



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 18 February 2025

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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- 18.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION**

1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE 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 10 DECEMBER 2024

RECOMMENDATION

That the minutes of the Ordinary Northern Beaches Council Meeting held on 10 December 2024, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

3.2 MINUTES OF THE EXTRAORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 28 JANUARY 2025

RECOMMENDATION

That the minutes of the Extraordinary Northern Beaches Council Meeting held on 28 January 2025, 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.

7.0 MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE NO 1/2025 - ACKNOWLEDGEMENT OF AUSTRALIA DAY HONOURS 2025 RECIPIENTS

PURPOSE

The purpose of this mayoral minute is to acknowledge Northern Beaches residents who were recognised for distinguished and conspicuous service to the community.



**Sue Heins
MAYOR**

RECOMMENDATION

That Council:

1. Acknowledge the Northern Beaches recipients of the 2025 Australia Day Honours.
2. Write to congratulate them on their recognition and thank them for their contribution to our community.

BACKGROUND

The Australian Honours and Awards system recognises the outstanding service and contributions of Australians.

Some are well-known but many are contributing to their communities and our nation and their efforts are not otherwise recognised.

We are very fortunate to have so many volunteers and people who work tirelessly in our community and it is wonderful to see that some are formally acknowledged with distinctive honour. Their recognition is an opportunity to celebrate and acknowledge their efforts.

Order of Australia announcements are made in January and June and are approved by the Governor-General.

This year the following Northern Beaches residents were recognised for their outstanding contributions and I congratulate each of them and thank them on behalf of our community.

The Australia Day Honours recipients for 2025 include:

Mrs Deborah Anne Killelea, AM

Member of the Order of Australia (AM)

For significant service to the community through charitable organisations.

Dr Cameron John Bell, AM

Member of the Order of Australia (AM)

For significant service to gastroenterology medicine as a clinician and administrator.

Miss Lisa Blair, OAM

Medal of the Order of Australia (OAM)

For significant service to sailing.

Mrs Lynette Foley, OAM

Medal of the Order of Australia (OAM)

For significant service to swimming as an official and administrator.

Mr Vivian Martin Meredith, OAM

Medal of the Order of Australia (OAM)

For significant service to rugby league as an administrator.

Mr Peter William Owens (late), OAM

Medal of the Order of Australia (OAM)

For distinguished service to the community through emergency response organisations.

Mr Robert James Conroy, AFSM

Australian Fire Service Medal (AFSM)

For distinguished service to bush fire control in NSW and Australia

Superintendent Paul John Kernick BM ASM

Ambulance Service Medal (ASM)

For distinguished service to the NSW Ambulance service

Mr Michael Anthony Wasley, ESM

Emergency Services Medal (ESM)

For dedicated service to Surf Life Saving at Mona Vale Surf Club

TRIM file ref	2025/096214
Attachments	Nil

9.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 9.1 USE OF DELEGATED AUTHORITY BY THE MAYOR OVER CHRISTMAS AND NEW YEAR RECESS PERIOD 2024-25

PURPOSE

The purpose of this report is to outline, in accordance with Council Resolution 274/24, how the delegated authority granted by Council to the Mayor for the 2024-25 Christmas and New Year recess was exercised.

EXECUTIVE SUMMARY

- At the Ordinary Council meeting held on 12 November 2024, Council resolved (274/24) to delegate to the Mayor the functions of Council, subject to certain limitations, for the 2024-25 Christmas and New Year recess (being the period 11 December 2024 to 26 January 2025 inclusive).
- Council Resolution 274/24 requires a report be provided to the February 2025 Ordinary Council meeting outlining how the delegated authority was exercised.
- The Mayor did not exercise any functions during the 2024-25 Christmas and New Year recess which utilised the delegated authority granted by Council Resolution 274/24.

RECOMMENDATION

That Council note the report.

BACKGROUND

At the Council meeting held on 12 November 2024 Council resolved (274/24):

That:

1. Council, pursuant to section 377 of the *Local Government Act 1993*, delegate to the Mayor, the functions of Council during the 2024-25 Christmas and New Year recess (being 11 December 2024 to 26 January 2025 inclusive), subject to the limitation that the functions may only be exercised by the Mayor following consultation with the Chief Executive Officer.
2. A report be provided to the February 2025 Ordinary Council meeting outlining how the delegated authority was exercised.

This report fulfils paragraph 2 of the resolution.

DISCUSSION

The Mayor did not exercise any functions during the 2024-25 Christmas and New Year recess which utilised the delegated authority granted by Council Resolution 274/24.

TIMING

The 2024-25 Christmas and New Year recess was the period from period 11 December 2024 to 26 January 2025 inclusive and has concluded.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

This report meets the requirements of Council Resolution 274/24.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There are no social considerations in relation to this report.

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	2024/761628
Attachments	Nil

**ITEM 9.2 AUDIT RISK AND IMPROVEMENT COMMITTEE CONFIRMED
MINUTES - 10 SEPTEMBER 2024**

PURPOSE

The purpose of this report is to provide the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) ordinary and extraordinary meetings held on 10 September 2024.

EXECUTIVE SUMMARY

- The ARIC plays a pivotal role providing Council with independent assurance and advice.
- All councils are required to have an ARIC.
- In accordance with Council's requirements, the confirmed minutes of ARIC meetings are reported to Council.

RECOMMENDATION

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee meetings held on 10 September 2024.

BACKGROUND

The Audit, Risk and Improvement Committee (ARIC) plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement, along with external accountability responsibilities.

DISCUSSION

In accordance with Council’s requirements, the confirmed minutes of ARIC’s meeting held on 10 September 2024 are provided at Attachment 1. The minutes are also published on Council’s website.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Councils are required to have an ARIC in accordance with section 428A of the *Local Government Act 1993*.

ENVIRONMENTAL CONSIDERATIONS

There are no adverse environmental impacts arising from this report.

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community. The ARIC’s oversight aims to ensure that appropriate controls are in place for risk exposures as they relate to the strategic objectives of Council, and to satisfy itself that Council is taking a fully informed risk-based approach.

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	2024/764562
Attachments	⇒1 ARIC Minutes 10 September 2024 - Ordinary (Included In Attachments Booklet) ⇒2 ARIC Minutes 10 September 2024 - Extraordinary (Included In Attachments Booklet)

ITEM 9.3 REVIEW AND REVOCATION OF VARIOUS POLICIES

PURPOSE

The purpose of this report is to seek the adoption of 4 Northern Beaches Council policies and revocation of one policy.

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.
- The draft Child Safeguarding Policy and Managing Unreasonable Conduct by Complainants Policy were placed on public exhibition and are recommended for adoption with minor changes.
- The Single Use Plastics Policy has been reviewed and is considered to be still relevant at this time and is recommended to be adopted (with minor administrative updates).
- The Community Gardens Policy has been reviewed and is recommended to be adopted with a minor procedural change.
- The Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy has been reviewed and is no longer considered necessary and is proposed to be revoked.

RECOMMENDATION

That Council:

1. Adopt the:
 - a. Child Safeguarding Policy
 - b. Managing Unreasonable Conduct by Complainants Policy
 - c. Single Use Plastics Policy
 - d. Community Gardens Policy.
2. Revoke the Financial Assistance for Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy.

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

Child Safeguarding Policy

At its meeting of 15 October 2024 Council resolved (257/24) to place the draft Child Safe 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 3 submissions received. A response to the feedback from the submissions is provided in the Engagement Report at Attachment 1.

Minor amendments to the draft Policy (Attachment 2) have been made in tracked changes including on pages 6 and 12. These include the removal of 'swim instructors / swim centre staff' as mandatory reporters. The *Children and Young Persons (Care and Protection) Act 1998* defines which roles are mandatory reporters and swim instructors are not mandatory reporters.

Managing Unreasonable Conduct by Complainants Policy

At its meeting of 15 October 2024 Council resolved (257/24) to place the draft Managing Unreasonable Conduct by Complainants 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 7 submissions received. A response to the feedback from the submissions is provided in the Engagement Report at Attachment 3.

Minor amendments to the draft policy (Attachment 4) have been made in tracked changes, noting it follows the model NSW Ombudsman's Policy which many councils have adopted.

Single Use Plastics Policy

Council adopted the Single Use Plastics policy in 2017, committing to take a leadership role in the elimination of single use plastics.

Council has been a leader in eliminating single use plastics in NSW, for example, through its Swap for Good program to swap out single use plastics for reusable items. Council reaffirmed its

commitment to reducing the impact of single use plastics in its Waste and Circular Economy Strategy 2040.

The NSW Government has also taken constructive action to minimise single use plastics since 2017, including phase outs of certain problematic plastics. The NSW Government consulted in late 2024 on the *NSW Plastics: The Way Forward* action plan, which proposes new initiatives, new phase outs, design standards and increase in reusable containers.

Staff have been reviewing the Single Use Plastics Policy with a view to update the policy to align with Council's Waste and Circular Economy Strategy 2040. It would be premature to make these changes until the final outcome of the NSW Government's *NSW Plastics: The Way Forward* action plan is known.

It is recommended that the Single Use Plastics Policy be re-adopted with the proposed minor administrative updates identified in tracked changes at Attachment 5. Once the *NSW Plastics: The Way Forward* action plan is finalised, staff will consider whether any further changes to the policy are necessary. Any future changes will be presented back to Council for consideration.

Community Gardens Policy

Council adopted the Community Garden Policy and Guidelines on 20 June 2020. It is proposed to amend the policy to clarify that approval for establishing a Community Garden must be provided by Council and to remove the requirement to seek a Council resolution to progress a compliant Community Garden request to public exhibition. The latter amendment will provide a more efficient response to Community Garden applications. The proposed changes are highlighted for ease of reference at Attachment 6.

The proposed amendments to the Community Garden Guidelines (Attachment 7) will be made to support the proposed changes to the Community Gardens Policy in accordance with the Policy Framework.

Draft Financial Assistance for Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy

The Financial Assistance for Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy (Attachment 8) was adopted by Council in August 2021, replacing and consolidating previous policies of former Councils. The policy provides a framework for Council to deliver financial assistance to charitable and not-for-profit organisations for waste disposal costs at Kimbriki Resource Recovery Centre, with controls including a \$2,000 annual limit per organisation and a total annual budget of \$16,000.

The policy's framework includes clear reimbursement processes and expenditure controls. Charities are required to demonstrate they have a community service exemption from the NSW EPA (to show they have a legitimate charitable claim), register details with Council, and confirm that material for reimbursement was collected from our Council area only.

Since adoption in August 2021, the policy has received no applications for reimbursement from charitable organisations. In October 2024, Council contacted or left messages with eight local charities including key organisations accepting donations in our area, to discuss and raise awareness of the policy and reimbursement processes. To improve accessibility and awareness, Council also updated its webpage, at that time, with clear information about the policy and the processes required for reimbursement. Following this contact and update, there has continued to be no use of this policy.

The lack of use of the policy indicates it is not achieving the intended objectives. As such, it is recommended that the policy be revoked.

CONSULTATION

The 2 new policies proposed to be adopted have undertaken public exhibition for a period of at least 28 days. It is not proposed to undertake public consultation for the 2 policies intended to be renewed with minor amendments.

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.

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.

The Framework provides for an improved governance outcome for the management of Council policies.

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	2024/832509
Attachments	<ul style="list-style-type: none"> ⇒1 Community Engagement Summary - Draft Child Safe Policy and Code of Conduct (Included In Attachments Booklet) ⇒2 Draft Child Safe Policy (Included In Attachments Booklet) ⇒3 Community Engagement Summary - Draft Managing Unreasonable Conduct Policy (Included In Attachments Booklet) ⇒4 Draft Managing Unreasonable Conduct Policy (Included In Attachments Booklet) ⇒5 Draft Single Use Plastics Policy (Included In Attachments Booklet) ⇒6 Revised Community Gardens Policy (Included In Attachments Booklet) ⇒7 Revised Community Gardens Guideline (Included In Attachments Booklet) ⇒8 Financial Assistance for Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy (Included In Attachments Booklet)

ITEM 9.4 MONTHLY INVESTMENT REPORT - NOVEMBER 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 30 November 2024, Council had total cash and investments of \$233,513,558 comprising:

Trading Accounts	\$3,981,462
Investments	\$229,532,096

- The portfolio achieved a return of 0.418% for the month of November, which was 0.058% above the benchmark AusBond Bank Bill Index return of 0.360%.
- The weighted average interest rate of the portfolio at month end is 4.98% compared to 5.01% for the prior month.
- Total investment income year to date to November 2024 was \$4.7 million compared to budget of \$4.3 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 30 November 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 30-Nov-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	3,280,289			4.40%
National Australia Bank Ltd	A1+	8,418			4.35%
		3,288,707			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	10,566,987		At Call	4.45%
		10,566,987			
Mortgage Backed Securities					
Emerald Series 2006-1 Class A	A*	505,897	17-Jul-06	21-Aug-51	4.8727%
		505,897			
Term Deposits					
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%
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%

ITEM 9.4 NORTHERN BEACHES COUNCIL MEETING - 18 FEBRUARY 2025

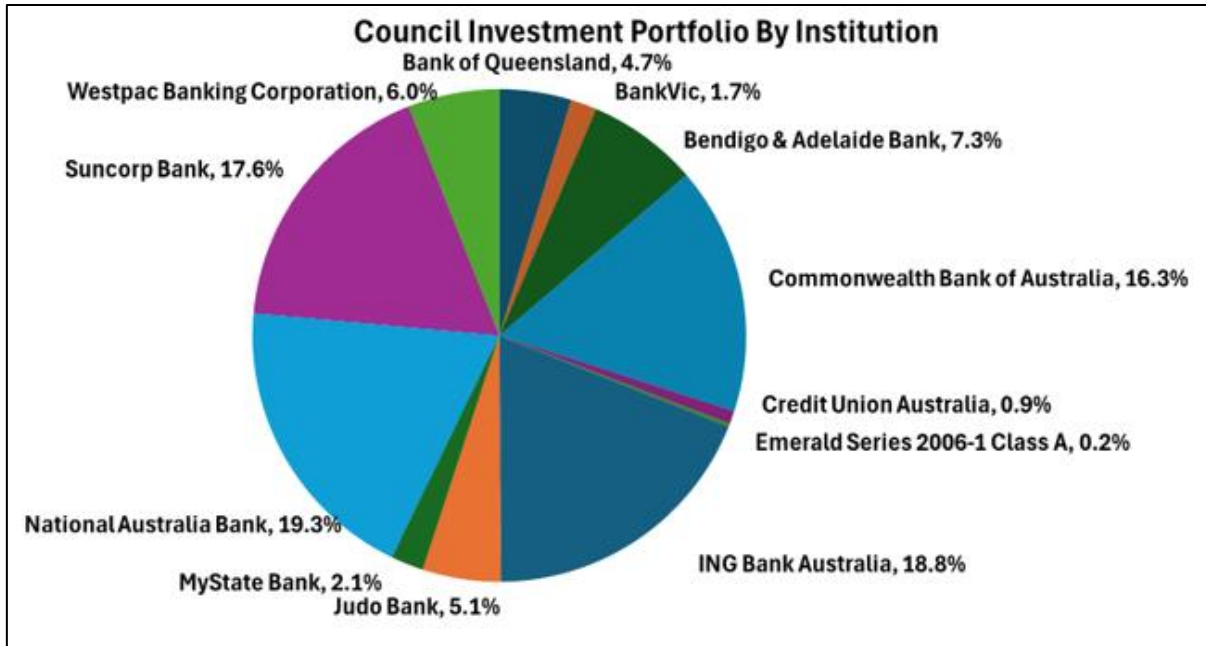
INVESTMENT BALANCES					
As at 30-Nov-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
National Australia Bank Ltd	A1+	2,000,000	30-Jul-24	04-Mar-25	5.30%
National Australia Bank Ltd	A1+	2,000,000	30-Jul-24	06-Mar-25	5.30%
National Australia 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%
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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%
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%

ITEM 9.4 NORTHERN BEACHES COUNCIL MEETING - 18 FEBRUARY 2025

INVESTMENT BALANCES					
As at 30-Nov-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
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%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	19-Nov-24	12-Aug-25	5.10%
Suncorp Bank	A1+	3,000,000	31-Oct-24	12-Aug-25	5.09%
Suncorp Bank	A1+	2,000,000	12-Nov-24	14-Aug-25	5.12%
Suncorp Bank	A1+	2,000,000	12-Nov-24	19-Aug-25	5.12%
ING Bank Australia Limited	A1	2,000,000	14-Nov-24	21-Aug-25	5.10%
ING Bank Australia Limited	A1	3,000,000	14-Nov-24	26-Aug-25	5.10%
National Australia Bank Ltd	A1+	4,000,000	28-Nov-24	09-Sep-25	5.10%
ING Bank Australia Limited	A1	4,000,000	21-Nov-24	23-Sep-25	5.11%
		195,000,000			
Kimbriki Environmental Enterprises Pty Ltd					
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	692,755			4.30%
		692,755			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	276,256		At Call	4.35%
Commonwealth Bank of Australia Ltd	A1+	559,295		At Call	4.35%
		835,550			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	1,000,000	09-Oct-24	07-Jan-25	4.84%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Nov-24	10-Jan-25	4.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	19-Nov-24	20-Jan-25	4.75%
Commonwealth Bank of Australia Ltd	A1+	18,623,662	28-Aug-24	24-Feb-25	4.73%
		22,623,662			
Total Cash and Investments		233,513,558			

*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

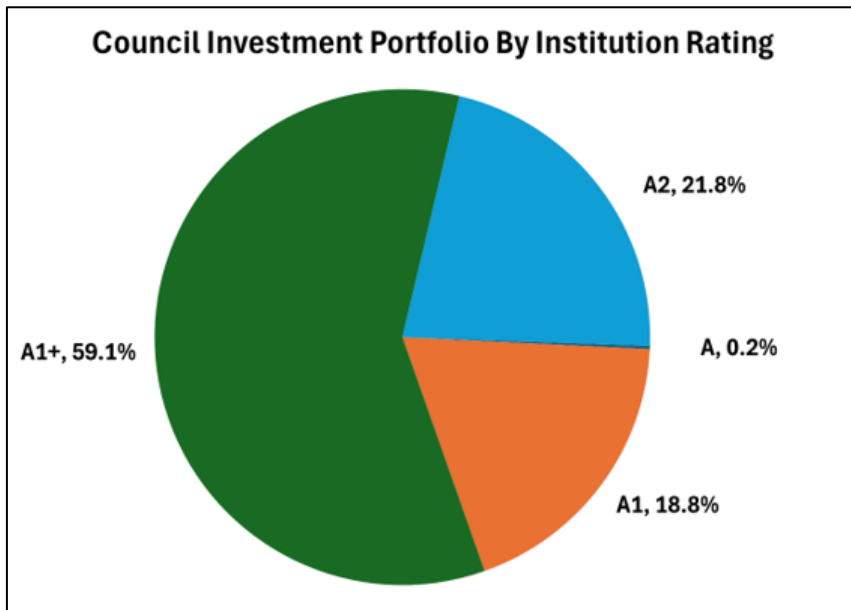
Clause 4.2.2 of Council’s Investment Policy requires that the exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

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-	A-3	10%	Yes
Unrated**TCorp Funds	Unrated**	5%	Yes (\$Nil)
Unrated***ADIs	Unrated***	\$250,000	Yes (\$Nil)

* Or Moody’s / Fitch equivalents

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

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



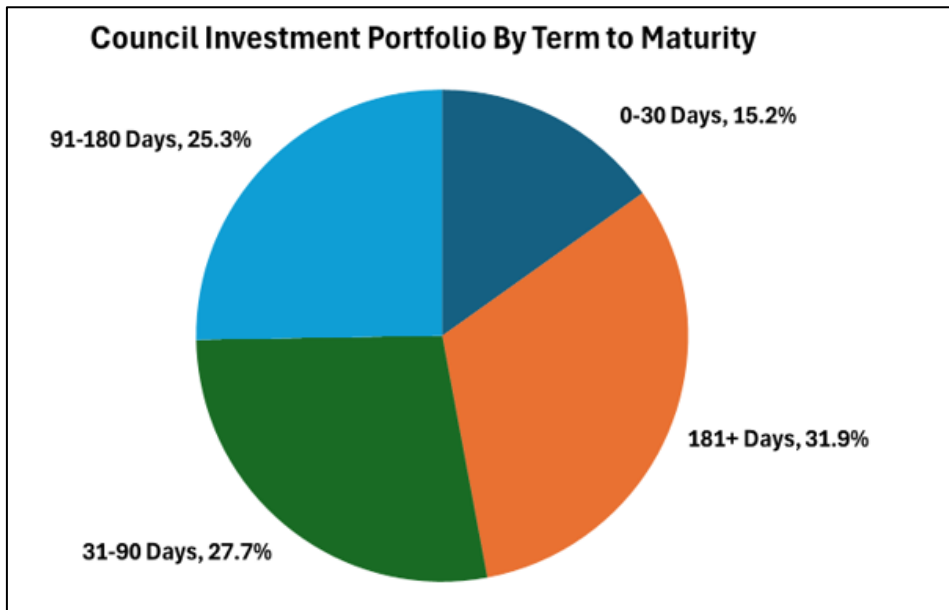
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

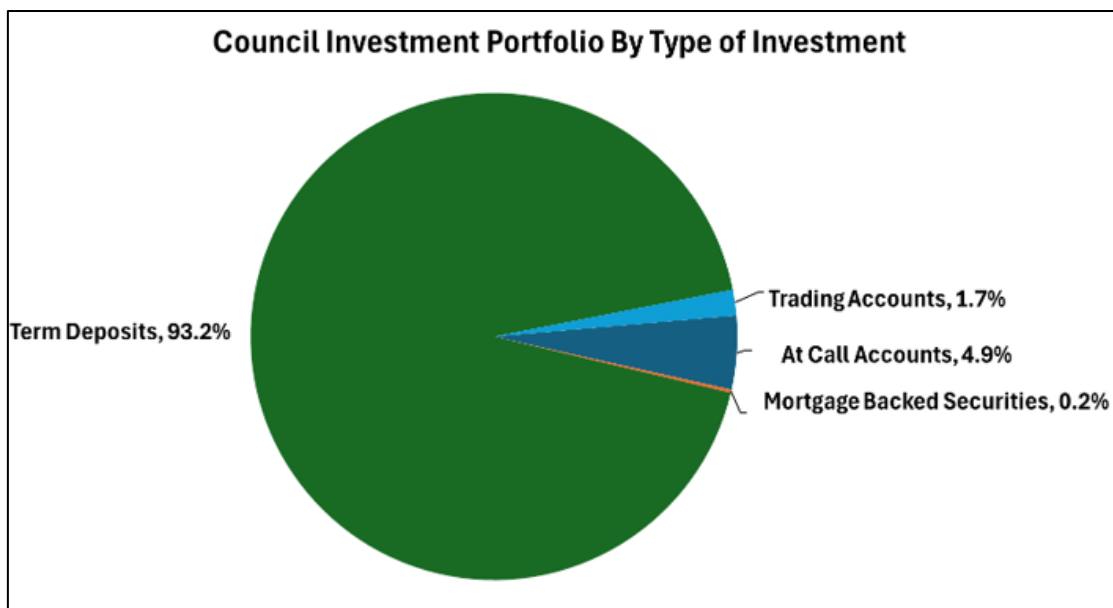
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



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

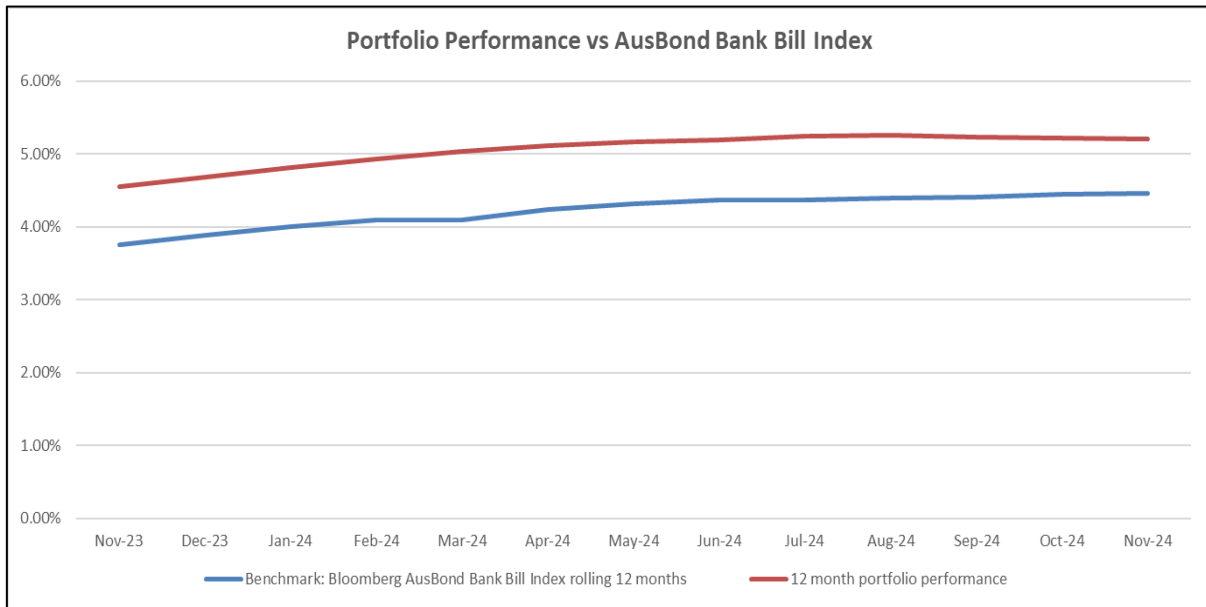
	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 Month	0.418%	0.36%
3 Months	1.242%	1.10%
FYTD	2.097%	1.86%
12 Months	5.212%	4.46%

* 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 November which was 0.058% above the benchmark AusBond Bank Bill Index return of 0.36%. For the past 12 months the portfolio achieved a return of 5.212% which was 0.752% above the benchmark AusBond Bank Bill Index return of 4.46%.



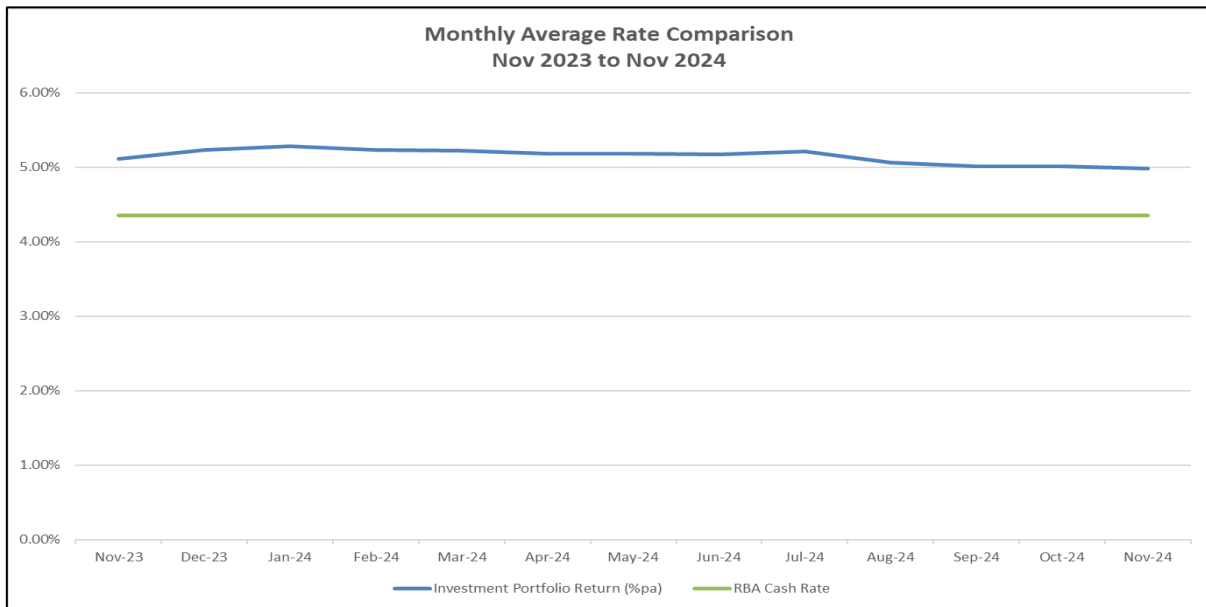
b) Portfolio Interest Rate vs Benchmark

	Weighted Average Portfolio Interest Rate (%pa) *	Average RBA Cash Rate
1 Month	4.98%	4.35%
3 Months	5.00%	4.35%
6 Months	5.07%	4.35%
FYTD	5.05%	4.35%
12 Months	5.15%	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 4.98% compared to 5.01% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 5.15% compared to the average Reserve Bank of Australia Cash Rate of 4.35%.

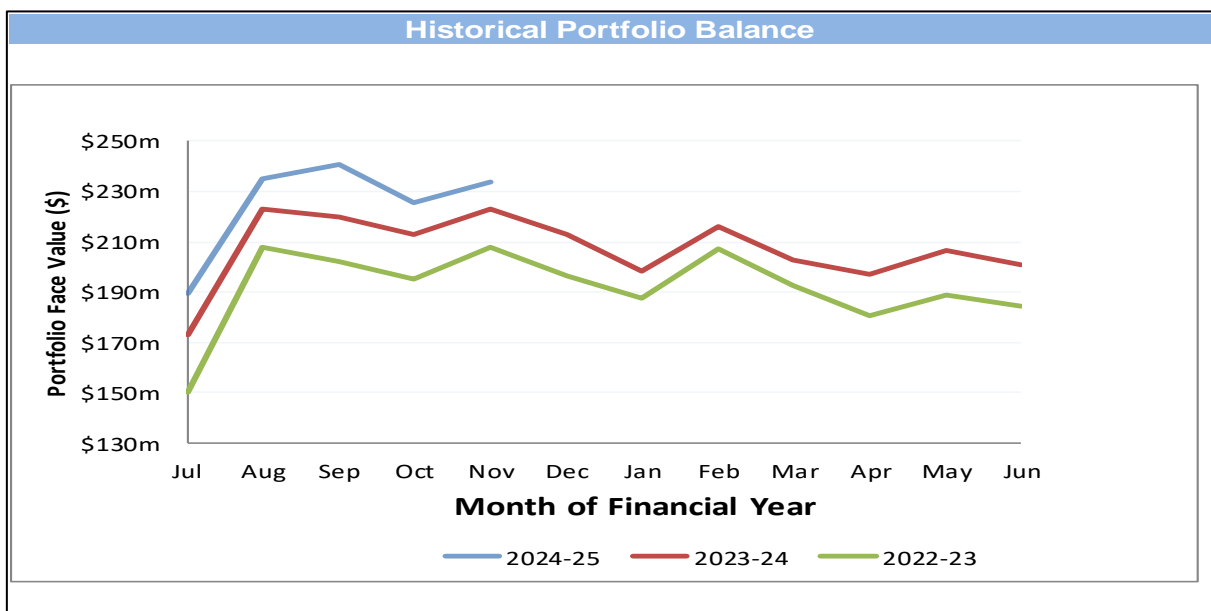


Investment Income* vs Budget

	Year to Date \$
Investment Income	4,691,616
Adjustment for Fair Value	17,758
Total Investment Income	4,709,374
Budgeted Income	4,326,241

*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	\$234m	\$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	\$225m	\$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 November 2024 total cash & investments were \$233,513,558 and were made up of the following reserve allocations.

Allocation of Funds	Amount (\$)	Percentage
Externally Restricted	\$57m	24.4%
Internally Restricted	\$86m	36.7%
Total Restricted	\$143m	61.1%
Unrestricted	\$91m	38.9%
Total	\$234m	100.0%

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2024 to date was \$4,709,374 compared to budgeted income of \$4,326,241, a positive variance of \$383,133 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 2024, 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	2024/899391
Attachments	Nil

ITEM 9.5 MONTHLY INVESTMENT REPORT - DECEMBER 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 December 2024, Council had total cash and investments of \$226,173,191 comprising:

Trading Accounts	\$1,238,441
Investments	\$224,934,750

- The portfolio achieved a return of 0.411% for the month of December, which was 0.031% above the benchmark AusBond Bank Bill Index return of 0.380%.
- The weighted average interest rate of the portfolio at month end is 4.99% compared to 4.98% for the prior month.
- Total investment income year to date to December 2024 was \$5.7 million compared to budget of \$5.1 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 December 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 monthly.

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-Dec-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	926,226			4.40%
National Australia Bank Ltd	A1+	5,708			4.35%
		931,934			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	5,892,907		At Call	4.45%
		5,892,907			
Mortgage Backed Securities					
Emerald Series 2006-1 Class A	A*	505,898	17-Jul-06	21-Aug-51	4.8727%
		505,898			
Term Deposits					
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%
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%

ITEM 9.5 NORTHERN BEACHES COUNCIL MEETING - 18 FEBRUARY 2025

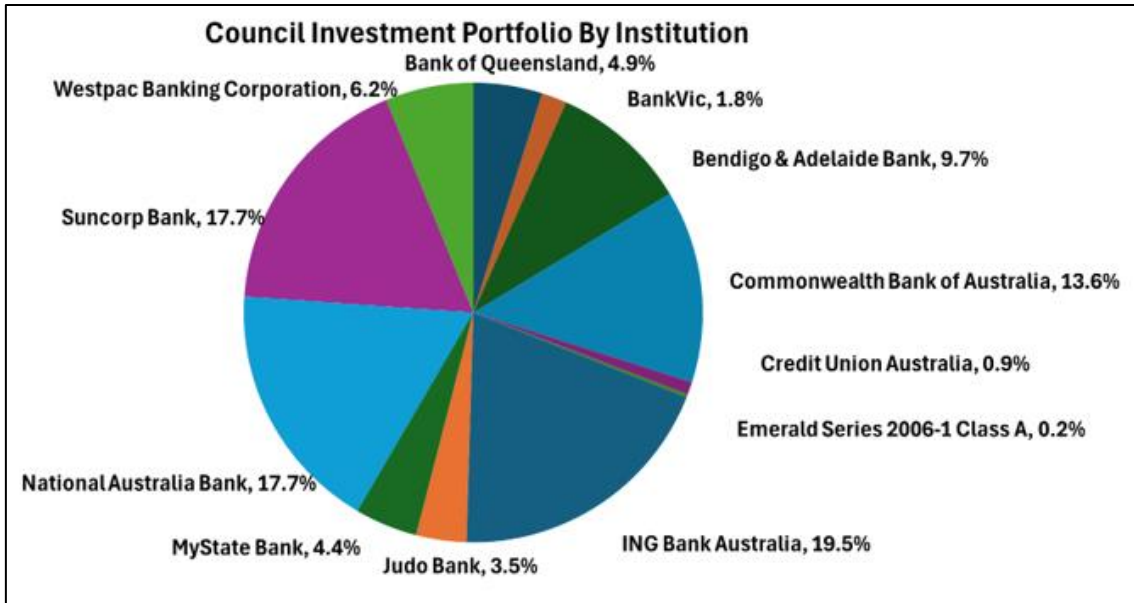
INVESTMENT BALANCES					
As at 31-Dec-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
ING Bank Australia Limited	A1	2,000,000	13-Aug-24	01-Apr-25	4.96%
ING Bank Australia Limited	A1	2,000,000	15-Aug-24	03-Apr-25	4.96%
ING Bank Australia 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%
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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%
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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	30-Aug-24	10-Jun-25	4.90%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-24	10-Jun-25	4.89%
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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%
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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%

ITEM 9.5 NORTHERN BEACHES COUNCIL MEETING - 18 FEBRUARY 2025

INVESTMENT BALANCES					
As at 31-Dec-2024					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
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%
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Suncorp Bank	A1+	2,000,000	12-Nov-24	14-Aug-25	5.12%
Suncorp Bank	A1+	2,000,000	12-Nov-24	19-Aug-25	5.12%
ING Bank Australia Limited	A1	2,000,000	14-Nov-24	21-Aug-25	5.10%
ING Bank Australia Limited	A1	3,000,000	14-Nov-24	26-Aug-25	5.10%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	05-Dec-24	04-Sep-25	5.05%
National Australia Bank Ltd	A1+	4,000,000	28-Nov-24	09-Sep-25	5.10%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	05-Dec-24	11-Sep-25	5.05%
Suncorp Bank	A1+	2,000,000	10-Dec-24	16-Sep-25	5.10%
ING Bank Australia Limited	A1	4,000,000	21-Nov-24	23-Sep-25	5.11%
MyState Bank Ltd	A2	3,000,000	03-Dec-24	25-Sep-25	5.15%
MyState Bank Ltd	A2	2,000,000	03-Dec-24	30-Sep-25	5.15%
Suncorp Bank	A1+	4,000,000	12-Dec-24	07-Oct-25	5.05%
National Australia Bank Ltd	A1+	4,000,000	24-Dec-24	21-Oct-25	5.00%
		195,000,000			
Kimbriki Environmental Enterprises Pty Ltd					
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	306,507			4.30%
		306,507			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	547,794		At Call	4.35%
Commonwealth Bank of Australia Ltd	A1+	364,488		At Call	4.35%
		912,283			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	1,000,000	09-Oct-24	07-Jan-25	4.84%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Nov-24	10-Jan-25	4.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	19-Nov-24	20-Jan-25	4.75%
Commonwealth Bank of Australia Ltd	A1+	18,623,662	28-Aug-24	24-Feb-25	4.73%
		22,623,662			
Total Cash and Investments		226,173,191			

*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

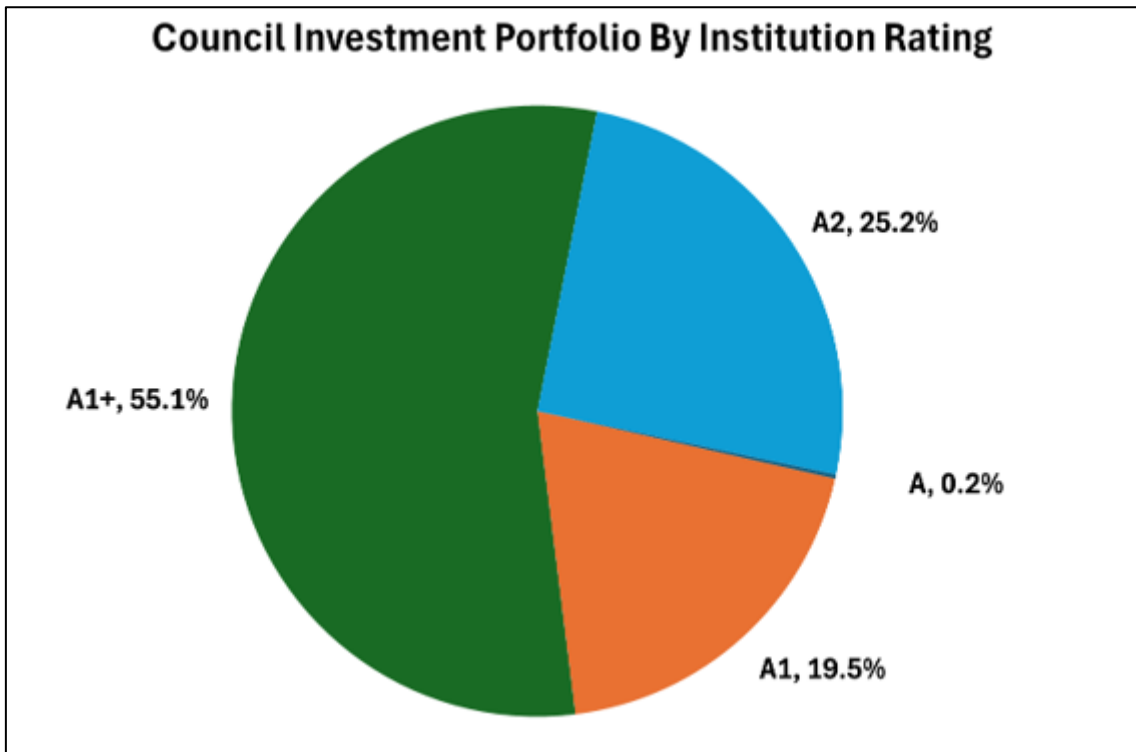
Clause 4.2.2 of Council’s Investment Policy requires that the exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

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-	A-3	10%	Yes
Unrated**TCorp Funds	Unrated**	5%	Yes (\$Nil)
Unrated***ADIs	Unrated***	\$250,000	Yes (\$Nil)

* Or Moody’s / Fitch equivalents

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

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



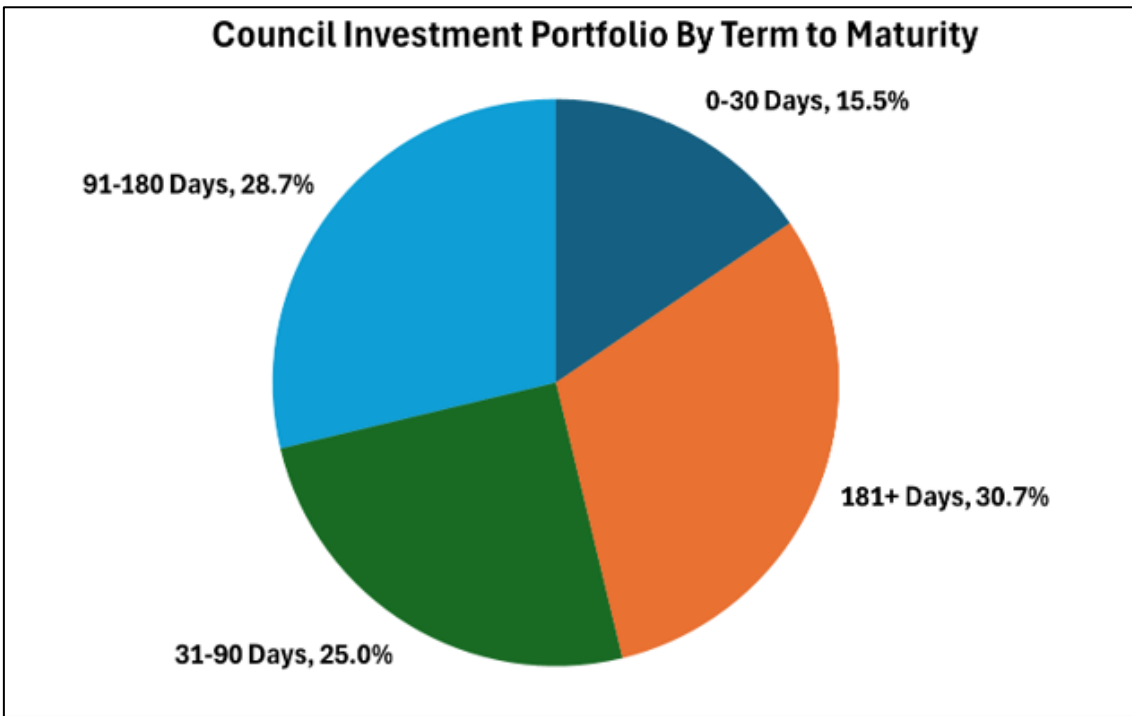
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

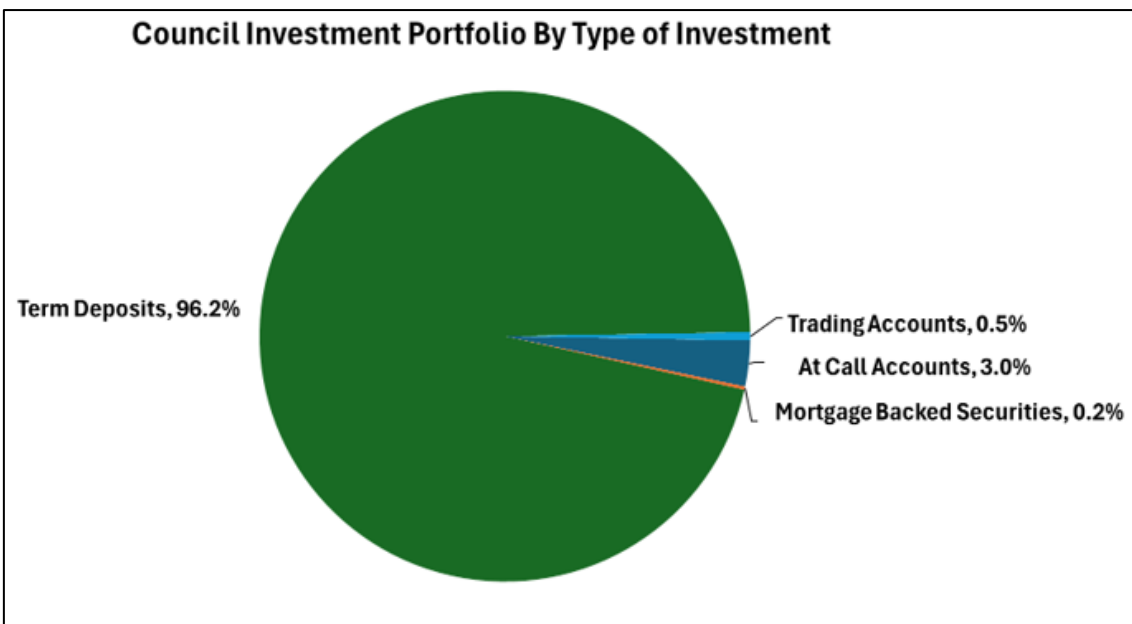
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



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

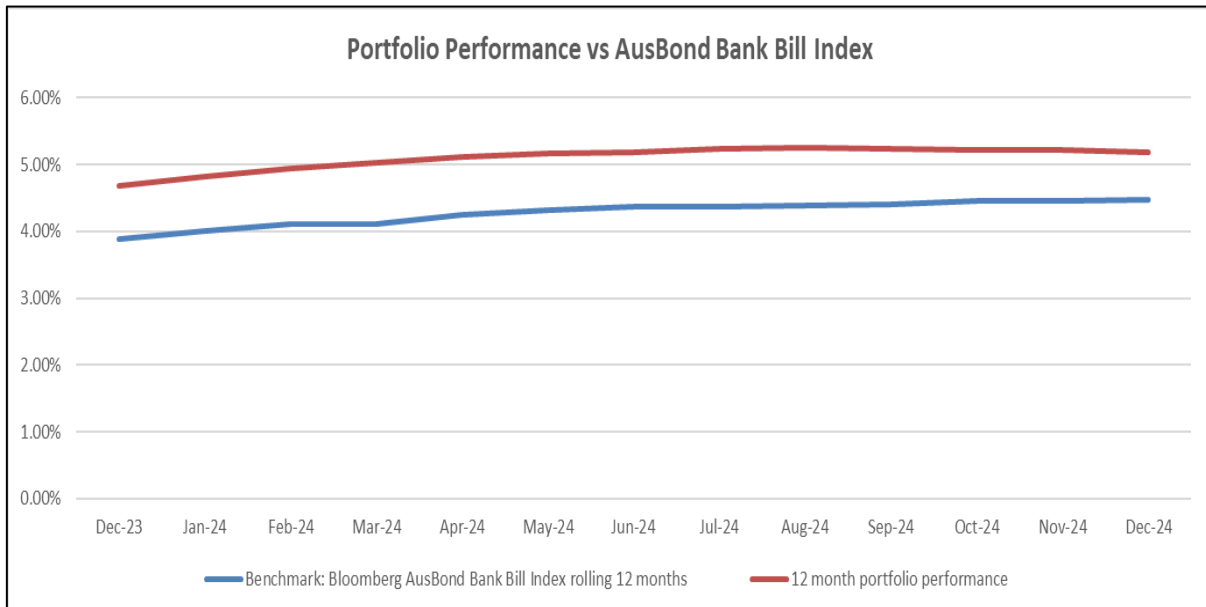
	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 Month	0.411%	0.38%
3 Months	1.256%	1.12%
FYTD	2.517%	2.24%
12 Months	5.186%	4.47%

* 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 0.411% for the month of December which was 0.031% above the benchmark AusBond Bank Bill Index return of 0.38%. For the past 12 months the portfolio achieved a return of 5.186% which was 0.716% above the benchmark AusBond Bank Bill Index return of 4.47%.



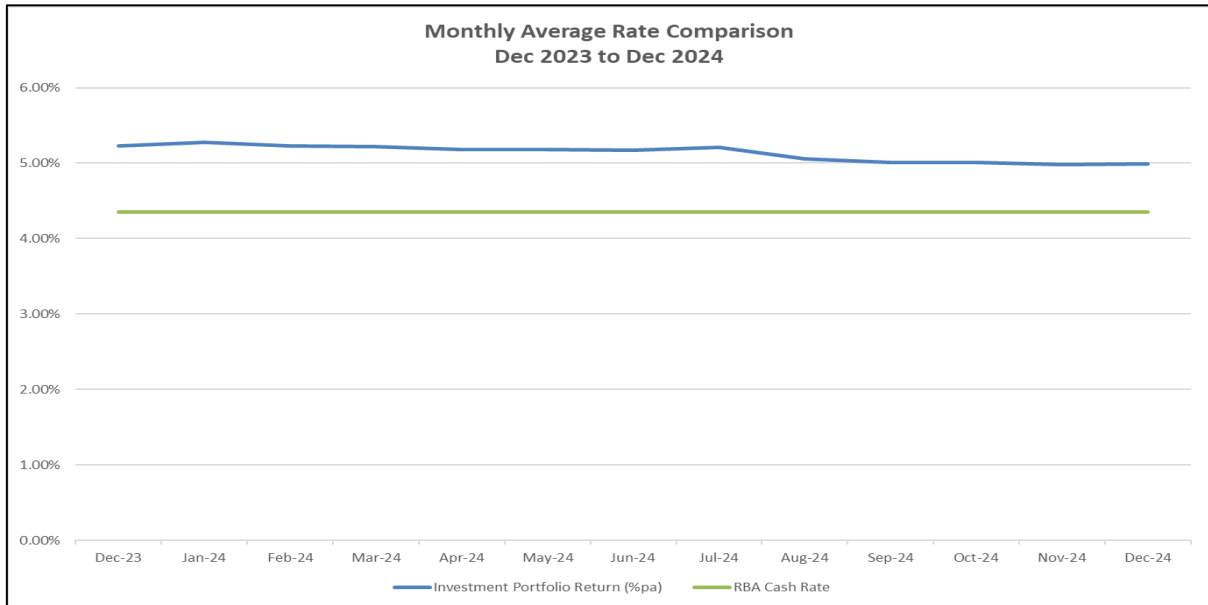
b) Portfolio Interest Rate vs Benchmark

	Weighted Average Portfolio Interest Rate (%pa) *	Average RBA Cash Rate
1 Month	4.99%	4.35%
3 Months	4.99%	4.35%
6 Months	5.04%	4.35%
FYTD	5.04%	4.35%
12 Months	5.13%	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 4.99% compared to 4.98% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 5.13% compared to the average Reserve Bank of Australia Cash Rate of 4.35%.

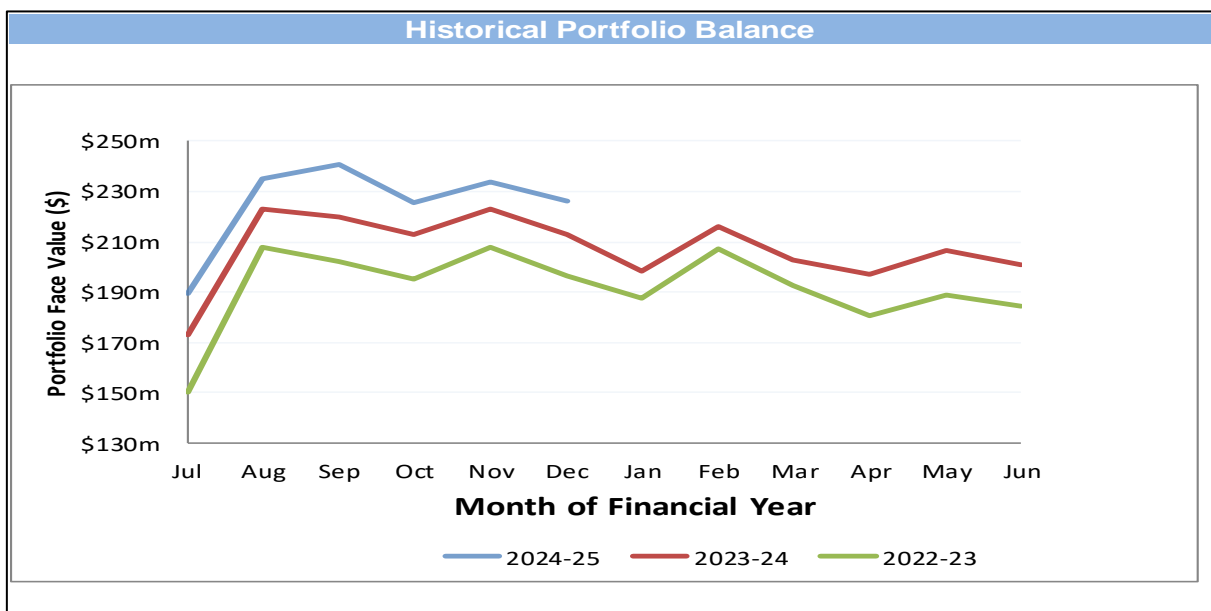


Investment Income* vs Budget

	Year to Date \$
Investment Income	5,686,005
Adjustment for Fair Value	17,758
Total Investment Income	5,703,763
Budgeted Income	5,089,642

*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	\$234m	\$223m	\$208m
Dec	\$226m	\$213m	\$196m
Jan		\$198m	\$187m
Feb		\$216m	\$207m
Mar		\$203m	\$193m
Apr		\$197m	\$181m
May		\$206m	\$189m
Jun		\$201m	\$184m
Average Portfolio Balance	\$225m	\$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 December 2024 total cash & investments were \$226,173,191 and were made up of the following reserve allocations.

Allocation of Funds	Amount (\$)	Percentage
Externally Restricted	\$55m	24.2%
Internally Restricted	\$84m	37.3%
Total Restricted	\$139m	61.5%
Unrestricted	\$87m	38.5%
Total	\$226m	100.0%

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2024 to date was \$5,703,763 compared to budgeted income of \$5,089,642, a positive variance of \$614,121 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 2024, 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	2025/046187
Attachments	Nil

ITEM 9.6 QUARTERLY REVIEW - DECEMBER 2024

PURPOSE

The purpose of this report is to present financial and service performance results for the period ended 31 December 2024 and provide a progress report on the expenditure from the \$36.1 million Stronger Communities Fund (SCF) provided by the NSW Government.

EXECUTIVE SUMMARY

- The operating result (including capital grants and contributions) for the financial year is forecast to increase by \$4.2 million to a surplus of \$38.5 million.
- The operating result, excluding capital grants and contributions, is forecast to improve by \$7.3 million to a surplus of \$2.0 million, primarily due to rephasing of expenditure on a multi-year project to replace Council's core operating systems (\$2.9m), an insurance payment for Jamieson Park Sports Amenities (\$1.9m) and higher investment income (\$1.3m).
- The favourable adjustments to the forecast result are primarily related to restricted funds and future commitments, and therefore do not improve the Council's long term financial outlook with an underlying operating deficit of \$5.1 million forecast for the 2024/25 financial year.
- As previously reported, Council is still not anticipated to meet all the Office of Local Government's asset performance benchmarks due to the rising costs of maintaining and renewing assets compared with the available funding to complete this work.
- Strengthening the underlying position in the future is essential to addressing long-term financial sustainability concerns and is the subject of an application currently with the Independent Pricing and Regulatory Tribunal for a special variation to increase rates.
- Capital expenditure is forecast to decrease by \$3.8 million to \$110.0 million for the full financial year, primarily due to projects rephased to future financial years.
- The 'Merger Savings Fund' for creative spaces in the north has a remaining balance of \$99,592, and the reforecast capital expenditure budget proposes allocating these remaining restricted funds to urgent works at Glen Street Theatre.
- Of the 163 actions relating to operational and capital projects in Council's 2024/25 Operational Plan, the majority (86%) are progressing on schedule including 29 completed, while 83% of the 36 performance measures have met or are approaching their targets.
- Work is continuing on Council's remaining SCF projects (being Wakehurst Parkway flood mitigation and Connecting Northern Beaches Coast Walk pathway).

RECOMMENDATION

That Council:

1. Note the Quarterly Report on Service Performance for the period ended December 2024.
2. Note the December 2024 Quarterly Budget Review Statement.
3. Approve the changes to the Current Forecast in the December 2024 Quarterly Budget Review Statement, including:
 - a. an increase in the forecast surplus from continuing operations, which includes capital grants and contributions, of \$4.210 million to \$38.526 million.

- b. a decrease in Capital Expenditure of \$3.805 million to \$109.983 million.
3. Approve the re-allocation of \$99,592 from the internally restricted reserve 'Merger Savings Fund' from 'Creative art space at the northern end of the Northern Beaches' to urgent works at Glen Street Theatre.
4. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended December 2024.

BACKGROUND

Northern Beaches Council’s Operational Plan 2024/25 was adopted on 25 June 2024. The Operational Plan is for the period 1 July 2024 to 30 June 2025.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2024/25. It has been prepared in accordance with the requirements of the Local Government (General) Regulation 2021 (section 203) and essential element 4.9 of the Integrated Planning and Reporting Guidelines (September 2021), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every 6 months on the principal activities.

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

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

This report includes updates for the period ended 31 December 2024 on:

- service performance
- financial performance and position, contracts and recommended changes to the budget
- the outcomes delivered from the \$36.1 million Stronger Communities Fund.

DISCUSSION

Overview of service performance

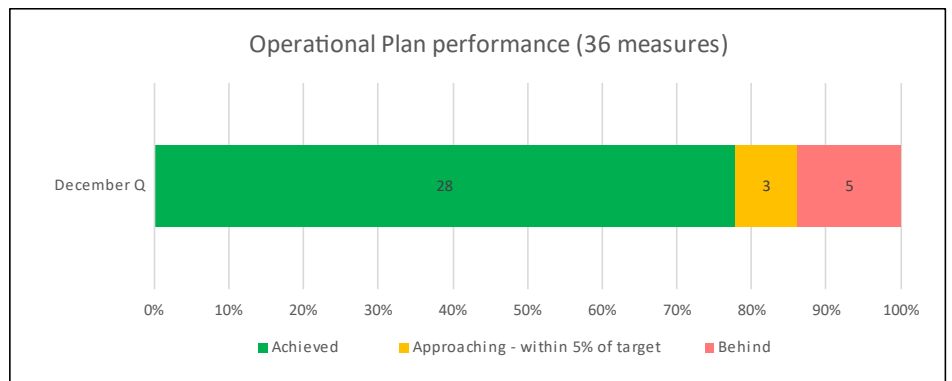
A report on Council’s service performance is provided at Attachment 1. This is a comprehensive report on Council’s 163 operational and capital projects, 36 service performance measures, 7 workload measures and service highlights across our 16 key services.

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

A summary of our performance is outlined below.

Performance measures

Overall 86% of Council’s 36 performance measures met or were approaching the target. For measures tracking behind, reduced demand, reviews being undertaken, internal review and resourcing and data accuracy were the causes of delay.

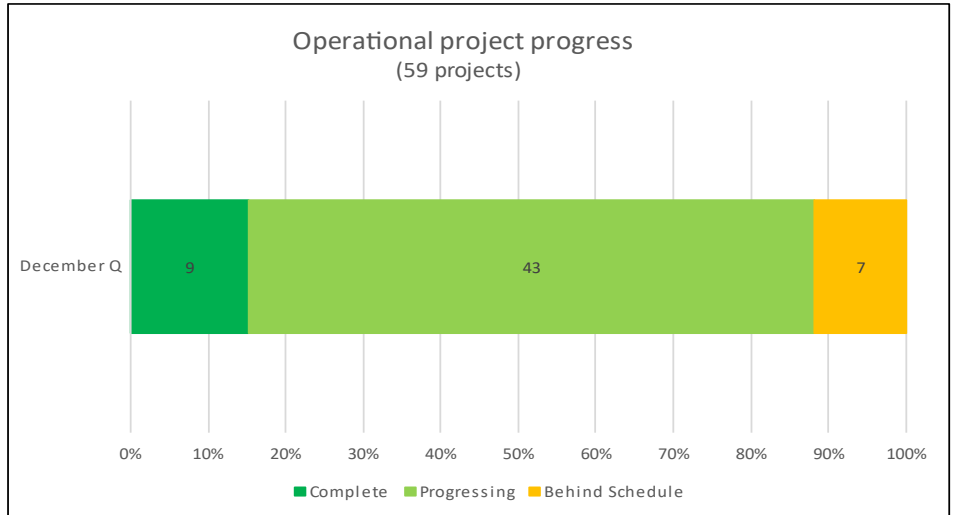


Operational project progress

Of the 59 operational projects, 88% are complete or progressing on schedule.

For the 7 projects behind schedule there were delays caused by complexities of the project, third-party influences and delays in approval, and internal review.

Target: 80% complete/on schedule as at 30 June 2025



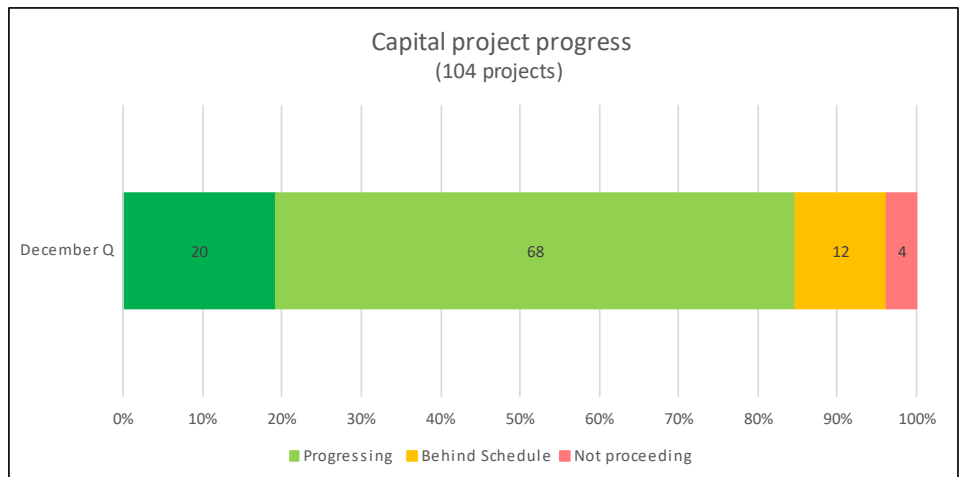
The completed projects this quarter include developing the Indoor Sport and Recreation Strategy and Action Plan, service reviews of the community transport service and maintenance of open space, completion of the State of the Region Report, and coordinating the induction of the newly elected Council.

Capital project progress

Of the 104 capital projects, 85% are progressing on schedule.

For the 12 projects behind schedule the complexity of the project, the cost of the works exceeding the budget, and extended community engagement.

Target: 80% complete/on schedule as at 30 June 2025



The completed projects this quarter include Manly Dam Memorial shelter and accessibility works, Seaforth Oval Cricket Turf installation, Queenscliff Headland Access Ramp, Lynne Czinner Park, Trafalgar Park, Aquatic Reserve, Frenchs Forest sportsfield lighting, and Beverly Job Reserve Youth Space.

Stronger Communities Fund (SCF)

Attachment 3 outlines the progress of projects funded by the NSW Government’s SCF. Work is continuing on the remaining projects being Wakehurst Parkway flood mitigation and Connecting Northern Beaches Coast Walk pathway.

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

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

It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 31 December 2024 indicates that Council’s projected financial position at 30 June 2025 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

- Caroline Foley, Chief Financial Officer, Northern Beaches Council.

Responsible Accounting Officer Statement on Long Term Financial Outlook

My opinion above, that Council’s projected financial position as at 30 June 2025 will be satisfactory, does not extend to future financial years.

In my opinion, the financial outlook forecast in the [Long-Term Financial Plan 2024-2034](#) (Option 1) is unsatisfactory based on the following factors impacting future years:

1. Repeated operating deficits excluding capital grants and contributions.
2. Insufficient unrestricted cash levels from 30 June 2026 to maintain day-to-day liquidity and manage the financial impact of shocks.
3. An asset renewal and maintenance backlog issue that will grow exponentially without intervention.

Recommended remedial action to address this unsatisfactory financial outlook:

- Council is well advanced in responding to these financial challenges. In February 2025 Council applied to the Independent Pricing & Regulatory Tribunal (IPART) for a Special Variation for a phased increase in rates income over the next 3 years alongside undertaking a number of actions set out in the Productivity Journey and Improvement Plan.

- Caroline Foley, Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of Council’s progress against the annual budget at the end of the December 2024 quarter and provides explanations for major variations that result in recommendations for budget changes.

For the 6 months to 31 December 2024, the operating result (including capital grants and contributions) is \$11.7 million ahead of budget.

Income is \$7.0 million ahead of budget while operating expenditure is \$4.7 million less than budget. User charges and fees and parking fine income are ahead of budget. Expenditure was lower primarily due to changes in the phasing of costs for projects including IT projects and the replacement of the Council’s core operating systems.

The operating result (including capital grants and contributions) for the financial year is forecast to increase by \$4.2 million to \$38.5 million for the full year. Income is forecast to increase by \$2.3 million while operating expenses will decrease \$1.9 million.

The operating result (excluding capital grants and contributions) for the financial year is forecast to improve by \$7.3 million to a \$2.0 million surplus. This is primarily due to core operating systems replacement works rolled over to future years – \$2.9m, an insurance payment for Jamieson Park Sports Amenities – \$1.9m, higher investment income – \$1.3m and higher net income at the Manly Andrew Boy Charlton aquatic centre – \$0.5m and Kimbriki – \$0.4m.

These overall movements are summarised in the table below, under the ‘Recommended Changes’ column.

Operating budget as at 31 December 2024 – annual budget and actual result to date summary

\$'000	Annual*				Actual	Year to date		Variance
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast		YTD Budget		
Income	452,085	464,029	2,278	466,308	360,892	353,910	6,982	2%
Operating expenses	(424,886)	(429,713)	1,932	(427,781)	(203,853)	(208,578)	4,726	2%
Surplus / (Deficit)	27,219	34,317	4,210	38,526	157,039	145,331	11,708	8%

Surplus / (Deficit) before Capital Grants & Contri	(5,125)	(5,278)	7,322	2,044	143,398	132,390	11,007	8%
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* Original Budget (adopted June 2024), Revised Budget (adopted November 2024) and Current Forecast (proposed for adoption in this report)

Attachment 2 'Quarterly Budget Review Statement - December 2024' provides further information on the proposed variations to the budget.

Income Year to Date (YTD) Analysis

Total income at the end of December 2024 is \$360.9 million which is \$7.0 million above the forecast. The principal reasons for this variance are outlined in the following table.

Income as at 31 December 2024 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
414	Rates and Annual Charges <ul style="list-style-type: none"> Higher rates and waste charges due to the timing of undertaking assessment adjustments.
3,590	User Charges & Fees <ul style="list-style-type: none"> Stronger than anticipated income: <ul style="list-style-type: none"> Planning and building regulatory \$1.8m Restorations charges \$0.7m Kimbriki waste and recycling centre \$0.6m Aquatic centres \$0.3m Parking areas \$0.2m
698	Investment Fees and Revenues <ul style="list-style-type: none"> Higher returns on investments
1,175	Other Revenue <ul style="list-style-type: none"> Higher income including: <ul style="list-style-type: none"> Parking fines \$0.8m Sun run ticket sales \$0.3m
(59)	Grants and Contributions – Operating Purposes <ul style="list-style-type: none"> Generally consistent overall with the YTD forecast. Some grants are behind schedule (Rural Fire Service Local Government Program) while others are ahead (Brookvale Structure Plan).
701	Grants and Contributions – Capital Purposes <ul style="list-style-type: none"> Development contributions are higher than expected \$0.5m. Timing of revenue recognition of grants to match expenditure of funds including: <ul style="list-style-type: none"> Queenscliff Headland access ramp (\$0.5m) Road resheeting program (\$0.4m) New traffic facilities (\$0.3m) Oxford Falls Road West flood mitigation (\$0.3m)

YTD Variance \$'000	Details – Favourable / (Unfavourable)
	<ul style="list-style-type: none"> o Connecting Communities cycleway and footpaths programs \$1.4m
141	Other Income <ul style="list-style-type: none"> • Higher rental income for leased properties.
321	Gain on disposal of assets <ul style="list-style-type: none"> • Timing of proceeds on sale of plant & equipment and sale of land within a road reserve on Clontarf St Seaforth.
6,982	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Operating Expenses Year to Date (YTD) Analysis

Total operating expenses at the end of December 2024 are \$203.9 million, which is \$4.7 million less than forecast. The principal variances include:

Operating expenses as at 31 December 2024 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
1,292	Employee Benefits and Oncosts <ul style="list-style-type: none"> • Primarily due to vacancies in Property & Facilities, Library Services and Digital & Information Technology, partially offset by higher costs children's centres (offset by a reduction in agency staff) and rangers.
125	Borrowing Costs <ul style="list-style-type: none"> • Higher YTD unwinding of the asset remediation discount to increase the landfill remediation provision (undertaken to reflect the present value of the estimated future expenditure to remediate the Kimbriki landfill).
1,884	Materials and Services <ul style="list-style-type: none"> • Timing of works: <ul style="list-style-type: none"> o IT and communications \$1.6m o Environment and floodplain \$0.8m (incl grant funded projects) o Cleaning \$0.3m o Tree works \$0.2m o Bush regeneration \$0.2m o Roadworks (\$1.0m) (incl grant funded works ahead of schedule) o Legal services (\$0.6m)
1,287	Depreciation and Amortisation <ul style="list-style-type: none"> • Phasing of depreciation costs ahead of actual costs due to the timing of capitalisation.
138	Other Expenses

YTD Variance \$'000	Details – Favourable / (Unfavourable)
	<ul style="list-style-type: none"> Timing of Collaroy-Narrabeen coastal protection private works \$0.3m Timing of waste levy payments (\$0.2m)
4,726	TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET

Capital Budget Statement

Capital expenditure is forecast to decrease by \$3.8 million to \$110 million.

Capital budget as at 31 December 2024 – annual budget and actual result to date summary

\$'000	Annual*				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	YTD Budget	Variance	
New Works	56,405	71,849	(4,033)	67,815	25,624	26,697	1,073	4%
Renewal Works	42,858	41,939	229	42,168	18,005	16,354	(1,651)	(10%)
Total Capital Expenditure	99,263	113,788	3,805	109,983	43,629	43,051	(578)	(1%)

* Original Budget (adopted June 2024), Revised Budget (adopted November 2024), Current Forecast (proposed for adoption in this report)

Proposed variations to the capital expenditure budget are outlined in Attachment 2 'Quarterly Budget Review Statement - December 2024' and includes:

- \$1.3m Oxford Falls Road West flood mitigation – rephased into 2025/26 financial year
- \$1.6m New traffic facilities – rephased into 2025/26 financial year

Capital Expenditure Year to Date (YTD) Analysis

Expenditure on capital works for the 6 months ended 31 December 2024 is \$43.6 million against a year-to-date budget of \$43.1 million.

The principal variances in expenditure versus the year-to-date budget are as follows:

YTD Variance \$'000	Details – Favourable / (Unfavourable) YTD Variance
1,073	Capital Expenditure – New Projects <ul style="list-style-type: none"> Primarily due to projects behind schedule including Connecting Communities cycleways program \$1.1m and Warringah Recreation Centre \$0.6m offset by Queenscliff headland access ramp ahead of schedule \$0.7m.
(1,651)	Capital Expenditure – Renewal Projects <ul style="list-style-type: none"> Primarily due to projects ahead of schedule including the road resheeting program \$1.0m and the sports buildings works program \$0.6m.
(578)	TOTAL CAPITAL EXPENDITURE VARIANCE – YTD ACTUALS WITH YTD BUDGET

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

Merger Savings Fund allocation to Glen Street Theatre

Savings of \$10 million achieved in the first 2 years of Northern Beaches Council were transferred to an internally restricted reserve, the 'Merger Savings Fund', established by the Administrator in June 2017. On 27 June 2017 the Administrator resolved, in part, to allocate from the Merger Savings Fund the following:

“...Creative Art Space at the northern end of the Northern Beaches local government area (e.g. Avalon or Newport) - \$1 million in 2017/18”.

Council utilised the allocated funds to deliver 2 creative spaces:

- Avalon Creative Space - opened March 2021
- Mona Vale Creative Space - opened May 2021

From the Administrator’s allocation of \$1,000,000, a balance of \$99,592 remains in the fund, summarised in the following table.

Merger Savings Fund – Creative Art Allocation

	Approved allocation	Funds expended	Funds Remaining
Creative art space at the northern end of the Northern Beaches	\$1,000,000	(\$900,408)	\$99,592

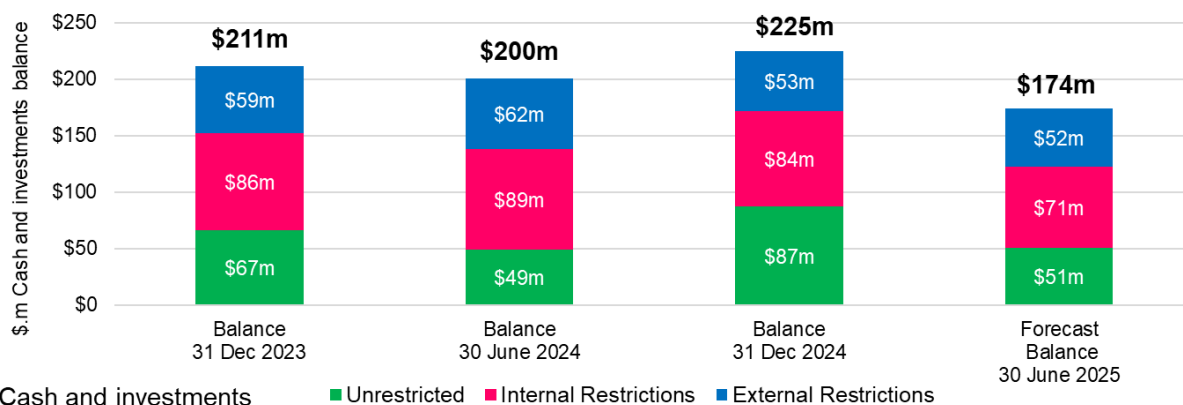
In June 2024 Council received a report on the Mona Vale Community and Cultural precinct. At that meeting Council resolved to note the report and note the operational needs of the Mona Vale Civic Centre site. As such, the funds remaining in the Merger Savings Fund are no longer required to expand the creative space at Mona Vale.

Urgent works are required at Glen Street Theatre in Belrose to replace a fire curtain hoist. The cost of the works is estimated at \$122,000 and is included in the December Budget Review capital expenditure variation schedule (Attachment 2). Due to the urgent nature of the works, it is recommended Council redirect the remaining \$99,592 from the funds held within the Merger Savings Fund for ‘Creative Art Space at the northern end of the Northern Beaches’ to this project.

Cash and Investments

The balance of cash and investments as at 31 December 2024 was \$225 million. The projected balance on 30 June 2025 is \$174 million of which \$51 million is unrestricted cash (Kimbriki \$6m million and Northern Beaches \$45 million which includes funds for projects rephased to future years).

Cash and investments – as at 31 December 2024



Further information is available on cash and investments within Attachment 2 ‘Quarterly Budget Review Statement - December 2024’ to this report.

Financial Performance Measures

The financial performance measures indicate that Council will meet the Office of Local Government benchmarks for financial management.

	Forecast result	Forecast indicator	Benchmark
\$ '000	30/6/2025	30/6/2025	
1. Operating Performance			

Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	1,693	0.39%	✓	>0%
Total continuing operating revenue ¹ excluding capital grants and contributions	429,393			
¹ Excludes fair value adjustments, reversal of revaluation decrements and net gain on sale of assets.				
This ratio measures Council’s ability to contain operating expenditure within operating revenue. It is important to distinguish that this ratio focuses on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.				
For the 2024/25 financial year, the forecast result has improved primarily due to an insurance payment (\$1.9m) and rephasing of the core operating systems project (\$2.9m). This means the Council may now meet this OLG benchmark, although the result is weak.				

	Forecast result	Forecast indicator	Benchmark	
\$ '000	30/6/2025	30/6/2025		
2. Unrestricted Current Ratio				
Current assets less all external restrictions	149,289	2.15x	✓	>1.5x
Current liabilities less specific purpose liabilities	69,469			
The Unrestricted Current Ratio is specific to local government and is designed to represent a Council’s ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g., development contributions and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council’s other operating and borrowing costs – these funding sources are removed from this ratio.				
For the 2024/25 financial year, the forecast result will continue to meet the benchmark.				

TIMING

The Quarterly Budget Review Statement meets the requirements of the *Local Government Act 1993* and Local Government (General) Regulation 2021 (section 203), namely that Council report quarterly on a budget review statement, and at least every 6 months on the principal activities of its Operational Plan.

FINANCIAL CONSIDERATIONS

The operating surplus (which includes capital grants and contributions) for the financial year is forecast to increase by \$4.2 million to a surplus of \$38.5 million. Excluding capital grants and contributions the result for the year is forecast to improve by \$7.3 million, from a deficit of \$5.3 million, to a surplus of \$2.0 million.

The improved result is primarily due to the rephasing of expenditure on a multi-year project to replace Council’s core operating systems (\$2.9m), an insurance payment for Jamieson Park Sports Amenities (\$1.9m), higher investment income (\$1.3m), and stronger results at Kimbriki (\$0.4m) and Manly Andrew Boy Charlton Aquatic Centre (\$0.5m).

There are several restrictions on funds within the operating result. When these are removed, the underlying operating result is forecast to be a deficit of \$5.1 million (compared to the previous forecast of a deficit of \$6.8 million).

	<u>\$m</u>
Underlying result	
Surplus / (deficit) excluding capital grants and contributions	2.0
Less:	
Interest on restricted Council funds	(3.0)
Domestic Waste net depreciation	(1.3)
Stormwater Charge net opex	(2.0)

Special Rates	(0.1)
Externally restricted grants (net)	0.6
Kimbriki (less dividend)	(0.3)
Mona Vale Cemetery	0.2
Gain on the disposal of assets	(0.4)
Projects rephased from 2023/24 & early payment of Financial Assistance Grant	6.2
Developer contribution funded operating projects	0.7
Recovery of natural disaster expenditure incurred in prior years	(3.2)
Projects rolled over to future years and insurance recovery payment	(4.5)
Underlying surplus / (deficit)	
excluding restricted funds, rollovers and disaster funding for prior years	(5.1)

Capital expenditure is forecast to decrease by \$3.8 million to \$110.0 million.

Council does not have sufficient funding available to meet key asset performance benchmarks this financial year. The Operating Performance Ratio is weak against the benchmark and both the asset renewal and maintenance ratios will not meet the benchmark as infrastructure cost increases have significantly outpaced growth in income. Strengthening this position in the future is a priority of Council, with Council resolving on 28 January 2025 to apply to IPART for a Special Variation to increase rates over the next 3 years as set out below:

- Year 2025/26 – 12.1% increase (8.3% + rate peg of 3.8%)
- Year 2026/27 – 11.7% increase (8.3% + assumed rate peg of 3.4%)
- Year 2027/28 – 11.5% increase (8.4% + assumed rate peg of 3.1%)

GOVERNANCE AND RISK CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

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	2025/036005

Attachments

- ⇒1 Quarterly Report on Service Performance - December 2024
(Included In Attachments Booklet)
- ⇒2 Quarterly Budget Review Statement - December 2024 (Included In
Attachments Booklet)
- ⇒3 Stronger Communities Funds - December 2024 (Included In
Attachments Booklet)

ITEM 9.7 DRAFT SUBMISSION - OFFICE OF LOCAL GOVERNMENT DRAFT MODEL MEETING CODE

PURPOSE

The purpose of this report is for Council to consider a draft submission to the Office of Local Government regarding the proposed new Model Code of Meeting Practice for Local Councils in NSW.

EXECUTIVE SUMMARY

- The Office of Local Government (OLG) has released proposed amendments to the [Model Code of Meeting Practice for Local Councils in NSW](#) and is inviting comments until 28 February 2025.
- The draft model code proposes significant changes to how Council's meetings would be conducted and is part of the Government's wider initiative to amend the Councillor conduct framework.
- A draft submission has been prepared and it is recommended Council endorse the draft submission provided at Attachment 1 to be provided to the OLG.
- The draft submission addresses a number of concerns including the proposed changes to briefings for councillors, changes to how councillors may attend council meetings remotely, removal of some functions of the general manager in council meetings and the pace of the proposed changes.
- The OLG has advised it intends to prescribe a final model code following a review of submissions in 'early 2025'.
- It is anticipated Council will be required to adopt a Code of Meeting Practice that includes all mandatory provisions of the prescribed model code within a specified timeframe which is not currently known.

RECOMMENDATION

That Council endorse the submission provided at Attachment 1 for provision to the Office of Local Government by 28 February 2025.

BACKGROUND

The Office of Local Government (OLG) is inviting feedback on proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

The OLG states that:

“the amendments are part of the Government’s agenda to ensure that councillors are visibly in control of their councils, demonstrating to the community that decision making is genuinely local.

The reform of the code and procedures governing how councillors gather, debate and make decisions was flagged by the Minister for Local Government as part of the discussion paper issued in September, *Councillor conduct and meeting practice: a new framework*.

The feedback the OLG receives will be used to inform the amendments that are ultimately made to the Model Meeting Code.

It is anticipated that the new Model Meeting Code will be prescribed in early 2025.

The proposed amendments to the Model Meeting Code are the first tranche of reforms to the regulation of meetings. The second tranche will be legislated in 2025 as part of the measures implemented to reform the regulation of councillor conduct and will have a particular focus on behaviour at meetings.”

DISCUSSION

A draft submission to the OLG has been prepared by staff (Attachment 1) and is proposed to be submitted to the OLG as part of the consultation process.

The draft submission expands on Council’s earlier submission provided to the OLG as part of its earlier consultation on the *Councillor conduct and meeting practice: a new framework*. It provides feedback on various aspects of the proposed Model Meeting Code and highlights several concerns including the:

- Pace of the proposed changes, which do not allow sufficient time for the OLG to give proper consideration to any feedback provided by councils or industry bodies as part of the consultation processes.
- Staged release of the proposed regime changes, which do not enable them to be fully considered in their entirety to understand and provide feedback on the implications of what is proposed.
- Proposed changes with regards to briefings for councillors, considering briefings are an essential component of informed decision-making and professional development.
- Changes to the role of the general manager removing the function of providing advice on strategic, financial, or policy implications for notices of motion and determining staff attendance at the meeting.
- Proposed deletion of the prohibition on questions comprising a complaint and the removal of ethical obligations giving rise to potential psychosocial safety risks.
- Changes to remove the ability of councillors to attend meetings remotely in certain circumstances.

Submissions are due to the OLG by 28 February 2025.

FINANCIAL CONSIDERATIONS

There are no financial considerations relating to this report. The preparation of the submission has been done with existing resources.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed amendments to the Model Meeting Code are significant and would require appropriate planning and training of staff and councillors to ensure a smooth transition. It is also likely the proposed changes will impact the public forum.

As identified in the submission, it is considered that some of the proposed changes may unnecessarily expose councillors and/or Council to the risk of defamation claims and/or risk of psychosocial issues and claims.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

SOCIAL CONSIDERATIONS

There is benefit in Council engaging in industry and sector wide consultations.

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	2024/920977
Attachments	⇒ 1 Draft submission to OLG on Model Meeting Code (Included In Attachments Booklet)

11.0 ENVIRONMENT AND OPEN SPACE DIVISION REPORTS

ITEM 11.1 DRAFT TREE MANAGEMENT POLICY - PUBLIC EXHIBITION

PURPOSE

The purpose of this report is to seek Council's endorsement to publicly exhibit the draft Tree Management Policy.

EXECUTIVE SUMMARY

- The Northern Beaches local government area (LGA) has one of the highest percentages of tree canopy coverage for an urban council in Australia, including an estimated 12 million trees across public, private and National Parks land.
- Five tree related policies from the former councils remain in force, and there is a need to harmonise these policies to reflect a common approach to managing trees across the Northern Beaches LGA.
- Accordingly, an integrated draft Tree Management Policy has been prepared which reflects the intent of the former policies, is consistent with the Northern Beaches Tree Canopy Plan (2023) and strengthens tree assessment and protection requirements.
- The new draft Policy provides a framework that ensures a focus on the sustainable strategic management and the retention of safe and healthy trees on public and private land across the Northern Beaches LGA, and recognises trees as an important component of liveable cities, including the environmental, financial and wellbeing benefits they bring to our community.
- It is recommended that the draft Policy is publicly exhibited for community feedback for a minimum of 28 days with a further report to be brought to Council on the outcomes of the exhibition.

RECOMMENDATION

That the draft Tree Management Policy be placed on public exhibition for a minimum of 28 days with the outcome reported to Council.

BACKGROUND

Council has one of the highest canopy coverages for an urban Council in Australia with an estimated 12 million trees across the local government area (LGA) on public, private and National Parks land. Based on the most recent survey of the tree canopy via the use of LIDAR (Light Detection and Ranging is a remote sensing method that uses light in the form of a pulsed laser from a plane to measure tree canopy) the current distribution of our canopy is set out in the following table:

Category	2024 Canopy Coverage %	2019 (change to present) %	2011-13 (change to present) %
Overall	58.64	56.73 (1.91% increase)	57.07 (1.57% increase)
National Parks	74.18	72.55 (1.63% increase)	68.56 (5.62% increase)
Council Land ¹	58.28	56.81 (1.47% increase)	54.07 (4.21% increase)
Road Reserve ²	37.61	36.29 (1.32% increase)	37.86 (0.25% decrease)
Private	43.67	41.69 (1.98% increase)	47.80 (4.13% decrease)
LGA ³	45.62	43.85 (1.77% increase)	47.71 (2.09% decrease)

¹ excluding road reserve ² including Transport for NSW land ³excluding National Parks

Council actively manages its public trees, including succession and new tree planting, protection of safe and healthy trees on or adjacent to development sites, proactive and reactive maintenance in accordance with Council’s risk management framework and the investigation of trees that are suspected of being damaged or vandalised. An increase in canopy coverage has been observed on land managed by Council.

The management of private trees is more complex and is subject to a number of statutory controls, strategies and planning instruments. Private tree works are typically authorised through a tree permit under a planning instrument, or an approved development application, or in some cases may be undertaken without the need for approval where the works are considered exempt under a planning instrument (depending on the type of work, species, type and condition of the tree).

A draft Tree Management Policy (Attachment 1) has been developed to replace 5 current policies from the former councils:

- former Manly Tree Management Policy - T69 (Attachment 2)
- former Warringah Tree Preservation Order Policy - ENV PL 440 (Attachment 3)
- former Pittwater Significant Tree Policy - 118 (Attachment 4)
- former Warringah Street Tree Planting Policy - PL 416 (Attachment 5)
- former Warringah Urban Forest Policy – PL 800 (Attachment 6)

These policies do not present a consistent approach to managing trees on the Northern Beaches and a revised and consolidated policy is required.

The draft Policy has been developed following a review of the current policies and relevant legislation. It is consistent with the Northern Beaches Tree Canopy Plan (2023) which aims to protect, retain, maintain and improve the tree canopy on public and private land.

DISCUSSION

The purpose of the draft Policy is to ensure a focus on the sustainable strategic management of trees on public and private land across the Northern Beaches LGA.

The draft Policy recognises trees as green infrastructure, essential for liveable cities and the environmental, financial, social, health and wellbeing benefits they bring to the Northern Beaches.

The draft Policy seeks, among other things, to:

- effectively protect, maintain, and improve the tree population by managing and preserving its biodiversity values, connectivity, urban sustainability, amenity, health and inspiring the community to do the same
- improve the quality and quantity of the Northern Beaches tree canopy cover by expanding the local green grid links between natural areas such as parks, commercial centres and road reserves on public lands and encouraging the same on private property through the preservation of trees and planting of trees and other vegetation
- guide a consistent approach to the management of trees across relevant Council strategies, plans and works.

The principles of the draft Policy relate to:

- protection of existing trees (where they are healthy and do not pose unacceptable safety risks)
- planting and species selection
- assessments related to trees
- tree management, including risk management and removal
- community notification.

Some new inclusions in the draft Policy include:

- reinforcing Council's intention to protect and retain healthy trees, and enhance tree canopy including where works are proposed
- establishing a review process for significant/iconic trees that have been recommended for removal
- clarification of processes related to tree risk assessments.

The draft Policy does not apply to:

- management of trees for bush fire purposes as this is covered in the Bush Fire Management Policy
- emergency situations such as storms, bush fires and natural disasters
- tree management controls established under legislation, regulations or planning instruments (e.g. 10/50 Vegetation Clearing Code of Practice for NSW, State Environmental Planning Policies).

CONSULTATION

The draft Policy was developed in consultation with staff from across Council including Parks and Open Space, Environment and Resilience, Development Assessment, Environmental Compliance, Transport and Civil Infrastructure, and Insurance and Risk.

If the recommendation within this report is endorsed, the draft Policy will be publicly exhibited for a minimum of 28 days. Council would encourage feedback through an online Have Your Say webpage, as well as electronic newsletters and emails sent to key stakeholders including special interest groups. Feedback would be collected through an online form, letters and emails.

TIMING

At the conclusion of the public exhibition period the community feedback received will be reviewed and a community engagement report prepared. The findings of the review will inform the final draft

Policy. The community engagement report and final draft Policy will then be presented to Council for consideration.

FINANCIAL CONSIDERATIONS

There are funds available for the public exhibition of the draft Policy in the 2024/25 Parks and Open Space operational budget.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy has been developed in accordance with Council’s Policy Framework NB-P-01 and the Northern Beaches Tree Canopy Plan (2023). The Policy Framework requires a Council resolution to adopt the draft Policy and to revoke the current policies.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy aims to provide improved controls and positive environmental outcomes in keeping with the Northern Beaches Tree Canopy Plan (2023). The draft Policy recognises trees as green infrastructure and that trees contribute to air quality, prevent soil erosion, and assist with improving water quality, carbon sequestration, stormwater retention, energy conservation, noise reduction, urban cooling and habitat for local wildlife.

SOCIAL CONSIDERATIONS

The draft Policy aims to support positive social outcomes through improved protection of trees. These outcomes include social, health and wellbeing benefits.

LINK TO STRATEGY

This report relates to these Council strategies and plans:

- Northern Beaches Environment and Climate Change Strategy 2040
- Northern Beaches Tree Canopy Plan 2023
- Northern Beaches Local Strategic Planning Statement - Towards 2040
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

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

- Protection of the environment - Goal 2 Our environment is resilient to natural hazards and climate change.
- Environmental sustainability - Goal 6 Our Council is recognised as a leader in environmental sustainability.
- 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	2024/283647
Attachments	<ul style="list-style-type: none"> ⇒1 Draft Northern Beaches Tree Management Policy (Included In Attachments Booklet) ⇒2 Former Manly Council Tree Management Policy - T69 (Included In Attachments Booklet) ⇒3 Former Warringah Council Tree Preservation Order Policy - ENV PL 440 (Included In Attachments Booklet)

- ⇒4 Former Pittwater Council Significant Tree Policy - 118 (Included In Attachments Booklet)
- ⇒5 Former Warringah Council Street Tree Planting Policy - PL 416 (Included In Attachments Booklet)
- ⇒6 Former Warringah Urban Forest Policy - PL 800 (Included In Attachments Booklet)

ITEM 11.2 RESPONSE TO NOTICE OF MOTION NO 35/2024 - REVIEW OF STEWARDSHIP AND CREATION OF TREE MANAGEMENT POLICY

PURPOSE

This report responds to Notice of Motion No 35/2024 - Review of Tree Stewardship and Creation of Tree Management Policy.

EXECUTIVE SUMMARY

- At its ordinary meeting on 30 July 2024 Council considered a Notice of Motion regarding a review of tree stewardship and the creation of a tree management policy.
- The motion required an internal review to be undertaken of Council's tree assessment, pruning and removal processes, identification of funding requirements for more proactive tree assessments and the management of unsafe trees, and establishment of a tree management policy.
- The internal review has resulted in a proposal to formally establish a panel of arborists for advanced and more complex risk assessments, has provided guidance for the drafting a tree management policy, and has identified the need for a more formal review of tree management processes.
- In terms of funding requirements, if Council were to proceed with annual inspection of mature trees (excluding bushland, National Parks and private trees) it is anticipated that over \$630,000 per annum in additional funding would be required (not including any works resulting from the inspections).
- It is not possible to quantify the potential additional funding required to address any risks observed in these mature trees without the above inspections having been completed.
- A draft Tree Management Policy has been prepared and is being presented to this Council meeting in the report for Item 11.1 – Draft Tree Management Policy – Public Exhibition.

RECOMMENDATION

That Council note the report.

BACKGROUND

At its ordinary meeting on 30 July 2024 Council considered Notice of Motion No 35/2024 Review of Tree Stewardship and Creation of Tree Management Policy and resolved (192/24):

That Council:

1. Undertake an internal review of its tree assessment, pruning and removal processes including:
 - a. Frequency of inspections of individual mature trees on public land.
 - b. The number of arborists on the relevant Council panel and the criteria used to assess and appoint them.
 - c. Standard instructions provided to arborists when undertaking tree assessments.
 - d. Consultation with the public regarding potential tree removals.
 - e. Actions taken to inform the public following identification of a high-risk tree and mitigate risk.
 - f. Protocols for the review of tree removal and pruning decisions including the triggers for when these reviews are undertaken.
2. As part of that review, identify the funding required to:
 - a. Inspect and assess mature trees to safely retain them in situ for their useful life expectancy.
 - b. Prune, stag or completely remove unsafe mature trees across the LGA on an annual basis.
3. Create a Tree Management Policy for Northern Beaches Council, consistent with the Tree Canopy Plan as resolved by Council in September 2023.
4. Within six months report to council on the outcome of the reviews in points 1. and 2. as well as the new draft Tree Management Policy.

This report responds to points 1 and 2 of the resolution. A separate report has been prepared presenting a draft Tree Management Policy for public exhibition (see Item 11.1).

DISCUSSION

In response to point 1 of the resolution above, staff have undertaken a review of the various elements in the resolution and provide the following response.

Item	Response	Proposed Management Action
<p>1a) Frequency of inspections of individual mature trees on public land.</p>	<p>Council has hundreds of thousands of public trees on its land from street trees to bushland reserves etc. Routine inspections of all of these are beyond Council's capacity to manage. Council does, however, undertake risk assessments on a prioritised basis within its available resources including:</p> <ul style="list-style-type: none"> • Trees in the vicinity of childcare centres and regional playgrounds which are inspected annually. • Trees in high profile areas, such as popular foreshore locations like Manly Beach, which are inspected on a five yearly cycle. • Trees that have risks identified are placed on a cyclical inspection cycle to try and retain trees by progressive intervention. <p>All other inspections are reactive.</p> <p>While increasing funding may allow some additional inspections to be undertaken, there are simply too many trees to undertake routine inspections of all mature trees on public land.</p>	<p>A formal Tree Management Process Review is proposed for 25/26 financial year which will review among other the things, Council's end to end tree management assessment process, and the cost/benefit analysis of increasing proactive inspections within current envelopes.</p> <p>Consider increasing the Tree Management budget to accommodate more proactive tree inspections and work.</p>
<p>1b) The number of arborists on the relevant Council panel and the criteria used to assess and appoint them</p>	<p>Council's professional services panel does not include an arborist sub-panel.</p>	<p>To assist in more complex investigations, consider appointing a panel of external arborists to assist in more advanced tree risk assessment including diagnostic testing, arboricultural investigations, aerial inspections and root inspection on Council managed trees.</p> <p>Criteria to include:</p> <ul style="list-style-type: none"> • Minimum AQF Level 5 qualification • Demonstrated extensive experience in risk assessment and treatment • Minimum 5 years' experience • Be trained in Arboriculture Australia's endorsed risk assessment methodology, currently TRAQ <p>The panel would complement Council's existing tree risk assessment program.</p>
<p>1c) Standard instructions provided to arborists when</p>	<p>Council's standard instruction to internal and external arborists is to assess the risk posed by the tree or issue raised by the customer and to propose mitigation strategies to</p>	<p>The draft Tree Management Policy includes the direction that removal is the last risk treatment available in response to management of a risk posed by trees. This direction will be</p>

Item	Response	Proposed Management Action
undertaking tree assessments.	reduce the risk in line with Council's Risk Management Framework.	incorporated in instructions to internal and external arborists.
1d) Consultation with the public regarding potential tree removals	<p>Council's current practice regarding consultation/notification for tree removals includes:</p> <ul style="list-style-type: none"> • Notification only for tree removals that threaten human health or property • Engagement through normal community engagement processes for tree removals associated with Council works projects • Local notification where there is a private tree removal proposed (for example a new driveway) but before the removal is approved. • Where a private tree is approved for removal, the approval notice must be displayed at the front of the property as a condition of approval. 	The draft Tree Management Policy provides further detail on these practices, noting that Council's engagement process regarding trees is also determined by regulatory requirements, and Council's community engagement framework.
1e) Actions taken to inform the public following identification of a high-risk tree and mitigate risk.	Council provides as much notice as practicable for work on a high-risk tree. This generally takes the form of notification from the contractor engaged to undertake the work. In some cases, where the work is urgent the notification may take the form of the contractor directly engaging residents or businesses to let them know about impending disruption.	The proposed Tree Management Review will consider a best practice approach to notifying the public of impending tree work.
1f) Protocols for the review of tree removal and pruning decisions including the triggers for when these reviews are undertaken.	<p>Council's current practice is for our qualified internal arborists to make these decisions based on their risk assessment, experience and judgement.</p> <p>In cases where the tree is of significant historical, environmental or social value current practice is for the decision to be peer reviewed and approval provided by the Manager Tree Services.</p>	The draft Tree Management Policy proposes a formal review process.

In response to part 2 of the resolution, requesting identification of funding for the actions listed below, the following advice is provided:

- a. Inspect and assess mature trees to safely retain them in situ for their useful life expectancy.

It is estimated that to inspect and assess every mature tree in the local government area (LGA), excluding bushland, National Parks and private trees would cost over \$630,000 annually. It is important to note that the audit would only be an assessment of the tree's health at the time of assessment. Increased inspections may identify further works that are required above Council's current funding envelopes as discussed below.

- b. Prune, stag or completely remove unsafe mature trees across the LGA on an annual basis.

Without a regular audit there is no way to accurately estimate the costs involved with risk treatment of all unsafe trees on the Northern Beaches. The table below provides an indicative picture of the estimated costs that may be involved at different orders of magnitude for the removal of unsafe trees. It does not include additional costs such as cranes, traffic control, other service requirements or replanting:

Tree Size	Removal cost (\$) per tree	Removal cost (\$) for 100 trees	Removal cost (\$) for 1,000 trees	Removal cost (\$) for 10,000 trees
0-5m	220	22,000	220,000	2,200,000
6-10m	550	55,000	550,000	5,000,000
11-15m	880	88,000	880,000	8,800,000
16-20m	1,760	1,760,000	17,600,000	176,000,000
20+m*	3,520	3,520,000	35,200,000	352,000,000

*Trees over 20 metres generally are quoted individually, and costs vary significantly based on site conditions and size of the tree. The quoted price is the average base figure for a 20m tree.

CONSULTATION

As a proposed action in the 2025 – 2029 Delivery Program, progress on the review of tree management processes will be reported quarterly.

TIMING

A formal review of tree management processes will be carried out in 2025/26.

FINANCIAL CONSIDERATIONS

The recommendation of this report poses no financial impact on Council. Should Council wish to proceed with an annual audit of all mature trees excluding those on private land, National parks and bushland at least \$630,000 per annum in additional funding would be required and an unknown level of funding for the works that would result from the audit. Council has proposed through the alternative Delivery Program prepared for the application for a special variation to rates additional funding for an increased frequency of proactive tree maintenance in high risk and high-profile areas.

GOVERNANCE AND RISK CONSIDERATIONS

The review of tree management processes will be informed by environmental, planning and other investigations, relevant legislation and Council directions, strategies and policies.

ENVIRONMENTAL CONSIDERATIONS

The review of Council’s tree management processes will be undertaken within the framework set by the Environment and Climate Change Strategy 2040, Tree Canopy Plan and an adopted Tree Management Policy.

SOCIAL CONSIDERATIONS

There are no social considerations with the recommendation of this report.

LINK TO STRATEGY

This report relates to Council’s:

- Tree Canopy Plan 2023

- Environment and Climate Change Strategy 2040
- Local Strategic Planning Statement - Towards 2040
- Community Strategic Plan 2040

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

- Protection of the environment - Goal 3 Our community is well-supported in protecting and enhancing the environment to ensure safe and sustainable use.
- 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	2024/910048
Attachments	Nil

ITEM 11.3 OUTCOME OF PUBLIC EXHIBITION - NAMING PROPOSAL - RONDA ALTERATOR RESERVE

PURPOSE

The purpose of this report is to present the outcome of the public exhibition of the proposal to name a reserve at 3 Boondah Road, Warriewood, the Ronda Alterator Reserve and seek adoption of the proposal.

EXECUTIVE SUMMARY

- At its meeting of 28 May 2024 Council resolved (129/24), among other things, to undertake all necessary actions to propose the Boondah hard courts be named the Ronda Alterator OAM Netball Courts in honour of her outstanding service to the community.
- The Boondah hard courts are located on Council land in an unnamed reserve at 3 Boondah Road, Warriewood.
- Following consultation with the Geographical Names Board of NSW, the Alterator family and Narrabeen Youth Club Netball it is proposed to name the entire reserve in honour of Ronda Alterator.
- This naming proposal aligns with Council's Naming Our Reserves, Facilities and Roads Policy and the Geographical Names Board of NSW Policy - Place Naming and can be considered at least one year after the person has been deceased, in this case from 10 April 2025.
- In accordance with Council's policy this naming proposal was publicly exhibited for community feedback from 12 September to 13 October 2024.
- The majority of the 80 submissions received during the public exhibition period were supportive of the naming proposal.
- Based on the feedback received, support of the Alterator family and the Narrabeen Youth Club Netball it is recommended to name the reserve at 3 Boondah Road, Warriewood the Ronda Alterator Reserve and to request the approval of the Geographical Names Board of NSW after 10 April 2025.

RECOMMENDATION

That Council:

1. Endorse the proposal to name the reserve at 3 Boondah Road, Warriewood the Ronda Alterator Reserve.
2. Submit an application to the Geographical Names Board of NSW to name the reserve the Ronda Alterator Reserve after the first anniversary of Mrs Alterator's passing.
3. If approved by Geographical Names Board of NSW, install signage at the reserve in consultation with the Alterator family and Narrabeen Youth Club Netball.

BACKGROUND

At its meeting of 28 May 2024 Council considered Notice of Motion 18/2024 and the request from Narrabeen Youth Club Netball (NYC) and subsequently resolved (129/24):

That Council:

1. Note with sadness the passing on 10 April 2024 of community leader, Mrs Ronda Alterator OAM.
2. Note the request of Narrabeen Youth Club Netball in the explanatory note below.
3. Acknowledge the outstanding service Mrs Alterator gave to the Northern Beaches community for over 42 years.
4. Undertake all necessary actions to propose the hard courts at Boondah Reserve be named the Ronda Alterator OAM Netball Courts in honour of her outstanding service to the community.
5. Extend its sympathy to Mrs Alterator's family on their loss.

This report responds to item 4 of the resolution.

The Boondah hard courts are located on Council land in an unnamed reserve at 3 Boondah Road, Warriewood (the reserve). Facilities at this reserve include 4 lit multi-use hard courts (line marked for netball and basketball), one lit mini hard court, public amenities, car park, fitness equipment and a picnic setting (see map in Attachment 1). The courts in this reserve are very well used, particularly for netball and basketball, casual recreation and play.

Naming the reserve requires the approval of Council and the Geographical Names Board of NSW (GNB) and cannot be considered by the GNB until after the first anniversary of the person's death.

DISCUSSION

In response to the resolution the GNB was contacted for its advice. The GNB indicated its preference that the entire reserve is named rather than just the courts. A proposal to name the entire reserve the Ronda Alterator Reserve (the naming proposal) was put to and supported by the Alterator family and NYC.

This naming proposal aligns with Council's Naming Our Reserves, Facilities and Roads Policy (the Council policy) and the GNB Policy, Place Naming (GNB policy).

The GNB policy indicates that:

- postnominals and titles (e.g. OAM) are not included in geographical names. The only exception is the use of VC (Victoria Cross).
- commemorative names are given posthumously, at least one year after the passing of the person - in this case after 10 April 2025 (Ronda Alterator passed away 10 April 2024).

The Council policy indicates that:

- naming of reserves to honour individuals can be considered if, among other things, they have:
 - made a highly significant contribution to the specific area or community including 20 or more years association with a local community group

Ronda Alterator was a volunteer and member of NYC for over 42 years. In that time she held positions including Director, President, Vice President and coach. Ronda was also a volunteer with the Manly Warringah Netball Association for some years. Her contributions to netball and NYC were recognised with NYC Life Membership and the Medal of the Order of Australia (OAM) in the General Division in 2020 for 'service to

netball'. Ronda also volunteered for other local groups such as Parents and Citizens Associations and for senior citizen programs.

- been deceased for at least a year

If endorsed by Council this naming proposal would be sent to the GNB for its approval after 10 April 2025.

- Naming proposals are to be publicly exhibited for community comment.

CONSULTATION

Following consideration of the GNB advice, the current use of the reserve and consultation with the Alterator family and NYC, the proposal to name the reserve the Ronda Alterator Reserve was publicly exhibited from 12 September to 13 October 2024.

Public exhibition and the opportunity to provide feedback was promoted via temporary signs on-site, letters to nearby homes, Council's e-mail newsletter, stakeholder emails and a Your Say online project page. Feedback was collected through an online form and by email.

During the public exhibition period 80 submissions were received. The majority of submissions and comments supported the proposal. The key themes arising from the submissions and the staff responses are presented in Table 1 below. A detailed summary of submissions can be found in the Community Engagement Report at Attachment 2.

Table 1: Public exhibition of the proposal to name the Reserve at 3 Boondah Road the Ronda Alterator Reserve: Key Themes and Responses.

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Response
The naming proposal is a fitting tribute to Ronda Alterator and her work.	The majority of comments supported the naming proposal as a deserving honour for Ronda's longstanding and significant contribution to the sport of netball and the local community.	This naming proposal aligns with the Council Policy and the GNB Policy and is supported by the Alterator family and NYC.
Preference for an alternative name	A small number of responses commented that the area is utilised primarily for basketball and should be named in that regard or did not know the significance of Ronda Alterator and her contribution to the local community.	The majority of comments supported the naming proposal. This naming proposal aligns with the Council and GNB policies. While basketball is the most popular unstructured past time played at the site, the primary purpose for the courts was to provide fit for purpose netball training facilities for the local community. It is considered that the naming proposal is appropriate given the significant contributions by Ronda Alterator to the sport of netball, NYC and to the community. If approved, these contributions will be summarised on an interpretive sign at the reserve.
Preference for a First Nations name	A small number of responses indicated that the land is Aboriginal land and expressed a preference for greater recognition of First Nations People and Language.	The majority of comments supported the naming proposal. This naming proposal aligns with the Council and GNB policies. It is considered that the naming proposal is appropriate given the significant

Theme	Summary – What we heard: issues, suggestions, requests and other considerations raised	Response
		contributions by Ronda Alterator to the sport of netball, NYC and to the community.
A plaque is enough recognition.	A small number of responses suggested the reserve does not require a name and a plaque is sufficient recognition.	The majority of comments supported the naming proposal. Should the naming proposal be approved a reserve sign and interpretive sign would be installed.

TIMING

Should the naming proposal and the recommendations within this report be approved by Council:

- After 10 April 2025 an application will be made to the GNB to approve the name Ronda Alterator Reserve - the GNB has indicated this request can be considered after this date.
- Should the GNB approve the name a reserve sign and an interpretative sign will be developed and installed in consultation with the Alterator family and NYC.

FINANCIAL CONSIDERATIONS

Should the naming proposal be approved by Council and the GNB, new signs will be installed at the reserve. The cost of these signs is estimated to be in the order of \$4,000. There are funds available in the 2024/25 Parks and Open Space operational budget to meet the costs of signage and a naming ceremony (should this be required).

GOVERNANCE AND RISK CONSIDERATIONS

This naming proposal requires the approval of Council and the GNB and to align with Council’s Naming Our Reserves, Facilities and Roads Policy and the GNB Policy - Place Naming. This naming proposal aligns with these policies. With regard to the principle in these policies that the person is to have been deceased for at least one year, it is recommended Council consider endorsing this naming proposal and after 10 April 2025 submit a request for approval to the GNB.

The background information about Ronda Alterator, provided by NYC, has been cross-checked by Council staff and is consistent with available sources. It has been verified that Ronda Alterator was awarded the Medal of the Order of Australia (OAM) in the General Division on 26 January 2020 for ‘service to netball’.

The implementation of the new name, if approved, would involve updates to Council’s webpage, spatial information system and new signage. GNB would add the reserve name to its mapping database.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations with the recommendations of this report.

SOCIAL CONSIDERATIONS

This naming proposal is considered a fitting way to recognise the significant contributions made by Ronda Alterator to netball, NYC and the Northern Beaches community.

LINK TO STRATEGY

This report relates to Council’s Naming Our Reserves, Facilities and Roads Policy and these Community Strategic Plan 2040 Outcomes and Goals:

- 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	Parks & Open Space
TRIM file ref	2025/047231
Attachments	⇒1 Map of the Proposed Ronda Alterator Reserve - 3 Boondah Road Warriewood (Included In Attachments Booklet) ⇒2 Community Engagement Report - Naming proposal Ronda Alterator Reserve (Included In Attachments Booklet)

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1 AMENDED AFFORDABLE HOUSING CONTRIBUTIONS SCHEME – 159-167 DARLEY STEET, MONA VALE

PURPOSE

The purpose of this report is to seek Council's endorsement to amend the Affordable Housing Contributions Scheme to require an affordable housing contribution as part of any future development at 59-167 Darley Street, Mona Vale.

EXECUTIVE SUMMARY

- On 14 July 2021, a Planning Proposal was lodged with Council to rezone the site from R2 Low Density Residential to R3 Medium Density Residential under Pittwater Local Environmental Plan 2014 to facilitate 38 apartments up to 2 storeys and 3 townhouses.
- On 26 October 2021, Council resolved to reject the Planning Proposal on the basis it was inconsistent with Council's Local Strategic Planning Statement, it did not any provide affordable housing and would set an undesirable precedent.
- The Planning Proposal was subject to a Rezoning Review by the Sydney North Planning Panel (the Panel). In September 2022, the Panel unanimously resolved that the Planning Proposal should progress, subject to resolution of appropriate affordable housing contributions.
- The Panel subsequently exhibited the Planning Proposal between November and December 2023. In June 2024, the Panel unanimously resolved that the Planning Proposal should be finalised with the requirement of an affordable housing contribution rate of 5% to apply to the total gross floor area of development on the site.
- The issue of establishing an appropriate affordable housing contribution for the site involved extensive economic feasibility testing undertaken by consultants commissioned by Council, the proponent and a peer review by the Department of Planning, Housing & Infrastructure (DPHI).
- The Panel's recommendation for a 5% affordable housing contribution aligns with the recommendation of Council's consultants, Hill PDA and the peer review commissioned by DPHI. In contrast, the Proponent did not initially offer any affordable housing contribution when the Planning Proposal was lodged, and its final offer during the Rezoning Review process was to provide an affordable housing contribution of 2.085% of the proposed additional floorspace.
- The DPHI has advised the Planning Proposal will be finalised once an amendment to Council's Affordable Housing Contributions Scheme has been made to ensure the 5% affordable housing contribution rate will apply to future development at the site.

RECOMMENDATION

That Council adopt the amended Affordable Housing Contributions Scheme at Attachment 3 of this report.

BACKGROUND

Planning Proposal

On 14 July 2021, a Planning Proposal for 159-167 Darley Street West, Mona Vale was lodged with Council. The proposal sought to rezone the site from R2 Low Density Residential under Pittwater Local Environmental Plan 2014 (PLEP) to R3 Medium Density Residential to permit 38 apartments up to 2 storeys and 3 townhouses.

Site description

The site (see Figure 1) comprises 5 lots with an approximate area of 6,120m².

The site contains 5 x one and 2-storey dwelling houses, and adjoins:

- a residential flat building to the east containing 11 units (155 Darley Street West)
- Darley Street West and Bayview Golf Course to the north
- detached dwellings and a residential flat building containing 4 units (10 Kunari Place) to the west
- a mix of one and 2-storey detached dwellings located in Park Street to the south.



Figure 1: Aerial photo of the site and adjoining properties

Council resolution

On 26 October 2021, Council resolved (294/21) to reject the Planning Proposal, and not forward it to DPHI for a Gateway determination for the following reasons:

- A. The Planning Proposal is inconsistent with the provisions of the North District Plan.
- B. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
- C. The Planning Proposal does not demonstrate strategic merit or site-specific merit when assessed against the NSW Planning & Environment's, A guide to preparing planning proposals.
- D. The Planning Proposal may establish an unwanted precedent.
- E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.

Sydney North Planning Panel

The Proponent subsequently sought a Rezoning Review with the Sydney North Planning Panel (the Panel) to determine whether it should proceed to a Gateway determination. Council lodged a submission with the Panel in relation to the review (Attachment 1).

On 14 September 2022, the Panel resolved that the Planning Proposal should progress to the Gateway stage, subject to discussions between the Proponent, the Department, and Council to resolve an affordable housing contribution.

The Panel was subsequently appointed as the Planning Proposal Authority to progress the rezoning. The proposal was exhibited in November to December 2023. In June 2024, the Panel unanimously resolved to recommend to the Minister for Planning that the Planning Proposal be finalised (Attachment 2).

Affordable housing contribution

The Planning Proposal did not propose any affordable housing contribution when it was first lodged with Council in 2021.

During the subsequent Rezoning Review process, the Proponent provided a draft offer to enter into a planning agreement to provide an affordable housing contribution of 3.3% of the proposed additional floorspace, equating to \$1,476,000.

In December 2022, Council engaged consultants, Hill PDA to undertake a review of the Proponent's proposed affordable housing contribution.

During the review process the Proponent revised its offer of an affordable housing contribution down to 2.085% of the proposed additional floorspace, equating to \$1,122,627.

Hill PDA's review concluded that an affordable housing contribution of 6.4% of the additional floorspace (equivalent to 5% of the total gross floor area of any development) was feasible based on a contribution rate of \$18,272/m² of gross floor area. This would equate to a contribution of \$3,374,872 based on the Proponent's concept plans.

The DPHI subsequently undertook its own economic feasibility review which reached the same conclusion as Council's advice by Hill PDA. The DPHI's finalisation report recommended a '6.5% Affordable Housing Contributions rate be applied to residential uplift, in line with the GCC and Department position, or that a 5% Affordable Housing Contributions rate be applied to the entire gross floor area, as currently exhibited'.

The Panel considered the DPHI's finalisation report as part of its 12 June 2024 decision to recommend the planning proposal be finalised. The Panel agreed with the DPHI's

recommendation (consistent with Council's analysis) that the Planning Proposal be updated to include a statutory provision to require an affordable housing rate of 5% to the gross floor area of future development on the site.

Affordable Housing Contributions Scheme

Council's Affordable Housing Contributions Scheme was endorsed by the DPHI in April 2022 as the primary mechanism for Council to levy for affordable housing through its Local Environmental Plans, either as complete dwellings or as an equivalent monetary contribution, as a condition of development consent.

The Affordable Housing Contributions Scheme only applies to land which has been subject to a rezoning to permit increased development potential. The Scheme currently applies to the rezoned Frenchs Forest Precinct and a site rezoned for housing uplift at 1294-1399 Pittwater Road and 2-4 Albert Street, Narrabeen.

To ensure future development at 159-167 Darley Street West, Mona Vale provides a 5% affordable housing contribution, an amendment to Council's Affordable Housing Contribution Scheme is required, as well as a subsequent amendment to the PLEP to include an affordable housing clause and map for the site.

For regulatory purposes, it is necessary for Council to amend the Affordable Housing Contribution Scheme before the site is rezoned and the corresponding affordable housing clause be introduced in the PLEP. In the absence of these amendments, Council will not be able to require an affordable housing contribution as a condition of consent for any future development application at the site.

An amended Affordable Housing Contributions Scheme is included at Attachment 3. The amendments incorporate the site within the Scheme, see for example section 1.2 – Areas to which the Scheme applies at Attachment 3.

CONSULTATION

The Planning Proposal was publicly exhibited by the DPHI for 28 days between November and December 2023. The proposed changes to the Affordable Housing Contributions Scheme reflect the outcomes of the Panel's decision to require a 5% affordable housing contribution as part of any future development at the site.

TIMING

DPHI has confirmed the planning proposal will be finalised following Council's consideration to amend the Affordable Housing Contributions Scheme to ensure affordable housing contributions apply to future development at the site.

FINANCIAL CONSIDERATIONS

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

The inclusion of the site in Council's Affordable Housing Contributions Scheme, and supporting introduction of affordable housing provision in the PLEP, will facilitate the delivery of a 5% affordable housing contribution as part of future development at the site. This would equate to an affordable contribution of around \$3,374,872. This affordable housing contribution will be in addition to the requirement for the development to provide a local infrastructure contribution as a condition of development consent.

GOVERNANCE AND RISK CONSIDERATIONS

As referenced above, for regulatory purposes, it is necessary for Council to amend the Affordable Housing Contributions Scheme before a supporting affordable housing provision is introduced in the PLEP when the site is rezoned.

In the event Council does not support the recommendation in this report to amend the Affordable Housing Contributions Scheme, the DPHI will finalise the planning proposal with no statutory mechanism to require an affordable housing contribution to be provided.

ENVIRONMENTAL CONSIDERATIONS

The proposed actions in this report will result in a beneficial environmental outcome by increasing the provision of affordable housing on the Northern Beaches to facilitate more housing for the local workforce’s key workers.

SOCIAL CONSIDERATIONS

The recommendations in this report will have positive social outcomes for the community through increasing the supply of affordable rental housing in the community for very low, low to medium income households.

LINK TO STRATEGY

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

- Housing, places and spaces - Goal 10 Our community has access to diverse and affordable housing options to meet their current and evolving needs.

Reporting team	Strategic & Place Planning
TRIM file ref	2024/770042
Attachments	<p>⇒1 Northern Beaches Council Submission (Included In Attachments Booklet)</p> <p>⇒2 Sydney North Planning Panel Determination (Included In Attachments Booklet)</p> <p>⇒3 Affordable Housing Contributions Scheme (Included In Attachments Booklet)</p>

ITEM 12.2 PUBLIC EXHIBITION OF DRAFT PLANNING AGREEMENT AT 16 MACPHERSON STREET, WARRIEWOOD

PURPOSE

The purpose of this report is to seek Council's endorsement to publicly exhibit a draft Planning Agreement for 16 Macpherson Street, Warriewood.

EXECUTIVE SUMMARY

- Council has received an Offer to Enter into a Planning Agreement with the developer of 16 Macpherson Street, Warriewood which involves the developer delivering infrastructure as Works-In-Kind, as the infrastructure proposed is identified in the Warriewood Valley Contributions Plan.
- A Development Application (DA) for the construction of 28 dwellings at 16 Macpherson Street, Warriewood was submitted concurrently with the Offer to Enter into Planning Agreement and was approved by the Land and Environment Court on 28 November 2024.
- Council's Contributions Panel has considered the Offer and determined there is a public benefit arising from the Offer, including both financial benefit to Council and broader community benefit arising from the delivery of the infrastructure by the developer at the time of the project being constructed.
- A draft Planning Agreement has been prepared and is now presented to Council for consideration.
- If Council agrees, the draft Planning Agreement and supporting documentation will be publicly exhibited in accordance with statutory requirements with the outcomes of the public exhibition reported to Council.

RECOMMENDATION

That:

1. Council place the draft Planning Agreement for 16 Macpherson Street, Warriewood and supporting documentation on public exhibition.
2. The outcomes of the public exhibition be reported to Council.

BACKGROUND

A Planning Agreement is a legal arrangement made between a Developer/Landowner and Council to facilitate the delivery of a public benefit. Public benefits may include the dedication of land at no cost to Council, the payment of a monetary contribution and/or the provision of infrastructure works.

Planning Agreements are voluntary and initiated by the developer.

The legal and procedural framework for Planning Agreements is set out in Division 7.1 of Part 7 of the *Environmental Planning and Assessment Act 1979* (the Act) and Division 1 of Part 9 of the *Environmental Planning and Assessment Regulation 2021*.

In June 2022, Council adopted its Planning Agreements Policy (Council’s Policy) and accompanying Guidelines to help guide developers on Council’s preferred approach to Planning Agreements. It identifies legal and procedural obligations to be satisfied by the developer, and details the criteria Council uses to assess an Offer to Enter into a Planning Agreement.

Council’s assessment of an Offer and progression of a Planning Agreement to execution is in accordance with legislative requirements, the Planning Agreements Practice Note (Department of Planning, Industry and Environment, February 2021) and Council’s Policy.

The site

The subject site is 16 Macpherson Street, Warriewood (Lot 4 DP 553816). A dwelling and operations relevant to Foleys Nursery are currently on site.

The subject site is rectangular in shape and contains a section of Narrabeen Creek as its rear boundary. It is located to the north of the Macpherson Street-Brands Lane intersection, see Location Map.

The subject site is zoned R3 Medium Density Residential under the Pittwater Local Environmental Plan (LEP) 2014. The site is identified as Sector 303 on the Pittwater LEP Urban Release Area Map and in the Warriewood Valley Strategic Review Report.

Location map



Development application (DA2023/0669)

On 31 May 2023, DA2023/0669 was lodged seeking consent to the demolition of the existing dwelling and nursery, construction of 28 dwellings, infrastructure, roadworks, tree removal, landscaping, community title subdivision, and the rehabilitation and dedication of the creek line corridor to Council. The DA was the subject of an appeal in the Land and Environment Court (the L&E Court) on a deemed refusal basis (DA not determined within 40 days).

During the L&E Court proceedings, the Court was aware of the Offer to Council. On 28 November 2024, the L&E Court approved the DA by way of a Deferred Commencement Consent. The Deferred Commencement condition requires a Planning Agreement to be in place between Council and the developer before the consent can operate.

The deferred commencement condition reads as follows:

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

DEFERRED COMMENCEMENT CONDITIONS**1. Planning Agreement**

The developer shall enter into a "Planning Agreement" with Northern Beaches Council pursuant to section 7.4 of the *Environmental Planning and Assessment Act 1979* to deliver work identified in the Warriewood Valley Contributions Plan and generally consistent with the developer's amended offer dated 15 November 2024 and associated documents and plans.

The Offer includes the following items of "Contribution Works" as referenced in the Contributions Plan and in accordance with Council's Voluntary Planning Agreement Policy, dedication of 1091m² land to Council for nil consideration and at no cost to Council and free of all encumbrances:

- a) Item 23 (Pedestrian and Cycleway Schedule) Shared Path Brands Lane
- b) Item 2.62B (Multi-functional Creek Line Strategy) Rehabilitation works of Narrabeen Creek at Sector 303
- c) Clause 5.2.2 – Creek line corridor land dedication at Sector 303

The Executed Planning Agreement is to be registered on the title of the land before this condition is satisfied. Upon execution, there is to be provision of a bank guarantee or bond to the satisfaction of Council for the total value of the contribution works.

Note: Please be advised that no decision as to whether Council will enter a Planning Agreement has been made and there is no representation that such a decision will be made until the draft Planning Agreement has been exhibited, assessed and determined by Council in accordance with the *Environmental Planning and Assessment Act 1979*.

Evidence required to satisfy the deferred commencement condition/s must be submitted to Council within two (2) years of the date of this consent, or the consent will lapse in accordance with Section 76 of the Environmental Planning and Assessment Regulation 2021. This evidence is to be submitted along with a completed 'Deferred Commencement Document Review Form' (available on Council's website) and the application fee, as per Council's Schedule of Fees and Charges.

The Court’s consent also incorporates conditions relating to the design of the shared path, and water management and flooding including the design of creekline corridor rehabilitation works to contain the 1% AEP flood event.

DISCUSSION

Offer to enter into a planning agreement

On 14 August 2023, an Offer to Enter into a Planning Agreement was lodged by Boston Blyth Fleming Planning Consultants, on behalf of Warrimac Pty Limited (the developer for 16 Macpherson Street, Warriewood).

The Offer proposes that the developer delivers on behalf of Council, key infrastructure items listed in the Warriewood Valley Contributions Plan (the Contributions Plan), namely:

- construction of the shared path along Brands Lane from Narrabeen Creek to Macpherson Street (Item 23 of the Pedestrian and Cyclist Network Strategy)
- rehabilitation works in the inner creekline corridor of Narrabeen Creek adjoining Sector 303 (Item 2.62B of the Multi-functional Creekline Strategy)
- dedication of the inner creekline corridor of Narrabeen Creek adjoining Sector 303 (1,091m²) (Item 303 of Multi-functional Creek Line Strategy (Land acquisition)).

The delivery of the infrastructure would result in a reduction in the cash contribution amount payable to Council as required under the Contributions Plan, given the delivery of some of the infrastructure detailed in the Contributions Plan.

On 22 February 2024, the Contributions Panel considered the Offer and determined there is a public benefit arising from the Offer.

On 15 November 2024, a revised Offer to Enter into a Planning Agreement was lodged to specifically reflect the value of the abovementioned infrastructure in 2024/2025 dollars. This updated Offer is now the subject for consideration and is Attachment 1.

Assessment of the offer

• **Infrastructure as ‘Works-in-Kind’**

As the infrastructure items offered are listed in the adopted Contributions Plan, delivery of the abovementioned infrastructure as a ‘Works-in-Kind’ Offer means the developer is seeking an offset in the total monetary contribution to be paid to Council. To this end, the Offer includes costing for the infrastructure in 2024/25 dollars as follows:

- share path – \$73,012
- creekline rehabilitation works – \$158,899
- creek land dedication of 1,091m² – \$175,696

The agreed value of the proposed infrastructure will be deducted from the total contributions amount required to be paid to Council.

• **Public benefit of the offer**

Under the adopted Contributions Plan, Council anticipated the creekline rehabilitation works (for this section of Narrabeen Creek) and the shared path to be delivered in FY2029/30 subject to development contributions being available. The Offer will now mean that this infrastructure will be delivered ahead of the planned timeframe and is delivered at the same time as the development that will benefit from it most.

The broader area of Warriewood Valley will also benefit from the early delivery of the creekline rehabilitation works as it is required to convey the 1% AEP flood event which will contribute to improving the flood risk in the area.

Further, the broader area will benefit from the early delivery of the shared path by improving connectivity with the established shared paths in Warriewood Valley for use by the community.

The early delivery of the proposed infrastructure also contributes to having Council-planned infrastructure for Warriewood Valley being completed.

The developer is responsible for initial maintenance of the rehabilitated section of inner creekline corridor land up to a 5 year period to ensure the vegetation planted is able to mature during that time. This section of creekline will be transferred into Council ownership well before the 5 year maintenance period expires.

Council will still receive a cash payment for development contributions of \$1,625,627 from the developer, as required by a condition of consent for DA2023/0669.

The draft Planning Agreement

The draft Planning Agreement was prepared by both parties and their legal representatives. It is noted that during progression of a draft Planning Agreement to execution, the developer has a caveat on the site as the developer is not yet the owner of the site. This is considered satisfactory for the purpose of progressing the Planning Agreement.

The Draft Planning Agreement has been agreed to by the developer and is at Attachment 2.

The draft Planning Agreement incorporates the following elements:

1. Timing of the developer's obligations including appropriate inspections by Council staff and the dedication to Council of the inner 25m creekline corridor land following rehabilitation work.
2. Updated design drawings, submitted as part of the Development Application, for the construction of the shared path and creekline corridor rehabilitation works as well as the subdivision plan detailing the inner 25m creekline land dedication to Council.
3. Agreed value of the infrastructure items (in Table 1) to be delivered by the developer for the purpose of offsetting the total contributions amount of \$2,033,235.

Table 1: Agreed Value of Infrastructure

Infrastructure proposed to be delivered by Developer	Value (in 2024/25 dollars)
Construction of the shared path	\$73,012
Creekline rehabilitation works	\$158,900
Creekline land (inner 25m creekline corridor) of 1,091m ²	\$175,696
Total	\$407,608
Total value (rounded)	\$407,608

Council's Contributions Panel has reviewed the draft Planning Agreement and is satisfied with the stated obligations and the value of the infrastructure items in the draft Agreement.

CONSULTATION

If Council agrees, the draft Planning Agreement and supporting documents will be publicly exhibited in accordance with the *Environmental Planning and Assessment Act 1979* and the Northern Beaches Community Participation Plan (Plan Making and Development Assessment). The Planning Agreement is required to be placed on public exhibition for a minimum of 28 days.

TIMING

If Council agrees, the public exhibition will commence following Council's decision.

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

FINANCIAL CONSIDERATIONS

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

The draft Planning Agreement facilitates the delivery of infrastructure by the Developer, rather than Council, ahead of Council's delivery schedule.

The value of the Works-In-Kind infrastructure totals \$407,608 (in 2024/25 dollars).

The draft Planning Agreement does not exclude the developer from paying development contributions, as required by a condition of consent for DA2023/0669. It does however account for the value of the Works-in-Kind infrastructure and reduces the actual monetary contribution amount payable to Council to \$1,625,627 (that amount is indexed at time of payment).

All costs associated with the preparation and execution of this Planning Agreement will be borne by the developer.

GOVERNANCE AND RISK CONSIDERATIONS

The Offer has been considered by Council's Contributions Panel to ensure that there is a public benefit arising from the proposed Planning Agreement and to ensure Council's risk and liabilities are minimised if the infrastructure is delivered by the developer and transferred into Council ownership.

The preparation of the draft Planning Agreement has occurred in accordance with the legislative requirements of Division 7.1 of Part 7 of *Environmental Planning and Assessment Act 1979* and Division 1 of Part 9 of the Environmental Planning and Assessment Regulation 2021, the Planning Agreements Practice Note (Department of Planning, Industry and Environment, February 2021) and Council's Policy.

ENVIRONMENTAL CONSIDERATIONS

The proposed actions in this report will result in a beneficial environmental outcome by ensuring the rehabilitation of a section of Narrabeen Creek to facilitate conveyance of the 1% AEP flood event being contained within the creek and enhancing the biodiversity values of the riparian corridor.

SOCIAL CONSIDERATIONS

The recommendations in this report will have a positive social outcome for the Warriewood Valley community through identified infrastructure being delivered as Works-In-Kind infrastructure ahead of Council's anticipated delivery in FY2029/30.

LINK TO STRATEGY

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 10 Our community has access to diverse and affordable housing options to meet their current and evolving needs.
- 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	2024/758977
Attachments	⇒1 Offer to Enter Into a Planning Agreement with Northern Beaches Council dated November 2024 (Included In Attachments Booklet) ⇒2 Draft Planning Agreement (for exhibition) (Included In Attachments Booklet)

ITEM 12.3 NORTHERN BEACHES BUSINESS INDUSTRY AND STAKEHOLDER COMMITTEE CONFIRMED MINUTES - 4 DECEMBER 2024

PURPOSE

The purpose of this report is to provide the confirmed minutes of the Northern Beaches Business Industry and Stakeholder Committee meeting held on 4 December 2024.

EXECUTIVE SUMMARY

- The establishment of the Northern Beaches Business and Industry Stakeholder Committee was an action arising from Council’s Economic Development Strategy (EDS), ‘Business on the Beaches’.
- The Committee consists of representatives from local businesses, the Mayor and Councillor representatives, State Government representatives and Council staff.
- The Committee drives the delivery of the Economic Development Strategy (EDS), ‘Business on the Beaches’.
- In accordance with Council’s requirements, the confirmed minutes of the committee are reported to Council for noting with no actions sought from Council.

RECOMMENDATION

That Council note:

1. The confirmed minutes of the Northern Beaches Business Industry and Stakeholder Committee meeting held on 4 December 2024.
2. Meeting minutes do not seek action from Council.

BACKGROUND

The Northern Beaches Business and Industry Stakeholder Committee monitors delivery of the Economic Development Strategy ‘Business on the Beaches’ by advocating for business needs and monitoring progress.

The formation of the Committee was an action in the adopted Economic Development Strategy with the inaugural meeting held in February 2024.

Comprising business leaders, State Government representatives, and Councillors, the Committee adopted a collaborative approach at the December meeting, supported by 2 working groups: one focused on major economic projects and the other on small business capacity building. Meeting twice annually, with ongoing work through these groups, the Committee will ensure Council initiatives, such as the Go Local to Grow Local campaign, align with business priorities to support a thriving, sustainable local economy.

DISCUSSION

In accordance with Council’s requirements, the confirmed minutes of the Northern Beaches Business and Industry Stakeholder Committee meeting held on 4 December 2024 are provided at Attachment 1 for noting. The minutes are also published on Council’s website.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The formation of the Northern Beaches Business and Industry Stakeholder Committee was an action in the Economic Development Strategy, Business on the Beaches.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The subject of this report will have a positive impact on social outcomes for some members/ groups of the community by providing advice to build capacity, support the business community, and address economic challenges and opportunities, while delivering actions from the 10-year Economic Development Strategy, Business on the Beaches.

LINK TO STRATEGY

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

- Vibrant local economy - Goal 13 Our businesses are resilient, well-connected and thrive in an environment that supports innovation, entrepreneurialism and economic growth.

Reporting team	Place & Economic Development
TRIM file ref	2024/917076
Attachments	⇒ 1 Northern Beaches Business & Industry Stakeholder Committee - Minutes - Wednesday 4 December 2024 (Included In Attachments Booklet)

ITEM 12.4 MANLY SPECIAL ENTERTAINMENT PRECINCT

PURPOSE

The purpose of this report is to seek Council's endorsement to establish a trial of a Special Entertainment Precinct in the Manly commercial centre and to apply for grant funding from the NSW Government.

EXECUTIVE SUMMARY

- As part of its Vibrancy Reforms, the NSW Government has introduced the Special Entertainment Precinct (SEP) framework, through which councils can designate areas where businesses operate under tailored trading hours and entertainment-related sound controls under a precinct management plan.
- The Manly commercial centre is an ideal location for a SEP given its unique local character and culture, accessibility, visitor infrastructure and history as an iconic destination and established late-night precinct.
- A Manly SEP would strategically align with, and implement a number of actions and priorities in policies including the recently adopted *My Place: Manly* to undertake an acoustic assessment to guide the development of noise planning controls.
- The purpose of undertaking a SEP trial is to test the effectiveness of the sound level controls and precinct management plan for the Manly commercial centre, and to monitor and evaluate potential impacts in conjunction with the community and businesses.
- Grant funding of \$50,000 to \$200,000 from the NSW Government is available to assist with the preparation of a SEP Trial.
- Should the grant application be unsuccessful, or if the grant does not cover the full amount required to establish a SEP trial, Council will need to consider if the project should be pursued based on project priorities and funding availability.
- The grant funding application requires a Council resolution, including that Council progress a planning proposal to establish the statutory framework in Manly Local Environmental Plan 2013 in order for the SEP trial to commence.

RECOMMENDATION

That Council:

1. Endorse the lodgment of an application seeking funding from the Special Entertainment Precinct Kickstart Grant Program to commission an acoustic study and facilitate activities towards the establishment of a Special Entertainment Precinct (SEP) trial for the Manly commercial centre.
2. Endorse the establishment of a SEP in the Manly commercial centre as illustrated in Figure 1 of this report, as a requirement of seeking the above grant funding.
3. Note that if Council's grant application is successful:
 - a. a planning proposal is required to be submitted to the Department of Planning, Housing and Infrastructure to establish the SEP trial by 31 December 2025 which would be the subject of a separate report and Council resolution
 - b. at the end of the 18-month trial period, Council can resolve whether to make the SEP permanent or revoke the SEP.

BACKGROUND

Special Entertainment Precincts (SEPs)

In late 2023, the NSW Parliament passed *24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023* (the Vibrancy Reforms), designed to streamline noise, planning and liquor licensing regulation, support the live music and entertainment industry, encourage more people to go out close to home and across the state, and respond to contemporary going-out behaviours and expectations. Changes that have been enacted as part of the Vibrancy Reforms include the new Special Entertainment Precinct (SEP) framework.

A SEP is a defined area where Council sets bespoke controls for entertainment-related sound emissions and trading hours in a precinct management plan that overrides development consent and licence conditions.

The purpose of SEPs is to protect and support the live entertainment industry, provide operational certainty for venues, and set expectations for the type of venues and activities in the precinct whilst ensuring that residents and businesses are not exposed to unreasonable levels of sound associated with entertainment activity.

Councils are required to inform the community and incoming residents about the SEP in planning certificates and on Council's website.

Sound management

Entertainment sound management in the precinct management plan could include sound limits and sound-proofing requirements for new residential developments against existing entertainment sound. Entertainment sound includes sound emissions from live or recorded music, entertainment and/or performance, patron ingress and egress, the sale and supply of liquor, provision of food/dining services, staff or patrons conversing and singing, set-ups and pack-downs, rehearsals and sound checks. It does not include sound associated with other activities such as construction or waste collection.

Sound criteria would be based on acoustic testing and feedback from venues, businesses and the community, with the aim to ensure that neighbours are not exposed to unreasonable entertainment sound levels.

Trading hours

In a SEP, Council sets the maximum permitted trading hours for both licensed and unlicensed premises in the precinct management plan. If businesses trade within the prescribed trading hours of the SEP, they do not need to modify their consent or seek further approvals.

Councils can set blanket trading hours for the whole precinct or have varied maximum trading hours for different areas and business types.

Additionally, licensed venues within a SEP receive an additional 2 hours of trading if at least 45 minutes of performance is hosted at the venue after 8pm and an additional hour of trading on all other nights.

Compliance framework

The precinct management plan sets out the process for managing complaints, including but not limited to licensed premises as set out in the *Liquor Act 2007*.

The complaints process for venues operating outside of sound requirements set by the SEP would be clearly outlined for businesses, venues, the community and residents in the precinct management plan.

Since 1 July 2024, noise complaints for licensed venues are managed by Liquor and Gaming NSW. Complaints about entertainment sound from unlicensed venues and non-entertainment related sound from licensed premises will continue to be received and managed by Council.

SEP requirements

The *NSW Special Entertainment Precinct Guidelines* (see Attachment 1) identify the mandatory steps in establishing, operating, suspending and revoking a SEP.

Key steps for establishing SEPs include:

1. Seek Council resolution to establish a SEP in a specific location.
2. Prepare planning proposal with draft sound compliance approaches including precinct management plan and draft development control plan (DCP), and consultation with relevant community and resident groups, business precinct groups, liquor accords and other industry groups.
3. Seek Council resolution to progress the SEP and submit the draft planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination.
4. Public exhibition of planning proposal.
5. Update precinct management plan to reflect community feedback.
6. Seek Council resolution to commence operational trial period of 12-18 months.
7. Commence trial period with continued engagement with the community, venues, stakeholder groups, residents and relevant government authorities.
8. Evaluate outcomes of the trial with the aim to present findings to Council.
9. Seek Council resolution to make the SEP permanent or revoke SEP.
10. Council operates and monitors the SEP, and regularly engages with the community, venues, stakeholder groups, residents and relevant government authorities.

Existing and future SEPs

Enmore Road in Enmore and Newtown is NSW's first and only operating SEP. Since the Enmore Road trial commenced, it has boosted the vibrancy of the area, attracted more hospitality venues on Enmore Road, reduced vacancy rates, created more spaces and opportunities for performing artists, and increased trading for local businesses.

Following the success of the Enmore Road SEP, Inner West Council has resolved to establish SEPs in Marrickville, Illawarra and Victoria Roads in Marrickville, Norton Street and Parramatta Road in Leichhardt, Darling Street in Rozelle and Darling Street in Balmain.

The City of Parramatta and City of Sydney councils also intend to establish SEPs in established night-time areas to allow venues to access further benefits and incentives available through SEPs.

Other councils that are intending to establish SEPs include Fairfield City Council in the Canley Heights and Canley Vale Town Centres, Kiama Council in the Kiama Town Centre, Waverley Council in Bondi Junction, Sutherland Shire Council in Cronulla Town Centre, and Burwood Council in the Burwood Town Centre.

DISCUSSION

Manly's commercial centre is well-suited for the establishment of a SEP due its capacity for increased vibrancy and need for more diverse night-time offerings. There is already a high concentration of licensed venues in the area with the potential to offer live music and entertainment. Establishing a SEP would enable Council to work with these venues, as well as local residents and businesses to design noise planning controls specific for the area and utilise an effective framework for managing entertainment sound.

Manly's standing as a vibrant night-time precinct and cultural hub should be protected and reinforced, consistent with Council's adopted Manly Place Plan, Destination Management Plan,

Local Strategic Planning Statement, Economic Development Strategy, and Arts and Creativity Strategy.

The proposed location and boundaries of the Manly SEP are illustrated in Figure 1 below. The proposed SEP takes into consideration the *My Place: Manly* study area, is restricted to blocks where existing licensed venues are concentrated, avoids coverage of predominantly residential properties and includes locations of key venues outside of the *My Place: Manly* study area where it would be beneficial to have bespoke noise controls including the Manly Pacific Hotel, Manly Art Gallery and Museum, Manly Wharf, Manly Pavillion, former Manly Sea Life, Manly 16ft Skiff Sailing Club and Manly Yacht Club.



Figure 1. Proposed Manly SEP Boundary

Live music and culture

Over recent years, venues across NSW have faced a multitude of challenges to operate successfully and remain open, including the rising cost of living and operating costs, a hostile regulatory environment, and serial noise complaints.

Although Sydney’s nightlife has rebounded well after the pandemic, going-out behaviours have changed where patrons are increasingly seeking unique and different experiences, often with less focus on alcohol consumption. This trend indicates that it is an ideal time to increase the variety of activities offered at night.

The Northern Beaches has a rich history of live music talent and venues however there is currently a lack of fit-for-purpose venues that meet the diverse needs of the community and the live music

and performance industry. Council has committed through its Arts and Creativity Strategy (*Connected Through Creativity*) to make room for creative expression and foster a diverse live music culture on the Northern Beaches through a review of planning controls.

The establishment of a SEP in Manly would set up a regulatory environment for venues to meet their full economic and creative potential, and signal to the community that the Northern Beaches is a place where culture and creativity can thrive, in harmony with residential uses.

Manly 24-hour economy

Manly is the gateway to the Northern Beaches and is a strategic centre that generates \$720 million in local spending annually. Retail, commercial, community and hospitality land uses are collectively grouped in the 'population serving sector' and will be the largest employment sector for Manly by 2036.

Over the past 12 months, \$283 million was spent on dining and entertainment, representing 40% of total spending in Manly, with \$122 million (49.6%) spent by visitors from outside the area. Enhancing vibrancy and increasing entertainment offerings and activities would boost Manly's profile as a local, regional and international destination and increase visitor spending.

Manly has the Northern Beaches LGA's strongest night-time economy with \$46 million of transactions taking place between 6pm to 6am annually. A strong and vibrant night-time economy has positive economic flow-on effects to other businesses and the locality. Benefits and investment incentives for businesses include operating in a vibrant precinct supported by Council where they can capitalise on increased footfall, potentially trade longer without needing to submit a development application and have certainty around entertainment sound compliance requirements.

Specific incentives for licensed venues with live entertainment within a SEP include an 80% reduction of liquor licence fees, and additional trading hours.

CONSULTATION

Previous engagement

A survey undertaken as part of community engagement for *My Place: Manly* indicates that there is community support for:

- increasing and diversifying cultural, event and entertainment offerings including live music
- a 6-month trial of late-night trading hours (10pm-6am), with a preference for hospitality and retail uses.

Survey respondents who were supportive of increasing night-time offerings in the Manly centre wanted to see a more vibrant nightlife, whilst those who were unsupportive were concerned about the potential impacts of night-time activity including anti-social behaviour, safety, traffic, parking and residential amenity, i.e. noise.

As part of the development of *My Place: Manly*, Council staff met with representatives of the Northern Beaches Police Area Command who showed support in principle for proposed trials of late-night trading subject to prior consultation with Transport for NSW, NSW Police, the Liquor Accord, and Council's Community Safety Committee.

Future engagement

Councils are required to continually engage with key stakeholders throughout a SEP's establishment and operation including the following mandatory steps:

- preliminary engagement with the community and businesses affected by the proposed SEP boundaries, as a requirement of the Kickstarter Grant Program application
- preparation of the precinct management plan
- public exhibition of planning proposal

- regular consultation throughout trial period
- post-trial consultation.

Key stakeholders for the project include a potential precinct working group, local residents, local businesses, community groups, Manly Business Chamber, Northern Beaches Police Area Command, Northern Sydney Local Health District, Council’s Youth Advisory Group and Community Safety Committee, Northern Beaches Liquor Accord, NSW Liquor and Gaming, and Transport for NSW.

A detailed community engagement plan will be prepared as part of the preparation of the planning proposal and precinct management plan.

TIMING

Approximate dates for key milestones are outlined in the table below. The key milestones assume that the SEP proceeds towards commencement of a trial period of operation, on receipt of grant funding.

Date	Milestone
Council resolution to establish SEP	18 February 2025
Preparation of Council Grant application	February 2025
Preparation of community engagement and planning proposal documentation	March - November 2025 (subject to successful grant application)
Kickstarter Grant Program application deadline	12 March 2025
Notification of Grant application outcome	Early June 2025
Procurement of acoustic assessment and any other supporting documents (subject to successful grant application)	On receipt of grant application outcome
Council resolution to submit Planning Proposal for Gateway Determination	November 2025
Draft Planning Proposal forwarded to DPHI	By 31 December 2025 under the terms of the grant
Receive Gateway Determination	February - March 2026
Trial period commences	Mid 2026
Trial period ends	Mid 2027
Council resolution to make SEP permanent or revoke SEP	Late 2027

FINANCIAL CONSIDERATIONS

Funds for an acoustic assessment report and recommended sound controls are required as part of the preparation of the SEP planning proposal. This aligns with Council’s commitment in the Manly Place Plan to undertake acoustic testing to inform planning controls.

Between \$50,000 and \$200,000 of funding from Create NSW’s Special Entertainment Kickstart Grant Program is available to Council, for the purposes of activities directly related to establishing SEPs.

The grant program is non-competitive and first-in-first served, and applications close 12 March 2025 or when the \$1 million of funding is exhausted. A Council resolution or mandate to establish a SEP, identifying a specific location and boundary, is required as part of the grant application.

Should the grant application be unsuccessful, or if the grant does not cover the full amount required to establish a SEP trial, Council will need to consider if the project should be pursued based on project priorities and funding availability.

GOVERNANCE AND RISK CONSIDERATIONS

While SEPs can enable increased vibrancy and bring positive economic and social impacts to precincts, increased activity could result in increased complaints and concern from the community regarding residential amenity. In a precinct management plan, the process for making complaints and raising concerns would be clearly outlined, including how Liquor and Gaming NSW is now the lead regulator for noise from licensed venues.

Community engagement before, during and after the trial will manage stakeholder expectations regarding the impacts of increased vibrancy resulting from the SEP.

As recommended by the *NSW Special Entertainment Precinct Guidelines* (see Attachment 1), a monitoring and evaluation framework would be established to ensure that the precinct meets intended goals and aligns with strategic intent and community feedback.

After the SEP trial, Council is required to resolve whether to make the SEP permanent or to revoke the SEP. Council may also resolve to suspend the SEP during the trial for reasons including if thresholds of the precinct management plan are being exceeded, and if the continuation of the SEP is not in the public interest.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

With the opportunity for increased vibrancy, the management of safety and amenity are important considerations in a SEP. As part of the establishment of a SEP, Council is required to engage with the community, residents, venues, businesses, the precinct working group, and relevant government agencies to discuss and aim to resolve any impacts on amenity and safety.

Potential safety benefits from establishing a SEP include passive surveillance from increased footfall and the activation of the public domain, increasing collaboration between Council, Liquor and Gaming NSW and NSW Police, offering additional activities outside of alcohol consumption, and attracting more diverse visitors to the area.

LINK TO STRATEGY

The establishment of a SEP in Manly is consistent with a number of Council policies including the Community Strategic Plan, the Northern Beaches Local Strategic Planning Statement (*Towards 2040*), Economic Development Strategic (*Business on the Beaches*), Manly Place Plan (*My Place: Manly*), Arts and Creativity Strategy (*Connected Through Creativity*), and Destination Management Plan (*Destination Northern Beaches*). A list of relevant directions, priorities and actions are outlined in Attachment 2 of this report.

Reporting team	Strategic & Place Planning
TRIM file ref	2025/026493

Attachments

- ⇒1 NSW Special Entertainment Precinct Guidelines (Included In Attachments Booklet)
- ⇒2 Strategic Alignment with Council Policies (Included In Attachments Booklet)

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1 OUTCOME OF PUBLIC EXHIBITION - PROVISION OF PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

PURPOSE

The purpose of this report is to present the outcomes of the community engagement undertaken on the latest proposal by JOLT to install electric vehicle (EV) charging infrastructure at 15 locations across the Northern Beaches local government area.

EXECUTIVE SUMMARY

- Council adopted the Northern Beaches Electric Vehicle Charging Infrastructure Plan at the August 2021 Ordinary Council meeting (Resolution 237/21), providing a framework for managing both Council-installed and third party provided infrastructure in the public domain.
- Under the current NSW EV Kerbside Charging Grant program, Council received a proposal from JOLT to progress a proposal for 15 additional locations to a planning and implementation stage.
- The infrastructure proposed to be installed by JOLT includes advertising panels that offset the free charging component of the session provided to customer, with a fee for service charged after the first 15 minutes.
- The community engagement report demonstrates strong support for additional EV charging infrastructure, however also displays significant opposition to proposals that include an advertising component on the grounds of the impact of the advertising panels on visual amenity and street clutter, with a preference for the more discrete pole mount style of charger.
- The other negative issue raised by the community was the dedication of public parking spaces.
- As a result of the community consultation and feedback, it is recommended to approve 4 EV charger locations, without advertising panels, should JOLT wish to progress the proposal in this manner.

RECOMMENDATION

That Council:

1. Endorse the following locations for installation of EV chargers, subject to approval by the Northern Beaches Local Traffic Committee, on the condition that no advertising panels are included in the installations:
 - a. Forestville Seniors Centre Carpark 1 - Starkey Street (corner of Warringah Road, Forestville)
 - b. outside 19 Sydenham Road, Brookvale
 - c. Victoria Parade - outside 29 East Esplanade, Manly
 - d. Narraweena Shops Carpark - 52 May Road, Narraweena.

BACKGROUND

Electric vehicles (EV) are continuing to increase in numbers across the community and as their prevalence increases, they have the potential to transform the global market for passenger and freight vehicles. Technology is advancing rapidly, allowing a wide range of charging options to be provided for customers seeking to charge their vehicles in a range of locations.

In recent years, numerous urban renewal experts have emphasised the importance of equipping public car parks with the necessary infrastructure for electric cars and bikes. Both the Federal and NSW Governments have begun implementing essential infrastructure to support the use of electric vehicles, ensuring they can travel longer distances on our national highways. Council also has an opportunity to contribute by increasing the availability of such facilities within our own communities and encouraging the adoption of electric vehicles.

The following developments relating to EVs have taken place since November 2018:

- Globally, manufacturers have committed investment of more than \$90 billion to bring new electric models to the market.
- Infrastructure Australia has identified that an EV charging network is a high priority.
- The NSW Government has released the NSW Electric and Hybrid Vehicle Plan which is a significant advancement in government policy in support of EVs and EV charging infrastructure. In relation to EV charging stations, the key actions include:
 - setting a 10 per cent target for new NSW Government general purpose passenger fleet cars from 2020/21 – with 10 per cent of new vehicles purchased or leased by agencies to be electric or hybrid vehicles
 - co-invest in fast chargers in regional NSW on major regional corridors (this is largely private sector driven)
 - co-invest in fast chargers in commuter car parks (this is largely private sector driven)
 - adopt preferred charging standards to guide councils, companies and investment
 - develop guidelines for the installation of charging points in roadside service centres
 - support EV charging through strategic land use planning and guides.
- The NSW Government (Transport for NSW) has developed the 'NSW Electric Vehicle Charging Program' which aims to facilitate and engage in partnerships between the public and private sector for the delivery of EV charging stations across metropolitan commuter carparks and key regional road networks.

As a result of this, in August 2021 Council adopted the Northern Beaches Electric Vehicle Charging Infrastructure Plan to guide the appropriate installation of EV charging infrastructure on the Northern Beaches.

The current proposal

JOLT, in consultation with Council, applied for a grant for the installation of 15 additional EV chargers through the NSW EV Kerbside Charging Grant program and was successful in receiving a grant.

Consequently, JOLT applied to Council to progress these locations for installation. As part of Council's normal processes, community consultation was conducted to gauge the level of support for the proposed chargers.

The community and stakeholder engagement was conducted between 9 August and 8 September 2024 and consisted of a series of activities that provided opportunities for community and stakeholders to contribute.

Feedback was captured through a social map that asked people to vote thumbs up or thumbs down on each of the proposed locations. An online comment form was also embedded onto the have your say project page. The form included an open-field comments box, providing community members a space to explain or elaborate on their support, not support or neutral sentiment as well as any other feedback they wished to contribute.

The key themes from the engagement process were cost and community need, locations, commercial interests, advertising, planning approval, charger type, social, enforcement, economic, and environmental. These are detailed in the community engagement report (Attachment 2).

Primary reasons for support were the expected environmental benefits of promoting electric vehicle adoption on the Northern Beaches, along with addressing the potential future demand. Many respondents indicated that, while they support the provision of infrastructure, Council needed to make further minor changes or additions to ensure that the locations are sustainable, effective and not impacting on key locations.

Many felt the proposal did not provide enough EV charging stations in locations across the Northern Beaches. Specific charging station locations, including tourist destinations (to encourage visitors) and at the beach carparks were also mentioned.

Positive submissions called for:

- more locations to be considered for chargers to be installed, without advertising, to bring more competition into the area
- fast chargers to be installed to maximise the use of the infrastructure
- a wider range of locations to allow residents without access to home charging options to access public chargers
- more chargers be installed in car parks rather than on street spaces.

Key concerns raised were:

- the cost to Council for the dedicated sites compared with the limited fees paid by the provider
- the locations removing parking for other users
- visual clutter and the significant impact of the advertising on local amenity
- safety concerns around the locations near residential buildings.

Feedback themes also showed community concerns were raised regarding locations due to the advertising component of the proposal, with site selection appearing to be more about the location for an advertising return rather than community need for charging at the proposed locations.

Compatibility issues and charging levels preference were also raised. These respondents wanted to ensure that all models of cars would be able to use the charging stations and that ultra-rapid chargers (aim for 50kw) were the preferred option.

A majority of respondents questioned the need for advertising on the infrastructure and supported pole mounted, or discrete charger options without advertising which they saw as detrimental to the local environment, or a privatisation of public space.

Several respondents indicated that the charging stations should be a user pays system, or the EV manufacturer should pay for the charging infrastructure. They expressed that Council should not be involved with providing free charging for a small minority of people with electric vehicles. Other respondents noted that there were not enough EVs on the Northern Beaches currently to warrant the expenditure for charging infrastructure or that it was a waste of ratepayers' money.

A range of operational matters were also raised in the comments, including queries regarding how the parking conditions would be enforced, maintenance requirements and the addition of shelter

over charging stations to make them all-weather. Other responses requested that the chargers be located away from busy shopping areas so that they are not removing public car parking spaces.

DISCUSSION

The current business model utilised by JOLT with the advertising component supporting the free charging provision needs to be balanced with the community concerns raised around the amenity impacts on the advertising display size.

Some respondents to the community engagement stressed how important the daily free 15-minute charge was to the way they manage their EV usage and that the more locations where this option was available suited them. Many respondents noted the use of advertising was a privatisation of public space and did not support this type of charger whilst being generally supportive of the concept of public charging infrastructure in suitable locations.

Below is a summary of the recommended direction per location:

Location	Address	Proposed outcome	Rationale
Avalon Beach Carpark	558A Barrenjoey Road, Avalon Beach	Not feasible	Cost prohibitive for the provider
Balgowlah Shops Carpark	187 Condamine Street, Balgowlah	Not feasible	Cost prohibitive for the provider
Outside 19 Sydenham Road	19 Sydenham Road, Brookvale	Supported	Subject to removal of advertising component
Outside 27 Mitchell Road	Outside 27 Mitchell Road, Brookvale	Not supported	Proximity to 19 Sydenham Road site, volume of traffic
Outside 16 Fisher Road	Outside 16 Fisher Road, Dee Why	Not supported	Proximity to Pittwater Road, limited footpath, traffic, and parking impact
Fairlight Shops	Sydney Road, Fairlight (at Hilltop Crescent)	Not supported	Alternate location nearby could be considered, subject to further investigation and removal of advertising
Forestville Seniors Centre Carpark 1	Starkey Street (corner of Warringah Road), Forestville	Supported	Subject to removal of advertising component
Forestville Seniors Centre Carpark 2	Starkey Street (corner of Warringah Road), Forestville	Not supported	Proximity to high pedestrian demand area and bus infrastructure
West Esplanade	Opposite 75 West Esplanade, Manly	Not supported	Advertising and parking demand issues
Victoria Parade	Outside 29 East Esplanade, Manly	Supported	Subject to removal of advertising component
Narraweena Shops Carpark	52 May Road, Narraweena	Supported	Subject to removal of advertising component
Outside 327 Barrenjoey Road	Outside 327 Barrenjoey Road, Newport	Not supported	Alternate location nearby could be considered, subject to further investigation and removal of advertising

Battle Boulevarde (Spit Bridge) Carpark	Battle Boulevarde (Spit Bridge) Carpark, Seaforth	Not supported	Proximity to Manly Road site, limited community use, and existing parking spaces
Sturdee Parade	Sturdee Parade, Dee Why	Not supported	Advertising, residential amenity, and parking demand issues
South Steyne	South Steyne, Manly	Not supported	Advertising, footpath clutter, and parking demand issues

As such, 4 locations are recommended to be supported, with the condition of the advertising component being removed, being:

Outside 19 Sydenham Road, Brookvale



Forestville Seniors Centre Carpark 1 - Starkey Street (corner of Warringah Road), Forestville



Victoria Parade - outside 29 East Esplanade, Manly



Narraweena Shops Carpark - 52 May Road, Narraweena



While these locations are recommended to progress, should Council approve this decision the final installation and operation of these EV chargers without advertising may not occur due to JOLT's business model.

CONSULTATION

Community and stakeholder engagement for the electric vehicle charging stations was conducted between 9 August and 8 September 2024 and consisted of a series of activities that provided opportunities for the community and stakeholders to contribute.

Feedback was captured through a social map that asked people to vote thumbs up or thumbs down on each of the proposed locations. An online comment form was also embedded onto the 'Have Your Say' project page. The form included an open-field comments box, providing community

members a space to explain or elaborate on their support, not support or neutral sentiment as well as any other feedback they wished to contribute.

The key themes from the engagement process were cost and community need, locations, commercial interests, advertising, planning approval, charger type, social, enforcement, economic, and environmental. These are detailed in the community engagement report (Attachment 2).

TIMING

If the installation of EV chargers is supported, JOLT will still require assessment of the final locations by Ausgrid, and approval of the sites through both the planning process and the Northern Beaches Council Local Traffic Committee.

FINANCIAL CONSIDERATIONS

In the current 2024/25 adopted fees and charges, Council charges an application fee of \$1,619 per EV location. This covers the cost of staff time assessing the location, undertaking the necessary community engagement and reporting to the Northern Beaches Council Local Traffic Committee, along with the preparation of the any work instructions required to install the signage and line-marking component of the site.

An annual fee of \$1,936 is charged per dedicated parking space allocated to the EV charger at each location. This supports the installation of the signage and line marking along with providing a return to the community for the use of the community asset. This model was chosen as it was already in place for use by Carshare providers using dedicated spaces on the Northern Beaches

The recommendations of this report pose no adverse financial impact on Council, with any additional EV chargers approved providing additional operational revenue to Council. In the Northern Beaches delivery model, the Charge Point Operator is responsible for all statutory approval (development applications) and construction costs, including any additional road opening permit and restoration costs

GOVERNANCE AND RISK CONSIDERATIONS

Council's Electric Vehicle Charging Infrastructure Plan supports the recommendations in this report, as does the MOVE Transport Strategy. The delivery of publicly accessible infrastructure is in line with the NSW Government position on providing more infrastructure to support the conversion to a low emission transport fleet, including private vehicles.

This matter does not affect installations of public charging infrastructure without an advertising component as part of the proponent's business model.

ENVIRONMENTAL CONSIDERATIONS

The proposed recommendations in this report will result in a beneficial environmental outcome by encouraging the uptake of electric vehicles by our community and reducing carbon emissions using renewal energy to provide the electricity for each Charge Point Operator.

SOCIAL CONSIDERATIONS

The subject of this report will have a positive impact on social outcomes for some members/groups of the community by improving access to EV charging infrastructure. It is noted that concerns have been raised by the community regarding the visual and amenity impact of advertising panels on the proposed infrastructure locations, with a preference for the more discrete pole mount style of charger.

LINK TO STRATEGY

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

- Environmental sustainability - Goal 4 Our community is supported in the transition towards net zero emissions and a local circular economy.
- Transport, technology and connectivity - Goal 16 Our integrated transport networks meet the needs of our community and reduce carbon emissions.

Reporting team	Transport & Civil Infrastructure
TRIM file ref	2024/893858
Attachments	⇒1 Northern Beaches Council Electric Vehicle Charging Infrastructure Plan adopted August 2021 (Included In Attachments Booklet) ⇒2 Community Engagement Report - Electric Vehicle charging stations 2024 – Proposed locations (Included In Attachments Booklet)

ITEM 13.2 OUTCOME OF PUBLIC NOTICE FOR THE PROPOSED LEASE AND LICENCE OF A CAFE AT DEE WHY BEACH RESERVE

PURPOSE

The purpose of this report is to inform Council of the outcome of the public notice and seek Council approval, in accordance with sections 47(5) - (9) of the *Local Government Act 1993*, to apply to the Minister for Local Government for consent to grant a lease and licence to operate the café at Oaks Avenue and The Strand, Dee Why Beach Reserve.

EXECUTIVE SUMMARY

- Council is intending to release a public tender for a lease and licence to operate the café at Oaks Avenue and The Strand, Dee Why Beach Reserve, which is on land comprised in Part Lot 1 DP94791 and Lot 3 Sec 11 DP 6953, for a proposed term of up to 15 years.
- Public notice of the proposal to grant a lease and a licence for a café at Oaks Avenue and The Strand, Dee Why Beach Reserve, was given in accordance with section 47 of the *Local Government Act 1993* from 14 November 2024 to 19 December 2024 which resulted in a total of 7 submissions, including a submission by way of objection.
- Council is required to consider the submissions duly made to it in respect of the proposed lease and licence during the public notice period and the table in this report has been prepared to assist Council's consideration of the submissions received.
- The *Local Government Act 1993* provides that, if a person has made a submission by way of objection to the proposal, a council must not grant a lease or licence in respect of community land for a period exceeding 5 years except with the consent of the Minister for Local Government. Accordingly, should Council wish to grant the lease and licence, Council will need to apply to the Minister for consent to do so.
- Whilst an objection against the proposal was received from one community member, having regard to all relevant circumstances, it is recommended that Council seek the consent of the Minister to grant the lease and licence.

RECOMMENDATION

That Council:

1. Note it has considered all submissions in respect of the proposal to grant lease and licence agreements to operate the café at Oaks Avenue and The Strand, Dee Why Beach Reserve, which is on land comprised in Part Lot 1 DP94791 and Lot 3 Sec 11 DP 6953 for up to 15 years.
2. Apply to the Minister for Local Government in accordance with section 47 of the *Local Government Act 1993* for consent to grant the lease and licence for the café.
3. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including execute all necessary documentation.

BACKGROUND

The current lease for the Dee Why Beach Shed Café, which is located on community land owned by Council comprised in Part Lot 1 DP94791 and Lot 3 Sec 11 DP 6953, will terminate on 18 March 2025.

It is proposed to release a public tender for the operation of the café, and Council, in accordance with the requirements of the *Local Government Act 1993* has given public notice of its intention to grant a lease and licence for the café for a term up to 15 years upon the completion of the tender process.

Public notice of the proposal to grant the lease and licence was given in accordance with section 47 of the *Local Government Act 1993* from 14 November 2024 to 19 December 2024, which resulted in 7 submissions including a submission by way of objection.

Council is required to consider the submissions duly made to it in respect of the proposed lease and licence. The table in this report has been prepared to assist Council’s consideration of the submissions received in respect of the proposed lease and licence. Further details, including the submissions received, are included in the public notification summary report found in the attachment to this report.

The *Local Government Act 1993* provides that, if a person has made a submission by way of objection to the proposal, a council must not grant a lease or licence in respect of community land for a period exceeding 5 years except with the consent of the Minister for Local Government. Accordingly, should Council wish to grant the lease and licence, Council will need to apply to the Minister for consent to do so.

Whilst a submission by way of objection against the proposal was received from one community member, having regard to all relevant circumstances, it is recommended that Council seek the consent of the Minister to grant the lease and licence.

CONSULTATION

Through the notification period, a total of 7 submissions were received. Whilst the majority of submissions received were positive, there was a submission by way of objection that was not in support of the proposal and another that was supportive upon the condition that there was no further intensification. A full account, and the submissions received are included in the public notification summary report found in the attachment to this report.

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

Findings		
Theme	What we heard	Council response
Positive Community Sentiment	Positive feedback on the café’s contribution to the community. There is enthusiasm for a lease renewal, with hopes for a refreshed venue and improved offerings.	The proposed lease and licence is recommended for progression by staff.
Operating Hours	There was one submission preferring to keep operating hours as is, and another advocating for an extension in operating hours until 9.00pm.	Current operating hours are until 5.00pm, Monday to Sunday as per the development consent conditions. While some Council beachside cafés have extended operating hours beyond 5.00pm any change in operating hours would require a

		modification to the development consent.
Future building works and expanded operations	Opposing views were raised in relation to expansion of outdoor seating, building works, and an increase to cafe patrons.	<p>The publicly exhibited lease and licence plan area does not consider an expansion or alteration of the proposed dining footprint. Any future proposed change to this area would need to be publicly notified.</p> <p>The roof is part of the lease area but remains non-trafficable. Any proposal to activate it would require Council approval and potentially a modification to the development consent.</p> <p>The current development consent limits the number of seated patrons to 20, and any expansion to this would require a modification to the consent.</p>
Considerations for future tender business operator	In addition to the expanded operations considered above there was a suggestion to provide a longer lease term to warrant significant capital investment of up to \$1million from a future operator.	While the <i>Local Government Act 1993</i> allows leases and licences up to 30 years (with Minister consent), Council staff consider this location is unsuitable for significant expansion or intensification of operations. A lease and licence term of up to 15 years provides adequate tenure for reasonable capital investment.
Noise disturbance	One submission advised that noise disturbances from delivery trucks have been experienced.	<p>Noise complaints are managed by Council's Environmental Compliance team under the <i>Protection of the Environment Operations Act 1997</i> and the <i>Environmental Planning & Assessment Act 1979</i>. Existing development consent conditions under the Planning & Assessment Act restrict delivery hours to: Monday–Friday, 6.30am–8.00pm, and weekends, 8.00am–8.00pm. These conditions will continue under any new lease.</p> <p>Investigations are undertaken into noise complaints in accordance with Council's Compliance and Enforcement Policy</p>
Discontinuation of cafe	One submission requested that Council not re-lease the premises as a café and requested that the premises be returned to storage for surf lifesaving purposes.	The current authorised use of the site is a café. The site was repurposed as a café over a decade ago and it is recommended that its current use continue.

TIMING

The current operator has not yet provided formal notice to terminate the agreement at its conclusion being 18 March 2025. If the existing operator opts for a monthly extension, pending the

outcome of the tender process for a new lease and licence, the lease termination could potentially be aligned with the new agreement to minimise revenue loss.

The granting of the new lease and licence agreements for the café and restaurant is subject to the Ministerial approval, and the outcome of the upcoming tender.

FINANCIAL CONSIDERATIONS

The recommendations in this report will result in revenue generation for Council. It is proposed that under the future lease and licence the tenant will undertake fitout upgrades at its cost and provide rental income to Council.

GOVERNANCE AND RISK CONSIDERATIONS

As the proposed lease and licence term exceeds 5 years and an objection was received during public notification, the consent of the Minister for Local Government is required under section 47 of the *Local Government Act 1993* to enter into the proposed agreement.

If the Minister’s consent is provided, a tender will be released to the market. The lease and licence are intended to be granted to the successful tenderer for up to 15 years who will be sourced through the open market tender process.

ENVIRONMENTAL CONSIDERATIONS

The environmental impacts of the proposed use of the land have been previously assessed and approved, with the development consent granted.

If the lease and licence were to proceed, in addition to the current development consent conditions which impose limitations on trading hours, deliveries and patrons, terms of the agreement would be included regarding disposal of rubbish, keeping the premises clean and will require adherence to Council policies, including the Single Use Plastic Policy and Waste Minimisation for Functions and Events Policy, and ensuring sustainable practices.

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community through its continued use as a local café, supporting community enjoyment and engagement.

LINK TO STRATEGY

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

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

Reporting team	Property, Buildings & Beach Services
TRIM file ref	2024/904489
Attachments	⇒1 Public Notice Summary Report - Dee Why Beach Shed (Included In Attachments Booklet)

14.0 NOTICES OF MOTION

ITEM 14.1 NOTICE OF MOTION NO 44/2024 - E-BIKES AND E-SCOOTERS

NOTE: This item was listed on the agenda but not dealt with at the 10 December 2024 Council meeting.

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 paths
 - 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
 - g. legislative reforms that enable 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 the State Government's announcement to legalise e-scooters and need for better regulation of e-bikes.

TRIM file ref	2024/904369
Attachments	Nil

ITEM 14.2 NOTICE OF MOTION NO 45/2024 - SERVICE REVIEWS

NOTE: *This item was listed on the agenda but not dealt with at the 10 December 2024 Council meeting.*

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING MOTION:

MOTION
That Council, working with the Audit, Risk and 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 2024/904385
Attachments Nil

ITEM 14.3 NOTICE OF MOTION NO 2/2025 - IMPROVING DECISION MAKING CONCERNING CAPITAL WORKS EXPENDITURE

COUNCILLOR GLANVILLE SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council provide a report to Councillors within 6 months regarding:

1. Different methodologies used by government and other large institutions for objectively calculating the net costs and benefits of large capital expenditure projects, including Cost Benefit Analysis (CBA) and Cost Effectiveness Analysis (CEA).
2. What would be the cost, per project, of undertaking such an analysis for each proposed capital works project?
3. If a suitable methodology exists, what expenditure threshold/s would be appropriate to trigger a requirement for such analysis?

BACKGROUND FROM COUNCILLOR GLANVILLE

Council periodically authorises large capital expenditure projects, which involve the expenditure of large sums of public money through either rates income or grants funding received from the State or Federal Government. As such, as part of Council’s role in making responsible financial decisions, Council should ensure that when large projects are undertaken, the benefits of that project outweigh the costs.

There are 2 methodologies regularly used by other government organisations in assessing discretionary projects - Cost Benefit Analysis (CBA) and Cost Effectiveness Analysis (CEA). Both are usually used as a way of comparing project options and usually for large infrastructure or community-wide projects. This methodology, or some simplified form, could be used to review proposed capital expenditure projects.

CBA is mandatory for large state infrastructure projects, which expresses the net present value of Benefits and Costs as a ratio and is regularly used to compare different options.

Given that some benefits can be difficult to express as a net present value figure, an alternate used by some government agencies is CEA, which expresses the net present value of the cost of the project to deliver benefits (expressed as the \$ NPV of known \$- value benefits + other benefits that cannot be estimated in \$). An example of this approach would be a project to build a new sports playing field where the benefit might be quantified as the ‘the annual hours of time in a year of children playing sport’ compared to the NPV of the cost of delivering that playing field.

TRIM file ref	2025/055838
Attachments	Nil

ITEM 14.4 NOTICE OF MOTION NO 3/2025 - OPPORTUNITIES TO RELOCATE MANLY ENVIRONMENT CENTRE

COUNCILLORS GLANVILLE AND HARVEY SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council provide a report to Councillors within 6 months regarding:

1. Opportunities and benefits to relocating the Manly Environment Centre to a more visible location.
2. Options for engaging the community on Manly Environment Centre '2.0' on what services it would like to see the Manly Environment Centre provide.
3. At a high level, the potential costs of different options for relocating the Manly Environment Centre.
4. Potential sources of funding for relocating the Manly Environment Centre to a new community space, including any unspent 'environmental levy' funds from former Manly Council, possible grant sources and development contributions.
5. Any high-level options for the Manly Environment Centre to generate income (for example, hosting corporate groups or school groups).

BACKGROUND FROM COUNCILLORS GLANVILLE AND HARVEY

The Manly Environment Centre (MEC) was an innovative creation of the former Manly Council and community environmentalists, to be a 'drop in' shop front for community members and researchers interested in environmental issues, which developed many environmental initiatives (which continue to this day and have expanded post-amalgamation). Such a drop-in location could provide a source for the community to 'drop in' to find out reliable information about sustainable living, recycling, waste reduction, electrification, installing solar electricity and the like.

The original location was vacated, and the resources at MEC are currently in a space at the top of Manly Library. While MEC has been able to continue to do good work, it would be ideal for the original vision of a 'drop in' location to be realised.

Reinvigorating the MEC may also provide opportunities for it to generate income, for example, hosting corporate groups or school groups.

It is noted that former Manly Council had an environmental levy, which has unspent funds.

TRIM file ref	2025/055840
Attachments	Nil

ITEM 14.5 NOTICE OF MOTION NO 4/2025 - ORGANISATIONAL SAVINGS AND FUNDING MEASURES

COUNCILLOR HACKMAN SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council:

1. Continue to drive efficiencies in our operating expenses including:
 - a. Undertaking a service review on Council's events with the following be taken into consideration:
 - i. local economic and community benefit from each event
 - ii. attendance, potential attractiveness of event to third parties (including local business or sponsorship support) and
 - iii. prompt feedback to councillors on the findings of the service review.
 - b. in the development of the FY2025/26 budget, with specific focus on achieving savings.
2. Create an additional webpage on the Northern Beaches Council website titled 'Organisational Efficiency' to collate relevant information relating to our ongoing Productivity Journey, industry benchmarking, diminishing state funding and efficiencies, service reviews undertaken to provide ongoing updates simply and transparently to our community on our efficiency improvement commitments.
3. Note that Northern Beaches staff costs against operating costs are currently 39%, in line with the Local Government industry benchmark, and reflect the services that Council determine to be important to deliver for the community.
4. Consider FY2025/26 budget priorities at the upcoming strategic workshop, particularly repairs of core infrastructure, such as stormwater and road assets, in accordance with the Asset Management Plans and the safety priorities of our community outlined in our recent survey.
5. Write to the Premier, Opposition Leader, Minister for Local Government, local MPs and NSW State Government to request that they:
 - a. Implement the recommendations of the NSW Legislative Council enquiry into the Ability for Local Government to fund infrastructure and services
 - b. Re-allocate grant funding to maintenance renewal projects such as repair and upgrade of our roads and stormwater assets, as per our community's priorities in our recent survey.
 - c. Implement a funding model that will support maintenance of critical infrastructure required for climate adaptation and resilience under the NSW Resilience strategy.
 - d. Fund the Emergency Services Levy, through other state tax revenue other than the local government sector.
 - e. Invest the Waste Levy collected from our ratepayers back into the Northern Beaches LGA and appropriately fund the new FOGO reforms
 - f. Implement an on-demand bus service (eg. Keoride or similar) to cover the gaps in public transport on the Northern Beaches.

The letters should include a link to the Council's Productivity and Improvement Plan, recent audit results from the NSW Auditor General and any other documents that

- demonstrate our productivity and efficiency measures and our current funding gap, as well as any approved funding that could re-allocated to Roads and Critical Asset Maintenance.
6. Note that even with austerity measures, the Local Government Sector is not financially sustainable without structural reform of our income from State and Federal governments.
 7. Continue to advocate for a reduction in cost shifting from other levels of government, and for increases in general purpose grants, with any savings achieved through this to be re-allocated through the quarterly budget review process, with the intent to reduce the rates burden on ratepayers.

BACKGROUND FROM COUNCILLOR HACKMAN

With rising costs of food, energy, insurance and housing, as well as 11 consecutive interest rate rises, our community is struggling under a cost of living, housing and energy crisis.

The Insurance Council of Australia showed on 19 August 2024 that the impact of extreme weather on the Australian economy has more than tripled over the last 3 decades from 0.2% to 0.7% of GDP in the last 5 years, meaning these events are consuming more and more of our economic resources. On this trajectory Australian Councils could face potential costs exceeding \$1 billion p.a. due to increased occurrences of floods, fires and landslips. As a coastal community, Northern Beaches Council is particularly at risk.

With rising costs of construction, materials, insurance and inflation, financial sustainability is a problem across the country, with 57 councils in NSW alone having approached IPART for an SVR since amalgamation and 4 councils asking for a rate increase above 40%, some are considering a rate rise up to 111%. It’s across Councils of all political persuasions, it’s a statewide and national crisis.

In addition to the asset review weekend we are conducting in March, ultimately we need to review the detail of assets and services, tighten our belts and prioritise allocation of funds to safeguard our community and prepare for the future, while advocating for structural reform and respecting the financial pressures our residents face.

TRIM file ref	2025/070947
Attachments	Nil

ITEM 14.6 NOTICE OF MOTION NO 5/2025 - SERVICES PROVIDED BY NORTHERN BEACHES COUNCIL

COUNCILLOR BEAUGEARD SUBMITTED THE FOLLOWING MOTION:

MOTION

That a paper be prepared and distributed to Councillors in advance of the Councillor strategic weekend workshop to be held on 22 and 23 March 2025 (as resolved in 327/24), providing a:

1. List of all services currently provided by Northern Beaches Council, supported by
 - a. the net cost of delivery (including revenue generated)
 - b. the statutory requirement and/or reasoning for delivery
 - c. any other relevant information to assist Councillors in reviewing Council's current provision of services.

BACKGROUND FROM COUNCILLOR BEAUGEARD

At Northern Beaches Council's extraordinary meeting on 28 January 2025, Council resolved to submit to the Independent Pricing and Regulatory Tribunal a request to increase rates by 39.1% over 3 years. Before, during and after that decision, there has been substantial community feedback querying Council's management and efficiency when spending its resources.

Council delivers a large number of services, and these are subject to regular service reviews, however as I foreshadowed previously, I would like a list of all the services delivered by Council and their costs to be prepared and issued to Councillors, in advance of the upcoming strategy workshop as resolved by Council, so that all Councillors are fully informed for discussion and consideration of priorities.

TRIM file ref 2025/097488

Attachments Nil

ITEM 14.7 NOTICE OF MOTION NO 6/2025 - THE LATE JOAN SOMERVILLE OAM

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING MOTION:

MOTION

That:

1. Council note with sadness the passing of Mrs Joan Somerville OAM, a Life Member of Warringah Amateur Swimming Association and Hall of Fame inductee and Life Member of Queenscliff Ladies Amateur Swimming Club.
2. In view of Mrs Somerville’s outstanding service to swimming since 1961, particularly as a Foundation member and long time President of Queenscliff Ladies Amateur Swimming Club, Council liaises with the Somerville family for an appropriate memorial in honour of her outstanding service.

BACKGROUND FROM COUNCILLOR DE LUCA OAM

See attached correspondence from the Warringah Amateur Swimming Association and the former President of Queenscliff Ladies Amateur Swimming Club.

TRIM file ref	2025/095427
Attachments	<p>⇒1 Correspondence from former President of Queenscliff Ladies Amateur Swimming Club (Included In Attachments Booklet)</p> <p>⇒2 Correspondence from Warringah Amateur Swimming Association (Included In Attachments Booklet)</p>

15.0 QUESTIONS WITH NOTICE

ITEM 15.1 QUESTION WITH NOTICE NO 1/2025 - HAVE YOUR SAY STATISTICS

COUNCILLOR SINGH JP SUBMITTED THE FOLLOWING QUESTIONS:

1. What are the top 3 'Have You Say' surveys in terms of the number of responses received in the last 3 years, and the number of responses received for each?
2. To the question 'How supportive, if at all, are you of each option...', how many 'Not At All Supportive' responses were voted for each option with the % against the total number of 'Not At All Supportive' responses voted?
3. To the question 'Rank the options in order of preference', how many responses did not vote for options 3 and 4 combined as their first preferences?
4. What is the total cost to date of the consultation including, with cost for each category below:
 - a. Have Your Say survey and report
 - b. Website information and administration
 - c. Social media information and administration
 - d. Videos production and publication
 - e. Animations production and publication
 - f. Direct letter poster to all ratepayers
 - g. 2000 Postcard creation, print and distribution
 - h. 1,200 brochures creation, print and distribution
 - i. All media coverage and ads, including Pittwater Life, Peninsula Living, Tawny Frogmouth, Manly Observer, Northern Beaches Advocate
 - j. Community engagement, including webinar Information, pop up sessions
 - k. Outdoor advertising including bus shelters and EV charging stations
 - l. Digital advertising on customer screens
 - m. Telephone survey
 - n. And all staff time in hours and cost for internal face-to-face information sessions, team meetings, staff newsletters, news stories on the intranet, information stations in key lunchroom areas, etc.

TRIM file ref 2025/056066
Attachments Nil

ITEM 15.2 QUESTION WITH NOTICE NO 2/2025 - FOOD AND ALCOHOL EXPENSES

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:

1. Why are funds, pursuant to the Councillors Expenses and Facilities Policies being used for staff at Council meetings (aren't they covered under a separate award with a meal allowance) and for events other than Council meetings and briefings?
2. For each year since amalgamation, can I please have a list of each meeting, briefing and event and the respective cost for each in view of the Chief Financial Officer's email on Friday 7 February 2024 titled 'Media Questions and Responses'.
3. Which person or persons for each respective Council meeting or briefing since amalgamation authorised the use of public funds for payment for alcohol to be purchased for Councillors and whose credit card/expense reimbursement was this charged to for each Council meeting or briefing?

TRIM file ref	2025/095437
Attachments	Nil

16.0 RESPONSES TO QUESTIONS

ITEM 16.1 RESPONSE TO QUESTION WITH NOTICE NO 10/2024 - PARKING ENFORCEMENT

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTIONS AT THE 10 DECEMBER 2024 COUNCIL MEETING:

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 (i.e. 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?

RESPONSE:

1. 220 fines have been issued over the 12 months to December 2024. 145 fines were issued for breaches to development consent conditions, and 75 fines issued for breaches to section 68 *Local Government Act 1993* approvals. Historic fine data is not readily available.
2. 6,392 fines were issued in the 12 months to December 2024 (2023-2024).
3. This information is not publicly available.

TRIM file ref	2024/863483
Attachments	Nil

ITEM 16.2 RESPONSE TO QUESTION WITH NOTICE NO 11/2024 - ETHICAL PROCUREMENT

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTIONS:

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?

RESPONSE:

Council staff are guided by the [Procurement and Contracts Policy](#) (which incorporates modern slavery and ethical sourcing) and our Modern Slavery Framework to ensure that goods and services procured by and for the Council are not the product of modern slavery.

The Framework outlines a risk-based approach and sets out categories, products and countries that have a higher risk for modern slavery occurrence and the steps to be taken during the procurement process.

Key aspects of the framework to identify, avoid or mitigate the risks associated with the source of products are summarised below:

- Initial assessment is made at time of starting a procurement – a checklist is used to identify high risk sectors, products, locations with guidance notes for staff.
 - Is there a high prevalence of modern slavery in the industry or sector?
 - Is there a high prevalence of modern slavery associated with the product or service?
 - Is there a high risk of modern slavery in the location that the product or service is sourced or produced from?
 - Is the supply chain for the product or service likely to be large and/or complex?
- Any risks identified in the initial assessment are addressed through more rigorous questions and assessment throughout the procurement process.
- All contracts have terms and conditions covering ethical procurement and modern slavery.

Council does not directly procure a significant quantity of goods. More commonly a head contractor is engaged to complete works who is also assessed through the Framework. Goods procured directly by staff are generally either accessed through:

- Council's inventory which is largely sourced from Blackwoods, a Westfarmers company (information on its ethical sourcing program is available in its Annual Report)

- Panel agreements assessed by the contracting authority (Local Government Procurement or NSW Buy) in accordance with requirements of the *NSW Modern Slavery Act 2018*.

There are many disputed territories in the world, and this is not something captured through Council's procurement process unless it is a modern slavery risk area. As far as Council is aware, it does not source any products from regions that are subject to the United Nations Security Council or Australian autonomous sanctions.

TRIM file ref	2024/863527
Attachments	Nil

ITEM 16.3 RESPONSE TO QUESTION WITH NOTICE NO 12/2024 - SIGNAGE RESTRICTIONS

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTIONS AT THE 10 DECEMBER 2024 COUNCIL MEETING:

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?

RESPONSE:

1. State Environmental Planning Policy (Industry and Employment) 2021 (SEPP) prohibits the display of an advertisement on a trailer parked on a road or road-related area. The SEPP ordinarily requires development consent to be obtained to display an advertisement on a trailer parked on land other than a road or road-related area, but visible from a road or road-related area.
2. Investigations consider Council’s Compliance and Enforcement Policy, in which a risk-based approach informs decisions and/or actions that might be taken, together with among other things relevant statutory requirements related to signage.
3. Requirements for signage are prescribed in both state and local planning and controls instruments including:
 - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
 - State Environmental Planning Policy (Industry and Employment) 2021
 - Council Local Environment Plans
 - Council Development Control Plans.
4. This information cannot be readily obtained because there is not a penalty offence code for signage, with such offences recorded against for example the broader ‘development without consent’ penalty code.
5. If an advertising sign is not exempt development including under State Environmental Planning Policy (Exempt and Complying Codes) 2008 and is not prohibited including under State Environmental Planning Policy (Industry and Employment) 2021, development consent under Part 4 of the *Environmental Planning & Assessment Act 1979* would ordinarily be required.

TRIM file ref	2024/863533
Attachments	Nil

ITEM 16.4 RESPONSE TO QUESTION WITH NOTICE NO 13/2024 - PEDESTRIAN SAFETY

COUNCILLOR HRNJAK SUBMITTED THE FOLLOWING QUESTION AT THE 10 DECEMBER 2024 COUNCIL MEETING:

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?

RESPONSE:

Council can install regulatory signage in a public place under the provisions of the *Local Government Act 1993*, however enforcement of the offence of failing to comply with such a notice can be difficult as Council staff have limited statutory powers.

TRIM file ref	2024/863536
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 RFT 2024/175 - Lease and Licence Village Park Cafe/Restaurant, 1 Park Street Mona Vale on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - B. Item 17.2 RFT 2024/021 - Community Centres Keyless Access on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - C. Item 17.3 RFT 2024/093 - Licence of Manly Visitor Information Centre Kiosk on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

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