developed a benchmarking framework from publicly available information consisting of a core set of metrics for finance, workforce, and operations and that Performance against this framework has been reported to the Audit, Risk and Improvement Committee for the past two years. It is important for us to be as transparent with our community as we can be, and providing data to demonstrate Northern Beaches Council performance against Office of Local Government benchmarks and similar coastal councils is a good opportunity to do this.

TRIM file ref 2024/871443

Attachments Nil

ITEM 14.6 NOTICE OF MOTION NO 47/2024 - COUNCILLOR STRATEGIC PLANNING WEEKEND

COUNCILLOR ROBINS SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council conducts a strategic planning weekend (at a Council owned venue) in first quarter of 2025 in preparation of the 2025/26 Operational Plan and budget with a focus on opportunities for ongoing review of services, operational efficiencies, and property rationalisation, that incorporates feedback from the community engagement of a special variation to rates.

TRIM file ref 2024/873152

Attachments Nil

ITEM 14.7 NOTICE OF MOTION NO 45/2024 - SERVICE REVIEWS

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council, working with the Audit, Risk & Improvement Committee, will review its service review schedule to focus on non-essential services, aiming to find ways to save money and operate more efficiently.

TRIM file ref 2024/884484

Attachments Nil

15.0 QUESTIONS WITH NOTICE

ITEM 15.1 QUESTION WITH NOTICE NO 10/2024 - PARKING ENFORCEMENT

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTION:

Many areas of the Northern Beaches have seen an increase in development and building sites over the last few years. For some residents in these areas, they feel their local area has been overrun with construction vehicles that block streets, park on nature strips or reserves and do so without issue despite what may be violations of the relevant approvals for their work sites.

1. How many times has council taken enforcement action in relation to breaches of approvals (ie DA approvals, s68 approvals and s138 approvals) imposing conditions on construction traffic and works zones since Council's inception and in the last 12 months?
2. How many fines were issued for parking in no stopping zones since Council's inception and in the last 12 months?
3. What are the statistics for neighbouring LGAs over the same time periods?

TRIM file ref	2024/863445
Attachments	Nil

ITEM 15.2 QUESTION WITH NOTICE NO 11/2024 - ETHICAL PROCUREMENT

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTION:

It is important for ratepayers to have confidence that their money is not being used to do business with nation states or businesses engaged in human rights violations and other unethical practices such as modern slavery.

1. Through its procurement practices, how does Council identify the source of materials and products which it uses?
2. How does Council avoid sourcing products made using modern slavery?
3. How does Council avoid sourcing products from nation states or businesses suspected to engage in human rights violations?
4. Is Council aware of whether it sources any products from regions which are disputed territories, or are subject to sanctions?

TRIM file ref	2024/863489
Attachments	Nil

ITEM 15.3 QUESTION WITH NOTICE NO 12/2024 - SIGNAGE RESTRICTIONS

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTION:

1. What is the relevant legislation for the duration signage can be advertised on registered trailers and public spaces?
2. Prior to taking enforcement action, what considerations are made by Council's Environmental Compliance team when it comes to visual pollution and potential driver distraction from advertisers?
3. What is Council's framework for signage and advertising material management?
4. How many fines for violation of signage and advertising material guidelines have been issued since Council's inception and in the last 12 months?
5. What is the correct process for approval to be obtained for signage on public land?

TRIM file ref 2024/863498

Attachments Nil

ITEM 15.4 QUESTION WITH NOTICE NO 13/2024 - PEDESTRIAN SAFETY

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTION:

1. What power(s) does Council have to declare and enforce 'dismount zones' in shopping centres, high pedestrian activity areas and around busy footpaths and promenades?

TRIM file ref 2024/863507

Attachments Nil

ITEM 15.5 QUESTION WITH NOTICE NO 14/2024 - STAFFING EXPENDITURE

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING QUESTION:

- 1. What savings have been made on staffing costs since 2016?
- 2. Are any additional savings on staff costs planned?

TRIM file ref	2024/866153
Attachments	Nil

ITEM 15.6 QUESTION WITH NOTICE NO 15/2024 - COUNCIL REVENUE FROM PARKING, COMPLIANCE AND OTHER FINES AND USE OF SUCH FUNDS

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

1. I refer to the Sydney Morning Herald article on 30 November 2024 regarding revenue from fines - what has Council spent its fine revenue on?
2. Since amalgamation for each respective year, could Council please advise the totals raised in Compliance, Parking and other Fines and in each year what those funds were spent on?

TRIM file ref 2024/876011

Attachments Nil

ITEM 15.7 QUESTION WITH NOTICE NO 16/2024 - OPERATIONAL LAND OWNED BY NORTHERN BEACHES COUNCIL

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

1. Does Council maintain a publicly available Register of all land it owns that is classified "Operational"? If not, why?
2. Does Council undertake regular inspections of all Operational land to ensure they are properly maintained and fit for need? If so, how regularly?
3. Can Council please provide a full list of Operational land it owns?

TRIM file ref 2024/876094

Attachments Nil

ITEM 15.8 QUESTION WITH NOTICE NO 17/2024 - INCREASES IN FULL TIME STAFF

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

1. With reference to the FTE stated in Council's Delivery Plan detailed below, what are the total additional salary and oncosts expended for each respective year:
 - a. 2021/22 - 1246.5
 - b. 2022/23 - 1265
 - c. 2023/24 - 1283
 - d. 2024/25 - 1301.6
2. For each of the below years, since amalgamation (2016/17, 2017/18, 2019/20, 2020/21, 2021/22, 2022/23, 2023/24 and 2024 to date), please outline respectively how many people did Council employ and what was the total each year for each position's salary and on costs?
 - a. Executive General Managers, Managers
 - b. Team Leaders
 - c. Coordinators
 - d. Any other designated management positions

TRIM file ref 2024/880104

Attachments Nil

ITEM 15.9 QUESTION WITH NOTICE NO 18/2024 - RATE INCREASES

COUNCILLOR SINGH JP SUBMITTED THE FOLLOWING QUESTION:

Please confirm the rate increase for ratepayers in the former Manly Council local government area (LGA), the former Warringah Council LGA and the former Pittwater Council LGA since amalgamation.

TRIM file ref 2024/880394

Attachments Nil

ITEM 15.10 QUESTION WITH NOTICE NO 19/2024 - STAFFING AND EXPENDITURE

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

Could the below information for the following please be provided:

1. The number of full-time equivalent employed at Northern Beaches Council as at 1 July 2016, 1 July 2017, 1 July 2018, 1 July 2019, 1 July 2020, 1 July 2021, 1 July 2022, 1 July 2023, 1 July 2024.
2. Total salaries and wages paid to Council staff for each of the following financial years ending 30 June 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024.
3. Total amount paid to agency staff for each of the following financial years ending 30 June 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024.

TRIM file ref	2024/880557
Attachments	Nil

16.0 RESPONSES TO QUESTIONS

ITEM 16.1 RESPONSE TO QUESTION WITH NOTICE NO 7/2024 - SAFER NEIGHBOURHOODS NARRABEEN TO MONA VALE - TIMELINES AND DECISION MAKING PROCESS

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:

1. Noting that Council, in order to ensure that the Community has the opportunity to comment on the proposal, has extended the Submission period to 24 November 2024, could Council's management please outline the timeline for consideration of the Submission/proposals and the decision-making process?
2. Can it please be confirmed that owners of properties in streets covered by the proposal were posted notification of it and can all those who have made Submissions please be written to by Council outlining the timeline for consideration of the proposals and the decision-making process?
3. Is Council required to expend all of the State Government Grant money on the entirety of the proposals currently in the Narrabeen to Mona Vale public on Exhibition or can part of the funds be used for Ocean Street only?
4. If the current proposals for Narrabeen to Mona Vale are not approved, or only some, will the balance of the State Government Grant money be redirected to other areas in Narrabeen Ward or do the funds have to be returned to the NSW Government?

RESPONSE

1. All submissions received, using best endeavours, will be reviewed in the coming 2 months with a report to be prepared for consideration by the Northern Beaches Council Local Traffic Committee at a future meeting.
If the community feedback provided results in changes to the proposal, further community engagement may need to be undertaken prior to the referral to Traffic Committee.
2. The consultation letter was posted to 3,282 properties at the commencement of the engagement period.
With reference to project timelines and updates, Council will upload relevant updates to the project page and notify project-registered participants through a project-specific EDM.
For community members who have provided feedback but have not registered for updates, Council will send the same information via a posted letter if contact details were included in their submission.
3. The funding provided by Transport for NSW is to provide a lower speed limit environment within the extent of the precinct exhibited, which includes Ocean Street, with the final design subject to the grant approval process.
4. Any unspent grant funds cannot be re-used for non-grant outcomes and, as such, would need to be returned to Transport for NSW.

TRIM file ref	2024/799184
Attachments	Nil

ITEM 16.2 RESPONSE TO QUESTION WITH NOTICE NO 8/2024 - PUBLIC SAFETY ISSUES - WALTER GORS PARK DEE WHY BEACH AND BOONDAH RESERVE

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:

Following serious incidents at Walter Gors Park, Dee Why, Tent City - vicinity of Dee Why Beach Car Park and Boondah Reserve, Narrabeen:

1. Will Council introduce CCTV at these locations?
2. What is Council doing to improve safety and protect the community in these hot spots?

RESPONSE

Council and Police consult regularly on matters of community safety, both proactively and in response to individual incidents.

The installation of CCTV is based on the level of criminal activity and recommendations are made in conjunction with NSW Police.

After consultation with Police several actions have been undertaken in Walter Gors Park including:

- Tree trimming to enable better passive surveillance at ground level
- Relocating the picnic setting to make it more visible and less attractive for loitering
- Removing or amending infrastructure to make it more difficult to climb into neighbouring properties
- Adjusting timing of lights and water features.

Police rely on the community to report incidents through Crime Stoppers on 1 800 333 000.

TRIM file ref	2024/799318
Attachments	Nil

ITEM 16.3 RESPONSE TO QUESTION WITH NOTICE NO 9/2024 - PUBLIC SAFETY - INCIDENTS AT MANLY WHARF AND NORTH NARRABEEN BEACH - 2 TO 3 NOVEMBER 2024

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

In view of the public safety incidents over the weekend at Manly Wharf and North Narrabeen Beach and what occurred on Australia Day at Manly Wharf, what action has or will Council undertake with NSW Police to ensure the safety of our community?

RESPONSE

Council and Police consult regularly on matters of community safety, both proactively and in response to individual incidents.

Council and NSW Police have ongoing operational strategies for Manly Wharf with a particular focus on summer months when there is higher visitation.

Council and NSW Police are investigating an additional CCTV installation around Manly Wharf / West Esplanade.

One incident occurred recently at North Narrabeen Beach which was reported to Police and investigations are ongoing.

TRIM file ref	2024/799436
Attachments	Nil

ITEM 16.4 RESPONSE TO QUESTION TAKEN ON NOTICE NO 2/2024 - HOTELS IN R2 ZONING

COUNCILLOR DE LUCA OAM ASKED THE FOLLOWING QUESTION AT THE LAST COUNCIL MEETING:

Are there any other hotels that have been approved in R2 zonings?

RESPONSE:

- Most hotels approved in the Northern Beaches LGA predate current planning schemes and have relied on existing use rights or 'additional permitted use' clauses to operate as a hotel.
- Existing hotels located in residential zones are listed below.

Hotel	Current zone
Warringah LEP 2011	
The Sands, Narrabeen 1260 Pittwater Rd, Narrabeen	R3 – Medium Density Residential
Time and Tide Hotel 30 Campbell Ave, Dee Why	R2 – Low Density Residential
Manly LEP 2013	
Manly Waves 19 Pacific St, Manly	R3 – Medium Density Residential
Stoke Beach House 24-28 Raglan St, Manly	R3 – Medium Density Residential
Manly Lodge 22 Victoria Parade, Manly NSW 2095	R3 – Medium Density Residential

TRIM file ref	2024/822294
Attachments	Nil

**ITEM 16.5 RESPONSE TO QUESTION TAKEN ON NOTICE NO 3/2024 -
INFRINGEMENT NOTICES ON KENNETH ROAD**

COUNCILLOR DE LUCA OAM ASKED THE FOLLOWING QUESTION AT THE LAST COUNCIL MEETING:

Are you able to advise us then what infringement notices have been taken and fines that have been issued on Kenneth Road.

RESPONSE:

In the past 12 months, 218 infringement notices have been issued for illegal parking in Kenneth Road, Manly Vale.

TRIM file ref	2024/822327
Attachments	Nil

17.0 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 17.1 Service Review - Direct Service Delivery on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) *Local Government Act 1993*].

This report discusses/provides advice concerning individual staff members. 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 lead to privacy concerns for affected staff.
 - B. Item 17.2 Service Review - Hop, Skip and Jump Bus Service on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) *Local Government Act 1993*].
 2. The resolutions passed by 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.
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18.0 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.
