

ATTACHMENT BOOKLET

NORTHERN BEACHES COUNCIL MEETING

TUESDAY 18 FEBRUARY 2025

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MINUTES

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

held by remote audio visual link

TUESDAY 10 SEPTEMBER 2024

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

Minutes of the Audit, Risk and Improvement Committee meeting

held on Tuesday 10 September 2024

Online via Teams

Commencing at 2:05 PM

ATTENDANCE:

Members of the Committee

Chair Stephen Horne (Chair)
Member Mark McCoy
Member Julie Walton
Member Robert Lagaida
Member Sarah Grattan (non-voting) (apology)

Council Officers (attendees)

Scott Phillips	Chief Executive Officer
Kelly Loveridge	Chief Operating Officer
David Walsh	Chief Financial Officer
Caroline Foley	Executive Manager Financial Planning & Systems
Sally Hall	Executive Manager Internal Audit & Complaints Resolution
Sarah Dunstan	Executive Manager Governance & Risk
Aline Fernandes	Internal Auditor
Lauren Reti	Senior Advisor - Governance

Council Auditors (non-voting)

Ms Susan Prichard	Director of Financial Audit Services, Audit Office of NSW (apology)
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Visiting Staff

Karen McLoughlin	Acting Program Director – ERP Transformation
Amy Noakes	Executive Manager Human Resources
Kath McKenzie	Executive Manager Community Engagement & Communications
Kristie Debney	Executive Manager Property, Buildings & Beach Services
Jeremy Smith	Acting Executive Manager Parks & Open Space
Glen Quince	Team Leader - WHS
Lisa Donohue	Workers Compensation Team Leader
Michael McDermid	Manager, Corporate Strategy
Catherine Macfarlane	Acting Manager, Organisational Performance
Cherry Hopley	Program Manager - Performance

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

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MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

1.0 APOLOGIES

Apologies were received from Councillor Sarah Grattan and Sue Prichard.

2.0 DISCLOSURES OF INTEREST

There were no disclosures of interest.

3.0 CONFIRMATION OF MINUTES

**3.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD
ON 11 JUNE 2024**

OUTCOME

The minutes of the Audit, Risk and Improvement Committee Meeting held on 11 June 2024, copies of which were previously circulated to all members, were confirmed as a true and correct record of the proceedings of that meeting.

4.0 ITEMS RESOLVED BY EXCEPTION

No Items were dealt with by exception.

5.0 ACTION ITEMS FROM MINUTES

5.1 ACTION ITEMS UPDATE

PURPOSE

The purpose of this report is to provide the Audit, Risk and Improvement Committee (ARIC) with a progress update on the actions arising from the minutes of previous meetings of the ARIC and those actions completed since the previous meeting.

DISCUSSION

It was noted 2 items are ongoing and not due, one item had been completed and 2 items were being addressed in reports in this meeting.

OUTCOME

The Audit, Risk and Improvement Committee noted the progress on actions arising from the minutes of previous meetings.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

6.0 STANDING ITEMS

6.1 VERBAL UPDATE BY THE CHIEF EXECUTIVE OFFICER

PURPOSE

The purpose of this report is to provide the ARIC with a brief update on current issues, particularly those relating to areas of potential risk for Council.

DISCUSSION

The Chief Executive Officer's report included the following:

- Upcoming local government election
- Plans for the induction of and workshop with newly elected councillors
- Recent staff movements in the Chief Executive Team:
 - Appointment of Chief Operating Officer, Kelly Loveridge
 - Retirement of Chief Financial Officer, David Walsh
 - Appointment of Caroline Foley into the Chief Financial Officer role.
- Resignation of Chief Information Officer, Naren Gangavarapu.

OUTCOME

The ARIC noted the Chief Executive Officer's verbal update.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

6.2 ENTERPRISE RESOURCE PLANNING (ERP) - PROGRAM COSMO UPDATE

PURPOSE

The purpose of this report is to provide the ARIC with an update on Council's Enterprise Resource Planning Project – Program COSMO.

DISCUSSION

Karen McLoughlin, Acting Program Director – ERP Transformation, attended the meeting to update the committee on the project.

Karen confirmed that the project budget and works are both on track within the project timeline. Monthly steering committee meetings have been held, with the budget and expenditure reviewed at each meeting. The committee discussed the progress of the project and asked for staff's view of the Governance and Project Management Framework. Kelly Loveridge addressed the committee regarding the Governance and Project Management Framework and the staged rollout plan, and positive feedback received from a recent staff workshop on the topic of Navigating Change with Confidence.

ARIC members enquired on vendor performance and how it was being managed. Scott Phillips advised that meetings with KPMG and TechOne have been integral in building relationship with the vendors, and are used to track progress and discuss substantial issues if there are any.

OUTCOME

The ARIC noted the report.

6.3 SAFETY, WELLBEING AND INJURY MANAGEMENT REPORT

PURPOSE

The purpose of this report is to provide the ARIC with an update on Work Health & Safety, Workers Compensation and Wellbeing during the period January to June 2024.

DISCUSSION

Amy Noakes, Executive Manager Human Resources, Lisa Donohue, Workers Compensation Team Leader and Glenn Quince, Team Leader – WHS attended for this item.

Discussion included engagement survey results, Council's new Managing Communicable Diseases in the Workplace Policy, increased focus on psychosocial hazards and Thrive wellbeing program. ARIC provided insight on the importance to staff of managing psychosocial hazards, and reviewed and discussed the reported trends.

ACTIONS

HR to consider representation of the graph for Psychological vs Physical Injury Cost to make it clearer the trend of costs.

OUTCOME

That ARIC noted the update on Work Health Safety, Workers Compensation and Wellbeing as of 30 June 2024.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

7.0 IMPROVEMENT

7.1 NORTHERN BEACHES COUNCIL CONTINUOUS IMPROVEMENT PROGRAM UPDATE

PURPOSE

The purpose of this report is to provide the ARIC with an update on Council's continuous improvement program.

DISCUSSION

Catherine Macfarlane, Acting Manager, Organisational Performance and Michael McDermid, Manager Corporate Strategy attended for this item.

With 712 improvements captured during the reporting period, exceeding the target of 650, ARIC members raised the topic of change fatigue and how it can be managed in the organisation. Catherine and Michael shared how Council are promoting and instilling a culture of continuous improvement and looking for the small improvements in the day to day tasks.

OUTCOME

The ARIC noted the progress of Council's continuous improvement program.

7.2 SERVICE REVIEW PROGRAM PROGRESS AND IMPLEMENTATION STATUS

PURPOSE

The purpose of this report is to provide an overview of Council's Service Review Program and progress on the implementation of the improvement recommendations identified from the completed service reviews.

DISCUSSION

Catherine Macfarlane, Acting Manager, Organisational Performance and Michael McDermid, Manager Corporate Strategy attended for this item.

The update confirmed that the program is currently in phase 2 with 2 service reviews planned to be reported to ARIC in late 2024. ARIC members enquired about the methodology being used for the service reviews and if there had been any changes. Catherine confirmed the methodology was reviewed after the first 3 reviews and this will continue as appropriate. Michael noted that the revised methodology now includes councillor involvement with the opportunity for them to provide feedback on services.

OUTCOME

The ARIC noted the progress of Council's Service Review Program and implementation plans.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

7.3 BENCHMARKING PROGRAM FY22/23 - FINANCE, WORKFORCE AND OPERATIONS

PURPOSE

The purpose of this report is to present benchmarking results and trends for 2022/23 across Council's finance, workforce and operations.

DISCUSSION

Michael McDermid, Manager Corporate Strategy attended for this item.

Michael provided a summary of the results for the period. The committee noted that the program is working well.

OUTCOME

The ARIC noted the performance results for the 2022/23 core benchmarking program on finance, workforce and operations.

7.4 ANNUAL PERFORMANCE REPORT 2023/24

DISCUSSION

Michael McDermid, Manager Corporate Strategy attended for this item.

The ARIC commended Council on the report and excellent results in customer satisfaction.

OUTCOME

The ARIC noted the report.

7.5 COMMUNITY ENGAGEMENT SERVICE REVIEW

PURPOSE

The purpose of this report is to present the findings and recommendations from the Community Engagement service review.

DISCUSSION

Kath McKenzie, Executive Manager Community Engagement & Communications and Cherry Hopley, Program Manager – Performance attended for this item.

Kath provided a summary of the review and the value it provided in understanding the teams that were high volume users of these services and also highlighted the value that these services provide to the community when dealing with a large council.

ARIC members discussed the ratio of constituents per councillor, the unique service that the Community Liaison service provides to councillors and also raised questions regarding monetising some services.

OUTCOME

The ARIC noted the findings and recommendations of the service review of Community Engagement.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

7.6 MAINTENANCE OF OPEN SPACES AND RELATED INFRASTRUCTURE (PARK OPERATIONS) SERVICE REVIEW

PURPOSE

The purpose of this report is to present the findings and recommendations from the Maintenance of Open Spaces and Related Infrastructure (Park Operations) service review.

DISCUSSION

Jeremy Smith, Acting Executive Manager Parks & Open Space, Todd Dickinson, Director Environment & Open Space and Catherine Macfarlane, Acting Manager, Organisational Performance attended for this item.

ARIC members were complimentary of the level of customer satisfaction and positive feedback received from the community. They also noted the valuable insights and opportunities the service review provided for the team.

OUTCOME

The ARIC noted the findings and recommendations of the Service Review for the Maintenance of Open Spaces and Related Infrastructure (Park Operations).

9.0 SPECIAL AGENDA ITEMS

9.1 LEASE AND LICENCE REGISTER

PURPOSE

The purpose of this report is to present the Lease and Licence Register for the financial year ended 30 June 2024.

DISCUSSION

Kristie Debney, Executive Manager Property, Buildings & Beach Services attended for this item.

ARIC members queried and discussed the process that is undertaken when a property or facility is listed. Kristie explained the process undertaken and how it is in line with Council policy and procedure. The committee queried if this register had been on a previous audit plan and whether it could be considered in a future audit plan.

ACTIONS

Internal Audit to advise whether the Lease and Licence Register has been on the audit plan previously and if this could be considered in the audit plan for future years.

OUTCOME

The ARIC supported the publication of the Annual Public Lease and Licence Register, with all personal and sensitive information removed.

MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

9.2 EMPLOYEE ENGAGEMENT SURVEY RESULTS 2024

PURPOSE

The purpose of this report is to provide an update on the outcomes of the 2024 Employee Engagement Survey.

DISCUSSION

Kelly Loveridge provided a summary of this item. The key focus areas were processes, career and development opportunities and facilities and office spaces. ARIC members discussed the results, including the area of cross-unit cooperation. Kelly confirmed this was identified as an area that has been growing and improving with the recent structure changes. The Chief Executive Officer released a Flexible Working discussion paper that received a lot of feedback and the next steps will involve a position paper being prepared to circulate with staff.

OUTCOME

The ARIC noted the update on the 2024 Employee Engagement Survey results.

11.0 INTERNAL AUDIT

11.1 INTERNAL AUDIT UPDATE REPORT

PURPOSE

The purpose of this report is to provide an update on all aspects of Internal Audit work since the last ARIC meeting.

DISCUSSION

Sally Hall provided an overview of the 2024-2025 audit schedule, confirmed 3 audits are underway at present and the Fraud and Corruption Control (FACC) plan has been updated to consider the Australian Standard for FACC and recommendations made by KPMG in its risk assessment in 2023. The committee would like to receive updates from the Fraud and Corruption Control Committee in the form of minutes from the meeting.

The committee discussed the audits and queried progress on 3 audit recommendations.

ACTIONS

Sally Hall to include Fraud and Corruption Control Committee minutes in the Internal Audit Update Report.

OUTCOME

The ARIC noted:

1. The status of the 2023-24 and 2024-25 internal audit plans.
 2. The outcomes of the internal audit reports completed.
 3. The status of audit recommendations and opportunities, generated in previous internal audits.
 4. The revised 2024 Fraud and Corruption Control Plan.
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MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER 2024

13.0 GENERAL BUSINESS

13.1 ARIC 2025 PROPOSED MEETING DATES

PURPOSE

The purpose of this report is to seek adoption of the proposed 2025 meeting schedule.

DISCUSSION

The committee were in agreement with the proposed 2025 meeting schedule.

OUTCOME

The ARIC adopted the 2025 meeting schedule.

13.2 AGENDA ITEMS FOR NEXT MEETING

PURPOSE

The purpose of this report is to present the proposed agenda items for the ordinary December 2024 meeting.

DISCUSSION

The committee were in agreement with the proposed December 2024 agenda.

OUTCOME

The ARIC discussed the proposed December 2024 agenda.

14.0 NEXT MEETING

Tuesday 3 December 2024

The meeting closed at 4:53pm

This is the final page of the Minutes comprising 11 pages numbered 1 to 11 of the Audit, Risk and Improvement Committee held on Tuesday 10 September 2024



MINUTES

EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

held by remote audio visual link

TUESDAY 10 SEPTEMBER 2024

MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024

**Minutes of the Extraordinary Audit, Risk and Improvement Committee
meeting**

held on Tuesday 10 September 2024

Online via Teams

Commencing at 11:00 AM

ATTENDANCE:

Members of the Committee

Chair Stephen Horne (Chair)
Member Mark McCoy
Member Julie Walton
Member Robert Lagaida
Member Sarah Grattan (apology)

Council Officers (attendees)

Scott Phillips	Chief Executive Officer
Kelly Loveridge	Chief Operating Officer
David Walsh	Chief Financial Officer
Caroline Foley	Chief Financial Officer
Renae Wilde	Team Leader, Financial Accounting
Richard Ji	Team Leader, Financial Planning & Assets
Sally Hall	Executive Manager Internal Audit & Complaints Resolution
Sarah Dunstan	Executive Manager Governance & Risk
Lauren Reti	Senior Advisor Governance

Council Auditors (non-voting)

Ms Susan Prichard	Director of Financial Audit Services, Audit Office of NSW
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MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024

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MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024

1.0 APOLOGIES

Apologies were received from Councillor Sarah Grattan.

2.0 DISCLOSURES OF INTEREST

There were no disclosures of interest.

4.0 ITEMS RESOLVED BY EXCEPTION

OUTCOME

No items were dealt with by exception.

9.0 EXTERNAL AUDIT

9.1 DRAFT 2023/24 FINANCIAL STATEMENTS

PURPOSE

The purpose of this report is to provide the Audit, Risk and Improvement Committee with an overview of the process undertaken and significant judgements and assumptions used in preparing the draft 2023/24 Northern Beaches Council Financial Statements prior to their inclusion on the agenda for the Council meeting to be held on 15 October 2024.

DISCUSSION

The Chair introduced the item and commended staff on the quality and information in their reports and papers.

Caroline Foley, Chief Financial Officer, provided a high level overview of the draft financial statements and members were invited to step through the suite of reports and ask questions and/or provide comments.

Key points discussed were:

- Councils Operating Result for the 2023/2024 financial year is a \$44.1m surplus (\$14.9m surplus after excluding grants and contributions received for capital purposes)
 - Grants and contribution income was lower than the previous year. This is due to the advance payment of the Financial Assistance Grant in the 2023 financial year and the finalisation of COVID stimulus and storm funded projects.
 - Interest and investment income was \$4m higher than the previous year due to higher interest rates and cash balances.
 - Council is replacing its core operating system. Whilst previously this would have been considered capital expenditure, it is now an operational expense being undertaken over
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**MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024**

several years.

- ARIC members queried the treatment of the Financial Assistance Grant. Staff confirmed accounting standards determine that grants be recognised in the period in which they are received. In the financial statements it is disclosed across 2 lines to show the amount received relating to the current year and the amount received in advance.
- Caroline confirmed that the debt service cover ratio and the cash expense ratio have been corrected.
- There has been significant cost increase in the infrastructure space, primarily due to weather events over the last 5 years that have affected the condition of assets, especially roads. Comprehensive infrastructure revaluations are scheduled to be undertaken this year on buildings, operational lands and roads, footpaths and bridges. All other classes will have desktop revaluations.

ARIC provided feedback, including general formatting and refining commentary along with the following suggestions for consideration:

Note Reference	Note Item	ARIC comment
ARIC report on Financial Statements		Do not include one-off temporary items in the figures that reduce the underlying result (like ERP project).
Financial Statements	Financial Commentary Introduction	Under the Financial Assistance Grant section, update wording to reflect that the grant was received and not paid in advance.
Financial Statements	Financial Commentary Income from continuing operations analysis	Under the rates and annual charges section, add the word 'to' before due an increase in the charge to \$555. Under the net gain from the disposal of assets section, update wording as it refers to 2023 and notes to refer to the following page for 2024 figures when there is no further narrative on the next page.
Financial Statements	Financial Commentary Expenses from continuing operations analysis	Under the borrowing costs section, update wording from the 'unwinding of the discount for the asset remediation liability' to 'unwinding of the discount - asset remediation'. Under the net loss from the disposal of assets section, update wording to infrastructure assets.
Financial Statements	Financial Commentary Assets analysis	Under the receivables section, update wording from 'timing of payments' to 'timing of receipt'.
Financial Statements	Financial Commentary Key performance indicators	Under the Asset maintenance ratio section, update 'infrastructure assets was now insufficient' to 'infrastructure assets is now insufficient'.
Financial Statements	B3-1 Employee benefits and on-costs	Add footnote to explain the increase in salaries and wages year on year.
Financial Statements	B3-3 Borrowing costs	Update wording on footnote - unwinding of discount asset remediation.
Financial Statements	B5-1 Material budget variations	Under cash flows from operating activities, take out 'and operationally recognised' wording. Further explain the variance over and above the \$10m grants.

**MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024**

Financial Statements	C1-3 Restricted and allocated cash, cash equivalents and investments	Remove road reserve line item from list of internal allocations as there is a nil balance.
Financial Statements	C1-7 Investment properties	Take out word '(loss)' from 'net gain (loss) from fair value adjustments.
Financial Statements	C2-1 Council as a lessee	Update narrative to reflect 1 building under right of use assets.
Financial Statements	Note E3-1 Contingencies Assets not recognised	Update the Storm Damage Assistance statement to include the dollar value of claims under assessment from previous years.
Financial Statements	Note F1-2 Councillor and Mayoral Fees and Associated Expenses	Provide further clarification that the figures in F1-2 are a subset of F1-1.
Financial Statements	Note G1-1 Statement of Cash Flows information	To better understand where the net cash flows from operating activities comes from, add wording to state that it comes from the statement of cash flows (similar to how the net operating result figures at the top of the table state it comes from the income statement).
Financial Statements	Note G2-1 Commitments	Capital commitments should be shown inclusive of GST rather than exclusive of GST (as the respective purchase order amounts to which Council has contractually committed are amounts inclusive of GST). State government reporting recognises this and requires such disclosures to be of GST-inclusive amounts.
Financial Statements	E3-1 Contingencies	Employee defined benefit super scheme - more disclosure is recommended if coverage < 100%.

OUTCOME (UNANIMOUS)

The Audit, Risk and Improvement Committee supported the draft 2023/24 Financial Statements as presented as suitable for consideration by Council for referral to audit.

MINUTES OF EXTRAORDINARY AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 10 SEPTEMBER
2024

**9.2 AUDIT OFFICE MANAGEMENT LETTER ON THE INTERIM PHASE OF THE AUDIT
FOR THE 2023/24 FINANCIAL YEAR**

PURPOSE

The purpose of this report is to provide the Audit, Risk and Improvement Committee with the Audit Office of NSW Interim Audit Management Letter for the year ending 30 June 2024 for its review.

DISCUSSION

Sue Prichard, Director – Financial Audit, Audit Office of NSW addressed the meeting providing a verbal update on the management letter. Sue advised there is a team of 4 staff that will commence the audit in the week beginning 16 September 2024, for the next 3-4 weeks.

There was discussion around capitalisation of work in progress jobs and a suggested change to compliance report for invoices received prior to purchase orders being raised. Finance provided updates on Council's business processes relevant to the issues raised.

OUTCOME

The Audit, Risk and Improvement Committee noted the Audit Office of NSW Management Letter on the Interim Phase of the Audit for the year ending 30 June 2024.

13.0 GENERAL BUSINESS

Scott Phillips addressed the meeting to advise that David Walsh, Chief Financial Officer is retiring and that this would be his last ARIC meeting. Scott thanked David for his efforts and input in the financial statements. The Chair and members echoed Scott's acknowledgement and thanks.

14.0 NEXT MEETING

Tuesday 10 September 2024 2pm.

The meeting concluded at 12:46pm

*This is the final page of the Minutes comprising 7 pages numbered 1 to 7 of the Extraordinary Audit,
Risk and Improvement Committee held on Tuesday 10 September 2024*



Community Engagement Summary Report

Project name	Draft Child Safe Policy and Child Safe Code of Conduct (2024)
Public exhibition period	17 October to 17 November 2024
Background	<p>We have developed a new policy titled Child Safe Policy and Child Safe Code of Conduct 2024 to replace our Child Safeguarding Policy 2020. This was completed in line with Council's Policy review process and the NSW Child Safe Standards. Council is committed to using these standards to underpin how we keep children safe. The draft Policy and related Council procedures outline how we will meet our commitment and obligation to safeguard children's wellbeing and rights.</p> <p>In 2022, the NSW Government introduced the Child Safe Scheme. The Scheme aims to protect children by encouraging organisations to adopt the NSW Child Safe Standards.</p> <p>Council's draft Policy adopts the Child Safe Standards and follows the Office of the Children's Guardian template Child Safe Policy contained within the 'Understanding and Developing a Child Safe Policy – A handbook for child-related organisations'.</p> <p>The Policy once adopted, will apply to Council officials (including Councillors, employees, trainees, work experience and internships, volunteers, agents, consultants, contractors and their employees) irrespective of whether or not they work with or have direct contact with children and young people under 18 years of age.</p>
Total number of submissions	3
Summary of findings	<p>The draft Policy is in line with the NSW Child Safe Standards and Council is committed to using these standards to underpin how we keep children safe.</p> <p>During the public consultation phase all respondents that provided a submission indicated that they were very supportive of the draft Policy.</p> <p>Some respondents noted the need for these policies to be standard practice and emphasised the community effort required to protect and safeguard all children.</p> <p>One respondent added the request that Council be an accredited child safe organisation, that a Safeguarding Team is in place, and that all managers should be trained in mandatory reporting, as well as council associated community organisations. These concerns have been addressed under the Findings section of this report.</p>

	An internal staff review of the Policy highlighted that swim instructors are not mandatory reporters; however they are trained on child safe matters and when and how to report. The amendment is made to the draft Policy in track changes.
Engagement approach	<p>The engagement was planned, implemented and reported in accordance with the Northern Beaches Council Community Engagement Strategy (2022).</p> <p>A page¹ was established on our Have Your Say platform and included project information and the draft Child Safe Policy and Child Safe Code of Conduct.</p> <p>The project was primarily promoted through our Have Your Say community engagement newsletter, and Council's e-News, and was circulated to staff for review. The project was also promoted to families across our Early Learning Centres in weekly newsletter updates throughout the exhibition period.</p> <p>Feedback was requested through an online submission form embedded onto the project page. The form directly asked community members to share any feedback on the draft Policy.</p> <p>We also welcomed comments via email and in writing.</p>

How we notified	
visits to Your Say page	226 visits
Have Your Say Newsletter	2 editions
Early Learning Centres weekly newsletter updates	4 editions
Council's e-News	1 edition

Findings		
Theme	What we heard	Council response
The need for policies to be standard practice and the community effort required to protect	That child safe standards and reporting mechanisms are embedded in all	All staff receive child safe training via an online module each year, and through face to face induction training. Staff are required from February 2025 to acknowledge the newly developed Code of Conduct, at the end of the training. The leadership team provide regular

¹ <https://yoursay.northernbeaches.nsw.gov.au/child-safe-policy-and-child-safe-code-conduct>

and safeguard all children.	aspects of Council business.	messaging in staff updates, and within their business unit meetings.
Council as an accredited child safe organisation, and the need for a Safeguarding Team and managers trained in mandatory reporting, as well as council associated community organisations.	Council should become a Child Safe organisation and have a Safeguarding Team. Staff should be trained in mandatory reporting.	<p>Accredited child safe organisations apply to out of home care and adoption services, under the Child Safe Standards of Permanent Care, according to the NSW Office of Children's Guardian. Council does not provide these services.</p> <p>However, Council is required to implement the Child Safe Standards under the Children's Guardian Act 2019. It is mandatory for councils to comply with the Child Safe Scheme and implement the Child Safe Standards. The requirements are highlighted in the draft Policy.</p> <p>Staff, volunteers and contractors who may interact with children are trained in Council's internal and external reporting processes, and staff who are mandatory reporters, such as those in Child Services are aware of their mandatory reporting requirements.</p> <p>Council does have a Safeguarding Team which is made up of senior staff from Complaints Resolution, Human Resources, Libraries and Child Services, who triage, manage and report as required any child safe incidents. The Safeguarding Team also meet regularly with a wider group of staff to discuss child safeguarding matters and to ensure that the policy is embedded across the organisation.</p>

Verbatim Responses

Personal identifying information, and content which is discriminatory, hateful or which may defame, offend, insult, humiliate or intimidate is redacted. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

No.	Submission
1	It should be standard practise.
2	It takes a village to raise a child. This policy is a modern-day example.
3	This is very needed, however council should be aiming to be an accredited child safe organisation. I have the following issues:

Verbatim Responses

Personal identifying information, and content which is discriminatory, hateful or which may defame, offend, insult, humiliate or intimidate is redacted. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

	It is not only staff who work with children who are responsible to ensure that children are looked after. Every manager should be trained in mandatory reporting, even at meals on wheels, if they sight a grandchild who is being abused, they should be required to make a mandatory report. Its everyones job to make sure kids are ok. You need a safeguarding team.
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Document administration

Version	1.0
Date	January 2025
Approval	Content provided and approved by Executive Manager Internal Audit & Complaints Resolution
Status	Draft
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



Council Policy NB-P-XX (numbering provided by Governance) Child Safe Policy

Purpose

The Child Safe Policy (the Policy) and related Northern Beaches Council (Council) Policies and Procedures outlines how Council meets its commitment and obligations to safeguard children's wellbeing and rights.

In February 2022 the NSW Government introduced the *Child Safe Scheme*. The Scheme aims to protect children by encouraging organisations to adopt the *NSW Child Safe Standards*.

The 10 *Child Safe Standards* are:

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld, and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of child safe standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

This *Child Safe Policy* adopts the *Child Safe Standards* and follows the *Office of the Children's Guardian Model Child Safe Policy* contained within the '*Understanding and Developing a Child Safe Policy – A handbook for child-related organisations*'.

Council's commitment to child safety

Council is committed to:

- Using the *Child Safe Standards* to underpin how we keep children safe
- Providing and actively promoting a safe and nurturing environment for children and young people
- Zero tolerance towards child abuse, and to protecting the physical, emotional, cultural and social wellbeing of all children and young people
- Ensuring that policies and systems are in place and accessible to protect children and young people, and all allegations and safety concerns will be treated seriously
- Promoting community engagement with children and young people, their families and identified community stakeholders, such as children with disabilities, culturally and linguistically diverse (CALD) communities and Aboriginal communities (in accordance with Council's *Community Engagement Policy and Strategy*)

Child Safe Policy and Code of Conduct

- Providing a range of ways to allow children and young people to provide feedback or raise concerns. We will listen to their view, respect what they say and involve them when we make decisions, especially about matters that directly affect them
- Acknowledging that protecting the safety and rights of children and young people is a whole of community responsibility and is everyone's business
- Encouraging and supporting the participation of children and young people in the development and ongoing reviews of this policy. We understand that by listening to them we will better know how to keep them safe
- The leadership team promoting reporting any breach of our policies, procedures and codes of conduct, and will act to ensure the safety, welfare and wellbeing of children are upheld. Failing to observe this policy and any supporting policies, procedures or codes of conduct may lead to disciplinary action in accordance with our disciplinary policy.

Scope and audience

This policy applies to Council officials (including Councillors, employees, trainees, work experience and internships, volunteers, agents, consultants, contractors and employees of contractors) irrespective of whether or not they work with or have direct contact with children and young people under 18 years of age.

This policy will support persons, associations, organisations, clubs and groups who hire, licence or lease Council's facilities, such as sports clubs and community halls, to conduct activities which involve children and young people under 18 years of age. This policy does not apply to those associations, groups etc, however Council will require the third parties to adopt a Child Safe Policy which reflects the template Child Safe Policy.

Responsibilities

We require all staff and councillors who work with children to:

- Comply with this *Policy, Child Safe Code of Conduct* (located in Appendix A) and other related Council policies and procedures
- Prioritise the prevention of harm to children and young people
- Uphold the rights of children and actively empower them to participate to the best of their ability
- Provide a safe and inclusive environment free from discrimination or harassment, and report any breach (of this policy, procedure or Child Safe Code of Conduct) to their manager
- Take steps to ensure all children can actively contribute to the organisation regardless of their ability, race, gender or cultural background
- Use positive and encouraging language when working with children
- Refrain from language that is discriminatory, racist, sexist, offensive or belittling
- Act on any concerns raised by a child that indicate they may be unsafe
- Avoid situations that place children at risk of harm
- Refrain from any conduct that is considered abusive, neglectful or grooming
- Notify and seek approval for any interaction with a child that is outside of the original service or event they were involved in, unless that child is a close family member

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- Hold a Working with Children Check (WWCC) clearance, unless exempt
- Provide their WWCC number when requested for us to verify.

In addition, the following roles have additional responsibilities:

Role	Responsibility
All staff	As above, and follow and act in line with this Child Safe Policy, Child Safe Code of Conduct (Appendix A) and related Policies and Procedures. Risk assess roles that come into contact with children. Speak up if you suspect or witness any child safeguarding matters.
Chief Executive Officer (CEO)	Ensure systems and processes, policies and procedures, and codes of conduct are in place to prevent, detect and respond to abuse of children.
Executive Leadership Team (ELT)	Ensure that relevant business units that interact with children have child safety risk assessments and management of risks in place.
Chief Operating Officer and Executive Manager of Internal Audit and Complaints Resolution.	Ensure that the Child Safe Policy complies with relevant regulations and legislation. Ensure child focused systems and complaints processes are in place for detecting and responding to reports of child safety matters.
Executive Manager for Community, Arts and Culture Executive Manager Community Engagement and Communications	Ensure that Council consults with children on projects and policies that impact children, in line with the Community Engagement Policy and Strategy.
People Leaders	Promote child safe values and Council's commitment to a child safe environment.
Complaints Resolution Team	Provide advice and support to business units that interact with children and young people, and ensure reporting is in line with legislative requirements.

Risk Assessment

Council will ensure that child safety is a part of its overall risk management approach. Council's risk registers are required to be reviewed each year.

Council identifies, assesses and takes steps to minimise the opportunity for children and young people to be harmed through:

- effective recruitment and training of Council's workforce

Child Safe Policy and Code of Conduct

- focusing on preventing child harm, including peer-to-peer harm
- considering increased risk in relation to specific roles and activities, and children and young people with heightened vulnerability or diverse needs e.g. children and young people with disabilities
- identifying and mitigating physical and online risks
- involving children and young people in decision-making in relation to safety issues and risk identification
- ensuring that third party contractors have appropriate measures in place to safeguard children and young people.

Recruitment

Council will undertake robust recruitment practices and implement effective screening tools to assist in the recruitment of our workforce in order to minimise the risk of inappropriate individuals entering the organisation.

A statement of commitment to child safety is included in all job advertisements, and inclusion of child safe questions in interviews and referee checks, is mandatory for child facing roles. Working with Children Checks are completed before commencement at Northern Beaches Council for all child related work, in line with Council's Recruitment and Selection Policy and Guideline.

Training

Northern Beaches Council is committed to ensuring that its workforce is equipped with the knowledge, skills and awareness to keep children and young people safe. Council's aim is for the entire workforce (in addition to parents/carers and children and young people) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

All employees and volunteers will be trained and supported to:

- Ensure that they understand Council's commitment to child safety and their role in protecting children and young people from harm
- Increase awareness of indicators of child harm including harm caused by other children and young people
- Be aware of the different ways children and young people express concerns or distress and disclose harm including children and young people who have a disability and therefore may be more vulnerable
- Respond to issues of child safety and wellbeing, and support colleagues who disclose harm
- Build culturally safe environments for children and young people.

Council will promote itself as a child safe organisation and influence community to provide for the safety, welfare and wellbeing of children and young people. Where appropriate Council will promote child safety through procurement, grants, sponsorships and in-kind arrangements with organisations working with children and young people.

Council will promote the use of child safe support and training provided by the NSW Office of the Children's Guardian to enable facility hirers and lessees who provide services to children

Child Safe Policy and Code of Conduct

and young people develop child safe policies and implement child safe practices guided by the standards.

Reporting thresholds

We all have a responsibility to report if we have formed a reasonable belief that abuse has occurred. Practices and processes are in place to investigate complaints and allegations thoroughly and quickly and Council will work with the relevant authorities and internal departments to investigate all complaints and allegations.

Certain staff at Council are classed as Mandatory Reporters and have a responsibility to recognise and respond to safety, welfare or wellbeing concerns for children and young people. Mandatory Reporters are legislated to report suspected risk of significant harm concerns to the Child Protection Helpline. In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (the Care Act).

Council's workforce is trained to respond appropriately to complaints, allegations and disclosures. All children, young people, families, and Council's workforce will know what to do and who to tell if they observe abuse or are a victim of abuse, and if they notice inappropriate behaviour.

If an adult is witnessing an incident or has a reasonable belief that an incident has occurred, then they must take immediate action and report the incident. Refer to Appendix A *Code of Conduct* for information on who to report too.

Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour.

Designated Child Safety Officers within Council are trained to support the workforce with compliance to this Policy and guide, monitor and review the above processes. Designated Child Safety Officers include:

- Executive Manager Internal Audit and Complaints Resolution
- Manager Complaints Resolution
- Executive Manager Childrens Services
- Executive Manager Human Resources.

Timely feedback, where possible, will be provided to children and young people, families, and Council's workforce who raise concerns or allegations. This includes reporting back on incidents, concerns and complaints.

Child Safe Policy and Code of Conduct

Definition of harm and abuse

All forms of physical and/or emotional ill-treatment resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Other definitions

Role	Definition
Designated Child Safety Officer	Designated people leaders in Council who are mandatory reporters.
Mandatory Reporter	<p>Mandatory reporters in Council are people who deliver the following services, wholly or partly, to children as part of their paid or professional work such as:</p> <ul style="list-style-type: none"> Children's services (e.g. child care workers, family day carers and home-based carers), etc
Reportable Conduct The Children's Guardian Act 2019 defines 'reportable conduct' as,	<p>a sexual offence, such as:</p> <ul style="list-style-type: none"> sexual touching of a child a child grooming offence production, dissemination or possession of child abuse material
	<p>sexual misconduct, such as:</p> <ul style="list-style-type: none"> descriptions of sexual acts without a legitimate reason to provide the descriptions sexual comments, conversations or communications comments to a child that express a desire to act in a sexual manner towards the child or another child
	<p>ill-treatment of a child, such as:</p> <ul style="list-style-type: none"> making excessive or degrading demands of a child a pattern of hostile or degrading comments or behaviour towards a child using inappropriate forms of behaviour management towards a child
	<p>neglect of a child, such as:</p> <ul style="list-style-type: none"> failing to protect a child from abuse exposing a child to a harmful environment, for example, an environment where there is illicit drug use or illicit drug manufacturing
	<p>an assault against a child, such as:</p> <ul style="list-style-type: none"> hitting, striking, kicking, punching or dragging a child

Child Safe Policy and Code of Conduct

	<ul style="list-style-type: none"> threatening to physically harm a child
	an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900
	behaviour that causes significant emotional or psychological harm to a child. Indicators to look out for in assessing whether a child has suffered harm may include: <ul style="list-style-type: none"> behaviour patterns that are out of character regressive behaviour anxiety or self-harm.

Child Safe Policies

Council has a number of child safe policies, in addition to this Policy such as those used in Council's Children's Services. A link to Children's Services policies is provided below and includes information on, but not limited to:

[Children Services Policies](#)

- Supervision
- Privacy
- Delivery and Collection of Children
- Managing incidents
- Security
- Child safe environments
- Code of Conduct and Ethical Practices
- Interactions with children and young people
- Taking images of children while providing early childhood education and care
- Reportable Incident Action list and Responsibilities.

These policies can be used as guidance for other business units that interact with children.

Child Safe Code of Conduct

In addition to the Council's adopted *Code of Conduct*, a *Child Safe Code of Conduct* (Appendix A) has been developed to provide detailed guidance on appropriate behaviour and conduct when working with children and young people. The *Child Safe Code of Conduct* follows the Office of Children's Guardian *Model Code of Conduct*.

Council's *Child Safe Code of Conduct* aims to:

1. promote child safety in Council
2. set expectations for the workforce to behave with children including details of acceptable and unacceptable behaviours in dealing with children
3. protect the workforce from potential accusations of inappropriate behaviour.

All staff are required to complete their Child Safe Code of Conduct declaration each year, following completion of Council's mandatory Child Safe training.

Child Safe Policy and Code of Conduct

Privacy and confidentiality

While safety and wellbeing of children is our primary concern, Council is committed to protecting an individual's right to privacy.

Unless there is a legislative requirement, all personal information considered during the process of a report or investigation, will be dealt with in accordance with Council's Privacy Policy.

Related Council child safe documents

- Code of Conduct
- Vision and Values
- Recruitment Policy
- Child Safe Code of conduct (Appendix A)
- Complaints Resolution Policy
- Child Safe Maturity Model and self - assessment
- Recruitment and Selection Policy and Guidelines
- Child Safety Risk Management Plans
- Community Engagement Policy and Strategy
- Privacy Management Plan
- Records Management Policy
- Volunteer Policy and guides.

Related legislation, regulations and standards

- Child Protection (Working with Children) Act 2012 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children and Young Persons (Care and Protection) Regulation 2022 (NSW)
- Children's Guardian Act 2019 (NSW)
- Privacy and Personal Information Protection Act 1998
- NSW Government, Department of Premier and Cabinet, Child Wellbeing & Child Protection: NSW Interagency Guidelines
- Health Records and Information Privacy Act 2002
- National Redress Scheme.

Publication, communication and engagement

- [Office of Children's Guardian](#)
- Human Rights - [Child Safe Organisations](#)

Child Safe Policy and Code of Conduct

- The Advocate for Children and Young People - [Engaging children and young people in your organisation](#)
- [The National Office for Child Safety](#)
- [Keep Them Safe: A shared approach to child wellbeing](#)

Responsible Officer

Executive Manager Internal Audit & Complaints Resolution

Next review date

4 years from date of adoption

Revision History

Policy number	Date	Detail	TRIM #
Allocated by Governance	15 October 2024	New Draft policy placed on public exhibition – Policy reviewed and updated in line with 2022 Office of Children's Guardian Model policy.	2024/744731
	18 February 2025	Minor edits of the Draft policy, following public exhibition.	2025/040580

Appendix A Child Safe Code of Conduct

Child Safe Code of Conduct

Child Safe Policy and Code of Conduct

Commitment to child safety

Northern Beaches Council (Council) is committed to providing and actively promoting a safe environment for children and young people. Council has a zero tolerance towards child abuse, and is committed to protecting the physical, emotional, cultural and social wellbeing of all children and young people.

Council will ensure that policies and systems are in place and accessible to protect children and young people, and all allegations and safety concerns will be treated seriously.

Council will promote community engagement with children and young people, their families and identified community stakeholders, such as children with disabilities, culturally and linguistically diverse communities and Aboriginal communities in accordance with the Community Engagement Policy.

Council will routinely provide a range of ways to allow children and young people to provide feedback or raise concerns. We will listen to their view, respect what they say and involve them when we make decisions, especially about matters that directly affect them.

Northern Beaches Council acknowledges that protecting the safety of children and young people is a whole of community responsibility and is everyone's business.

This includes all forms of abuse or ill-treatment resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. It includes:

1. Physical abuse
2. Emotional abuse
3. Neglect
4. Sexual abuse
5. Exposure to family violence
6. Commercial or other exploitation.

I Will

- Adhere to Council's Child Safe Policy.
- Take all reasonable steps to protect children and young people from abuse
- Ensure the adult/child relationship is professional and kept within the boundaries of the respective position description
- Ensure appropriate adult's response to a child's behaviour or circumstance in line with the child's age and vulnerability and the adult's responsibility for the care, safety and welfare of the child
- Treat everyone with respect
- Listen and respond to the views and concerns of children and young people, particularly if they are telling you that they or another child has been abused or that they are worried about their safety/the safety of another child or young person
- Promote the cultural safety, participation and empowerment of all children
- Ensure as far as practicable, an adult should not be alone with a child unless there is line of sight to other adults

Child Safe Policy and Code of Conduct

- Ensure adults do not initiate or seek any contact with children outside of work
- Report any allegations of child abuse or any child safety concerns.

I Won't

- Ignore or disregard any suspected or disclosed child abuse
- Use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- Develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- Initiate unnecessary physical contact with children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- Use any computers, mobile phones, video cameras, cameras or social media to exploit or harass children, or access child exploitation material through any medium
- Photograph or video a child or young person without the consent of the parent or guardians and the child's consent when appropriate.

Internal and external reporting obligations

We all have a responsibility to report if we have formed a reasonable belief that abuse has occurred or may occur. Practices and processes are in place to investigate complaints and allegations thoroughly and quickly and Council will work with the relevant authorities (such as the NSW Police and NSW Office of Children the Guardian (OCG)) and relevant internal business units.

Employees must:

- Contact the Complaints Resolution Team (CRT) if they suspect or witness abuse of a child complaintsresolution@northernbeaches.nsw.gov.au, or the Complaints Resolution Manager.
- Contact the NSW Police if the incident takes place out of hours, or the child is in immediate danger, and then alert CRT.

The CRT will:

- Work with the staff member, to ensure that important information is gathered, such as timelines and who was involved etc
- Contact the OCG if the incident relates to a staff member, in line with the OCG reporting requirements (within 7 days) and request advice on next steps of how the incident should be managed
- Contact the NSW Police, as appropriate, for advice on how the incident should be managed.

Mandatory reporters

Certain staff at Council (e.g youth workers, counsellors, childcare workers, family day carers, home-based carers) are classed as Mandatory Reporters and have a responsibility to

Child Safe Policy and Code of Conduct

recognise and respond to safety, welfare or wellbeing concerns for children and young people.

Mandatory reporters:

- Are legislated to report suspected risk of significant harm concerns to the Department and Community Justice *Child Protection Helpline* (**Phone:**13 21 11). [DCJ Helpline](#)
- Can make a report in line with the DCJ [Mandatory Reporter Guide](#).

In NSW, mandatory reporting is regulated by the *Children and Young Persons (Care and Protection) Act 1998 (the Care Act)*. Council's employees are trained to respond appropriately to complaints, allegations and disclosures.

Criminal offences for not acting to protect children (Crimes Act 1900)

All adults in NSW are required to report information to Police if they:

- Know, believe or reasonably ought to know that a child (under 18 years) has been abused, or
- Know, believe, or reasonably ought to know that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender.

Failure to do so is an offence. This offence covers sexual abuse, serious physical abuse and extreme neglect of a child (under 18 years). It has a maximum penalty of imprisonment for two years.

A person will not be guilty of the offence, however, if they have a reasonable excuse for not reporting the information to Police. This is similar to the existing requirement to inform Police of a serious indictable offence (section 316 of the [Crimes Act 1900](#)). Reasonable excuses for not reporting information to Police include knowing or reasonably believing that:

- The information has already been reported under mandatory reporting obligations, such as to the Child Protection Helpline, NSW Health Child Wellbeing Unit or to the Ombudsman under the Reportable Conduct Scheme, or the person believes on reasonable grounds that another person has reported it
- The information is already known to Police
- The alleged victim is an adult at the time of providing the information and doesn't want it reported to the Police, or
- There are grounds to fear for their safety or another person's safety if they report to Police.

In addition, the person has a reasonable excuse for failing to notify the Police if they were under 18 years of age when they obtained the information.

An adult working in an organisation that engages workers in child-related work commits an offence if:

- They know that an adult worker engaged by the organisation in child related work poses a serious risk of abusing a child (under 18 years)
- They have the power or responsibility to reduce or remove the risk
- They negligently fail to reduce or remove that risk.

Child Safe Policy and Code of Conduct

The offence covers failures to protect against sexual or serious physical abuse and is punishable by up to two years imprisonment.

Penalties for staff or volunteers who breach the Child Safe Code of Conduct

A breach of the *Child Safe Code of Conduct* may be dealt with under *Part 3 of the Northern Beaches Council Code of Conduct* and *Managing Unsatisfactory Conduct Operational Policy and Procedures*.



Community Engagement Summary Report

Project name	Draft Managing Unreasonable Conduct by a Complainant Policy (2024)
Public exhibition period	17 October to 17 November 2024
Background	<p>Council has a Complaints Resolution Team, and a suite of Complaints Resolution Policies and Guides to support our customers when they have a complaint in relation to one of our services or staff. An Assisted Communications Policy which was developed in 2018, as part of the suite of complaints Policies, is being replaced by a new policy titled Managing Unreasonable Conduct by a Complainant.</p> <p>The purpose of the Assisted Communications Policy was to support staff, on the rare occasions, when managing unreasonable conduct by complainants. The replacement draft Managing Unreasonable Conduct by a Complainant Policy (the draft Policy) will provide the community and our employees with a framework for managing unreasonable conduct made towards our employees and / or Council itself. The draft Policy is based on the NSW Ombudsman's Managing Unreasonable Conduct by a Complainant Model Policy.</p> <p>Most complainants act reasonably in their interactions with us, even when they are experiencing high levels of distress, frustration, and anger about their complaint. However, despite our best efforts to help them, in a very small number of cases complainants display inappropriate and unacceptable behaviour. They can be aggressive and verbally abusive towards our staff, threaten harm and violence or bombard our offices with excessive phone calls and emails.</p>
Total number of submissions	7
Summary of findings	<p>The draft Policy is in line with the NSW Ombudsman's Managing Unreasonable Conduct by a Complainant Model Policy. Most respondents were either very supportive of the draft Policy, or somewhat supportive.</p> <p>During the public consultation phase respondents raised concerns around ensuring consistent action by staff with Council's policies and justification for this policy so council funds are not drained on vexatious complaints.</p> <p>Some respondents noted the behaviour that should be emulated in all tiers of government as well as the need for debriefings with the complainant should the issue be found to be Council's fault.</p> <p>Another respondent indicated there was confusion in the document between culture and language, and who will conduct alternative dispute resolutions strategies.</p> <p>These concerns have been addressed under Findings.</p>

Engagement approach	<p>The engagement was planned, implemented and reported in accordance with the Northern Beaches Council Community Engagement Strategy (2022).</p> <p>A page¹ was established on our Have Your Say platform and included project information and the draft Managing Unreasonable Conduct by a Complainant Policy.</p> <p>The project was primarily promoted through our Have Your Say community engagement newsletter, and Council's e-News.</p> <p>Feedback was requested through an online submission form embedded onto the project page. The form directly asked community members to share any feedback on the draft Policy.</p> <p>We also welcomed comments via email and in writing.</p>
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How we notified	
visits to Your Say page	517 visits
Have Your Say Newsletter	2 editions
Council's e-News	1 edition

Findings		
Theme	What we heard	Council response
Council 's accountability when it's at fault.	A policy to cover instances when Council has made an error is required.	We have a Complaints Resolution Policy and Customer Service Charter which is applied to all complaints, and explains how, and timeframes for when Council responds to a complaint. These policies are also used in the case where Council is in the wrong.
Measures should be in place to prevent the misuse of the Policy.	Ensure that the policy is applied correctly and not used to shun differences of opinion.	<p>The Complaints Resolution Team acts independently for our customers to assess decisions made by Council, where customers are not satisfied with the outcome.</p> <p>On the rare occasion that restrictions are applied to an unreasonable complainant, the restriction must not proceed without the approval of the Executive Manager Internal Audit and Complaints Resolution, and the Chief Executive Officer (CEO), or their delegate.</p>

¹ <https://yoursay.northernbeaches.nsw.gov.au/managing-unreasonable-conduct-complainant-policy>

Staff should behave appropriately to their customers.	Ensure staff behave appropriately to our customers.	We endeavour to rectify issues that complainants raise in regard to staff, and staff are trained to behave with respect to their customers. On occasions where staff do not comply with Council's Code of Conduct , they are referred to Human Resources (HR) and their manager for appropriate management.
This policy is long overdue and appears to be a great initiative.	Agreement that this policy is required.	Other similar councils have recognised the need for this policy and are adopting the model policy as a way to protect their staff from unreasonable conduct which can lead to increased stress, and mental health claims.
Staff should know when to draw the line with unreasonable behaviour. This policy will give them the tools to do that and focus on real issues.	This Policy aims to support staff in knowing when to draw a line.	We have seen an increase in unreasonable conduct of complainants over recent years, and this Policy aims to provide staff with the tools to enable them to protect the mental health of their staff during those occasions.

During the consultation period, Council received questions either through direct contact or online.

Question raised in feedback	Council's answer
What will you do in the case where the staff or Council is in the wrong, or a customer requests a review of a decision?	The Complaints Resolution team acts independently to assess decisions made by Council, in instances where the complainant disagrees with the outcome. The CEO and Leadership team will also review decisions made by council officers as required by our customers. Complainants also have external avenues available to them, such as the NSW Ombudsman) if they are not satisfied that their complaint has been resolved.
Suggestion that that the Council's workforce is not diverse enough to interact meaningfully with residents and taxpayers of ethnic minorities?	This is not the intention of this policy. The Policy follows a model NSW Ombudsman's policy, which many Councils have adopted. Council's workforce is extremely diverse, as are the residents of the Northern Beaches. However, we have removed on page 11 of the draft <i>'For example, the complainant's cultural background may mean their communication patterns differ from those of</i>

Question raised in feedback	Council's answer
	<i>our staff or our organisation's standards' to avoid any suggestion that Council staff lack diversity.</i>

Verbatim Responses *Personal identifying information, and content which is discriminatory, hateful or which may defame, offend, insult, humiliate or intimidate is redacted.*
Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

No.	Submission
1	<p>While some people are truly awful most people who reach this point of complaint are reacting to your inability and refusal to do the right thing and manage a situation properly and fairly. I've had issues with the Council where you have gone completely against your policies to appease someone else who's paying you money!</p> <p>So I agree everyone should have a safe workspace but just shutting people down because you have done the wrong thing is unacceptable. If you live by the rules you put in place then things would be easier for everyone.</p>
2	<p>The way people act is a reflection of the way government acts. To fix the poor behaviour of ordinary people, you just have to fix the behaviour of people in government.</p> <p>All you have to do is stop these 5 categories of unreasonable conduct in parliament, and ordinary people will be well behaved:</p> <ul style="list-style-type: none"> • Unreasonable persistence • Unreasonable demands • Unreasonable lack of cooperation • Unreasonable arguments • Unreasonable behaviours. <p>If you simply try to stop bad behaviour among the people without fixing the root cause of the issue, the situation could actually get worse.</p>
3	<p>Long overdue.</p> <p>Heaps of "*****" use vexatious complaints to get what they want: (insert proverb of choice)</p> <p>Can you please give the Environmental Compliance Team a significant pay rise already!?</p>
4	<p>Council has every right to defend its employees and its scarce resources (time, staff happiness & rate-payers money) from a very small percentage of residents who are can be serial pests, intimidating or otherwise unreasonable in their</p>

Verbatim Responses <i>Personal identifying information, and content which is discriminatory, hateful or which may defame, offend, insult, humiliate or intimidate is redacted.</i> <i>Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.</i>	
	dealings with Council. This policy is long overdue and a fantastic initiative to help protect Council staff & their finite resources.
5	You don't appear to have considered what Council should do in the event that it was Council's fault for the behaviour of the complainant. You talk about debriefing for council staff and addressing their stress levels but what about the complainant, what will you do for them? Or do you consider there will never be an instance where council staff have acted improperly?
6	<p>In the draft, an example is given (p.11) to illustrate a personal circumstance that might contribute to the manifestation of undue behaviour. The example alludes to the complainant's cultural background which "may mean their communication patterns</p> <p>differ from those of our staff". The statement above is flawed, since it makes a confusion between culture (cultural background) and language (communication). These are different concepts. The text also makes, probably unintentionally, a stigmatizing reference to those whose cultural backgrounds are different from "those of our staff". Is this draft suggesting that the Council's workforce is not diverse enough to interact meaningfully with residents and taxpayers of ethnic minorities?</p> <p>I agree with the notion that personal circumstances, including mental disorders and other adversities in life, should be taken into consideration to avoid excluding further vulnerable individuals from civil and social spheres of life.</p> <p>I agree with measures to be implemented in order to protect staff from individuals who engage in unreasonable behaviour. Yet, measures also must be proposed to guard against the use of this policy, if approved, as a tool to shun those whose opinions differ from the Council's prevailing ideas. There many examples in history of the disastrous consequences of policies implemented to quash the holding or expression of opinions at variance with those commonly or officially held.</p> <p>It is not clear in the draft who will conduct alternative dispute resolutions strategies (ADRs). I strongly suggest implementing a civilian review board as an attempt to evaluate claims of potential abuses of authority and recommend administrative actions to rectify identified problems. The Council should capitalize on the experience, reputation and ethical standing of many of its community members to arbitrate in some disputes.</p>
7	<p>NBC received 375 complaints about a single issue for six weeks and over 460 complaints from one neighbour alone, so it is clear that this situation has consumed a significant amount of council time and resources.</p> <p>This appears to be more of a mental health concern, and I believe the council should recognise when it's time to draw a line in the sand.</p> <p>This policy will give them the tools to do that and focus on real issues.</p>

Document administration	
Version	1.0
Date	January 2024
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Status	Draft
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



Council Policy **NB-P-XX** Managing Unreasonable Conduct by a Complainant Policy

1. Purpose

The purpose of this policy is to provide the community and employees of the Northern Beaches Council (Council) with the framework for managing unreasonable conduct towards the Council and/or its employees. This policy is based on the *New South Wales Ombudsman's 'Managing Unreasonable Conduct by a Complainant' model guide*.

Council is committed to being accessible and responsive to all persons regardless of ethnic identity, national origin, religion, linguistic background, sex, gender expression, sexual orientation, physical ability or other cultural or personal factors.

At the same time the success of our organisation depends on:

- Our ability to do our work and perform our functions in the most effective and efficient ways possible
- The health, safety, and security of our employees, and
- Our ability to allocate our resources fairly across all the requests we receive.

When people behave unreasonably in their dealings with us, their conduct can significantly affect how we operate on a day-to-day basis, and can increase psychosocial hazards in the workplace causing undue stress and strain on our staff. As a result, Council will act proactively and decisively to manage any conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy. Refer to **Appendix A: Quick look Staff Guide to Managing Unreasonable Conduct from a Complainant**.

2. Scope

This policy applies to the management of unreasonable conduct towards Council employees (including councillors, contractors, volunteers and work experience students).

3. Objectives

This policy was developed to assist all Council employees to better manage unreasonable conduct by complainants (UCC). It aims to help Council employees:

- feel confident and supported in taking action to manage UCC
- act fairly, consistently, honestly, and appropriately when responding to UCC
- understand their roles and responsibilities in relation to the management of UCC, and how this policy will be used
- understand the types of circumstances when it may be appropriate to manage UCC using one or more of the following mechanisms:

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- the strategies provided in the 'Managing unreasonable conduct by a complainant manual' (3rd edition) including the strategies to change or restrict a complainant's access to our services (Refer to Appendix A: Quick look Staff Guide to Managing Unreasonable Conduct from a Complainant)
- alternative dispute resolution strategies to deal with conflicts involving complainants and members of our organisation
- legal instruments such as trespass laws or other legislation to prevent a complainant from coming onto our premises, and orders to protect specific staff members from any actual or apprehended personal violence, intimidation, or stalking
- understand the criteria we will consider before we decide to change or restrict a complainant's access to our services
- be aware of the processes that will be followed to record and report UCC incidents, and the procedures for consulting and notifying complainants about any proposed action or decision to change or restrict their access to our services
- understand the procedures for reviewing decisions made under this policy, including specific timeframes for review.

4. Defining unreasonable conduct by a complainant

Most complainants act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration, and anger about their complaint. However, despite our best efforts to help them, in a very small number of cases complainants display inappropriate and unacceptable behaviour. They can be aggressive and verbally abusive towards our staff, threaten harm and violence or bombard our offices with unnecessary and excessive phone calls and emails. They may make inappropriate demands on our time and resources or refuse to accept our decisions and recommendations in relation to their complaints. When complainants behave in these ways (and where there are no cultural factors that could reasonably explain their behaviour) we consider their conduct to be 'unreasonable'.

UCC by a complainant is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, our staff, other service users and complainants or the complainant themselves.

UCC can be divided into 5 categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours.

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4.1 Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time, or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations, including final decisions that have been comprehensively considered and dealt with (even when it is evident the complainant does understand the information provided)
- Persistently demanding a review simply because it is available, and without arguing or presenting a case for one
- Pursuing and exhausting all available review options, even after we have explained that a review is not warranted – and refusing to accept that we cannot or will not take further action on their complaint
- Reframing a complaint in an effort to get it taken up again
- Multiple and repeated phone calls, visits, letters, emails (including cc'd correspondence) after we have repeatedly asked them not to
- Contacting different people within or outside our organisation to get a different outcome or a more sympathetic response to their complaint – this is known as internal and external 'forum shopping'.

4.2 Unreasonable demands

Unreasonable demands are any demands expressly made by a complainant that have a disproportionate and unreasonable impact on our organisation, staff, services, time, or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how to handle their complaint, the priority it should be given, or the outcome to be achieved
- Insisting on talking to a senior manager or the CEO personally when the reasons that this is not appropriate or warranted have been carefully explained to the complainant
- Emotional blackmail and manipulation resulting in intimidation, harassment, shaming, seduction or portraying themselves as being victimised when this is not the case
- Insisting on outcomes that are not possible or appropriate in the circumstances, for example asking for someone to be fired or prosecuted, or for an apology or compensation when there is no reasonable basis for this
- Demanding services of a nature or scale that we cannot provide, even after we have explained this to them repeatedly.

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4.3 Unreasonable lack of cooperation

Unreasonable lack of cooperation is when a complainant is unwilling or unable to cooperate with us, our staff, or our complaints process – resulting in a disproportionate and unreasonable use of our services, time, or resources. Some examples of unreasonable lack of cooperation include:

- Sending us a constant stream of complex or disorganised information without clearly defining the issue at hand or explaining how the material provided relates to their complaint (where the complainant is clearly capable of doing this)
- Providing little or no detail around their complaint or providing information in ‘drips and drabs’
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so
- Arguing that a particular solution is the correct one in the face of valid contrary arguments and explanations
- Unhelpful behaviour such as withholding information, acting dishonestly and misquoting others.

4.4 Unreasonable arguments

Unreasonable arguments include any arguments that are not based on any reason or logic, that are incomprehensible, false, or inflammatory, trivial, or delirious, and that disproportionately and unreasonably impact upon our organisation, staff, services, time, or resources. Arguments are unreasonable when they:

- Fail to follow a logical sequence that the complainant is able to explain to staff
- Are not supported by any evidence or are based on conspiracy theories
- Lead a complainant to reject all other valid and contrary arguments
- Are trivial when compared to the amount of time, resources, and attention that the complainant demands
- Are false, inflammatory, or defamatory.

4.5 Unreasonable behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances (regardless of how stressed, angry, or frustrated a complainant is) because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant themselves. Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- Harassment, intimidation, or physical violence

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- Rude, confronting, or threatening correspondence
- Threats of harm to self or third parties, threats with a weapon or threats to damage property, including bomb threats
- Stalking in person or online
- Emotional manipulation.

All staff should note that Council has a zero-tolerance policy towards any harm, abuse or threats directed towards them. Any conduct of this kind will be dealt with under this policy, and in accordance with our duty of care and work health and safety responsibilities. Refer to **Appendix A: Quick look Staff Guide to managing Unreasonable Conduct from a complainant.**

5. Roles and responsibilities

5.1 All staff will:

- Familiarise themselves with this policy as well as Appendix A, and the Individual Rights and Mutual Responsibilities of the Parties to a Complaint document at Appendix B
- Explain the contents of this document to all complainants, particularly those who engage in UCC or exhibit the early warning signs of UCC
- Refer to the strategies and scripts for managing unreasonable complaints provided at the NSW Ombudsman's website – see *Part 2 of the Managing unreasonable conduct by a complainant Manual (3rd edition)* [Ombudsman strategies](#).
- Report and record all UCC incidents they experience or witness (as appropriate) to their Manager and the Complaints Resolution Team (CRT) within 24 hours of the incident occurring, ensuring details of contacts are recorded. The Manager or CRT may notify a senior manager at this stage, if required
- Place a file note of the incident into Council's record keeping systems (TRIM, CRM etc.).

5.2 The Senior Manager

The senior manager (Executive Manager Internal Audit and Complaints Resolution (EM IA&CR) in consultation with the CEO, has the responsibility and authority to change or restrict a complainant's access to our services in the circumstances identified in this policy. When doing so they will consider the criteria in *section 8.2* below and will aim to impose any service changes or restrictions in the least restrictive ways possible. Their aim when taking such actions will not be to punish the complainant, but rather to manage the impacts of their conduct.

When applying this policy, EM IA&CR (and the CRT) will aim to keep at least one open line of communication with a complainant. However, we do recognise that in extreme situations all forms of contact may need to be restricted for some time to ensure the health, safety, and security of our staff or third parties.

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The EM IA&CR and CRT is responsible for recording, monitoring, and reviewing all cases where this policy is applied to ensure consistency, transparency, and accountability for the application of this policy. They will manage and keep a file record of all cases where this policy is applied.

The senior manager (EM IA&CR) is responsible for supporting staff to apply the strategies in this policy, as well as those in the manual. The senior manager (EM IA&CR)EM IA&CR is also responsible for ensuring compliance with the procedures outlined in this policy, and that all staff members are trained to deal with UCC – including on induction.

After a stressful interaction with a complainant, the EM IA&CR or the staff members manager should provide affected staff members with the opportunity to debrief their concerns either formally or informally. The EM IA&CR or the staff members manager will also ensure that staff are provided with proper support and assistance including medical or police assistance, and if necessary, support through programs like the Employee Assistance Program.

The EM IA&CR or the staff members manager may also be responsible for arranging other forms of support for staff, such as appropriate communication or intercultural training.

6. Responding to and managing UCC

6.1 Changing or restricting a complainant's access to our services

UCC incidents will generally be managed by limiting or adapting the ways we interact with or deliver services to complainants by restricting:

- Who they have contact with – limiting a complainant to a sole contact person or staff member in our organisation
- What they can raise with us – restricting the subject matter of communications that we will consider and respond to
- When they can have contact – limiting a complainant's contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us
- Where they can make contact – limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office
- How they can make contact – limiting or modifying the forms of contact that the complainant can have with us. This can include modifying or limiting face-to-face interviews, telephone, and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating provision of services altogether.

When using the restrictions provided in this section, we recognise that discretion will need to be used to adapt them to suit a complainant's personal circumstances such as level of competency, literacy skills, and cultural background. In this regard, we also recognise that more than one strategy may be needed in individual cases to ensure their appropriateness and efficacy.

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6.2 Who – limiting the complainant to a sole contact point

Where a complainant tries to forum-shop within our organisation, changes their issues of complaint repeatedly, constantly reframes their complaint, or raises an excessive number of complaints, it may be appropriate to restrict their access to a single staff member (a sole contact point) such as a senior manager or a staff member from the CRT who will manage their complaint(s) and interaction(s) with Council. This may help to ensure the complainant is dealt with consistently and may minimise the incidence of misunderstandings, contradictions, and manipulation.

Complainants who are restricted to a sole contact person will, however, be given the contact details of one additional staff member (another senior staff member or CRT) who they can contact if their primary contact is unavailable – for example if they go on leave or are otherwise unavailable for an extended period of time.

6.3 What – restricting the subject matter of communications that we will consider

Where complainants repeatedly send letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content, or relate to an issue that has already been comprehensively considered or reviewed (at least once) by our organisation, we may restrict the issues the complainant can raise with us. For example, we may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with or is not supported by evidence. The complainant will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further – in which case, we may do so on our 'own motion'
- Restrict the complainant to one complaint or issue per fortnight or month. Any attempts to circumvent this restriction (for example by raising multiple complaints or issues in the one letter) may result in modifications or further restrictions being placed on their access
- Return the correspondence to the complainant and require them to remove any inappropriate content before we agree to consider its contents. We will also keep a copy of the inappropriate correspondence for our records to help identify repeat UCC incidents.

6.4 When and how – limiting when and how a complainant can contact us

If a complainant's contact with our organisation places an unreasonable demand on our time or resources, or affects the health, safety, and security of our staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, we may limit when or how the complainant can interact with us. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week
- Limiting the length or duration of telephone calls, written correspondence, or face-to-face interviews. For example:
- Telephone calls may be limited to 10 minutes at a time and will be politely terminated at

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the end of that time period

- Lengthy written communications may be restricted to a maximum of 15 typed or written pages, single sided, font size 12 or it will be sent back to the complainant to be organised and summarised – This option is only appropriate in cases where the complainant is capable of summarising the information and refuses to do so
- Limiting face-to-face interviews to a maximum of 45 minutes
- Limiting the frequency of their telephone calls, written correspondence, or face-to-face interviews. Depending on the natures of the service(s) provided we may limit:
 - Telephone calls to one every 2 weeks
 - Written communications to one every 2 weeks
 - Face-to-face interviews to one every 2 weeks.

For irrelevant, overly lengthy, disorganised or very frequent written correspondence we may also:

- Require the complainant to clearly identify how the information or supporting materials they have sent to us relate to the central issues that we have identified in their complaint
- Restrict the frequency with which complainants can send emails or other written communications to Council
- Restrict a complainant to sending emails to a particular email address (e.g., Council's main email account) or block their email access altogether and require that any further correspondence be sent through Australia Post only.

'Writing only' restrictions

When a complainant is restricted to 'writing only' they may be restricted to written communications through:

- Australia Post only
- Email only to a specific staff email or our general Council email address (council.northernbeaches@northernbeaches.nsw.gov.au)
- Some other relevant form of written contact, where applicable.

If a complainant's contact is restricted to writing only, the EM IA&CR will clearly identify the specific means that the complainant can use to contact our office (e.g. Australia Post only). If it is not appropriate for a complainant to enter our premises to hand deliver their written communication this must be communicated to them as well.

Any communications received by our organisation in a manner that contravenes a 'writing only' restriction will either be returned to the complainant or read and filed without acknowledgement.

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6.5 Where – limiting face-to-face interviews to secure areas

If a complainant is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to our premises, we may consider restricting our face-to-face contact with them. Council may also contact the police if required.

These restrictions can include:

- Restricting access to particular secured premises or areas of the office such as the reception area or a secured room or facility
- Restricting their ability to attend our premises to specified times of the day or days of the week only – for example, when additional security is available or to times or days that are less busy
- Allowing them to attend our offices on an 'appointment only' basis, and only with specified staff (for these meetings, staff should enlist the support and assistance of a colleague for added safety and security)
- Banning the complainant from attending our premises altogether and allowing some other form of contact, e.g., 'writing only' or 'telephone only' contact.

6.6 Contact through a representative only

In cases where we cannot completely restrict our contact with a complainant and their conduct is particularly difficult to manage, we may require them to contact us through a support person or representative only. The support person may be someone nominated by the complainant, but they must be approved by the EM IA&CR.

6.7 Completely terminating a complainant's access to our services

In rare cases, and as a last resort when all other strategies have been considered, the senior management (IA&CR), with approval from the CEO, may decide that it is necessary for Council to completely restrict a complainant's contact or access to our services.

A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct, or their conduct poses a significant risk for our staff or other parties because it involves one or more of the following:

- Acts of aggression, verbal or physical abuse, threats of harm, harassment, intimidation, stalking, assault
- Damage to property while on our premises
- Threats with a weapon or common office items that can be used to harm another person or themselves
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g., entrapping them in their home
- Conduct that is otherwise unlawful.

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In these cases, the complainant will be sent a letter notifying them that their access has been restricted as outlined in *section 8.4* below.

A complainant's access to our services and our premises may also be restricted (directly or indirectly) using legal mechanisms like trespass laws and other legislation or legal orders to protect members of our staff from personal violence, intimidation or stalking by a complainant.

7. Alternative dispute resolution

7.1 Using alternative dispute resolution strategies to manage conflicts with complainants

If the EM IA&CR determines that we cannot terminate our services to a complainant in a particular case or that we or our staff bear some responsibility for causing or exacerbating their conduct, they may consider using alternative dispute resolution strategies (ADRs) such as mediation and conciliation to resolve the conflict with the complainant and attempt to rebuild our relationship with them. If an ADR is considered to be an appropriate option in a particular case, it will be conducted by an independent third party to ensure transparency and impartiality.

However, we recognise that in UCC situations an ADR may not be an appropriate or effective strategy – particularly if the complainant is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

8. Procedure to be followed when changing or restricting a complainant's access to our services

8.1 Consulting with relevant staff

When the EM IA&CR receives a UCC incident from a staff member, they will contact the staff member to discuss the incident. They will discuss:

- The circumstances that gave rise to the UCC incident, including the complainant's situation, personal and cultural background, and perspective
- The impact of the complainant's conduct on our organisation, relevant staff, our time, resources etc.
- The complainant's response to the staff member's warnings or requests to stop the unreasonable behaviour
- What the staff member has done to manage the complainant's conduct (if applicable)
- Any suggestions made by relevant staff on ways that the situation could be managed.

8.2 Criteria to be considered

Following a consultation with relevant staff the EM IA&CR will search Council's systems for information about the complainant's prior conduct and history with Council. They will also consider the following criteria:

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- Whether the conduct in question involved overt anger, aggression, violence, or assault (which is unacceptable in all circumstances)
- Whether the complainant's case has merit
- The likelihood that the complainant will modify their unreasonable conduct if they are given a formal warning about their conduct
- Whether changing or restricting access to our services will be effective in managing the complainant's behaviour
- Whether changing or restricting access to our services will affect the complainant's ability to meet their obligations, such as reporting obligations
- Whether changing or restricting access to our services will have an undue impact on the complainant's welfare, livelihood, or dependents etc.
- Whether the complainant's personal circumstances have contributed to the behavior, for example, the complainant's cultural background may mean their communication patterns differ from those of our staff or our organisation's standards or the complainant is a vulnerable person who is under significant stress as a result of one or more of the following:
 - homelessness
 - physical disability
 - illiteracy or other language or communication barrier
 - mental or other illness
 - personal crises
 - substance or alcohol abuse.
- Whether the complainant's response or conduct was moderately disproportionate, grossly disproportionate, or not at all disproportionate in the circumstances
- Whether there are any statutory provisions that would limit the types of limitations that can be applied to the complainant's contact with, or access to our services.

Once the EM IA&CR, in conjunction with the CEO, has considered these criteria, they will decide on the appropriate course of action. They may suggest formal or informal options for dealing with the complainant's conduct which may include one or more of the strategies provided in the manual and this policy.

8.3 Providing a warning letter

Unless a complainant's conduct poses a substantial risk to the health and safety of staff or other third parties, the EM IA&CR with approval from the CEO will provide the complainant with a written warning about their conduct in the first instance. If the complainant is unable to

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read the letter, it will be followed/accompanied by a telephone call, using an interpreter if necessary.

The warning letter will:

- Specify the date, time, and location of the UCC incident(s)
- Explain why the complainant's conduct/UCC incident is problematic
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed but only those that are most relevant)
- Provide clear and full reasons for the warning being given
- Include an attachment of the organisation's ground rules and/or briefly state the standard of behaviour that is expected of the complainant. See **Appendix B** - Individual rights and mutual responsibilities of parties to a complaint
- Provide the name and contact details of the staff member who they can contact about the letter
- Be signed by the CEO or EM IA&CR if delegated.

8.4 Providing a notification letter

If a complainant's conduct continues after they have been given a written warning or in extreme cases of overt aggression, violence, assault, or other unlawful/unacceptable conduct, the CEO has the discretion to send a notification letter immediately restricting the complainant's access to our services (without prior or further written warning). If the complainant is unable to read the letter (due to literacy issues, non-English speaking, etc.) the letter will be followed or accompanied by a telephone call, using an interpreter if necessary.

This notification letter will:

- Specify the date, time, and location of the UCC incident(s)
- Explain why the complainant's conduct is problematic
- Identify the change and/or restriction that will be imposed and what it means for the complainant
- Provide clear and full reasons for this restriction
- Specify the duration of the change or restriction imposed, which will not exceed 12 months
- Indicate a time period for review
- Provide the name and contact details of the senior officer who they can contact about the letter and/or request a review of the decision

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- Be signed by the CEO or EM IA&CR if delegated.

8.5 Notifying relevant staff about access changes/restrictions

The EM IA&CR will notify relevant staff about any decisions to change or restrict a complainant's access to our services, in particular reception and security staff in cases where a complainant is prohibited from entering our premises.

The EM IA&CR will also update Council's systems with a record outlining the nature of the restriction imposed and its duration.

The EM IA&CR, with approval from the CEO will make the necessary arrangements with IDT to ensure the appropriate rules and notifications are in place so that Customer Service staff are aware that they are dealing with someone who has been placed on the program.

8.6 Continued monitoring/oversight responsibilities

Once a complainant has been issued with a warning letter or notification letter the EM IA&CR will review the complainant's record/restriction every 12 months, or following any further incidents of UCC that involve the particular complainant to ensure that they are complying with the restrictions/the arrangement is working.

If the EM IA&CR determines that the restrictions have been ineffective in managing the complainant's conduct or are otherwise inappropriate they may decide, with approval from the CEO, to either modify the restrictions, impose further restrictions, or terminate the complainant's access to our services altogether.

9. Appealing a decision to change or restrict access to our services

People who have their access changed or restricted are entitled to one appeal of a decision to change or restrict their access to our services. This review will be undertaken by a senior manager who was not involved in the original decision to change or restrict the complainant's access. This staff member will consider the complainant's arguments and personal circumstances, including cultural background or other reasons, along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by letter, which must be signed off by the CEO or their delegate. The EM IA&CR will then refer any materials or records relating to the appeal to the manager and the CRT to be kept in the appropriate file.

If a complainant is still dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the NSW Ombudsman. The NSW Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that Council have acted fairly, reasonably, and consistently and have observed the principles of good administrative practice, including procedural fairness.

10. Non-compliance with a change or restriction on access to our services

Recording and reporting incidents of non-compliance

All staff members are responsible for recording and reporting incidents of non-compliance by complainants. This should be recorded in a file note in Council's systems and a copy

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forwarded to the EM IA&CR who will decide, in consultation with the CEO, whether any action needs to be taken to modify or further restrict the complainant's access to our services.

11. Periodic reviews of all cases where this policy is applied

11.1 Period for review

All cases where this policy is used will be reviewed every 12 months after the service change or restriction was initially imposed or upheld.

11.2 Criteria to be considered during a review

When conducting a review, the EM IA&CR will consider:

- Whether the complainant has had any contact with the organisation during the restriction period
- The complainant's conduct during the restriction period
- Any other information that may be relevant in the circumstances.

The senior management (EM IA&CR) may also consult any staff members who have had contact with the complainant during the restriction period.

Sometimes a complainant may not have a reason to contact our office during their restriction period. As a result, a review decision that is based primarily on the fact that the complainant has not contacted our organisation during their restriction period may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

11.3 Notifying a complainant of the outcome of a review

The senior manager (EM IA&CR) will tell the complainant the outcome of their review using an appropriate method of communication, as well as a written letter explaining the outcome.

The review letter will:

- Briefly explain the review process
- Identify the factors that have been considered during the review
- Explain the decision or outcome of the review and the reasons for it.

If the outcome of the review is to maintain or modify the restriction, the review letter will also:

- Indicate the nature of the new or continued restriction
- State the duration of the new restriction period
- Provide the name and contact details of the senior manager who the complainant can contact to discuss the letter

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- Be signed by the CEO or senior manager if delegated.

11.4 Recording the outcome of a review and notifying relevant staff

The CRT is responsible for keeping a record of the outcome of the review, updating Council systems and notifying all relevant staff of the outcome of the review including if the restriction has been withdrawn.

12. Managing staff stress

12.1 Staff reactions to stressful situations

Dealing with demanding, abusive, aggressive, or violent complainants can be extremely stressful, distressing and even frightening for our staff. It is perfectly normal to get upset or stressed when dealing with difficult situations.

As an organisation, we have a responsibility to support staff members who experience stress as a result of situations arising at work and we will do our best to provide staff with debriefing and counselling opportunities, when needed. However, to do this we also need the help of all Council staff to identify stressful incidents and situations. All staff have a responsibility to tell relevant supervisors, managers and senior managers about UCC incidents, and any other stressful incidents that they believe require management to be involved. The CRT can support staff who are experiencing these stressful situations.

12.2 Debriefing

Debriefing means talking things through following a difficult or stressful incident. It is an important way of dealing with stress. Many staff do this naturally with colleagues after a difficult telephone call, but staff can also debrief with a supervisor or senior manager (or as a team) following a significant incident. We encourage all staff to engage in an appropriate level of debriefing, when necessary.

Staff may also access an external professional service if required, such as the Employee Assistance Program, during or after a live complaint.

13. Training and awareness

Council is committed to ensuring that all staff are aware of and know how to use this policy. All staff who deal with complainants in the course of their work will also receive appropriate training and information on using this policy and on managing UCC on a regular basis and, in particular, on induction. This should include training to support culturally appropriate communication.

14. Policy review

All staff are responsible for forwarding any suggestions they have in relation to this policy to the CRT, who along with relevant senior managers will review it every 4 years, or earlier if required.

15. Supporting documents and policies

Effective Date: October
2024

Version

Managing Unreasonable Conduct by a Complainant Policy

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15.1 Statement of compliance

This policy is compliant with and supported by the following Council documents:

- Work Health and Safety Policy
- Complaint Handling Policy and Procedures
- Alternative Dispute Resolution Policy and Procedure
- And, NSW Ombudsman's Managing unreasonable conduct by a complainant manual (3rd edition)
- Unauthorised entry onto agency premises – applying the provisions of the Enclosed Lands Protection Act 1901 (NSW)
- Orders to address violence, threats, intimidation or stalking by complainants.

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Appendix A Quick look Staff Guide to Managing Unreasonable Conduct by a Complainant.

<p>Staff, when approached by a complainant, can initially use the H.E.A.T model:</p> <ul style="list-style-type: none"> • Hear the customer out, within reason • Empathise – show you understand • Apologise – I am sorry you are experiencing this • Take Ownership – if it's not your business unit, ensure they are connected with the correct business unit.
<p>What is Unreasonable Complainant Conduct?</p> <p>At times a complainant's conduct can deteriorate towards staff and staff experience conduct that is categorised as:</p> <ul style="list-style-type: none"> • Unreasonable persistence • Unreasonable demands • Unreasonable lack of cooperation • Unreasonable arguments • Unreasonable behaviours. <p>Examples of this include:</p> <ul style="list-style-type: none"> • Intimidating, humiliating, aggressive or abusive e.g. <ul style="list-style-type: none"> ○ such as swearing, name calling, or personal insults. • Harassing, victimizing or discriminating <ul style="list-style-type: none"> ○ Multiple emails and phone calls, when staff have communicated that they are investigating the matter, or the query has been resolved ○ Blaming staff personally, making them feel guilty. • Persistent in their communications <ul style="list-style-type: none"> ○ Multiple emails, often with no apparent question or focus, and including irrelevant or previously resolved matters. • Directing an outcome <ul style="list-style-type: none"> ○ It is okay for staff to ask the customer what they would like as an outcome,

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<p>however you do not have to be directed as to how this is completed.</p> <ul style="list-style-type: none"> • Endangering staff health, safety or mental health and wellbeing etc
<p>What should I do if I am experiencing Unreasonable Complainant Conduct?</p>
<p>If staff experience unreasonable conduct, management support staff to:</p> <ul style="list-style-type: none"> • Politely advise the customer that they will end the call, unless the conduct ceases • Notify the complainant that they must re-issue their emails or letters using respectful language. <p>If you are face to face with a customer, management support staff to remove themselves from the situation.</p>
<p>When should I escalate Unreasonable Complainant Conduct?</p>
<p>If the complainant's unreasonable conduct persists despite the above guidance, staff are supported by management to:</p> <ul style="list-style-type: none"> • Consult their manager, who will manage the complainant and complaint. The manager can, if required <ul style="list-style-type: none"> ○ Refer the matter to their Executive Manager for review and support ○ Discuss the matter with the EM IA&CR (and the Complaints Resolution Team (CRT)), who will provide guidance and support (draft email review, provide scripts etc), • Note: The CRT can be contacted at any time throughout the above processes for support and guidance.
<p>If the complainant's conduct has been escalated to their Executive Manager and the EM IA&CR, and if the <u>unreasonable conduct continues</u>, the EM in consultation with the EM IA&CR, if required can:</p> <ul style="list-style-type: none"> • Notify the complainant that they have reviewed their communications • Notify the complainant, if appropriate, of the alternative means of making a complaint and refer them to external agencies such as the NSW Ombudsman • Review the continued unreasonable conduct, and in consultation with the EM IA&CR and approval from the CEO, determine restrictive measures that need to be put in place to protect the staff, such as <ul style="list-style-type: none"> ○ Restricting the complainant's access: <ul style="list-style-type: none"> ▪ to staff e.g. diverting emails from staff ▪ to Council services e.g. accessing Council's libraries

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- and to Council buildings.

Appendix B – Individual rights and mutual responsibilities of the parties to a complaint

In order for Council to ensure that all complaints are dealt with fairly, efficiently, and effectively and that work health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

Individual rights¹

Complainants have the right:

- to make a complaint and to express their opinions in ways that are reasonable, lawful, and appropriate, regardless of cultural background, national origin, sex, sexual orientation, gender expression, disability or other cultural or personal characteristics²
- to a reasonable explanation in a wide range of languages of the organisation's complaints procedure, including details of the confidentiality, secrecy or privacy rights or obligations that may apply
- to a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case³
- to a fair hearing⁴
- to a timely response
- to be informed in at least general terms about the actions taken and outcome of their complaint⁵
- to have decisions that affect them explained to them
- to at least 1 review of the decision on the complaint⁶
- to be treated with courtesy and respect

¹ The word 'rights' is not used here in the sense of legally enforceable rights (although some are), but in the sense of guarantees of certain standards of service and behaviour that a complaint handling system should be designed to provide to each of the parties to a complaint.

² Differences of opinion are normal: people perceive things differently, feel things differently and want different things. People have a right to their own opinions, provided those opinions are expressed in acceptable terms and in appropriate forums.

³ While degrees of independence will vary between complaint handlers, all should assess complaints fairly and as impartially as possible, based on a documented process and the merits of the case.

⁴ The 'right to be heard' refers to the opportunity to put a case to the complaint handler/decision-maker. This right can be modified, curtailed or lost due to unacceptable behaviour and is subject to the complaint handler's right to determine how a complaint will be dealt with.

⁵ Provided this will not prejudice on-going or reasonably anticipated investigations or disciplinary/criminal proceedings.

⁶ Such a right of review can be provided internally to the organisation, for example by a person not connected to the original decision.

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- to communicate valid concerns and views without fear of reprisal or other unreasonable response.⁷

Staff have the right:

- to determine whether, and if so how, a complaint will be dealt with
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances⁸
- to expect honesty, cooperation, and reasonable assistance from complainants
- to expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a complaint
- to be treated with courtesy and respect
- to a safe and healthy working environment⁹
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.¹⁰

Subjects of a complaint have the right:

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them
- to be treated with courtesy and respect by staff of the Council
- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated¹¹
- to be informed about the substance of any proposed adverse comment or decision
- to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made¹²
- to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them

⁷ Provided the concerns are communicated in the ways set out in relevant legislation, policies and/or procedures established for the making of such complaints/allegations/disclosures/etc.

⁸ Some complaints cannot be resolved to the complainant's satisfaction, whether due to unreasonable expectations or the particular facts and circumstances of the complaint [see also footnote 25].

⁹ See for example WH&S laws and the common law duty of care on employers.

¹⁰ Unacceptable behaviour includes verbal and physical abuse, intimidation, threats, etc.

¹¹ Other than where there is an overriding public interest in curtailing the right, for example where to do so could reasonably create a serious risk to personal safety, to significant public funds, or to the integrity of an investigation into a serious issue. Any such notifications or opportunities should be given as required by law or may be timed so as not to prejudice that or any related investigation.

¹² Depending on the circumstances of the case and the seriousness of the possible outcomes for the person concerned, a reasonable opportunity to put their case, or to show cause, might involve a face-to-face discussion, a written submission, a hearing before the investigator or decision maker, or any combination of the above.

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- to be protected from harassment by disgruntled complainants acting unreasonably.

Mutual responsibilities

Complainants are responsible for:

- treating staff of Council with dignity and respect
- clearly identifying to the best of their ability the issues of complaint, or asking for help from the staff of Council to assist them in doing so
- providing Council, to the best of their ability, with all the relevant information available to them at the time of making the complaint
- being honest in all communications with Council
- informing Council of any other action they have taken in relation to their complaint¹³
- cooperating to the best of their ability with the staff who are assigned to assess/investigate/resolve/determine or otherwise deal with their complaint.

If complainants do not meet their responsibilities, Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

Council has a zero-tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant. ¹⁴Any conduct of a criminal nature will be reported to police, and in certain cases legal action may also be considered.

Staff are responsible for:

- providing reasonable assistance, including cultural and linguistic assistance, to complainants who need help to make a complaint and, where appropriate, during the complaint process
- dealing with all complaints, complainants and people or organisations the subject of complaint professionally, fairly, and impartially
- giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant
- giving people or organisations the subject of complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made¹⁵
- informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them¹⁶ and the substance of any proposed

¹³ For example, whether they have made a similar complaint to another relevant person or body or have relevant legal proceedings on foot.

¹⁴ Other than in circumstances where the organisation is obliged to have an ongoing relationship with the complainant.

¹⁵ See footnote 11.

¹⁶ Other than where an allegation is so lacking in merit that it can be dismissed at the outset.

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adverse comment or decision that they may need to answer or address¹⁷

- keeping complainants informed of the actions taken and the outcome of their complaints¹⁸
- giving complainants explanations that are clear and appropriate to their circumstances, and adequately explaining the basis of any decisions that affect them
- treating complainants (and people who are the subject of complaints) with courtesy and respect at all times and in all circumstances
- taking all reasonable and practical steps to ensure that complainants¹⁹ are not subjected to
- any detrimental action in reprisal for making their complaint²⁰
- giving adequate warning of the consequences of unacceptable behaviour.

If Council or its staff fail to comply with these responsibilities, complainants may complain to the CRT or NSW Ombudsman.

Subjects of a complaint are responsible for:

- cooperating with the staff of Council who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction²¹
- providing all relevant information in their possession to Council or its authorised staff when required to do so by a properly authorised direction or notice
- being honest in all communications with Council and its staff
- treating the staff of the Council with courtesy and respect at all times and in all circumstances
- refraining from taking any detrimental action against the complainant²² in reprisal for them making the complaint²³.

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws or codes of conduct.

Council is responsible for:

- maintaining an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording, and reviewing complaints

¹⁷ See footnote 11.

¹⁸ See footnote 5.

¹⁹ 'Complainants' include whistleblowers/people who make internal disclosures.

²⁰ 'Complaints' includes disclosures made by whistleblowers/people who make internal disclosures.

²¹ This does not include any obligation to incriminate themselves in relation to criminal or disciplinary proceedings, unless otherwise provided by statute.

²² See footnote 19.

²³ See footnote 20.

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- making decisions about how all complaints will be dealt with
- ensuring that all complaints are dealt with professionally, fairly, and impartially²⁴
- ensuring that staff treat all parties to a complaint with courtesy and respect
- ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence
- finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances²⁵
- implementing reasonable and appropriate policies, procedures, and practices to ensure that complainants²⁶ are not subjected to any detrimental action in reprisal for making a complaint²⁷, including maintaining separate complaint files and other operational files relating to the issues raised by individuals who make complaints
- adequately considering any confidentiality, secrecy or privacy obligations or responsibilities that may arise in the handling of complaints and the conduct of investigations.

If Council fails to comply with these responsibilities, complainants may complain to the CRT or NSW Ombudsman.

²⁴ See footnote 3.

²⁵ Once made, complaints are effectively 'owned' by the complaint handler who is entitled to decide (subject to any statutory provisions that may apply) whether, and if so how, each complaint will be dealt with, who will be the case officer/investigator/decision-maker/etc, the resources and priority given to actioning the matter, the powers that will be exercised, the methodology used, the outcome of the matter, etc. Outcomes arising out of a complaint may be considered by the complaint handler to be satisfactory whether or not the complainants, any subjects of complaint or the organisation concerned agrees with or is satisfied with that outcome.

²⁶ See footnote 19.

²⁷ See footnote 20.

Managing Unreasonable Conduct by a Complainant Policy

Responsible Officer

Executive Manager Internal Audit and Complaints Resolution

Review Date

At least every four years or as required

Revision History

Revision	Date	Change	TRIM #
1	5 April 2018	Assisted Communications Policy 2018	2018/156802
2	October 2024	New model Policy for Managing unreasonable complaint conduct, based on the 2022 New South Wales Ombudsman's <i>'Managing unreasonable conduct by a complainant' model guide</i> .	2024/627977
3	February 2024	Minor edits to the draft Policy, following public consultation.	2025/040575

Council Policy – NB-P-33

Single Use Plastics

Policy Statement

Council to take a leadership role in the elimination of Single Use Plastics, advocating for legislative change, and influencing and enabling responsible consumption practices.

Principles

The foundation for this policy is based on significant evidence that:

- Plastic pollution is a major cause of global environmental degradation and species decline.
- The pollution and greenhouse gas emissions associated with Single Use Plastic use place an inequitable burden on future generations.
- The production of plastics relies on non-renewable resources.
- Plastic pollution persists in the environment and has detrimental effects on human health.

Implementation

Northern Beaches Council will implement the policy according to the following mechanisms:

- Implementing responsible procurement practices and influencing supply chains.
- Lobbying all levels of government to drive policy change and ban plastic bags.
- Providing leadership in the community through policy and practice.
- Influencing the business and retail community to provide products and services that do not rely on Single Use Plastics.
- Building capacity within the community for change in social practices, via:
 - Promoting alternatives to single use plastic.
 - Researching and developing strategies to enable the community to live without Single Use Plastics.

Scope and application

This policy applies to Council, its employees, agents, lessees and contractors activities within and impacting on the Northern Beaches local government area.

References and related documents

List of legislative references, supporting documents and reading material.

- Northern Beaches Council Policy Framework
- [Local Government Act, 1993](#)
- [Protection of the Environment Operations Act, 1997](#)
- [Waste Avoidance and Resource Recovery Act, 2001](#)
- Waste and Circular Economy Strategy 2024
- Event Waste Management Guidelines and Application Form
- Waste Minimisation for Functions and Events Policy

Definitions

“*Single Use Plastics*” include any disposable plastic and polystyrene items such as straws, balloons, bags, sachets, cutlery and food and drink packaging designed to be used once and then discarded

Community Strategic Plan

This Council policy relates to the Community Strategic Plan Outcome of:

- Environmental sustainability - Goal 6 Our Council is recognised as a leader in environmental sustainability

Responsible Officer

Executive Manager Waste Management and Cleansing

Review Date

At least every four years (next review February 2029) or as required. Any recognised change to relevant legislation will activate an immediate review of this policy to ensure it remains current and aligned to best practice.

Revision History

Revision	Date	Change	HPE CM Ref
1	22/8/2017	Policy adopted by Council with no changes following exhibition	2017/202020
2	21/01/2025	Policy updated into new formal and reference number applied – NB-P-33	2025/028591



Council Policy NB-P- Community Gardens

Purpose

This policy outlines Council's support for community gardens throughout the Northern Beaches. It aims to ensure a consistent, equitable and transparent approach to the planning, establishment, management and operation of community gardens.

Council recognises community gardening as a recreational activity that contributes to the health and well-being of our community as well as providing a range of environmental, social and educational benefits. Council also recognises that community involvement is essential in decision-making, planning, management and day-to-day activities to ensure the ongoing success of community gardens on the Northern Beaches.

Definition

For the purpose of this policy a community garden is defined as an area of shared land tended by an organised group where people can come together, learn about and cultivate a garden. The garden may include for example, fresh fruits and vegetables, ornamentals, natives, native bush foods and / or sensory plants.

Policy Principles

Council is committed to:

1. Providing safe and accessible public open spaces for the establishment, management and operation of community gardens.
2. Ensuring a consistent, equitable and transparent approach to the planning and establishment of community gardens via an assessment of criteria including but not limited to: location; distribution across the local government area; need; safety; site access; access to sunlight and water; soil suitability; financial viability and 'self-funding'; compatibility with other use; nearby resident support and impacts; community benefit; environmental impacts and alignment with the principles of the 'local green grid' and 'green neighbourhoods'.
3. Ensuring that community gardens integrate with existing use and add value to the surrounding area and community.
4. Supporting a community led approach to the establishment and management of community gardens.
5. Working in partnership with community garden groups to ensure ongoing success of the gardens through sustainable and financially viable models. Partnership support, particularly funding for planning, establishment and management.
6. Establishing clear roles and responsibilities for Council and community garden groups for the planning, construction, maintenance and management of community gardens.
7. Providing support to community garden groups in ways such as access to land (if approved), advice, community events, education and networking opportunities where resources allow.
8. Promoting and supporting a commitment to sustainable practices, conserving resources and protection of the environment.
9. Community Garden applications that are compliant with the Community Gardens Guideline and following public exhibition will be reported to Council for approval.



Scope and Application

This policy applies to land owned or managed by Council that either is or could be made available for the establishment of community gardens.

This policy is supported by the Community Gardens Guideline which sets out the process for assessing requests as well as establishing and operating a community garden.

References and Related Documents

Local Government Act 1993

Northern Beaches Policy Framework

Northern Beaches Community Gardens Guideline

Northern Beaches Council Community Strategic Plan 2018 - 2028

Northern Beaches Council Environment and Climate Change Strategy 2040

Northern Beaches Council Community Engagement Framework

Roads Act 1993 and subordinate regulations sec 138

Community Strategic Plan

This Council policy relates to the Community Strategic Plan Outcomes of:

- Environmental sustainability - Goal 4 Our community is supported in the transition towards net zero emissions and a local circular economy
- Community and belonging - Goal 9 Our community is inclusive and connected.

Responsible Officer

Executive Manager Parks and Open Space

Review Date

2029

Revision History

Policy number	Revision	Date	Change	HPE CM Ref
To be allocated by Governance	1	November 2019	Draft Community Gardens Policy	2020/128052
	2	June 2020	Final Draft Community Gardens Policy	2020/128052
	3	23 June 2020	Policy adopted by Council	2020/386291
	4	xxx 2025	Revised policy adopted by Council	



Guideline NB-G-XX

Community Gardens

Purpose

This Guideline is to support Council Policy NB-P-XX – Community Gardens.

The Guideline provide a consistent, equitable and transparent approach to the planning and establishment of community gardens and will be reviewed at least every 4 years or as required.

Council supports the establishment of community gardens on the Northern Beaches and is committed to working in partnership with groups to establish and self-manage community gardens for the benefit of our community.

Council recognises community gardening as a recreational activity that contributes to the health and well-being of our community as well as providing a range of environmental, social and educational benefits.

A community garden is defined as an area of shared land tended to by an organised group where people can come together to meet, learn about and cultivate a garden. The garden may include, for example, fresh fruits and vegetables, ornamentals, natives, native bush foods and / or sensory plants.

Establishing a Community Garden on Council Land

Establishing a community garden on Council land requires formal Council approval. The process for establishing a community garden is described below and is intended as a guide for Council and the community. The complexity of applications received will determine the steps applicable from the process.

1. Responding to an enquiry to establish a Community Garden on Council land

- a) When Council receives an enquiry about establishing a new community garden a Council officer will provide information to enquirer about the process for establishing a community garden on Council land. A meeting will be held to discuss the proposal, vision and proposed site(s). This step may involve multiple discussions and site visits.
- b) A preliminary assessment of the proposal and proposed site(s), as per 2c., will be undertaken and a recommendation made to the Executive Manager Parks and Open Space about whether or not to proceed to an application stage.
- c) Should the Executive Manager Parks and Open Space support proceeding to the application stage the enquirer will be invited to complete and submit a Community Garden Application form. The application form serves to formally advise Council of a request to establish a new community garden on Council land and is to include the; proposed site(s), a concept plan and garden management plan.

Groups (incorporated, not incorporated or auspiced by another group) are eligible to submit a Community Garden Application. An individual is not eligible to submit a Community Garden Application.

Council staff will assist applicants to prepare their submission. Arrangements will also be made to meet with existing community garden groups to discuss how they manage and run their gardens.



2. Assessing Community Garden Applications

The next stage involves the following tasks:

- a) The application will be referred to internal Council stakeholders for their advice, including the following business units:
 - Environment and Climate Change
 - Parks and Open Space
 - Development Assessment
- b) A Council officer will meet the applicant at the proposed site(s).
- c) The proposed site will be assessed against the following criteria:
 - Location and proximity to other community gardens
 - Distribution of community gardens across the Northern Beaches
 - Access to sunlight and water
 - Soil suitability (Council would at its cost undertake soil testing if required)
 - Potential environmental impacts
 - Compatibility with existing use and surrounding land-use
 - Potential impacts on nearby residents
 - Availability of parking
 - Vehicle access
 - Capacity of the site to accommodate the proposed garden activities and future expansion
 - Safe public access for visitation and viewing with good passive surveillance.
 - Aesthetics
 - Estimated cost to establish and operate a community garden on the proposed site
 - Identified bushland reserves or areas of natural bushland may be excluded
- d) The proposed garden plan will be assessed against the following criteria:
 - Level to which the plan meets a community need and/or aligns with a Council Strategy
 - Community and or environmental benefits
 - The proposed structure of the garden group and its governance. Applicants will be encouraged to consider incorporation
 - Capacity to provide and maintain the required insurance required by Council. For example, \$20m public liability insurance is required
 - The funding or in-kind support the applicant can provide for the planning, establishment and or ongoing operation of the proposed community garden. It is expected that the applicant will have some capacity to 'self-fund' the ongoing operation of the proposed community garden and to contribute to its establishment
 - The applicant's capacity to operate a community garden
 - Sustainable practices, conserving resources and protection of the environment
 - Alignment with the principles of the 'local green grid' and 'green neighbourhoods'
 - Suitability of the proposed operational days and times
 - Land use restrictions, controls and planning requirements
- e) If the proposed site is deemed unsuitable the application will be recommended to be rejected. With the approval of the Executive Manager Parks and Open Space the application will not proceed to the next stage.



- f) If the proposed site is deemed suitable, but the garden management plan does not adequately meet the criteria in d) the applicant will be requested to amend their application and resubmit for further assessment. A Council officer will be available to support the applicant.
- g) If the proposed site is deemed suitable and the garden management plan adequately meets the criteria in d) the application will be recommended to progress to the next stage. With the approval of the Executive Manager Parks and Open Space the application will progress to the next stage.
- h) The applicant will be informed of the outcome of the application assessment.

3. Community Feedback on the Proposed Community Garden

The next stage involves the following tasks:

- a) A draft community engagement plan will be developed for the public exhibition of the proposed site, concept plan, garden management plan and estimate of costs and funding sources (the community garden proposal). The engagement plan will:
 - be developed in consultation with the applicant
 - include that nearby residents are consulted as key stakeholders
 - align with Council's community engagement framework.
- ~~b) A report will be prepared for a Council meeting that includes:~~
 - ~~• The outcomes of the assessment of the application.~~
 - ~~• The draft community engagement plan.~~
 - ~~• Recommendation for public exhibition of the proposed community garden.~~
- b) The community engagement plan will be implemented and the proposed site, concept plan and garden management plan will be publicly exhibited for a minimum of 28 days.
- ~~e) Should Council not approve public exhibition and rejects the proposed community garden the application will not proceed to the next stage.~~
- ~~d) Should Council approve public exhibition, the community engagement plan will be implemented and the proposed site, concept plan and garden management plan will be publically exhibited for a minimum of 28 days.~~
- c) Following the conclusion of the exhibition period a report will be prepared for a Council meeting which includes:
 - an assessment of the community feedback received
 - responses to the community feedback including any required amendments to the proposed community garden
 - an outline of the conditions of an agreement for the proposed community garden (should such an agreement be supported)
 - a recommendation to approve, amend or reject the proposed community garden.
- d) Should Council not approve the proposed community garden, the application will not progress to the next stage.
- e) Following the conclusion of the exhibition period a report will be prepared for a Council meeting which includes:



- an assessment of the community feedback received
 - responses to the community feedback including any required amendments to the proposed community garden
 - an outline of the conditions of an agreement for the proposed community garden (should such an agreement be supported)
 - a recommendation to approve, amend or reject the proposed community garden.
- f) Should Council not approve the proposed community garden, the application will not progress to the next stage.
- g) Should Council approve the proposed community garden, the application will progress to the next stage.
- h) The applicant and the community (including those who gave feedback and nearby residents) will be notified of the outcome.

4. Entering into an Agreement for a Community Garden on an Approved Site

- a) Council will enter into an agreement with the applicant (which is to be an incorporated group or auspiced by an incorporated group) for the establishment and ongoing management of the garden as approved by Council. Advice will be provided on incorporation and Council will support incorporation establishment fees.

5. Construction of a Community Garden

- a) The construction of the community garden will be undertaken by Council and / or the applicant in stages as funding becomes available (and as per the agreement). Funding may be sought through Council's annual budget process and external grants if required. The applicant will be required to seek and provide a funding contribution to construction and ongoing management.

6. Management of a Community Garden

The responsibilities of Council and the applicant (the garden group) for management of a community garden will be detailed in an agreement between the parties. Key responsibilities for Council and the garden group will generally be as outlined below (or as otherwise agreed).

- a) Council's key responsibilities generally include:
- Fund and manage asset renewals as per the agreement
 - Fund and undertake maintenance of garden assets as per the agreement
 - Undertake an annual asset maintenance inspection
 - Undertake an annual review of the group's outcomes and adherence with the agreement
 - Provide advice including about sustainable practices and volunteer management and recruitment
 - Meet with the group at least annually to discuss their operations.
 - Promote the community garden, along with other community gardens, on Council's social media platforms
 - Invite the garden group to participate in Council's annual community garden forum for sharing ideas
 - Review the agreement every 3 years
 - Support one annual event to promote the garden and volunteer membership



- b) Community Garden Group's key responsibilities generally include:
- Ongoing day-to-day management and operation of the garden
 - Seek and provide funding and in-kind contributions to ongoing maintenance and improvements
 - Be mindful of and pro-active in minimising impacts on nearby residents
 - Manage and recruit volunteers
 - Promote the garden
 - Ensure the garden site remains accessible to the community
 - Sustainable practices, conserve resources and protect the environment
 - Meet the WHS requirements for all activities
 - Adhere to the agreement
 - Provide Council with an annual report
- c) The relevant Council policies, strategies, regulations along with any relevant legislation also apply to the management of a community garden.

Scope and Application

This guideline supports the Community Gardens Policy, detailing the process for assessing requests for community gardens as well as establishing and operating a community garden.

References and Related Documents

Local Government Act 1993

Northern Beaches Policy Framework

Northern Beaches Community Gardens Policy

Northern Beaches Council Community Strategic Plan 2018 - 2028

Northern Beaches Council Environment and Climate Change Strategy 2040

Northern Beaches Council Community Engagement Framework

Roads Act 1993 and subordinate regulations sec 138

Responsible Officer

Executive Manager Parks and Open Space

Review Date

2029

Revision History

Revision	Date	Change	HPE CM Ref
1	November 2019	Draft Community Gardens Guidelines	2019/374438
2	June 2020	Final Draft Community Gardens Guidelines	2020/127970
3	23 June 2020	Guidelines adopted by Council	2020/386293
4	xxx 2025	Revised policy adopted by Council	2025/



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

Purpose / Statement

Northern Beaches Council recognises and respects the vital contribution of registered charitable organisations or not for profit community organisations delivering services and assistance that contribute to vibrant sustainable communities.

This Policy provides the framework for Council to partner with registered charitable organisations or not for profit community organisations to deliver financial assistance for waste disposal costs at Kimbriki Resource Recovery Centre.

Principles

The following principles guide this Policy:

- a) Identified Community Needs: Funding is allocated to priority areas to meet identified community needs
- b) Partnerships: We build and maintain constructive relationships based on mutual respect and transparency. We value the contribution to the social, cultural, economic fabric that charitable organisations bring.
- c) Inclusion and Equity: We support inclusion and equity in our community and decision making.
- d) Good governance: We commit to decision making in the public interest, and effective and efficient financial support mechanisms
- e) Transparency: We will ensure that our processes for financial support are transparent and fair.

Scope and application

Northern Beaches Council will recompense the waste charge (excluding Section 88 levy) made to registered charitable organisations or not for profit community organisations for the disposal of waste at Kimbriki Resource Recovery Centre:

- If the organisation has a Community Service Exemption issued by the NSW Environment Protection Authority (EPA) under Clause 21 of the Protection of the Environment Operations (Waste) Regulation 2014, which is valid on the date of disposal.
- For an amount not exceeding \$2,000 per registered charitable organisation or not for profit community organisations per Financial Year and within the allocated budget for the period.

Application to Council is to be made in writing on letterhead by the registered charitable organisation or not for profit community organisation accompanied by its current applicable EPA Community Service Exemption and the receipt for waste disposal (excluding the Section 88 levy), to be recompensed.

To qualify for exemption, registered charitable organisations or not for profit community organisations are to observe the following requirements:

- Any waste or material must have been collected by the organisation from the Northern Beaches Council Local Government Area.
- Building material (e.g. separate bricks, concrete etc.) is to be pre-sorted so that material left at the Centre can be recycled.

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

- Household waste (paper, glass, aluminium cans, PET bottles etc.) must be presorted and deposited in the respective containers at the Recycling Area.
- Vegetation and metal waste must be presorted and deposited in the respective recycling areas.
- No putrescible (putrid, rotten, decomposed, stagnant) material is to be deposited.
- Funding is provided via Council's Community Grants and Partnerships Policy.

Administration

The Policy provides the framework for an equitable, open and orderly process for providing assistance to the registered charitable organisations or not for profit community organisations. It allows for access to funding and ensures transparency around the provision of financial assistance across the Northern Beaches. It also provides for greater recognition of the contribution Council makes to supporting registered charitable organisations or not for profit community organisations that contribute to social, cultural, environmental and economic life of the Northern Beaches.

This Policy is to be administered as a program consistent with the Community Grants and Partnerships Policy with a budget of \$16,000 per Financial Year, not funded by the domestic waste management charge.

References and related documents

- NSW EPA Community Service Exemption Guidelines
- NSW Local Government Act 1993 s356 and s377
- Northern Beaches Council Discretionary Fund Policy

Responsible Officer

Executive Manager Waste Management and Cleansing

Review Date

October 2024

Revision History

Revision	Date	Change	TRIM #
1	3 March 2021	Draft policy for public exhibition	2019/638782
2	8 July 2021	Under the sub headings Scope and application and Administration changed: 'per annum' to 'per Financial Year' Amended last paragraph to read " This Policy is to be administered as a program consistent with the Community Grants and Partnerships Policy with a budget of \$16,000 per Financial Year, not funded by the domestic waste management charge" Changed Review Date to September 2024	2019/638782
3	3 August 2021	Changed Review Date to October 2024 Policy to be adopted by Council on 24 August 2021	



December 2024

**Quarterly Report on service
performance –**

Implementing the

Operational Plan 2024/25

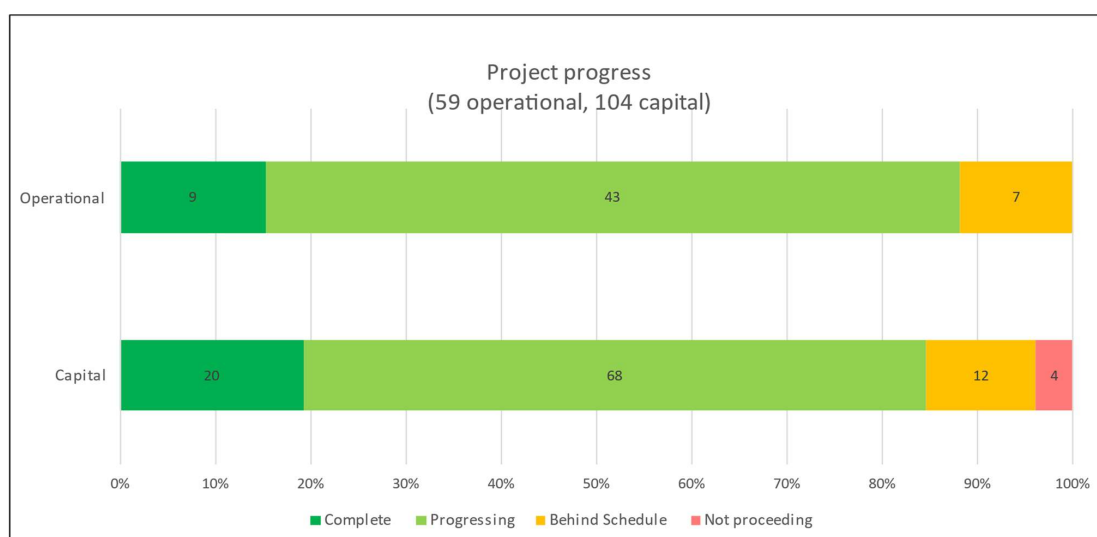
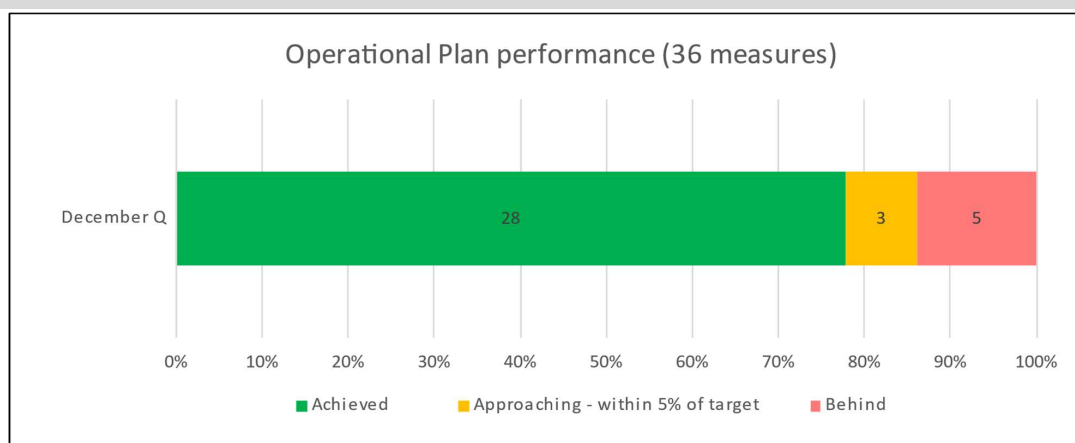
Executive summary

This is a report on progress in implementing the Operational Plan 2024/25 for the quarter ending 31 December 2024. It is structured by the four sustainability elements – environmental, social, economic, and civic - with a total of 16 key services. This report details each service’s highlights, progress of projects, and the performance of services and finances. An overview of progress and performance is below.

Of the 163 projects, 86% were either progressing or completed (comprised of 88% of operational and 85% of capital projects). Council's target is for 80% of all projects to be completed or progressing on schedule by 30 June 2025. In total, 29 projects have been completed. Projects that are behind schedule are due to delays in information from third parties, complexities of the project, rescoping to fit budget, third-party influences, internal reviews, resourcing, and failed procurement processes.

Results for 36 performance measures are included. Overall 86% of targets were met or approaching, and 14% were behind target. Most of the measures that were behind target were impacted by factors such as reduced demand, lack of resources or internal review.

Performance at a glance



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ENVIRONMENTAL

Environment and Sustainability

HIGHLIGHTS

Biodiversity

The Biodiversity and Planning team continue to support Strategic and Place Planning in continued development of the Northern Beaches Local Environment Plan (LEP) and Development Control Plan (DCP), with a focus on reviewing the draft DCP for consistency across teams and providing detailed responses to the state planning departments feedback on the LEP Planning Proposal.

Staff have assessed development applications involving bushland and biodiversity legislation and planning controls, with over 185 development application referrals completed, involvement in 7 development appeals in the NSW Land and Environment Court, and feedback via 4 pre-lodgement meetings provided.

As part of Council's commitment to the conservation of threatened species, staff are piloting Sydney's first artificial nesting platform at Hitchcock Park, Avalon Beach for the Eastern Osprey. The Community consultation report has been finalised with a project update provided via the Council Your Say page.

Wildlife cameras were deployed in Joalah Reserve, McCarrs Creek Reserve and Kinka Reserve in order to track presence and absence of native animals and pest species (e.g. foxes and cats). The results of our camera surveys will be shared in a series of articles on our website.

The team supervised 6 high school work experience students providing them with an understanding of career pathways in bush fire management, biodiversity management and native plant propagation.

Staff continue to liaise with the Resilience and Hazards team, lead State agencies and external/internal stakeholders to prepare for a potential incursion of the H5N1 strain of avian influenza, which has the potential to significantly impact seabird and marine mammal populations.

Bushland management

The bushland team has continued the implementation of 42 bush regeneration contracts working in 169 reserves with approximately 6000 hours of bush regeneration works completed. Examples of projects underway include:

- Bilgola South Headland Bush Regeneration works to expand areas of native Themeda grassland to twice its size.
- Stapleton Park secondary work completed to eliminate the Lantana plumes with a proposed saturation planting of canopy species in March 2025.
- Palmgrove Park primary weed control works to remove a large lantana plume and some vine control adjacent to Powerful Owl nesting hollow.
- Exotic vine and Water Primrose control have been progressed at Warriewood wetlands.
- Secondary works have recommenced at JJ Hills targeting Giant Reed - *Arundo donax* and maintenance of revegetation sites. This work is being done in partnership with Local Lands Services.

Revegetation works undertaken during the quarter included the planting of native trees and shrubs comprising 250 planted at Palmgrove Park, 700 at Coronation Park, 350 at Careel Bay, 1,000 at Nareen Wetlands, 250 at North Narrabeen Headland, 200 at Winnererremy Bay, and 100 at Wellings Reserve.

Grant applications for the Crown Reserve Improvement Fund 2024/25 round have been submitted to continue works at Lake Park, Allenby Park, Jamieson Park, and Middle Creek Reserve. A new application has been submitted for works at Bangalley Headland.

The Bushland team also addressed 181 customer requests during the quarter.

Environmental Volunteers

Environmental volunteering continues, with over 350 active volunteers contributing their time and skills to improving our natural areas at Lagoon, Creek, Dune, and Bushcare sites. 60 volunteers sites are now operational across the beaches. Our Community Nursery and Garden groups meet weekly to propagate native plants from locally sourced seed and assist with our Wildflowers Project.

Invasive Species

The invasive species team has undertaken 29 vertebrate pest, and 14 priority weed related customer service requests throughout the last quarter including conducting 227 priority weed inspections. Four active fox dens were also fumigated.

The invasive species team have provided display stalls including a Community Planting Day at Nareen Wetlands in Narrabeen, Kimbriki Tip Open Day, Stony Range Spring Festival, Scotland Island Garden Festival, Palm Beach Boot Sale and Ivanhoe Garden Festival (Manly). The events included providing education about priority weeds, local biodiversity, and promoting the Environmental Trust Freshwater Wetland Grant and RSPCA Keeping Cats Safe at Home grant. Staff also hosted a quarterly Weeds Roundtable with relevant stakeholders within the local community.

The invasive species team also provided a talk about Northern Beaches Council's initiatives as part of the RSPCA Keeping Cats Safe at Home grant at a Council's United for Pets event hosted by Council's Compliance unit. The RSPCA Keeping Cats Safe at Home grant also included production of a children's book, illustrated by a local artist, promoting keeping cats indoors and responsible pet ownership.

The invasive species team have developed and coordinated a firearms safety and training course for local government officers and land management agencies supervising professional shooting contractors in conjunction with the NSW Firearms Safety and Training Council. This course was well received and attended by nine agencies from the greater Sydney region.

The team have contributed a number of articles for Council's environmental newsletter Cooe and weekly EDMs promoting priority weeds, biodiversity, and grant projects. The team have also participated in a consultation day by invitation of the NSW government as part of the current NSW Biosecurity Act 2015 review.

Bush fire management

Council has continued to work on the 2024/25 bush fire management program throughout the second quarter. Favourable weather conditions allowed 3 prescribed burns to be completed on Council land. These burns have seen approximately one hectare of Council bushland subject to hazard reduction, protecting 113 nearby properties, as well as achieving important ecological outcomes. Another 15 priority Council sites are prepared and awaiting fire agencies to undertake the controlled burns, with Council finalising preparations at 10 other priority sites.

Council's contractors have been working on maintaining the Asset Protection Zone (APZ) network leading into and throughout the fire season. First quarter maintenance works have been completed on all priority APZs in addition to 208 priority sites which have also been completed in

the second quarter. Council's contractors are now finalising remaining priority sites from the second quarter and looking to commence third quarter maintenance early into the new year.

Council in partnership with the Rural Fire Service (RFS) and the Bush Fire Management Committee (BFMC) continued planning for functional maintenance and potential enhancements under the Fire Access & Fire Trail (FAFT) Plan during the quarter. These important works are programmed for parts of the trail network throughout the Western Foreshores and Manly Dam and are expected to commence early into the third quarter.

Corporate sustainability and climate change adaptation

Council's successful partnership with National Parks and Wildlife Service (NPWS) to designate Palm Beach Headland as an Urban Night Sky Place (UNSP) by DarkSky International was recognised by the Banksia Foundation. The partnership project was a finalist in the prestigious NSW Banksia Awards, highlighting initiatives that demonstrate outstanding community leadership and environmental excellence across the state.

The official launch of the UNSP was held celebrating the efforts of the UNSP Working Group in accordance with the UNSP Public Outreach and Education Requirements. Signage has also been installed to acknowledge the designation and the iconic location with remarkable views of our starry night sky.

Council also participated in a pilot project with the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) to understand opportunities to use lower carbon concrete as part of Council works and reduce emissions from our built environment. Training was delivered by industry experts for key staff across several business units on the properties, benefits, and potential applications of low carbon concrete.

Community Sustainability & Education

Our Environment Centres at Manly and Narrabeen hosted over 4,100 school students and community members during the quarter. Programs includes Manly Dam Series Night Walks, the inaugural Sustainable Christmas Craft Open Day together with the popular 'Kids on the Coast' outdoor based school holiday program keeping the kids connected to their coastal environment. The 31st Ocean Festival was held, celebrating our 5 marine protected areas and our marine life below the water and on our rock platforms. As part of the festival, events such as the Underwater Photography Competition, Rock Platform Rambles, Dive for Debris, and science talks were held to recognise our magnificent ocean environment.

Council, in partnership with Clean Energy for Eternity, has commenced a Street Solar Ambassador Program pilot project. This street-based project, facilitated by community volunteers, aims to help residents with suitable homes install solar. Staff also continued to promote the 100% Renewables Power Purchase Agreement for local businesses, the Sustainability Business Network and engage with our community around solar, energy efficiency, EVs & batteries, with over 130 attendees at webinars and events.

Floodplain Management

Grant funding was obtained under the 2023/24 NSW Flood Recovery and Resilience Grant Program, and planning and environmental approvals are now underway for the Narrabeen Lagoon Entrance Clearance 2025. We are planning to commence on site works in August/September 2025.

Reviews and drafting of updates completed for the Flood Prone Land Section of the new Northern Beaches Council Development Control Plan.

53 flood related DA referrals completed this quarter with an average processing time of approximately 6 days.

Stormwater Management

Customer requests for stormwater investigations have been trending downward since the April 2024 storms, with 84 requests received this quarter.

Several catchment studies are underway to investigate stormwater overland flooding improvement options at various location including Palmgrove Road Avalon, Fuller Street Narrabeen, Northcott Road Cromer, Tristram Road Beacon Hill and North Harbour Balgowlah.

Stage 1 Detailed Design has been completed for South Collaroy Foreshore Renewal and Stormwater Upgrades project, with works expected to commence in the new financial year. Stormwater upgrade works at Hudson Parade Clareville have been awarded to the successful tenderer, with works expected to begin in February. Nolans Reserve stormwater boom replacement contract was awarded with works planned to commence in early 2025.

Design contracts have been awarded to consultants for Bolingbroke Parade stormwater upgrades and Winbourne Road upgrades. Request for quotation documentation have been prepared for Newport Beach stormwater upgrade works, Bligh Crescent upgrades design, Queenscliff outlet upgrades design and Georgina Avenue upgrades design with plans to go to market in early 2025.

A comprehensive revaluation of Council's stormwater assets is required to be undertaken in this financial year. A consultant has been engaged in this quarter to assist with the task with the aim of completing the revaluation by early-2025.

Coast and Catchments

Council is developing several Coastal Management Programs (CMPs) that establish the long-term strategy for the coordinated management of our coastal environments. CMPs currently being prepared include:

- Open Coast and Lagoons
- Collaroy-Narrabeen Beach
- Sydney Harbour Catchment
- Hawkesbury-Nepean Catchment.

During this quarter Council undertook a 6 week engagement campaign Hawkesbury-Nepean CMP Stage 3 management actions. Four community drop-in sessions were held in parks and a number of phone interviews were held. A briefing was provided to Pittwater Community Alliance and an interactive website was available through Council's Yoursay page for community submissions. Submissions are currently being collated.

Staff continued assessment of development applications involving waterways and riparian impacts, stormwater quality management, and coastal legislation and planning controls. Staff closed 78 customer requests and 135 development application referrals this quarter.

Condoover Creek bank stabilisation works commenced at Burnt Bridge Creek and will be completed in 2025.

A floating wetland was installed at Manly Lagoon following a community planting afternoon with the Manly Lagoon Friends. This trial will investigate improvements in water quality and habitat.

Council's summer estuary water quality monitoring program commenced with 5 sites across Pittwater, Narrabeen, Dee Why, Curl Curl and Manly Lagoon being monitored for ecological health.

The Collaroy Seawall project continues with construction of rock revetments at Stuart and Ramsey Street anticipated to commence early 2025. Procurement has been finalised and a contractor awarded to install access stairs at Collaroy Carpark in early 2025. Council continues to work with residents regarding private construction works for permanent protection at Collaroy-Narrabeen Beach.

This quarter the team undertook scraping activities at Collaroy-Narrabeen Beach to improve amenity and access. Sites included South Narrabeen SLSC, Mactier Street, Clarke Street and Wetherill Street.

A number of community engagement activities were undertaken:

- Manly Lagoon AGM and presentation on CMP
- Curl Curl Lagoon AGM and presentation on foreshore project
- Narrabeen Lagoon State Park Advisory Committee meeting and update on CMP
- attendance at Sydney Coastal Councils Group's Sand Management Working Group and Technical Group
- attendance at Pittwater Community Alliance Meeting and presentation on Hawkesbury Nepean CMP.

Staff presented at the NSW Coastal Conference on Hawkesbury-Nepean CMP.

Environment and Sustainability - Performance measures	Target	December quarter
No. sustainability education events	40	47
Volunteer bush regeneration (hours)	1875	2128
No. invasive pest animals controlled to protect native flora and fauna	125	0**
- Workload measures		
Gross pollutants removed from stormwater networks (tonnes)	-	159.5
No. DA referrals for assessment of environmental controls [†]	-	275

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

Notes on results:

** The vertebrate pest program was suspended and following a review is expected to recommence in early 2025.

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Expand and optimise volunteer, sustainability and environment centre programs in response to community priorities - Executive Manager Environment & Resilience

Our Environment Centres at Manly and Narrabeen hosted thousands of school students and community members during this quarter.

The Community Sustainability team continues to promote the 100% Renewables Power Purchase Agreement for local businesses, the Sustainability Business Network, and personal one-on-one community education consultations around solar, energy, electric vehicles and batteries, with many attending webinars and workshops focusing on Reducing Energy Bills and the Power Purchase Agreement.

Environmental volunteering continues with hundreds of active Lagoon, Creek, Dune and Bushcare volunteers contributing their time and skills to improve our reserves and natural areas. The Friends of Cabbage Tree Bay volunteers have also kept visitors and locals aware of the incredible biodiversity both above and below the water in Cabbage Tree Bay.



Investigate and implement viable options to reduce minor flooding on Wakehurst Parkway - Executive Manager Environment & Resilience

The project is funded by the State government through Stronger Communities Fund and through Transport for NSW and is part of a larger scheme of projects aimed at minimising disruptions to traffic caused by frequent flooding in the Wakehurst Parkway catchment.

There are 3 sites being considered in this project to improve accessibility by reducing the flooding impacts along Wakehurst Parkway: Oxford Falls Road West causeway, The Bends, and the Academy of Sport.

Further information about the Oxford Falls Road West component of the project can be found under Capital Projects.

At The Bends site, Council continues to investigate how the creek modifications will impact flood performance, the environment, the proposed infrastructure and works maintenance. An asset condition survey is being completed to assess the existing condition of the road at the Bends including embankments, levees, pavement, and culverts. Additional survey work and concept designs are underway to clarify the extent of the road reserve and the creek alignment which will assist in design of flood mitigation solutions.

At the Sydney Academy of Sport site, we are working with Transport for NSW to ensure the concept design for flood improvements integrates into existing infrastructure and minimises disruptions to traffic during construction. Additional survey work and concept designs are underway.



Develop and review flood, bushfire and coastal management strategies and plans - Executive Manager Environment & Resilience

Flood Plans: Improvements have been drafted for new Development Control Plan (DCP) Flood Clause, and the Flood team is continuing to progress Floodplain Risk Management Studies and Plans across the LGA as required. Actions in the Narrabeen Lagoon Entrance Management Strategy are being progressed pending their priority.

Coastal Management Programs are being progressed by Council for Open Coast and Lagoons, Collaroy Narrabeen Beach, Sydney Harbour and Hawkesbury Nepean (Pittwater). Coastal management controls have been drafted for new Local Environment Plan (LEP) and DCP Clauses.

Actions in the Northern Beaches Bush Fire Management Strategy and Council's Bush Fire Management plans are being regularly undertaken. Council is responsible for providing support to the local fire agencies for fire trail maintenance, asset protection zone maintenance, and the preparation of sites for Hazard Reduction burns. Council is actively engaged with the agencies on the Northern Beaches Bush Fire Management Committee.



Report on the State of the Northern Beaches Environment - Executive Manager Environment & Resilience

Work has commenced on drafting a State of the Northern Beaches Environment report which will be supported by data collected for existing platforms and reports, including our externally facing Environment and Climate Change Strategy Dashboard. This report will form a comprehensive health check for our region.



Develop a Northern Beaches Recovery Plan - Director Environment & Open Space

Staff are continuing to draft the Pre-Event Recovery Plan with ongoing engagement with NSW Reconstruction Authority being undertaken.



Develop and implement a Catchment Rehabilitation Plan - Executive Manager Environment & Resilience

Council is currently waiting on creek monitoring data from the NSW Department of Planning and Environment. Once this data has been received, a request for quote (RFQ) can be finalised for a consultant to assess and verify creek condition, water quality and value of the major creeks within the LGA.



Develop and implement a Transition from Gas Plan for Council facilities - Executive Manager Environment & Resilience

A development application has been lodged for works to transition the Manly Andrew 'Boy' Charlton Aquatic Centre (MABC) from gas to electricity. Council is awaiting notification of a grant funding application under the Federal Government's Community Energy Upgrade Fund for the MABC to progress this project.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule

Coastal Protection



Collaroy-Narrabeen Coastal Protection Works - Executive Manager Environment & Resilience

The public works at Stuart and Ramsay Streets are due to commence in early 2025. Access stairs at Collaroy Carpark will also be installed. Community notifications have been sent and Yoursay updated.

Stormwater Program



Planned stormwater new works - Executive Manager Environment & Resilience

The programme is on target overall. Project planning for new projects added to the 2024/25 program (due to a 'High' risk of deferral) has been mostly finalised. There have been delays in the projects on Palmgrove Road, at North Harbour, and on Beatty Street. Freshwater Water Sensitive Urban Design (WSUD) and Mona Vale Beach Outlet projects are on hold due to staff shortages.



Oxford Falls Road West Flood Mitigation - Executive Manager Environment & Resilience

The Oxford Falls Road West project is in the design phase. Recently identified land tenure issues have required further investigations which in turn have caused delays. As a result the project is behind schedule. A preliminary environmental assessment has been completed and a Review of Environmental Factors for the site is pending. Council is working with Transport for NSW to coordinate activities and minimise disruption to traffic and the community between this site and the adjacent works site on Wakehurst Parkway.



Planned Stormwater Renewal Works - Executive Manager Environment & Resilience

The program is on target overall. Project planning for new projects added to the 2024/25 program (due to a 'High' risk of deferral) has been mostly finalised. There have been delays in the project on Darley Road, Bligh Crescent and at Freshwater Culvert Remediation. The Abbott Road project is on hold due to staff shortages, and Brookvale WSUD is on hold due to progression being dependent on outcome of ongoing Brookvale Structure Plan works.



Reactive Stormwater Renewal Works - Executive Manager Environment & Resilience

Reactive Stormwater Renewal project covers the everyday customer requests, emergency works, and high risk minor construction works for Council's Stormwater assets.

CRMs received in December 2024 - 30
CRMs open - Current Total - 186
CRMs closed in December 2024 - 27

Due to overspends addressing urgent issues in the last financial year, this year's annual budget was adjusted.



Gross Pollutant Trap Renewal Works - Executive Manager Environment & Resilience

There are a total of 257 Water Quality Devices across the LGA. This project manages the renewals of the GPT within this group.

Total GPT waste removal since July 1 is 429.68 tonnes.

Nolan Reserve stormwater boom is currently being manufactured with works planned to commence in early 2025.

Water and Energy Saving initiatives



Energy Savings Initiatives Program - Executive Manager Environment & Resilience

Further investigations are underway into options for electrification at Brookvale Children's Centre.



Water Saving and Reuse Initiatives - Executive Manager Environment & Resilience

Water efficiency upgrades at the Warringah Aquatic Centre progressed with flow restrictors and adaptors ordered for the shower efficiency upgrades.

Environment and Sustainability – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	1,810	1,210	600	2,417	2,417	2,778
Investment Fees and Revenues	3	1	2	3	3	3
Other Revenues	114	-	114	-	-	-
Grants and Contributions - Operating Purposes	3,146	3,894	(748)	2,909	5,893	6,294
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	5,073	5,105	(33)	5,329	8,313	9,075
Expenses from Operations						
Employee Benefits and Oncosts	(4,784)	(4,976)	192	(10,051)	(10,051)	(10,061)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(3,197)	(3,620)	423	(8,450)	(9,127)	(9,527)
Depreciation and Amortisation	(3,742)	(3,742)	-	(7,425)	(7,519)	(7,519)
Other Expenses	(4,738)	(4,494)	(244)	(9,554)	(9,818)	(9,818)
Internal Charges	(1,398)	(1,412)	15	(2,837)	(2,829)	(2,829)
Overhead Allocation	(1,732)	(1,732)	-	(3,464)	(3,464)	(3,464)
Total Expenses from Operations	(19,590)	(19,976)	386	(41,782)	(42,808)	(43,219)
Surplus / (Deficit) from Operations	(14,517)	(14,870)	353	(36,453)	(34,495)	(34,144)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	145	74	71	4,690	3,565	2,272
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(14,372)	(14,796)	423	(31,762)	(30,930)	(31,872)
Rates and Annual Charges						
Rates and Annual Charges	17,756	17,750	6	36,375	36,375	36,375

Environment and Sustainability – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$14.5)m is lower than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$5.1m is slightly lower than forecast.

User Charges and Fees are higher by \$0.6m as a result of increased hoarding permit revenue and timing differences associated with the receipt of development engineering fee income.

Other Revenues are higher by \$0.1m as a result of an insurance settlement received for storm damage incurred.

Grants and Contributions for Operating Purposes are lower by (\$0.7)m as a result of timing differences associated with the receipt of bushland and biodiversity funding.

Total Expenses from Operations of (\$19.6)m are lower than forecast by \$0.4m.

Employee Benefits and Oncosts are lower by \$0.2m as a result of vacant positions within the service and staff leave taken.

Materials and Services are lower by \$0.4m as a result of timing differences associated with the payment of contract services for coast and waterway management, bush regeneration and invasive species costs, floodplain management and environmental sustainability and education expenditure.

Other Expenses are higher by (\$0.2)m as a result of the timing of payments made under the grants and subsidies program.

Grants and Contributions for Capital Purposes are higher by \$0.1m as a result of timing of the works associated with the grant funded Oxford Falls Road West flood mitigation works.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$0.4m to (\$34.1)m principally due to increased hoarding permit fee revenue and additional coast, catchment and estuaries operational grant funding and associated expenditure.

Grants and Contributions for Capital Purposes are forecast lower by \$1.2m as a result of rolling over planned works on the Oxford Falls Road West flood mitigation project into next financial year.

Waste and Cleansing

HIGHLIGHTS

Waste Strategy Implementation

The following actions have been undertaken to support the implementation of Council's Waste and Circular Economy Strategy:

- Council has expanded the existing Reuse and Recycling Events and Polystyrene Drop Off Collection to accept more items to divert from landfill including engineered timber and PP5 plastic pots. Whilst this expansion is trialled, options for kerbside collections continue to be investigated.
- The "Bin It Right" behavioural change campaign was developed to deliver education resources to improve use of bin system and resident sorting to maximise recycling. Over the 6 weeks campaign 6 videos were produced as part of a multifaceted campaign. Across digital marketing and paid media, the campaign had an estimated reach of 2.01 million people.
- A study has been finalised to provide a convenient and accessible Northern Beaches Circular Economy Hub by 2030.
- A local study is currently underway to investigate local business-to-business opportunities for waste outputs that could support the transition to more circular economy within the Northern Beaches local government area and potential mechanisms to facilitate the sharing/transfer of waste.
- The Northern Beaches "Library of Things" opened in November at the Cromer Community Centre to pilot the sharing economy. Currently we have 50 members signed up and borrowing from the library.
- Investigation and development of options in preparation for the implementation of pilot programmes for food recovery from red bins are underway with trials due to commence in late 2025.
- Council has provided a formal submission to both NSW and Federal Government papers recommending ways forward to phase out unnecessary single use plastic items and important reforms to packaging to limit waste generated and to facilitate recycling.

Waste Education and community impact

The Waste Education team has delivered a broad program of events to support Council's new strategy and to activate a local circular economy over the quarter. Over 10,000 residents participated in Circular Economy Initiatives, including the Avalon Car Boot Sale, Bags to Riches, Polystyrene and Cardboard Collection Days, and a Reuse Drop Off Collection. As part of National Recycling week in November, approximately 2000 students participated in the Reshaping Waste Workshop, and a further 2 schools attended workshops at the Kimbriki Eco House and Garden.

Waste Service Delivery

In the quarter 28,366 tonnes of waste were collected from homes in the Northern Beaches. Of this, 17,996 tonnes, or 63%, of the waste collected was diverted from landfill through Council's processing and recycling services.

Public Waste & Cleansing

The Public Waste and Cleansing team entered their busiest period, delivering services to their usual high standard during the busy summer and festive period. Public bins and reserves were cleared of rubbish and back to normal early on New Year's Day.

This team continues to monitor and improve the public litter and recycling bin network. Recently this has included the replacement of 14 garbage bin enclosures along Sydney Road between Manly and Seaforth and the installation of a new dual garbage and recycling bin station in Market Lane, Manly. Following a trial period, 8 garbage bins along Manly ocean beachfront have been successfully replaced with comingled recycling bins.

Services were engaged to improve the management and recycling of problem orphan waste retrieved from illegal dumping incidents, including e-waste, scrap tyres and hazardous chemicals.

Downer EDI Works were engaged for a 3-year term to recycle street sweeping material from Council roads. This solution is more cost effective and sustainable than landfill, typically diverting around 94% of the material for onward reuse.

Performance measures – Waste and Cleansing	Target	December quarter
Reports of missed waste collection and litterbin services	< 0.5%	0.25%
No. participating in education events on waste and circular economy solutions	1000	10,311

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

OPERATIONAL PROJECTS

Key: ✓ Complete 🔄 Progressing ! Behind schedule



Investigate and trial options for increased diversion of organics from red waste bins - Executive Manager Waste Management & Cleansing

Council submitted an Expression of Interest (EOI) application to NSW Environment Protection Authority (EPA) regarding Organics Processing advice for the LGA. This will assist Council in investigating local processing options for future food organics collections.

The draft pilot design is complete and ready for discussion with collection and processing contractors to confirm on pilot suburbs/numbers and resourcing required. The project team is working with finance and legal to review the costs and ability to work with current contractors on a pilot.

Planning is underway for future procurements to be carried out in the new year, including requirements for caddies, liners and bins.

Food waste avoidance was also promoted at the Kimbriki Open Day including “Food waste avoidance” giveaways.



Deliver education campaigns to maximise resource recovery from domestic waste, cleansing and litterbin service - Executive Manager Waste Management & Cleansing

The Waste Education team have delivered a broad program of events to support Council's new strategy and to activate a local circular economy over the quarter including:

- Avalon Car Boot Sale and Bags to Riches events
- Polystyrene and cardboard collection days
- 2000 school students participated in the Reshaping Waste Workshop as part of National Recycling week in November and a further two school attending workshops at Kimbriki Eco House and Garden
- Reuse Drop Off Collection event with over 10,000 residents participating in Circular Economy Initiatives.



Promote innovative opportunities for the community to recycle a broad range of recoverable waste types - Executive Manager Waste Management & Cleansing

The Waste Education team have delivered a broad program of events to support Council's new strategy and to activate a local circular economy over the quarter including:

- Avalon Car Boot Sale and Bags to Riches events
- Polystyrene and cardboard collection days
- 2000 school students participated in the Reshaping Waste Workshop as part of National Recycling week in November and a further two school attending workshops at Kimbriki Eco House and Garden
- Reuse Drop Off Collection event with over 10,000 residents participating in Circular Economy Initiatives.



Investigate and trial options for a Circular Economy Hub for reuse, repair and recycling - Executive Manager Waste Management & Cleansing

The Reuse and Repair Hub Feasibility study is now complete. This extensive research project has reviewed feasibility of different delivery models for a reuse and repair hub on the Northern Beaches, including space requirements, estimated operating costs and governance models. The consultant also identified Business to Business Circular Economy opportunities for businesses to share, reuse and recycle used resources locally on the Northern Beaches

The next step is to explore what resources Council may have within the LGA to house a hub and undertake a more in-depth business case. We are also looking at opportunities to promote business to business sharing of used resources.

To demonstrate the circular economy in action, Northern Beaches “Library of Things” also opened in November at the Cromer Community Centre. This project has had an enormous positive engagement with the community, being one of the most highly read items in social media engagement. We also have 50 members, borrowing items (such as tools and household appliances) from the library.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule

Waste and Cleansing



Public place bin enclosures - Executive Manager Waste Management & Cleansing

First delivery of the finished new bin enclosures have been received. This first wave of installation will have Fairlight, Balgowlah and Seaforth remaining locations installed.

Waste and Cleansing – Service Financials

**Income and Expenditure Statement
01 July 2024 to 31 December 2024**

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	21	32	(11)	65	65	65
Investment Fees and Revenues	81	26	55	52	52	52
Other Revenues	155	326	(171)	652	652	502
Grants and Contributions - Operating Purposes	324	372	(48)	97	445	445
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	581	757	(176)	866	1,214	1,064
Expenses from Operations						
Employee Benefits and Oncosts	(5,054)	(4,968)	(86)	(9,954)	(10,235)	(10,250)
Borrowing Costs	(90)	(86)	(4)	(172)	(172)	(172)
Materials and Services	(26,602)	(27,051)	450	(56,288)	(55,364)	(54,917)
Depreciation and Amortisation	(1,370)	(1,370)	(0)	(2,733)	(2,744)	(2,744)
Other Expenses	-	(8)	8	(16)	(16)	(16)
Internal Charges	(1,742)	(1,727)	(15)	(3,453)	(3,453)	(3,502)
Overhead Allocation	(973)	(973)	-	(1,947)	(1,947)	(1,947)
Total Expenses from Operations	(35,831)	(36,184)	352	(74,562)	(73,930)	(73,548)
Surplus / (Deficit) from Operations	(35,250)	(35,427)	177	(73,696)	(72,716)	(72,484)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(35,250)	(35,427)	177	(73,696)	(72,716)	(72,484)
Rates and Annual Charges						
Rates and Annual Charges	67,935	67,687	249	73,696	73,696	73,696

Waste and Cleansing – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$35.2)m is lower than forecast by \$0.2m at the end of the quarter.

Total Income from Operations of \$0.6m is lower than forecast by (\$0.2)m.

Investment Fees and Revenues are higher by \$0.1m as a result of the timing of interest levied on overdue charges.

Other Revenues are lower by (\$0.2)m as a result of lower recycling revenue received.

Total Expenses from Operations of (\$35.8)m are lower than forecast by \$0.4m.

Employee Benefits and Oncosts are higher by (\$0.1)m as a result of increased overtime, the vacancy adjustment and greater utilisation of casual staff partly offset by lower permanent staff costs.

Materials and Services are lower by \$0.4m as a result of lower contract expenditure on waste programs and education costs with higher waste collection costs offset by lower bulky goods, recycling and vegetation disposal/processing charges.

Rates and Annual Charges are higher by \$0.2m as a result of the timing of the receipt of annual charges for domestic waste.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$0.2m to (\$72.5)m principally due to reduced contract expenditure on waste processing, waste programs and education offset by reduced recycling revenue.

Kimbriki Resource Recovery Centre

HIGHLIGHTS

Activity increased over the busy lead up to Christmas with over 108,000 transactions for the quarter. 82% of material received was sent to various recycling partners to be repurposed, recycled and reused which is up from the 80% achieved in the first quarter. This increase is due in a large part to the access gained to markets for Excavated Natural Material (ENM) created from stockpiled virgin ENM. Kimbriki Environmental Enterprises (KEE) continues to investigate opportunities to remove other resources from landfill.

Kimbriki held its 50th Anniversary celebration and Open Day on 16 November 2024. The Mayors of Northern Beaches Council and Mosman Municipal Council both attended and spoke on behalf of the Shareholder Councils. The interest in Kimbriki's activities was high with our 5 behind-the-scenes bus tours selling out a week in advance. Visitors were able to tour our Hub Charities, talk to Kimbriki's key recycling contractors who each displayed examples of recycled products made from materials brought to Kimbriki, and visit the Eco House and Garden which presented a range of activities and workshops aimed at encouraging residents to consider living more sustainably. Northern Beaches Council also provided information on Council programs and hosting various activities for children. Native plants, edible plants and bags of recycled materials were also given away to attendees.

Performance measures – Kimbriki	Target	December quarter
Total waste from all sources diverted from landfill onsite	82%	82%
Waste diverted from landfill in the Mixed Waste section onsite from all sources	10%	11%

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule

Improve on-site systems for more efficient separation of recoverable waste loads - Executive Manager Waste Management & Cleansing

Exploring opportunities to recover and recycle target materials from the recent audit of incoming waste. Secondary tipping area created for larger commercial loads. Some delays due to finalising clean waste diversion system and ongoing processing of recyclables.

Research and develop improved resource recovery for specific waste types, consistent with the endorsed annual Business Plan - Executive Manager Waste Management & Cleansing

Ongoing negotiations regarding expansion of e-waste recycling. Market penetration for Excavated Natural Material (ENM) derived from the processing of Virgin Excavated Natural Material (VENM) on site increases recovery rates.

Develop and improve waste avoidance, reuse and repair initiatives to enhance social enterprise opportunities - Executive Manager Waste Management & Cleansing

Continue to support Council initiatives such as Free Polystyrene drop off and off site collection days for recyclable material. Kimbriki 50th Anniversary Open Day held on 16 November to promote Kimbriki's recycling services and The Hub and Eco House and Garden programs. Post open day leveraged off the success of the Open Day through social media and website stories and donate of proceeds from Open Day BBQ to KEE's Hub Charities.

CAPITAL PROJECTS

Kimbriki improvements

Kimbriki Gas Capture System - Executive Manager Waste Management & Cleansing

Installation of Gas Capture infrastructure for Cell 4B completed resulting in a significant increase in methane captured and destroyed.

Kimbriki future cell development - Executive Manager Waste Management & Cleansing

Ongoing works for next landfill cell including design, purchasing of lining materials, and cell preparation earthworks.

Kimbriki Renewal Program - Executive Manager Waste Management & Cleansing

Installation of infrastructure to allow for access to storm water to use for dust suppression in the concrete processing area to reduce use of town water.

Kimbriki Other - Executive Manager Waste Management & Cleansing

Kimbriki improvements

Major projects include replacement of Weighbridge UPS systems and purchase of drone to enable in-house stockpile surveys.

Kimbriki Resource Recovery Centre – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	20,438	20,017	421	39,521	39,818	40,240
Investment Fees and Revenues	638	559	79	942	1,030	1,109
Other Revenues	1,813	1,912	(100)	3,763	3,856	3,757
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	143	138	5	274	276	280
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	23,032	22,626	406	44,501	44,980	45,385
Expenses from Operations						
Employee Benefits and Oncosts	(2,760)	(2,805)	45	(5,355)	(5,363)	(5,319)
Borrowing Costs	(990)	(1,115)	125	(2,140)	(2,277)	(2,277)
Materials and Services	(10,397)	(9,933)	(464)	(20,104)	(20,077)	(20,390)
Depreciation and Amortisation	(1,831)	(1,869)	38	(3,778)	(3,730)	(3,692)
Other Expenses	(4,768)	(5,001)	234	(9,668)	(9,759)	(9,525)
Internal Charges	-	-	-	-	-	-
Overhead Allocation	-	-	-	-	-	-
Total Expenses from Operations	(20,746)	(20,723)	(23)	(41,046)	(41,206)	(41,202)
Surplus / (Deficit) from Operations	2,286	1,903	383	3,455	3,774	4,183
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	2,286	1,903	383	3,455	3,774	4,183
Rates and Annual Charges						
Rates and Annual Charges	-	-	-	-	-	-

Kimbriki Resource Recovery Centre – Service Commentary

Year to Date Actuals

The Total Surplus from Operations of \$2.3m is higher than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$23.0m is higher than forecast by \$0.4m.

User Charges and Fees are higher by \$0.4m as a result of higher than forecast vegetation and landfill volumes that offsets the shortage on recyclables.

Investment Fees and Revenues are higher by \$0.1m as a result of higher interest rates on term deposits which brought a better return on investment revenue.

Other Revenues are lower by (\$0.1)m mainly due to lower than expected outbound shipments of metal in December due to contractor availability which has increased the stockpile held on site.

Total Expenses from Operations of (\$20.7)m are consistent with the YTD forecast.

Borrowing Costs are lower by \$0.1m as a result of alignment between KEE and NBC on the unwinding of the discount.

Materials and Services are higher by (\$0.5)m due to higher landfill, vegetation and demolition processing costs aligned with higher inbound tonnages and revenue and increased contributions to the site remediation fund.

Other Expenses are lower by \$0.2m mainly attributable to EPA levy refunds for operational purpose deductions processed and higher than anticipated recovery of excavated natural material (ENM) which offset the leviable materials received during this period.

Annual Forecast

For the full financial year, the Total Surplus from Operations is forecast to increase by \$0.4m to \$4.2m principally due to the YTD actuals detailed above.

SOCIAL

Community, Arts and Culture

HIGHLIGHTS

Social planning and development

The Better Together 2040 Social Sustainability Strategy is now in its fourth year of implementation. The third Better Together Forum was held in October 2024 and brought together 60 people from over 25 different community organisations and government departments. We reflected on our shared priorities for the Northern Beaches community for 2024 and beyond, with a specific focus on community connection.

The second State of Wellbeing report has been finalised, summarising the results of 2024 data analysis against the Community Wellbeing Framework Indicators.

Community Development

The Community Development Grants Program funded 21 projects from 66 eligible applicants in November 2024, including 13 projects for established not-for-profit organisations, and 8 projects supporting new, small, and emerging local community groups and organisations. Council facilitated 40 community led Meet Your Neighbour street parties through the It Takes a Village program in December.

The NSW Government funded We Belong Intercultural Community Leaders Program provided training sessions to 16 community leaders to celebrate diversity, foster intercultural understanding, and empower community leaders in our community. The community leaders have formed project teams, each focusing on a unique project for Harmony Week 2025 such as workshops in local high schools, an oral history and cultural walk, a human library event and podcast, and an intercultural fair. We continue to consult with the local Cultural Leaders Group to advance relevant actions from Council's Multicultural Inclusion Plan.

We hosted a Gambling Roundtable organised by a consortium of local organisations and churches during GambleAware Week in October where 52 community stakeholders gathered to discuss the impact of problem gambling on the community. Council participated in a working group with other local organisations to run a Mental Health Expo in October at North Narrabeen Farmers Market to celebrate Mental Health Month, engaging 170 community members.

To celebrate International Day of People with Disability in December, a unique opportunity to experience the full range of accessible facilities was provided at the Manly Boy Charlton Manly Aquatic Centre through an Accessible Aquatics Day, with several community members and their family and carers in attendance.

Community Centres

The new Warriewood Community Centre building works continue to be on track and should be completed in the second half of 2025.

Arts & Culture

The Arts and Creativity Grants Program received 73 applications, with 24 applications adopted for funding in October 2024. A range of community exhibitions and activities were delivered at the

Avalon, Curl Curl, and Mona Vale Creative Spaces and local artist, Susie Dureau, was appointed as the Eramboo Artist in Residence for 2025.

Manly Art Gallery and Museum delivered 3 new exhibitions including *Hyphenated*, *The Water Understands* and *Water: Collection Stories*. The Design Shop continued to support and promote over 30 local designers, makers, and artists. New MAG&M merchandising, a collaboration with artist Elliott Routledge, was popular with customers.

The Coast Walk Public Artwork, *Signal Fire* at McKillop Park received a second accolade – a merit award for place from the Design Institute of Australia. Planning for new public art at Collaroy Rock Pool and Newport Beach commenced.

Glen Street Theatre

The venue staged 104 events to 24,153 audience members, including 43 end of year concerts by 21 local dance schools. Community use of the venue was high, demonstrated by 65% of overall utilisation of the venue.

The 2025 Season was launched for Members from 18 November to 18 December, which is when tickets went on sale to everyone. The release of the Act One brochure focused on shows being staged in the January to June 2025 period and includes children's entertainment, film, drama, live music and comedy being presented for the community to access. The final season of The Wharf Revue has sold strongly, with total sales at over 70% and an extra matinee performance added due to demand. Initial Glen Street Theatre Membership program re-engagement is high at 78% of the yearly target at the end of December.

The 2025 Education program was released for local school engagement with 1101 students and teachers already booked to attend a range of performances from early childhood to Year 12. This curated education program support classroom learning while engaging young people in live theatre and developing lifelong learning for engagement in arts and cultural activity.

Working with young people and families

The Youth Advisory Group (YAG) continued to deliver key actions of the Youth Voice Action Plan and planning for Youth Week 2025. We supported 5 Youth Advisory Group (YAG) members to attend the NSW Youth Council's Conference held at Western Sydney University where they learned about diversity, intersectionality, and cultural differences, bringing this back to the rest of the Group to consider how they can celebrate common bonds that unite young people to increase inclusion.

Planning for Have Your Say Day 2025 has commenced with the Beaches Leadership Team progressing youth led oversight of this Forum for young people to share their collective voice to local, state, and federal decision makers on matters important to them.

The Adolescent and Family Counselling Service provided over 270 free client counselling sessions to young people and their families. The service also hosted 2 youth social club activities to provide social capacity building and connection between young people.

Supporting Seniors

Meals on Wheels delivered over 4200 meals to older people in the community to enable them to live at home for longer and prevent social isolation. This included 200 community lunches meals that increase social connections for older people. A Volunteer Lunch was held in December to recognise the value of the over 70 volunteers that provide integral support for the service.

To celebrate National Carers Week, Council ran a series of 3 webinars and hosted a lunch with over 70 participants. We continued to support the Northern Beaches Dementia Alliance with their Northern Beaches 2024/25 Dementia Friendly Community Plan, recently approved by Dementia Australia.

Valuing volunteers

Nominations closed and judging has been completed to select the recipients for the 2025 Australia Day Awards. An event is scheduled in January 2025 to recognise the significant contribution of these exceptional volunteers within our community.

Volunteers were active in all programs across Council, continuing to deliver valued services to our community including Bushcare, Community Gardens, Cemeteries, Libraries, Meals on Wheels, Manly Art Gallery and Museum, Manly Environment Centre, Manly Visitor Information Centre, and the Aboriginal Heritage Office.

Community Safety

We continue to lead a coordinated response to community safety in the Northern Beaches through implementation of Community Safety Plan 2021 – 2026 actions; consultative meetings with local Police, services and other stakeholders; and collaborative assessment and response to issues and locations of concern.

The Community Safety Advisory Committee met on 14 November 2024 to hear from a range of local interagency groups on the key community safety issues impacting their networks in the areas of youth, alcohol, seniors, and housing and homelessness.

A safety audit of the Brookvale industrial area was undertaken to address Police concerns for community safety in this emerging area.

For 16 Days of Activism, we supported the Northern Beaches Domestic Violence Network to lead several community focused activities to raise awareness about domestic violence. This included an awareness campaign such as resources, information about services and guidance on how to get help. Council Instagram and Facebook paid ads reached over 100,000 people on this important issue. We also provided a resource toolkit to local high schools, with several schools making use of these in their school community.

Community Arts and Culture - Performance measures	Target	December quarter
Community Centres: no. bookings	8450	8839
No. Meals services	5000	4208*
No. volunteers who actively participate in ongoing Council programs	650	708

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

Notes on results:

* Service demand decreased across the 2nd quarter. Further promotion required in quarter 3.

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Develop the Community Connection Project - Executive Manager Community, Arts & Culture

The We Belong projects are progressing at a good pace. Initial consultation has occurred with the social services sector around information access points. Moving forward with social research paper.



Living in Place and State of Wellbeing Report - Executive Manager Community, Arts & Culture

The project is on track with the final draft being finalised.



Develop Collective for Environmental Art and Design (CEAD) - Executive Manager Community, Arts & Culture

The annual Collective for Environmental Art and Design Forum is under development, scheduled for 13 February 2025 at MAG&M.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule  Not proceeding

Community Centre Improvements



Warriewood Valley Community Centre - Executive Manager Capital Projects

Construction of the new Warriewood Community Centre is in progress.

Cultural Improvements



Coast walk - Art trail - Executive Manager Community, Arts & Culture

Planning and engagement undertaken for Collaroy Beach and Newport Beach projects.



Glen Street Theatre - Renewal Works - Executive Manager Property, Buildings & Beach Services

This program includes for the major works to undertake the Stage 2 air-conditioning system upgrade works. The installation of all Heating, ventilation, and air conditioning (HVAC) equipment is completed and commissioned. A latent condition regarding existing water damage to the foyer rear ceiling will require full replacement.



**Creative Arts Space - Mona Vale design works - Executive Manager Property,
Buildings & Beach Services**

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, this project to expand the creative space at Mona Vale is not proceeding.

Community, Arts and Culture – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	2,216	2,408	(192)	5,038	5,016	4,707
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	524	487	37	995	963	971
Grants and Contributions - Operating Purposes	485	348	137	654	678	678
Other Income	22	48	(26)	83	83	45
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	3,248	3,292	(44)	6,770	6,740	6,401
Expenses from Operations						
Employee Benefits and Oncosts	(4,001)	(3,843)	(159)	(7,754)	(7,785)	(7,754)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(1,649)	(1,900)	250	(3,783)	(3,861)	(3,619)
Depreciation and Amortisation	(447)	(447)	-	(658)	(1,013)	(1,013)
Other Expenses	(355)	(355)	(0)	(499)	(499)	(499)
Internal Charges	(31)	(31)	0	(63)	(63)	(63)
Overhead Allocation	(443)	(443)	-	(886)	(886)	(886)
Total Expenses from Operations	(6,926)	(7,018)	92	(13,644)	(14,108)	(13,834)
Surplus / (Deficit) from Operations	(3,679)	(3,726)	48	(6,873)	(7,367)	(7,433)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	70	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(3,679)	(3,726)	48	(6,803)	(7,367)	(7,433)
Rates and Annual Charges						
Rates and Annual Charges	3,634	3,634	-	6,807	6,807	6,807

Community, Arts and Culture – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$3.7)m is slightly lower than forecast at the end of the quarter.

Total Income from Operations of \$3.2m is slightly lower than forecast.

User Charges and Fees are lower by (\$0.2)m as a result of reduced Venue hire of both Community Centres and the Glen Street Theatre.

Grants and Contributions for Operating Purposes are higher by \$0.1m as a result of timing differences associated with the receipt of operational grant funding.

Total Expenses from Operations of (\$6.9)m are lower than forecast by \$0.1m.

Employee Benefits and Oncosts are higher by (\$0.2)m as a result of the timing of adjustments to employee cost budgets.

Materials and Services are lower by \$0.3m as a result of savings in and the timing of advertising and promotional expenditure, minor tools and equipment expenditure, theatre equipment hire costs, computer software costs and marketing expenses.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by (\$0.1)m to (\$7.4)m principally due to reductions in forecast revenue from Community Centres hire and Glen Street Theatre operations, partly offset by reduced expenditure on performance fees, computer software, advertising, agency personnel and goods purchased for resale to external parties.

Children's services

HIGHLIGHTS

Children's Services Strategy

Dee Why Children's Centre has been approved to participate in the NSW Government Flexible Initiative Trial commencing in 2025. This means that Dee Why Children's Centre will be offering 2 different service types, being Long Day Care and Pre-School, within the same Centre for 2025. This trial is part of the NSW Government's long-term commitment to support children and young families in the early years.

The new service type at Dee Why will be offering limited spaces for a pre-school operating for 7.5 hours a day (8:15am-3:45pm) 40 weeks per year (Closed during NSW Public School holidays).

Dee Why Children's Centre will continue running the Long Day Care pre-school room as well as the new Pre-school in a different room at the service.

The service enrolments have now reached full capacity, with families formally enrolled in Dee Why Pre-school and ready to commence when the pre-school term starts on 31 January 2025.

Growing our workforce talent

Educators and leaders have attended a variety of professional learning to upskill and enhance knowledge. The opportunities included:

- Early Childhood Australia conference - providing opportunities to network and hear from leading experts in the sector.
- "A framework for understanding and responding to behaviours that challenge" – this workshop provided strategies to support children with inclusion needs.
- A KU inclusion officer attended the service and provided strategies and links to courses for the team to access, including Attention Deficit Hyperactivity Disorder (ADHD) training webinars.

Narrabeen Children's Centre was declared a winner in the Large Community Metropolitan Centre in the excellence in Early Childhood Education Awards and was a finalist in Community Involvement section.

Connecting with Community

The Spring holiday program included links to several community organisations, including visits from residents from Seaforth Bupa, and cooking for Hardi Aged Care and Dee Why Gardens residents with our Vacation care children.

Brookvale Pre-school and Children's Centre in collaboration with families have been successful in obtaining an approved plan from Council to construct a raised pedestrian crossing on Federal Parade and a new footpath for safe evacuation of the Children's Centre.

Our Early Learning centres are supporting a number of community organisations. Belrose Children's Centre community is a drop off point for Smiles2U: giving back to the community contributing to collecting Christmas gifts for families in need. The teams are also participating in One Meal hampers: collecting pantry items to create a hamper for families in need across Sydney. "The Give Hub" is a wonderful initiative to help those less fortunate in our local community, collecting donations of non-perishable food items from our children and families.

Harbour View Children's Centre have been selected by Kimbriki Eco Centre to be part of their Centre Waste Reduction Program. With support and professional development and ongoing visits for the next 18 months we will set up a compost and upgrade our worm farm.

Educational Program

Dee Why Children's Centre have been approved for a pre-school program that offers an affordable option to the community. This is an exciting initiative which co-locates pre-school and long day care in the same premises to support the changing needs of families.

We have partnered with NSW Health offering Brighter Beginnings health checks to children 4 years and over to better assess early intervention possibilities for children in this age group. This is a valuable opportunity to offer early intervention services as needed for families and is being rolled out across all Council's early learning centres.

Harbour View Children's Centre celebrated Science Week in a variety of ways. This year's theme is 'species survival'. The Coastal Environmental Centre came to visit and brought Billie the Bandicoot along for a visit and spoke to the children about creating an environment that can support native animal habitat.

Harbour View Children's Centre welcomed Anthony from Plastic Pollution Solutions for an in-service event. He spoke to our pre-school children about the importance of 'reduce, reuse, recycle' in a hands-on session. New plants were installed with bamboo to create a screen and inclusive environment for children. A new flame tree provides colour and shade to our outdoor environment and encourages biodiversity in our garden. The children also planted a crop of summer vegetables in the Kitchen Garden. These include beans, capsicum, herbs and zucchini. We also planted flowers for our native bees who have come out of hibernation.

Narrabeen Children's Centre welcomed Braeden of Wheely Good Chats which is a Disability Awareness program where a young man who lives with cerebral palsy visits schools with the aim of raising an understanding of disability in the community so that people with disabilities feel included and seen. The children from 2 years up engaged with Braeden and were exposed to the way that others like Braeden communicate through iPad programs and conversation is often by way of body language and squeals.

Supporting transitions to school

It is an exciting time for our children who transition to school in 2025. Educators have completed their Transition to School Statements which are communicated with the Department of Education portal to enable sharing of information with teachers - leading to smooth transitions to school.

Narrabeen Children's Centre has been visited by Kindergarten teachers from various local schools to observe children who will be attending their schools in 2025. The Centre expanded the Kimochis program, an emotional regulation program, to include a session for the children in the 2 – 3 year old children as part of their preparation for transition to the pre-school in 2025.

Manly Community Pre-school is helping prepare over 75 children to graduate and head off to Primary School in 2025. The school readiness program is in full swing, introducing schoolies week where the children dress-up in their school uniform and we have a pretend canteen at pre-school for the children to enjoy.

Narrabeen Children's Centre conducted developmental assessments using the Early Years Toolbox which uses an iPad app designed by the University of Wollongong to measure young children's emerging cognitive growth relating to executive function, expressive language vocabulary, and numeracy competence. This is conducted with children who will be leaving to commence formal education in 2025. This is in addition to the normal Transition to School Statement which has have been completed and submitted to local schools.

Family partnerships

All early learning centres completed developmental summaries for all children to support families to understand the learning for their child provided against outcomes in the National Quality Framework.

Following the annual parent survey, services provided feedback to families in support of our commitment to continual improvement and family involvement in decisions that affect their child. Updates were shared regarding opportunities to celebrate what families value and opportunities for improvement.

Harbour View Children's Centre held a 'Love Makes A Family' afternoon tea. Families came to share a plate of food and joined us in some games and activities with their children and the educators.

Narrabeen Children's Centre supported by a small parent group held a very successful art show which showcased children's work. This resulted in almost \$2,000 in funds which will go towards program support through incursions. A major result was the growing of community spirit within the Centre.

North Harbour Pre-school has finalised plans to begin replacing the synthetic grass in the playground, along with some drainage issues and works have now been completed and appreciated by the families.

Performance measures – Children's services	Target	December quarter
No. children attending Long Day Care programs	700	903
No. children attending Family Day Care programs	340	308*
No. children attending Pre-school programs	150	242
No. children attending Vacation Care Programs	350	248**

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

Notes on results:

* The number of Educators providing Family Day Care (FDC) is difficult to predict based on constraints on affordable suitable premises for new FDC sites.

** Less enrolments and not all 3 locations operating each day due to reduced demand

Key:  Complete  Progressing  Behind schedule  Not proceeding

Community Buildings

Children's centres works program - Executive Manager Property, Buildings & Beach Services

This year's program provided air conditioning for Dee Why Children's Centre and Harbourview Centre along with a replacement fence at Harbourview. All works have been completed.

Children's services – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	7,922	7,928	(6)	15,819	15,819	15,776
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	36	2	34	3	3	3
Grants and Contributions - Operating Purposes	1,579	1,906	(327)	3,052	3,082	3,082
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	9,537	9,836	(299)	18,874	18,904	18,861
Expenses from Operations						
Employee Benefits and Oncosts	(7,641)	(7,450)	(191)	(15,128)	(15,158)	(15,469)
Borrowing Costs	(3)	(3)	(0)	(6)	(6)	(6)
Materials and Services	(903)	(1,160)	258	(2,221)	(2,284)	(1,930)
Depreciation and Amortisation	(27)	(27)	(0)	(54)	(54)	(54)
Other Expenses	-	-	-	-	-	-
Internal Charges	(276)	(295)	19	(591)	(591)	(591)
Overhead Allocation	(405)	(405)	-	(810)	(810)	(810)
Total Expenses from Operations	(9,255)	(9,340)	85	(18,810)	(18,903)	(18,860)
Surplus / (Deficit) from Operations	282	496	(214)	64	1	1
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	282	496	(214)	64	1	1
Rates and Annual Charges						
Rates and Annual Charges	-	-	-	-	-	-

Children's Services – Service Commentary

Year to Date Actuals

The Total Surplus from Operations of \$0.3m is lower than forecast by (\$0.2)m at the end of the quarter.

Total Income from Operations of \$9.5m is lower than forecast by (\$0.3)m.

Grants and Contributions for Operating Purposes are lower by (\$0.3)m as a result of timing differences associated with the receipt of operational grant funding.

Total Expenses from Operations of (\$9.3)m are lower than forecast by \$0.1m.

Employee Benefits and Oncosts are higher by (\$0.2)m as a result of greater reliance on casual staff to maintain mandated staffing levels.

Materials and Services are lower by \$0.3m as a result of a greater reliance on casual staff negating the need for agency personnel and timing differences associated with the payment of building maintenance, minor office equipment and child care supplies.

Annual Forecast

For the full financial year, there are currently no anticipated changes to the forecast result.

Library Services

HIGHLIGHTS

Valued social institutions

Receiving more than 290,000 visits during the last quarter, Northern Beaches Libraries are one of the most valued and busiest social institutions in the Northern Beaches. Northern Beaches Libraries supports over 72,000 active members of our library service, with over 704 new members in the last month. These members borrow from our collection, attend programs and events, use our Home Library Service or simply visit our spaces for work, education or recreation.

Our library service delivers a wide variety of contemporary, popular collections in both print and digital formats, with more than 232,000 physical loans and over 128,000 e loans from our service this quarter.

Experience – Explore and Engage

Second quarter saw a diverse and exciting events calendar with libraries holding 821 programs and events. These events include regular daily early literacy sessions held across all branches, to events showcasing local talent and supporting community connection including Book Chats and Open Mic Nights.

Children continued to be supported through the delivery of literacy and craft workshops, and our enduringly popular school holiday programs featuring escape rooms, beading drop-ins and spooky Halloween luminaries.

HSC support sessions operated throughout September and October for more than 1300 young people in their studies. Throughout the HSC period additional supporting workshops including wellness talks and presentations on study resources were delivered across the service.

Our author talk program continued to reach new milestones, with talks hosted across all libraries including Nicki Gemmel, Benjamin Stevenson and local author Robert Menzies whose memoir about competing in the 1972 Olympics was a surprise hit with community members.

With a continued focus on the preservation of our rich local studies collections, 345 items were digitised this quarter with a total 31,494 items accessible on History Hub. An online portal, History Hub provides instant access to photographs, videos and oral histories.

Connection – Belonging and Pride

Our volunteers continue to take an invaluable role in the delivery of library services with 135 volunteers providing support to operate our Justice of the Peace service, Tech Help, Family History Fridays and Home Library service deliveries.

Supporting Mental Health Month and International Day of Disability were key areas of focus during the last quarter with libraries hosting a variety of events, programs and exhibitions. Events were designed to engage and connect members of the community including creative art workshops for adults living with a disability and carers information sessions.

Our exhibitions program continues to expand including showcasing Council's 2025 Underwater Photography Competition winners, artworks completed by adults living with a disability in

partnership with ArtAbility and winning designs from our annual children's bookmark design competition.

Together – Partnerships and Collaboration

Ongoing partnerships with external organisations allow Northern Beaches Libraries to provide a wide range of information sessions that are key to creating programs that meet the needs of our diverse Northern Beaches community.

November saw the return of our Speechie talks in collaboration with Speech Pathology Australia and the Australian Library and Information Association. Delivered annually, Speechie talks are free presentations for our community focused on helping carers and parents to build their child's language and literacy development.

Our partnership with Service NSW, Services Australia, and Carers Gateway has continued, with a wide range of facilitated information sessions including digital support sessions, disability and carer support, accessing government subsidies, and scams awareness.

Leadership – Excellence and Innovation

In December, Northern Beaches Libraries was thrilled to announce that we were awarded the NSW Public Library Association Multicultural Excellence Award 2024 for our Tibetan Storytime Program. The Multicultural Excellence Award is awarded annually by the NSW Public Library Association and recognises a public library service for demonstrated excellence in delivery of multicultural library services.

Following on from the success of launching Australia's first Tibetan collection in an Australian public library, our Library Services team worked collaboratively with Tibetan groups and community members to co-design an early literacy program. Since the launch of the program in May 2024, the fortnightly program has attracted 279 participants celebrating Tibetan language and culture.

In other leading services, Forestville Library 24/7 continues to provide a vital connecting space supporting high school and university students, community members working remotely and providing the general community access to library services around the clock, 7 days a week. During this quarter, more than 2600 members have signed up for 24/7 access with more than 10,000 visits outside of staffed hours.

Library Services - Performance measures	Target	December quarter
No. library programs and activities	400	821
No. of physical visits to libraries	175,000	292,663
No. Home Library Service customers	525	503*
- Workload measures		
No. events, programs and exhibitions that align with diverse and inclusive programming	-	18

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

* Home Library Service Review in progress

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Review and implement opportunities for 24/7 access to the physical library space - Executive Manager Library Services

Works continue to support 24/7 library services.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule  Not proceeding

Library Upgrades



Mona Vale Library - upgrades and new works - Executive Manager Property, Buildings & Beach Services

This project will deliver improvements to the Mona Vale Library. This project is currently working on relocating the library returns chute and improvements to back office operations areas.

Community Space and Learning



Library local priority grant purchases - Executive Manager Library Services

Works continue at Manly library to support future requirements.



Library books - replacement - Executive Manager Library Services

Of the physical items received, Adult Fiction comprised 44% of stock, Adult Non-Fiction 22%, Junior items 29%. The remaining 5% of stock received was Young Adult and Audiovisual items.

Library Services – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	85	64	20	128	128	128
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	66	66	(0)	133	133	133
Grants and Contributions - Operating Purposes	796	826	(30)	826	826	784
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	946	957	(10)	1,087	1,087	1,045
Expenses from Operations						
Employee Benefits and Oncosts	(3,815)	(4,141)	326	(8,395)	(8,395)	(8,395)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(743)	(796)	53	(1,603)	(1,601)	(1,601)
Depreciation and Amortisation	(1,103)	(1,124)	21	(2,062)	(2,343)	(2,343)
Other Expenses	(72)	(129)	57	(129)	(129)	(129)
Internal Charges	(44)	(44)	-	(87)	(87)	(87)
Overhead Allocation	(502)	(502)	-	(1,005)	(1,005)	(1,005)
Total Expenses from Operations	(6,278)	(6,735)	457	(13,280)	(13,560)	(13,560)
Surplus / (Deficit) from Operations	(5,332)	(5,779)	447	(12,193)	(12,472)	(12,515)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	35	151	(115)	169	178	178
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(5,296)	(5,628)	332	(12,024)	(12,294)	(12,337)
Rates and Annual Charges						
Rates and Annual Charges	5,682	5,682	-	12,193	12,193	12,193

Library Services – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$5.3)m is lower than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$0.9m is lower than forecast.

Total Expenses from Operations of (\$6.3)m are lower than forecast by \$0.5m.

Employee Benefits and Oncosts are lower by \$0.3m as a result of vacant positions within the service and staff leave taken.

Materials and Services are lower by \$0.1m as a result of timing differences associated with the payment of agency personnel and subscription costs.

Other Expenses are lower by \$0.1m as a result of timing differences associated with payments made under the grants and subsidies program.

Grants and Contributions for Capital Purposes are lower by (\$0.1)m as a result of the timing of the work associated with the Local Priority grant.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase to (\$12.5)m principally due to reforecasting the amount of the library subsidy following receipt of this year's allocation.

Strategic land use Planning

HIGHLIGHTS

Brookvale Structure Plan

In August 2024, Council received a Highly Commended Planning Award from Local Government NSW for the Brookvale Structure Plan. This related to the efforts of Council staff in community consultation, stakeholder engagement, and addressing feedback throughout the project, resulting in overwhelming support for the project.

Council was also successful in its application for \$856,500 of grant funding from the Federal Government's Housing Support Program which aims to boost housing supply nationally. The funding is being used to fast-track a suite of technical studies necessary to implement the Brookvale Structure Plan. This will bring forward by about 4 years Council's program to have the statutory planning framework and detailed development controls in place for the Brookvale strategic centre. These new controls will align with the Brookvale Structure Plan to enable Brookvale to grow and evolve, through the delivery of at least 1350 new dwellings, 900 jobs and key community infrastructure over the next 15 years.

By the close of 2024, 4 studies were complete (Heritage, Noise, Contamination, Bushfire), 5 studies were well underway (Water Management, Utilities, Demographic Analysis and Social Infrastructure, Open Space and Recreation, Greening), and consultants were being engaged for an Urban Design and Public Domain Strategy.

It is anticipated that all technical studies will be complete by mid-year 2025. This will then inform the preparation of a planning proposal, development controls plan and s7.11 Contributions Plan.

Modern Architecture Heritage Study

In mid-2024, Council commenced work to prepare a Modern Architecture Heritage Study of the Northern Beaches Local Government Area. The purpose of the study was to examine the influence of the Modernist architecture movement on the development of the Northern Beaches area and identify examples of this architectural style which are worthy of protection by heritage listing.

Public interest in the project was extremely high, and 195 community nominations were received that identified buildings from the Modernist period that may be worthy of further investigation and heritage protection.

Council staff have completed an initial assessment and review of all nominations, including the Modernist movement Thematic History, and have identified the top 20 nominations for further detailed assessment, including consultation with property owners. Detailed assessment and consultation will commence in February 2025.

Local Housing Strategy and Affordable Housing

Council prepared several submissions to the State Government on housing matters during the period. These included:

- Detailed submissions on "Low and Mid-rise" housing proposals set to commence in 2025 permitting residential flat buildings of at least 6 storeys in certain town centres. Council's submissions addressed impacts on the existing character of the area and increased

demand for infrastructure and services that cannot not be funded through local government rates or other local planning mechanisms.

- Submissions to the State Government's Urban Development Program to identify state and regional infrastructure projects required to support forecast housing growth.
- Submission and appearance before a NSW Parliamentary Inquiry on Essential Worker Housing. Council's submission emphasised the need for the NSW Government to support councils in introducing a contribution for affordable housing for all new development, and particularly to areas of development uplift from the Government's planning reforms.
- Appearance before the North District Planning Panel outlining Council's continued opposition to the Patyegarang (Lizard Rock) Planning Proposal to rezone land in Oxford Falls Valley for urban development.

Northern Beaches Development Control Plan

Council finalised the first draft of a new comprehensive Development Control Plan (DCP) containing detailed guidelines for new development and building in the Council area. The draft DCP, which is intended to be exhibited for public comment together with Council's new draft Local Environmental Plan (LEP), was also reviewed by all relevant Council teams during the period to assist in the preparation of a second draft for public comment.

Public exhibition of the draft DCP is dependent upon approval of the draft LEP for public exhibition by the Department of Planning, Housing and Infrastructure (submitted to the Department in June 2024).

Robertson Road, Newport Working Group

The Robertson Road Working Group was formed after Council considered a Notice of Motion tabled at the 30 April 2024 Ordinary Council Meeting and resolved to form a working group to review the Newport Masterplan, with specific focus on Robertson Road.

The first meeting of the Working Group was held on 16 December 2024. The purpose of the first Working Group meeting was to clearly set the scope and purpose of the project, outline the Working Group deliverables and undertake workshop activities to identify and prioritise key ideas and aspirations for Newport.

There will be 2 further Working Group meetings in 2025 before a report is prepared for Council that will set out any recommendations regarding changes to the Newport Masterplan for further consideration.

Northern Beaches Section 7.12 Contributions Plan 2024

In October 2024, Council adopted the Northern Beaches Section 7.12 Contributions Plan 2024, following the exhibition of the draft Plan from July to mid-August.

This latest plan follows a revision of the 2022 plan and incorporates legislative changes ensuring the 2024 plan is contemporary and in alignment with Council's Delivery Program 2024-2028 in terms of the infrastructure that is to be funded by s7.12 development contributions.

NSW Vibrancy Reforms

In October 2024, the NSW Government released the latest tranche of vibrancy reforms. These reforms are designed to support local economies, create jobs and foster vibrant, diverse night time local economies while balancing safety and community interests. Council made a submission on the Draft Special Entertainment Precinct Guidelines to provide pragmatic recommendations for how the reforms can be further enhanced.

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule

Develop a Place Plan for Mona Vale - Executive Manager Strategic & Place Planning

The Mona Vale Place Plan has been placed on hold pending the release of Stage 2 Housing Reforms expected to be released in early 2025.

Prepare Northern Beaches Local Environmental Plan, Development Control Plan and associated studies - Executive Manager Strategic & Place Planning

A new Development Control Plan (DCP) will complement the new LEP and provides more detailed guidance and controls for new development. A first draft of the DCP was completed in October 2024 and internal Council consultation undertaken in November/ December 2024.

Analysis of responses will occur in the next quarter.

Develop a Place Plan for Manly - Executive Manager Strategic & Place Planning

Place Plan has been completed and progressed to the Implementation phase.

Review of the Affordable Housing Policy - Executive Manager Strategic & Place Planning

The draft report analysing options for a 'flat rate' affordable housing contribution for certain development in the Northern Beaches was presented to Council by HillPDA consultants in November 2024.

Department of Planning were briefed on work in December 2024, and we are awaiting comments before finalising report.

Prepare a Modern Heritage Study - Executive Manager Strategic & Place Planning

The Thematic History for the modernist heritage architecture has been completed.

GML Heritage has completed the initial assessment including the review of the 195 nominations that were received. Further work on the top 20 nominations are now underway including further detailed heritage significance assessment, site visits and consultation with property owners.

Strategic and Place Planning – Service Financials

**Income and Expenditure
Statement
01 July 2024 to 31 December
2024**

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	505	587	(83)	1,175	1,175	1,175
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	1	-	1	-	-	-
Grants and Contributions - Operating Purposes	997	374	623	374	1,101	1,141
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	1,502	961	540	1,549	2,276	2,316
Expenses from Operations						
Employee Benefits and Oncosts	(2,590)	(2,690)	99	(5,436)	(5,436)	(5,436)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(179)	(233)	54	(656)	(1,319)	(1,559)
Depreciation and Amortisation	(29)	(29)	-	(55)	(60)	(60)
Other Expenses	(563)	(576)	12	(763)	(763)	(763)
Internal Charges	(122)	(122)	-	(244)	(244)	(244)
Overhead Allocation	(233)	(233)	-	(466)	(466)	(466)
Total Expenses from Operations	(3,717)	(3,882)	166	(7,620)	(8,288)	(8,528)
Surplus / (Deficit) from Operations	(2,215)	(2,921)	706	(6,071)	(6,012)	(6,212)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	4,284	3,747	538	7,668	7,671	7,671
Surplus / (Deficit) from Operations including Capital Grants and Contributions	2,069	826	1,244	1,596	1,659	1,459
Rates and Annual Charges						
Rates and Annual Charges	3,002	3,002	(0)	5,705	5,705	5,705

Strategic Land Use Planning – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.2)m is lower than forecast by \$0.7m at the end of the quarter.

Total Income from Operations of \$1.5m is higher than forecast by \$0.5m.

User Charges and Fees are lower by (\$0.1)m as a result of lower than anticipated planning fee income to date.

Grants and Contributions for Operating Purposes are higher by \$0.6m as a result of the timing of Brookvale Structure Plan's Affordable Housing grant and a new Aboriginal Heritage Office Rock Art Australia grant received.

Total Expenses from Operations of (\$3.7)m are lower than forecast by \$0.2m.

Employee Benefits and Oncosts are lower by \$0.1m as a result of vacant positions within the service and staff leave taken.

Materials and Services are lower by \$0.1m as a result of the timing of payments of land use planning contracts.

Grants and Contributions for Capital Purposes are higher by \$0.5m as a result of the timing of developer contribution receipts for the s7.12 Northern Beaches Plan.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by (\$0.2)m to (\$6.2)m principally due to costs associated with the Brookvale Structure Plan implementation.

Development Assessment

HIGHLIGHTS

This quarter 289 Development Applications, 121 Modifications of Consent and 4 Review of Determination Applications were lodged for assessment. A total of 434 applications were determined and 25 Pre-Lodgement meetings were held.

This quarter saw an increase in determinations of more complex and controversial applications when compared to the previous quarter, resulting in a 50% increase of applications referred to, and determined by the Northern Beaches Local Planning Panel.

Council continues to meet the expectation set by the Minister for Planning in relation to timeframes for the determination of Development Applications.

Council also held the annual Development Application customer experience workshop with invitations going to all our frequent customers. The purpose of this workshop was to obtain feedback on the service, and to share information regarding upcoming legislative changes as well as planned service improvements. This workshop was well attended, and useful feedback was received that will assist to shape the service moving forward.

Performance measures – Development Assessment	Target	December quarter
Average time to determine 90% of applications - development applications, modification applications and review applications (days)	≤ 75	58
Outstanding development applications, modification applications and review applications older than 100 days	$\leq 20\%$	22%*

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

Notes on results:

* Continued emphasis is being placed on finalising development applications, modification applications and review applications older than 100 days.

Development Assessment – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	2,100	1,947	153	3,895	3,895	3,895
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	2,100	1,947	153	3,895	3,895	3,895
Expenses from Operations						
Employee Benefits and Oncosts	(2,911)	(3,021)	110	(6,113)	(6,113)	(6,113)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(295)	(412)	117	(724)	(724)	(724)
Depreciation and Amortisation	(43)	(43)	-	(82)	(89)	(89)
Other Expenses	-	-	-	-	-	-
Internal Charges	(94)	(94)	-	(190)	(190)	(190)
Overhead Allocation	(351)	(351)	-	(703)	(703)	(703)
Total Expenses from Operations	(3,695)	(3,922)	227	(7,812)	(7,819)	(7,819)
Surplus / (Deficit) from Operations	(1,595)	(1,975)	380	(3,917)	(3,924)	(3,924)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(1,595)	(1,975)	380	(3,917)	(3,924)	(3,924)
Rates and Annual Charges						
Rates and Annual Charges	1,973	1,973	-	3,917	3,917	3,917

Development Assessment – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$1.6)m is lower than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$2.1m is higher than forecast by \$0.2m.

User Charges and Fees are higher by \$0.2m as a result of the timing of the receipt of development assessment fees.

Total Expenses from Operations of (\$3.7)m are lower than forecast by \$0.2m.

Employee Benefits and Oncosts are lower by \$0.1m as a result of vacant positions within the service and staff leave taken.

Materials and Services are lower by \$0.1m as a result of timing differences associated with payments for Independent Assessment Panel consultants, computer software and contract services for land use planning.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$3.9)m.

Environmental Compliance

HIGHLIGHTS

Market Inspections

During this quarter, Environmental Health have inspected 8 local markets with 2 markets having minor non-compliances, 3 markets with 6 warnings issued, whilst the last 3 markets were compliant and had no enforcement action taken against them. We will continue to do more food stall inspections in early 2025 at World Food Markets, Australia Day events, Berry Reserve markets, Palm Beach Markets or any other event where there are high number of food stalls and public attendance.

Food safety

Our quarterly food safety and Christmas food safety newsletters have been sent to food businesses reminding them of any updates to the Food Standards Code 3.2.2A and good food practices when handling food during the Christmas period.

Public Pools

Environmental Health have sent their annual public pool safety newsletter to pool operators and an update provided in the community newsletter regarding proper pool etiquette to reduce cryptosporidium.

Arbovirus Surveillance

Council has continued to partner with NSW Health and recommenced the annual arbovirus (mosquito) surveillance on 3 December 2024. This will be Council's fourth consecutive year implementing this program. Mosquito safety news was also added in the community newsletter.

Asbestos Awareness Week

Environmental Health participated in Asbestos awareness week from 25 November 2024 to 1 December 2024 and undertook the following activities:

- Partnered with LGNSW and put up a stall for half a day at Bunnings Narrabeen on 28 November 2024 to raise awareness on asbestos
- Partnered with media to place asbestos awareness week information in news section of Council's webpages
- Published asbestos awareness related news item on the community newsletter during the week.

Rangers Service

One area that has received an increased focus in this quarter has been the improved enforcement of appropriate legislation surrounding "stand plant permits". Previously, non-compliance in this area posed challenges, with some members of the public bypassing the requirement to apply for these permits. With a more structured and proactive enforcement strategy, the Rangers team has been able to address these issues head-on. Through increased monitoring and timely interventions, there is now a noticeable reduction in unauthorised activities.

As a result of this strengthened enforcement, there has been a significant increase in builders applying for the appropriate stand plant permits. This improvement not only ensures compliance

with local regulations but also creates a culture of accountability within the community. By maintaining consistent enforcement, the Rangers have succeeded in encouraging more builders to adhere to the rules.

Environmental Compliance - Performance measures	Target	December quarter
Respond to critical and high-risk public safety and environmental concerns within 24 hours	100%	100%*
Follow up outstanding Local Government Act and Environmental Planning and Assessment Act notices and orders at 60 days	90%	90%

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

* Some CRM's have been classified as critical or high-risk incorrectly which have appeared to effect response time. However the percentage for critical/high risk was 100%based on if they had been entered correctly into the CRM system. In-field responses were 100%. A reminder has been sent to relevant staff to remind them of the requirement of this performance measure to ensure data is accurately recorded.

Environmental Compliance – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	1,298	1,263	35	2,526	2,526	2,526
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	4,775	3,836	939	7,675	7,675	8,075
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	6,073	5,099	974	10,201	10,201	10,601
Expenses from Operations						
Employee Benefits and Oncosts	(6,008)	(5,798)	(210)	(11,742)	(11,742)	(12,042)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(1,085)	(834)	(250)	(1,655)	(1,659)	(1,759)
Depreciation and Amortisation	(91)	(91)	(0)	(172)	(186)	(186)
Other Expenses	(7)	(0)	(7)	(2)	(2)	(2)
Internal Charges	(365)	(369)	4	(739)	(739)	(740)
Overhead Allocation	(582)	(582)	-	(1,165)	(1,165)	(1,165)
Total Expenses from Operations	(8,138)	(7,674)	(463)	(15,475)	(15,493)	(15,894)
Surplus / (Deficit) from Operations	(2,065)	(2,576)	511	(5,273)	(5,292)	(5,292)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(2,065)	(2,576)	511	(5,273)	(5,292)	(5,292)
Rates and Annual Charges						
Rates and Annual Charges	2,567	2,567	-	5,273	5,273	5,273

Environmental Compliance – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.1)m is lower than forecast by \$0.5m at the end of the quarter.

Total Income from Operations of \$6.1m is higher than forecast by \$1.0m.

Other Revenues are higher by \$0.9m as a result of increased fines income.

Total Expenses from Operations of (\$8.1)m are higher than forecast by (\$0.5)m.

Employee Benefits and Oncosts are higher by (\$0.2)m as a result of higher costs associated with the rangers' service.

Materials and Services are higher by (\$0.3)m as a result of increased fine processing fees payable.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$5.3)m. Increased fine revenue has been offset by shift penalty allowances for rangers and fine processing fee costs.

Parks and Recreation

HIGHLIGHTS

Park Operations

The quality of ocean rockpools were improved with Freshwater and Collaroy rockpools being repainted. Major servicing of all pools was undertaken leading into the holiday period, including machinery for sand and weed removal and scrubbing of floors and walls.

Manly beachfront reserve areas were improved with 1800m² of turf replaced in various locations. East Esplanade Reserve was also returfed.

Sportsfield playing surfaces were improved with 5500m² of returfing undertaken. This included fields at Tania Park, LM Graham, North Narrabeen, Wyatt Avenue, St Matthews Farm, Tristram Oval, and Cromer High School, among others. A full renovation of Pittwater Rugby Park main field is also underway, with sprigging completed during the quarter. The surrounds of the cricket wickets at Nolan Reserve were levelled for safety and to improve the playing experience.

Various items of park infrastructure were improved across the Northern Beaches, such as wooden park furniture in Ted Jackson Reserve at Dee Why Beach being re-stained. The footpath to Allenby Park from Clearview Place in Brookvale was renewed, improving access to the park. Coastal tracks and trails were also cleared and improved in the lead up to the holiday season. Play equipment and surface repairs were also completed at Winnererremy Bay Playground to improve playability and safety for users.

Numerous gardens across the Northern Beaches have received new plantings, with the team busy watering to ensure establishment of the plants during the hot weather. Some key sites receiving beautification included gardens around North Palm Beach SLSC with around 100 new plants and decorative mulch put in place, planting and mulching around the retention basin at Lynne Czinzer park, and new plants and mulching in Surfrider Gardens, Narrabeen.

Tree Services

There were 1290 requests received from the community regarding trees on public land, 3 were the result of storm events.

703 trees were planted across the Northern Beaches as part of our ongoing public open space tree planting program.

Tree Services approved 43 trees for removal, 15 were approved for pruning and 5 applications were refused. From the applications received 40 were recommended for a tree replacement.

There were 174 private property advice requests processed, and 54 alleged illegal tree activity investigations carried out.

Open Space Planning

The North Narrabeen Reserve Plan of Management, 2024 was approved.

The draft Mona Vale Beach (southern end) Plan of Management was placed on public exhibition 12 December 2024.

Council approved funding under the 2024/25 Sport and Recreation Infrastructure Grants Program for these projects:

- Harbord United Junior Rugby League Football Club: to install a new drainage system on sports field 1 at Harbord Park, Freshwater - \$35,000.
- Bareena Park Tennis Club: to install new lighting on 3 unlit tennis courts at the Bareena Park Tennis Centre, Balgowlah Heights - \$30,000.
- Belrose Terrey Hills Raiders Soccer Club: to upgrade the kitchen and canteen in the clubhouse building at Terrey Hills Oval, Terrey Hills - \$12,864.
- Allambie Beacon Hill United Football Club: to install a new storage shed on the clubhouse building at Beacon Hill Reserve, Beacon Hill - \$12,000.
- Newport Bowling Club: to upgrade the female bathrooms in the Newport Bowling Club building, Newport - \$10,136.

The major playground at North Steyne, Manly was named the Jean Hay Playground.

A Memorandum of Understanding was agreed with the Northern Sydney and Beaches Hockey and the Warringah Hockey Associations to investigate the feasibility of developing hockey facilities at Manly West Park, Balgowlah.

Commercial Centres

Gardens throughout various commercial centres were improved through mulching and planting programs. Significant works were delivered to improve safety for pedestrians, such as repairs to paving at The Strand, Dee Why Beach, to prevent lifting and trip hazards in the hot weather.

Open Space Bookings

The Open Space booking team collaborated closely with our local sporting clubs and associations to ensure a smooth transition from the winter sports season to the start of summer sports. An impressive 33,665 players participated in organised sports competitions during the winter season across the Northern Beaches.

In addition, the team renewed 1300 watercraft permits, allowing the continued storage of dinghies and kayaks on Council land, and processed thousands of bookings for the 2025 school sports calendar, ensuring the local students stay active and engaged.

As the year ended, the team facilitated a range of community celebrations in Council's open spaces. Highlights included the Manly Christmas Choral Concert, Christmas markets, Lakeside Carols, the Circus at Warriewood, and the popular Manly Open-Air Cinema, all providing diverse opportunities for our community to connect.

Throughout this busy period, we've also played host to several major filming projects, with commercials for Myer, McDonalds, Toyota, Vodafone and Sydney Water being shot across our area. Looking ahead, the team has been hard at work with Surf Life Saving Clubs, preparing for the summer 2025 carnival season.

Parks and recreation - Performance measures	Target	December quarter
Rockpools cleaned weekly during summer season and every two weeks outside of summer	95%	100%
Sportsfields mowed weekly in summer playing season and monthly in winter – subject to weather conditions	95%	100%
- Workload measures		
Number of preventative actions by professional lifeguards on patrolled beaches	-	130,210

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

OPERATIONAL PROJECTS

Key: ✔ Complete ✔ Progressing ! Behind schedule



Develop the Indoor Sport and Recreation Strategy and Action Plan - Executive Manager Parks & Open Space

A needs assessment of indoor sporting facilities on the Northern Beaches has been completed. This identified an additional 7 indoor sports facilities would be required out to 2040 to meet the needs of the local area. A Strategy will not be developed and instead the requirement for these facilities will be factored into planning instruments over time.



Install lighting and irrigation at Freshwater High School sportsfield - Executive Manager Parks & Open Space

Project currently on hold pending internal review.



Develop Generic Parks and Sportsgrounds Plan of Management (including Crown Land) - Executive Manager Parks & Open Space

Project is scheduled to start in February.



Develop Governor Phillip Park Plan of Management - Executive Manager Parks & Open Space

The first draft of the Governor Phillip Park Plan of Management (PoM) has been received from the consultant. Staff have prepared preliminary maps and the action and asset condition sections for the draft PoM.



Develop Deep Creek Plan of Management - Executive Manager Parks & Open Space

Project is scheduled to start in April.



Undertake an audit of public trees in priority areas and implement tree masterplans - Executive Manager Parks & Open Space

Preliminary work has commenced on tree planting plans for the proposed Brookvale town centre and John Fisher Park, Curl Curl. An additional tree planting plan for Clareville Beach has been prepared and comments are currently being sought.



Implement a standard tree valuation methodology to guide decisions about the protection of trees - Executive Manager Parks & Open Space

Project is scheduled to start in January.



Stabilisation of slope at Cheryl Crescent Reserve - Executive Manager Parks & Open Space

Detailed site investigation are ongoing to prepare a Remediation Action Plan.



Harmonisation of the Dog Control and Management Policies - Executive Manager Parks & Open Space

Scoping of this project and a review of the current project brief continued in this period.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule  Not proceeding

Sportsgrounds improvements



Sports Club Capital Assistance Program - Executive Manager Parks & Open Space

2024/25 Grant Program - feedback provided to a further 4 unsuccessful applicants.



Warringah Recreation Centre, North Manly Redevelopment - Executive Manager Capital Projects

A Development Application for the new Squash facility building was lodged in August. Demolition and site clearing complete. Site clearing and demolition is complete.



Seaforth Bike Park - Executive Manager Parks & Open Space

This project has been delayed due to the time required to obtain approval for additional Crown land required for the bike park. This project is now scheduled for 2025/26. Council adopted this revised schedule at first quarter review.



New basketball facilities - Executive Manager Parks & Open Space

Evaluation of the responses to the Request for Quotation exceed the available budget. The Open Space Strategy identifies the proposed court at Winnererremy Bay, Mona Vale as the priority and a contract will be awarded shortly for this job. Council will examine other funding options to proceed with the Killarney Heights Oval half court.



Seaforth Oval Cricket Turf Wicket Installation - Executive Manager Parks & Open Space

All works are complete. There will be a 12 week establishment period before the wicket table is playable.



Sportsfield Renewal Program - Executive Manager Parks & Open Space

This program continues to progress well. John Fisher Park netball court improvements, stage 1, have been completed. Rat Park field 1 reconstruction continues. Procurement commenced for sportsfield drainage works including at Harbord Park and St Matthews Farm. Planning is in progress for drainage works at Allambie Oval and rectification works at Aquatic Reserve.



Aquatic Reserve, Frenchs Forest sportsfield lighting - Executive Manager Parks & Open Space

The lighting design for Aquatic Reserve, Frenchs Forest is complete.



Frank Gray Sports Amenities - Executive Manager Property, Buildings and Beach Services

The Sports Amenities Building at Frank Gray Oval is being rebuilt to better meet the needs of all user groups, with a particular focus on creating facilities that are inclusive and welcoming for women and girls. Demolition of the old building was completed in December, and construction site preparations are now underway. The works were delayed due to site contamination latent conditions of the site. An initial delay of 5 days was incurred in December.



Pittwater Rugby Park Sports Amenities - Executive Manager Property, Buildings and Beach Services

This project will deliver new female friendly sports change facilities at Pittwater Rugby Park, Warriewood. The construction tender was released in late November 2024 and closes 30 January 2025. Cost escalations led to the need to re-scope the project in an attempt to reduce costs. There was a delay in going to tender following re-scoping as there was still a need to source additional funds so that the project could proceed.



Boondah Reserve amenities upgrade - Executive Manager Property, Buildings and Beach Services

This project will produce the designs and approvals for a major refurbishment of the existing sports amenities building at Boondah Reserve Fields 2,3 and 4. Due to budget constraints, and as agreed with the Manly Warringah Football Association and the Narrabeen Football Club, the project has been re-scoped to refurbish the existing facility in lieu of providing a new extension.

Reserves and Parks improvements



Warriewood Valley - Public Space and Recreation - Executive Manager Parks & Open Space

A draft concept plan is close to being finalised for the upgrade of the Boondah Road sportsfields in Warriewood. Community Engagement is planned to commence early in 2025 with agreed improvements to be undertaken progressively over the following three financial years.



Frenchs Forest Precinct Park Upgrades - Executive Manager Parks & Open Space

Work has commenced on site at Brick Pit Reserve and is anticipated for completion in mid-2025.



Beverly Job Reserve, Narraweena, Youth Space - Executive Manager Parks & Open Space

Construction of the multi-use hardcourt at Beverley Job Park was completed and was formally open to the public on 10 October 2024.



Swaine Reserve, Balgowlah - Executive Manager Parks & Open Space

This upgrade of Swaine Reserve, Balgowlah has been completed.



Reserves Renewal Program - Executive Manager Parks & Open Space

The Dee Why Bridge project is continuing through the design phase. The preferred option is a prefabricated concrete bridge, and the concept design is currently being finalised. Landscape and drainage works at Ivanhoe Park continued. Renewal of a path completed, and new turf laid at Epworth Park in Elanora Heights.



Manly Dam Memorial shelter and accessibility works - Executive Manager Parks & Open Space

Construction of the water access ramp is complete with the associated pathway connections completed before start Christmas school holidays.

Foreshore and Building improvements



Freshwater Beach Masterplan Implementation - Executive Manager Parks & Open Space

All planned works from this program are completed. The southern playground will be renewed next financial year.



Manly Life Saving Club - Executive Manager Property, Buildings & Beach Services

In consultation with the surf club, community and stakeholders, this project will develop a design for the replacement of Manly Life Saving Club and associated community facilities.

A concept design for the building has been completed and the development application is expected to be submitted in early 2025.



Clontarf masterplan implementation - Executive Manager Parks & Open Space

Design development for the Clontarf Masterplan implementation is ongoing and is

anticipated for completion in mid-2025. Construction is anticipated to commence in mid-2026. The estimated construction costs exceed Council's budget for this project.



Little Manly Beach Masterplan Implementation - Executive Manager Parks & Open Space

Landscaping works reached practical completion on 11 October with the park fully open and accessible to the public.



Foreshores Renewal Program - Executive Manager Parks & Open Space

The Long Reef boardwalk and bridge project is financially at risk due to uncertain pricing. A tender for this project is planned to be released in early 2025 with construction scheduled for mid-2025. The works to the Collaroy Beach carpark access stairs are planned to be completed in early 2025.



Rockpool Renewal Program - Executive Manager Parks & Open Space

Procurement for the works at Mona Vale rockpool has again failed to provide value for money to Council and a new strategy of bundling the work with future works at Whale Beach is now being considered.



Dinghy Storage - Executive Manager Parks & Open Space

An audit of water craft storage facilities continues to progress. All locations south of Narrabeen Lagoon have been inspected. The audit will inform development of a strategy for prioritising funding of water craft storage facility renewal works in Council's Delivery Program and the works program for 2024/25. Installation of a kayak rack at Jamieson Park has been completed as planned.



Tidal Pools refurbishment - Executive Manager Transport & Civil Infrastructure

Program on track, with works progressing on Paradise Beach tidal pool.



Surf Life Saving Club Minor Renewal Works - Executive Manager Property, Buildings & Beach Services

This works program includes minor works and planning for Surf Lifesaving Clubs, with key projects as follows:

- Warriewood SLSC: Building upgrades, tender to be released early 2025 with construction works scheduled to commence in Autumn 2025.
- North Narrabeen SLSC: Ongoing construction planning, with works expected to start in 2025.
- Newport SLSC: Court hearing completed; DA approved.

Additionally, smaller minor works are also included in the program.



South Collaroy Foreshore Renewal - Executive Manager Environment & Resilience

Design component delivered, and Issue for Construction (IFC) documentation finalised. This

project is behind schedule due to significant cost escalations. Subject to availability of funds, construction works expected to commence in winter 2025 with anticipated completion in approximately 7 months, weather dependent. Overall status marked 'Behind Schedule' due to funding constraints precluding the commencement of construction works this financial year.

Recreational trails



Manly Dam Boardwalk - Executive Manager Parks & Open Space

All work complete; officially opened on 21 November 2024.



Manly Dam Mountain Bike Trail Upgrade - Executive Manager Parks & Open Space

Manly Dam mountain bike track upgrade projects continued on various sections:

- 19th hole - flow section opened; bush regeneration underway.
- Manning Street - works commenced (behind schedule due to delay in receiving advice from NSW Environment and Heritage).
- Trig section - works scoped and procurement commenced.
- Cootamundra sections - works continued.



Bridle Trail - Executive Manager Parks & Open Space

Works have been completed.



Recreational Trails Renewal Program - Executive Manager Parks & Open Space

Planning is ongoing for the renewal of the bridge at Fisher Bay, part of the Manly to Spit Walk. The design phase for this project is taking longer than expected due to the complexity of the access issues. Procurement is underway for the renewal of stairs adjacent to the bridge. The renewal of Castle Rock Boardwalk is currently in the procurement phase.



South Curl Curl Accessible Boardwalk and Path - Executive Manager Parks & Open Space

Procurement has commenced with construction expected to commence after April 2025.

Playground improvements



Dee Why Beach (Michaela Howie) Playground Upgrade - Executive Manager Parks & Open Space

Procurement for the playground construction works and supply and installation of play equipment finalised. Works are planned to commence after the busy summer and Christmas period.



Outdoor Gyms - Executive Manager Parks & Open Space

Outdoor gyms are planned to be installed in James Meehan Reserve, Dee Why and along Manly beachfront in late 2025. This project is behind schedule due to a delay in commencing community engagement. Concept designs are being prepared for community engagement. A draft concept design has been completed for the James Meehan Reserve outdoor gym. Community engagement is planned to commence in early 2025.



Aranda Reserve, Frenchs Forest Playground upgrade - Executive Manager Parks & Open Space

Project completed. Opened to public 24 October 2024.



Playground Renewal Program - Executive Manager Parks & Open Space

Playground works completed at North Harbour Children's Centre, Trafalgar Park and Michele Reserve. Contracts awarded to undertake works on playgrounds at Donegal and Merrilee Reserves and Collaroy Beach. Planning commenced for improvements to the playgrounds at the Roundhouse and Belrose Children's Centres and Palmgrove Park and Catherine Park.



Trafalgar Park, Newport playground upgrade - Executive Manager Parks & Open Space

The upgrade of Trafalgar Park, Newport is complete.

Town centre and village upgrades



Commercial Centre Renewal - Executive Manager Parks & Open Space

Draft tender documentation has been completed and is due to be released to the market at the start of 2025. Construction work is still scheduled for mid-2025 and on track.

Parks and Recreation – Service Financials

**Income and Expenditure
Statement
01 July 2024 to 31 December
2024**

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	1,828	1,519	309	2,631	2,631	2,716
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	227	309	(82)	618	618	588
Grants and Contributions - Operating Purposes	1,215	1,455	(240)	148	1,924	1,931
Other Income	7	-	7	3	3	3
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	3,277	3,284	(7)	3,400	5,176	5,238
Expenses from Operations						
Employee Benefits and Oncosts	(7,216)	(7,177)	(39)	(15,003)	(15,038)	(15,258)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(7,442)	(7,727)	285	(15,539)	(16,445)	(16,699)
Depreciation and Amortisation	(3,858)	(3,987)	129	(8,071)	(7,929)	(7,929)
Other Expenses	(178)	(207)	28	(259)	(259)	(259)
Internal Charges	(739)	(721)	(18)	(1,446)	(1,446)	(1,446)
Overhead Allocation	(2,064)	(2,064)	-	(4,130)	(4,130)	(4,130)
Total Expenses from Operations	(21,498)	(21,883)	385	(44,448)	(45,246)	(45,721)
Surplus / (Deficit) from Operations	(18,221)	(18,600)	379	(41,047)	(40,070)	(40,483)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	3,960	3,994	(34)	7,110	9,228	9,228
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(14,261)	(14,605)	344	(33,937)	(30,842)	(31,255)
Rates and Annual Charges						
Rates and Annual Charges	19,985	19,985	-	40,697	40,697	40,697

Parks and Recreation – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$18.2)m is lower than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$3.3m is slightly lower than forecast.

User Charges and Fees are higher by \$0.3m as a result of higher than anticipated sporting facilities income and timing differences associated with dinghy/boat storage fees.

Other Revenues are lower by (\$0.1)m as a result of lower licence income associated with community and sporting groups.

Grants and Contributions for Operating Purposes are lower by (\$0.2)m as a result of the timing of tree management and reserves and sportsfields operational grant and contribution receipts.

Total Expenses from Operations of (\$21.5)m are lower than forecast by \$0.4m.

Materials and Services are lower by \$0.3m as a result of the timing of planned tree management and sportsfield and parks works.

Depreciation and Amortisation is lower by \$0.1m as a result of timing differences associated with the allocation to the service.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by (\$0.4)m to (\$40.5)m principally due to higher costs for casual lifeguards and tree clean up works following the declared natural disaster on 15 January 2025.

ECONOMIC

Economic Development, Events and Engagement

HIGHLIGHTS

Business Support Service

We continue to run our Business Support Service to provide a one-stop-shop for businesses to help them navigate Council processes for starting or growing a business on the Northern Beaches.

Northern Beaches Business and Industry Stakeholder Committee

The Northern Beaches Business and Industry Stakeholder Committee held its third meeting in December, introducing a new collaborative approach to enhance productivity, efficiency, and agility. The Committee welcomed 4 new Councillor representatives.

Key actions from the economic development strategy are being effectively delivered through the formation of 2 sub-committees. One focuses on big-picture economic projects, while the other, a small business working group, collaborates on capacity building and business support services. This structure ensures that the Committee leverages diverse skills, experiences, and interests to support the business community amidst current economic challenges.

Activating local places

Council continued to support the activation of local spaces in support of 'Go Local to Grow Local', spend local initiative across the Northern Beaches. Over the last quarter, key activations have included:-

- Successful Placemaking grant applicants announced in October. Community education on grant writing was undertaken through workshops and a webinar. Five groups were successful and received grant funding.
- Boss Fit – In support of NSW Small Business Month – there was activations held in multiple locations engaging with over 40 local health and fitness business to host fitness classes to raise awareness of the importance of moving for mental health and resilience amongst busy business owners. Over 250 attended classes throughout October.
- Avalon Car boot sale – 26 October as part of a collaboration with our Waste and Sustainability Team to celebrate the 10-year anniversary of the Avalon Car Boot sale. Businesses were invited to trade on footpaths, provide special offers and activate the town centre with music and entertainment.
- Beats by the Beach at Manly CBD – a busking festival throughout the weekend Saturday 26 and Sunday 27 October, 9am to 4pm included over 40 buskers soloists and duos performing throughout Manly CBD. The community were encouraged to grab a coffee and follow the busking trail.
- Christmas Decoration program – Christmas decorations installed across the LGA from mid-November.
- Street libraries installed at Terrey Hills local centre in November and Forestville West local centre in December.

- 12 Days of Christmas Busking program - held from 11-20 December, featured 28 local musicians performing 55 sessions over 12 days. This event brought vibrant music to 28 locations across the Northern Beaches, driving footfall and increasing dwell time.

Delivering our Events Strategy

In the last quarter, we delivered several significant commemorative events including 2 services to mark Remembrance Day at Manly Dam and the Manly War Memorial.

We also hosted 2 citizenship ceremonies, in November, with 313 people becoming Australian citizens.

A range of family and festive events were also delivered, including:

Open air cinema

Brookvale Open Air Cinema took place over 2 nights with spooky themed movies to coincide with Halloween. Ghost Busters, Frozen Empire and Hotel Transylvania – Transmaniac attracted over 2500 people. Brookvale Mitsubishi partnered with the event and provided free popcorn to the first 1000 attendees on each night.

World Food Markets

The World Food Markets kicked off with a great first night at our new location Newport Oval. All 6 nights across Newport, Collaroy Plateau and Manly Vale proceeded with one night significantly impacted by weather. There were cultural performances at all locations including the Northern Beaches Polynesian Group, Diwali Dancers and Tibetan Community of Australia. Over 9000 people have attended the markets to date.

Christmas events

The Christmas Markets were held for the second time at Lakeside Park, Narrabeen which saw over 3000 people attending to shop at 60 stalls and enjoy food trucks, local music and free Santa photos. The Christmas Choral Concert saw a stellar line-up of locals, including Cameron Daddo, performing for over 9000 attendees. A new format was implemented at Christmas by the Beach, Dee Why targeting the many younger families that attend. Over 4000 locals enjoyed the evening, singing and dancing. Cunninghams Real Estate and Northern Beaches Honda support the delivery of our Christmas events with complimentary Santa photos, popcorn and face painting.

New Year's Eve

Over 25,000 gathered on our shores and in our reserves to welcome in the New Year. Four fireworks events took place on New Year's Eve, 2 run by Council (Dee Why and Frenchs Forest) and one run by local business but supported by Council (Manly) and one independent (Bayview). All fireworks displays took place at 9pm with Bayview having an additional show at midnight.

Event Grants and Sponsorship Program

Council has 17 grants approved as part of the Event Grants and Sponsorship Program. These are multi-year grants including Night at the Barracks, Christmas Carols, Eggs by the Lake, State Volleyball Championships, 3 Point Challenge and After Dark.

The final weekend of the Night at The Barracks event was held, finishing a successful year on a high with 6 sellout performances and over 30,000 people in attendance.

Performance measures – Economic Development, Events, Engagement	Target	December quarter
High level projects with a Community Engagement Plan and Report (level 1-3 projects)	100%	100%
Average no. website visits/month	330,000	360,892
Decisions on all Council project engagements are communicated to the community within 30 days	100%	100%

Results Key:  Achieved  Approaching - within 5% of target  Behind - more than 5% off target

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Embed the Shop Local campaign - 'Go Local to Grow Local' - Director Planning & Place

Go Local to Grow Local 2.0 was launched this quarter to provide an overview of the initiative and provide a framework for future mini campaigns. Have conducted 3 campaigns this quarter - Father's Day, Xmas shopping and 12 days of busking. We also launched Behind the Business series sharing business owner stories via our EDM and website.



Continue rollout of Community Engagement Training Program - Executive Manager Community Engagement & Communications

Following delivery of the community engagement training trial program, an evaluation has been undertaken and improvement have built into the resources and support materials. The second training program will be delivered in early 2025.



Review and update Events Strategy - Executive Manager Community Engagement & Communications

Preparation and planning is underway for the Events Strategy Review:

- briefing new councillors on Level 2 engagement
- internal and external discussions
- what to ask stakeholders/attendees, if required
- draft, March 2025 Council meeting

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule

Town and Village Centre Activations



Avalon Place Plan implementation - Executive Manager Parks & Open Space

Community engagement has concluded on the upgrades to Dunbar Park and the proposed Avalon Beach bike facility. Feedback is being evaluated and will be incorporated into the final designs.

Economic Development, Events and Engagement – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	54	33	21	133	133	53
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	693	319	374	852	912	812
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	747	353	394	986	1,046	866
Expenses from Operations						
Employee Benefits and Oncosts	(3,615)	(3,632)	17	(7,343)	(7,356)	(7,357)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(1,413)	(1,564)	151	(3,633)	(3,620)	(3,446)
Depreciation and Amortisation	(39)	(39)	(0)	(75)	(81)	(81)
Other Expenses	(96)	(109)	13	(237)	(237)	(237)
Internal Charges	(102)	(108)	6	(234)	(234)	(227)
Overhead Allocation	(585)	(585)	-	(1,171)	(1,171)	(1,171)
Total Expenses from Operations	(5,850)	(6,037)	187	(12,693)	(12,699)	(12,519)
Surplus / (Deficit) from Operations	(5,103)	(5,685)	581	(11,707)	(11,653)	(11,653)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(5,103)	(5,685)	581	(11,707)	(11,653)	(11,653)
Rates and Annual Charges						
Rates and Annual Charges	5,717	5,717	-	11,707	11,707	11,707

Economic Development, Events and Engagement – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$5.1)m is lower than forecast by \$0.6m at the end of the quarter.

Total Income from Operations of \$0.7m is higher than forecast by \$0.4m.

Other Revenues are higher by \$0.4m as a result of timing differences associated with the receipt of event ticket sales and sponsorships.

Total Expenses from Operations of (\$5.9)m are lower than forecast by \$0.2m.

Materials and Services are lower by \$0.2m as a result of reduced marketing expenditure and events management costs.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$11.7)m. The budget associated with an event has been revised to align with a new format with reduced ticket sales and event fee revenue offset by reduced events management and materials expenditure.

Transport, Traffic and Active Travel

HIGHLIGHTS

Restoring our tidal pools and wharves

Council manages 6 operational tidal swimming enclosures across the Northern Beaches, giving a diverse range of recreational opportunities. Our tidal pool program is aimed at ensuring these facilities are maintained in good condition for everyone to use.

The reconstruction of the Tidal Pool at Paradise Beach Avalon is completed and will provide the community with a fully restored public harbour pool.

Making travel on our roads safer

The road resurfacing program has commenced with 47 sections of streets in this year's program. Our list includes regional roads, partly funded by Transport for New South Wales (TfNSW), as well as local roads funded by the Federal Government's 'Roads to Recovery' program.

11 sections of road were repaired and resurfaced during the December quarter, spanning 3.92 km of the road network.

Footpath Improvements

Council continues to replace cracked and damaged footpath slabs to keep the existing footpath network in serviceable condition. This work allows the existing aging footpath networks to remain useful to all in the community who walk and those who get around on wheelchairs and mobility devices.

Cabbage Tree Road, Bayview – Traffic Calming

We have completed installing traffic calming measures along Cabbage Tree Road and on Pittwater Road near its intersection with Cabbage Tree Road in Bayview. The measures introduced will improve the speed at which motorists travel and improve overall road safety for both motorists and pedestrians.

Bus stop work

Bus stops improvement works are completed across the LGA with works including boarding slabs with tactiles and new seats for waiting bus patrons. Two bus stop upgrades are currently in the process of being designed.

The new boarding slabs provide a stable surface, in place of the grass, for wheelchair users and others. The seats are very valuable for the community, who sometimes find it difficult to stand for long periods. The new tactiles assist those with vision difficulties. Bus stop improvements assist in facilitating better accessibility for bus patrons and help them get around easily in our community.

Road Safety education

In this quarter the Road Safety team has actively engaged with 4 schools completing the Road Safety Audits for 2 Brookvale and 2 Avalon schools and we are now following up on audit recommendations. We have also engaged with 13 local schools on various issues around their schools and been in contact with an additional 25, including informing schools communities about various projects on local infrastructure improvements and developments.

Council's program of subsidised Child restraint safety checks helped to improve safety for 146 children when travelling in their cars. Our road safety team presented a road safety awareness workshop for seniors involved in Stepping On Program, helping seniors to update their knowledge of how to be safer on our roads and paths. Other programs included providing safety and skills training for 20 bicycle riders, plus essential basic car mechanic skills training for 12 people to improve their confidence on road and their road safety. To address safety for young pedestrians over the holiday season, 45 educational signs have been placed strategically across the Beaches. Another holiday season program is run to address drink driving, partnering with Transport for NSW, Plan B resources were provided to 17 local pubs, hotels and liquor shops. This was also facilitated through the Northern Beaches Liquor Accord, which the Road Safety team have participated in during the year.

Council continues to be proactive in addressing e-bike safety in our community. We work closely with our NSW Police local area command to deliver community engagement for joint operations targeting e-bike safety have. Plus we are working with the Department of Education to develop educational resources for school students to understand the safety and legal issues of owning and riding an e-bike. Having provided a submission to the recent NSW Government inquiry into the use of e-scooters, e-bikes and related mobility options, we are hopeful that legislation will be updated soon to facilitate enforcement of risky and unsafe behaviour, and that funding will be prioritised to implement separated cycle paths.

In October we marked the Motorcycle Safety Awareness Month, organising the information workshop for the Northern Beaches motorcyclists. This was the first workshop of this kind in the Northern Beaches and the feedback from 26 attendees was very positive and encouraging. We also organised the online workshop for Supervisors of Learner Drivers and sent resources to 74 registered people for this workshop.

Caring for our public places

Council's Public Place Officer (PPO) team has been meeting with business owners and shopkeepers and continues to provide ongoing assistance and answer enquiries to maintain strong lines of communication with Council. The team liaises with Council's Place Coordinators to provide a direct contact for issues that are raised by our business owners and shopkeepers.

Through the summer months with local events in full swing, the Team has been busy conducting regular inspections of beaches, parks, reserves and public places ensuring our beautiful area is ready for residents and visitors to enjoy.

As well as inspecting our footpaths, fixing trip points and reporting potholes on our roads, the PPOs have been assisting with the movement of Variable Message Sign (VMS) boards to various locations, reporting graffiti damage to local utilities and ensuring shopping trolleys are returned, improving our response hazards for our community.

Parking Operations

Council operates 5 paid parking stations and 36 pay and display reserve car parks. During the quarter there were approximately 354,000 visits to the Manly parking stations and approximately 28,000 visits to the PCYC parking station in Dee Why.

The Hop Skip Jump buses provided a daily service with nearly 60,000 commuters travelling between October and December 2024. This bus service links Seaforth, Balgowlah Heights, Clontarf, Manly Vale, Fairlight, Manly and Fairy Bower.

Expanding our active travel network

Community consultation has been completed for the proposed Frenchs Forest Active Transport Network. We are reviewing the feedback to inform the detailed design that will be reported to an upcoming Northern Beaches Local Traffic Committee meeting.

The Curl Curl to Freshwater Connectivity and Streetscape Upgrade was adopted by Council at the 12 November 2024 meeting. It is anticipated that construction will commence in mid to late 2025.

Our new footpath program continues with 3 footpath projects completed this quarter to connect our community and offer walking as a viable means of active travel. Footpath projects have been completed at Darley Street Forestville, Wollstonecraft Avenue Avalon Beach and Alfred Street Cromer.

We have completed the installation of a marked pedestrian crossing on Grevillea Street, Collaroy Plateau. This crossing enhances safety and makes it easier for people walking and biking. It connects the local shops with the footpath leading to Wheeler Heights Public School.

We're pleased to announce the completion of the new roundabout at the intersection of Foley Street, Vineyard Street, and Jubilee Avenue Warriewood Road. This project is a vital part of our Warriewood Valley Roads Masterplan, focused on enhancing safety and improving traffic flow for all road users.

Electric Vehicle Charging

Feedback received from community engagement for proposed EV charging locations has been reviewed a report is being prepared for a future Council meeting to decide the outcome.

Performance measures – Transport, Traffic and Active Travel	Target	December quarter
No. community road safety events / sessions held	10	17

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

OPERATIONAL PROJECTS

Key: ✓ Complete 🔄 Progressing ! Behind schedule

✓ Undertake a review of the community transport service - Executive Manager Transport & Civil Infrastructure

Service Review has been completed, and Council has made the decision to reduce the service level to one main route which will come into effective from 1 July 2025.

🔄 Plan and deliver parking technology and infrastructure across the area - Executive Manager Transport & Civil Infrastructure

Project is scheduled to start in January 2025.



**Develop a Parking Plan to support the Transport Strategy - Executive Manager
Transport & Civil Infrastructure**

Project is scheduled to start in January 2025.



**Implement the Regional and Local Roads Repair Program - Executive Manager
Transport & Civil Infrastructure**

Project complete. Output report was completed and submitted to TfNSW.



**Create an Active Transport Corridor between Beacon Hill and St Ives - Executive
Manager Transport & Civil Infrastructure**

Project detailed design completed and RFQ issued. Due to scope change additional funding required to complete full scope and team is in the initial phase of developing an application for the Federal Active Transport fund.



**Deliver digital parking permits across the Local Government Area - Executive
Manager Transport & Civil Infrastructure**

Tender released to market, responses received and being evaluated in January 2025. Conversion to digital will be staged across the permit types and wards to reduce the impact on Customer Services.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule  Not proceeding

Active Travel – cycleways and footpaths



New footpaths - Executive Manager Transport & Civil Infrastructure

Program on track.



Connecting Communities - footpaths program - Executive Manager Capital Projects

Council accepted a tender for the detailed design and construction for the Newport to The Serpentine section of the Coast Walk in November. Contract documents are being prepared. A contract kick off meeting with the successful contractor has been scheduled.



Connecting Communities - cycleways program - Executive Manager Capital Projects

Council accepted a tender for the detailed design and construction for the Newport to The Serpentine section of the Coast Walk in November. Contract documents are being prepared. A contract kick off meeting with the successful contractor has been scheduled. Works involve the construction of a shared user path, proposed to be a combination of elevated boardwalk type structure and on grade concrete path.



Queenscliff Headland Access Ramp - Executive Manager Transport & Civil Infrastructure

Works completed and ramp opened for public use 15 November 2024.



Dee Why Beach Secure Bike Storage - Executive Manager Transport & Civil Infrastructure

Project being reviewed due to the costs of implementation, which were significantly higher than the original project estimates.



Pedestrian and Cyclist Bridge Pittwater Road Queenscliff - Executive Manager Transport & Civil Infrastructure

Bridge design in progress, project on track.



Footpath Renewal Works - Executive Manager Transport & Civil Infrastructure

Program on track.



Bike Plan implementation – new works - Executive Manager Transport & Civil Infrastructure

Project being reviewed.



Active Transport Corridor Project - Executive Manager Transport & Civil Infrastructure

Program on track.

Road and related infrastructure upgrades



New traffic facilities - Executive Manager Transport & Civil Infrastructure

Program on track.



Scotland Island roads and drainage improvements - Executive Manager Transport & Civil Infrastructure

Construction of road pavement in Robertson Road is in progress, program on track.



Warriewood Valley - Traffic and Transport Infrastructure - Executive Manager Transport & Civil Infrastructure

Program on track. Community engagement on Boondah Road completed, feedback to be assessed and passed to design team.



Church Point - New Infrastructure - Executive Manager Transport & Civil Infrastructure

Concept plans have been prepared and community consultation on the project has been completed. Assessing feedback to close out community engagement. A report to the February Traffic Committee is planned to seek approval for the traffic devices within this project. The project is expected to commence construction in Q3.



Kerb and gutter new works - Executive Manager Transport & Civil Infrastructure

Program on track.



Traffic Facility Delivery - Accelerated - Executive Manager Transport & Civil Infrastructure

Concept designs prepared - detailed designs in preparation.



Safer Schools Infrastructure - Executive Manager Transport & Civil Infrastructure

Adopted staged delivery by Council. Finalising the detailed design. Phasing to be reviewed.



Bus Stop Renewal Works - Executive Manager Transport & Civil Infrastructure

Program on track.



Kerb and gutter renewal works - Executive Manager Transport & Civil Infrastructure

Program on track.



Retaining Wall Renewal Works - Executive Manager Transport & Civil Infrastructure

Program on track, rephasing required as further work at Clontarf to be delayed until 2025 so as not to cause disturbance during peak summer holiday period.



Road Resheeting Program - Executive Manager Transport & Civil Infrastructure

Program on track.



Bridge Renewal Works - Executive Manager Transport & Civil Infrastructure

Project planning has commenced.

Wharf upgrades



Church Point commuter wharf expansion - Executive Manager Transport & Civil Infrastructure

Project on track.



Wharves works program - Executive Manager Transport & Civil Infrastructure

Project on track.

Car parks and parking stations



Smart Parking infrastructure project - Executive Manager Transport & Civil Infrastructure

Project deleted from 2024/25 program due to the timing of the review of the outcome of the trials that are underway.



Car Park Renewal Works - Executive Manager Transport & Civil Infrastructure

Carpark Renewal Works Program has been completed.



Multi storey car parks renewal works - Executive Manager Property, Buildings and Beach Services

This project involves remedial works on Council car parks and planning for future works. Funding has been exhausted for the 2024/25 financial year with the completion of remedial works at Peninsula Car Park in Manly.

Plant and Fleet



Major Plant Renewal - Executive Manager Transport & Civil Infrastructure

Program on track.



Light Fleet Renewal - Executive Manager Transport & Civil Infrastructure

Program on track.

Transport Traffic and Active Travel – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	11,446	9,672	1,774	19,241	19,741	20,504
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	171	464	(293)	987	941	659
Grants and Contributions - Operating Purposes	1,598	1,022	576	7,669	6,716	6,716
Other Income	5	5	-	10	10	10
Gains on disposal of Assets	359	157	202	392	392	312
Total Income from Operations	13,578	11,320	2,258	28,299	27,800	28,201
Expenses from Operations						
Employee Benefits and Oncosts	(6,928)	(7,111)	183	(14,408)	(14,408)	(14,108)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(9,603)	(8,795)	(807)	(19,597)	(19,507)	(19,951)
Depreciation and Amortisation	(8,348)	(9,063)	715	(17,976)	(17,237)	(17,237)
Other Expenses	-	-	-	-	-	-
Internal Charges	4,300	4,316	(16)	8,666	8,648	8,648
Overhead Allocation	(1,968)	(1,968)	-	(3,937)	(3,937)	(3,937)
Total Expenses from Operations	(22,546)	(22,621)	75	(47,252)	(46,441)	(46,586)
Surplus / (Deficit) from Operations	(8,968)	(11,301)	2,334	(18,953)	(18,641)	(18,384)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	4,972	4,929	43	12,245	17,500	16,023
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(3,996)	(6,372)	2,376	(6,708)	(1,142)	(2,362)
Rates and Annual Charges						
Rates and Annual Charges	10,997	10,997	-	18,751	18,751	18,751

Transport, Traffic and Active Travel

Year to Date Actuals

The Total (Deficit) from Operations of (\$9.0)m is lower than forecast by \$2.3m at the end of the quarter.

Total Income from Operations of \$13.6m is higher than forecast by \$2.3m.

User Charges and Fees are higher by \$1.8m as a result of the timing of the receipt of road permit fee income and additional road restorations revenue.

Other Revenues are lower by (\$0.3)m as a result of lower than expected advertising on Council structures.

Grants and Contributions for Operating Purposes are higher by \$0.6m as a result of the timing of the expenditure on reconstruction works for damage caused in the February-March 2022 natural disaster.

Gains on Disposal of Assets are higher by \$0.2m as a result of the written down value of disposed fleet assets being lower than anticipated due to long delivery lead times.

Total Expenses from Operations of (\$22.5)m are lower than forecast by \$0.1m.

Employee Benefits and Oncosts are lower by \$0.2m as a result of vacant positions within the service and staff leave taken.

Materials and Services are higher by (\$0.8)m as a result of increased contract service expenditure on Council's road network maintenance and servicing of Council's plant and vehicles and timing differences associated with the payment of waste disposal/processing costs, petrol and other fuel expenditure and street lighting charges.

Depreciation and Amortisation is lower by \$0.7m as a result of timing differences associated with the allocation to the service.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$0.3m to (\$18.4)m principally due to increased road restoration fee income and lower staff costs offset by lower advertising on Council's structures revenue, increased agency costs and additional road network contract expenditure.

Grants and Contributions for Capital Purposes are forecast to reduce by \$1.5m due to the rephasing of new traffic facilities to 2025/26.

Property and Facilities

HIGHLIGHTS

South Curl Curl Surf Life Saving Club

A new storeroom has been added to the South Curl Curl Surf Life Saving Club. The building work has been completed and the building will be available for use in January. The project was made possible through a successful application by the club and supported by Council.

Frank Gray Oval

The contract for the renewal of Frank Gray Sports Amenities has been signed, and work on site has commenced. During demolition asbestos was discovered under the old building and site remediation was required resulting in a minor delay to the works. This project will introduce much-needed improvements, including facilities specifically designed for women and girls.

Pittwater Rugby Park

The tender has been released for construction of new sports amenities building at Pittwater Rugby Park. The facilities are tailored to support women and girls, helping to boost female participation in sports.

Manly Life Saving Club

The renewal project is progressing well, with concept plans now available on our YourSay page. Terroir Architects are refining these plans and preparing to submit a development application early next year.

Avalon Beach Bowling Club

Council is installing a lift to improve access to the first floor for members and guests. The project has been completed.

Glen Street Theatre

The main component of the air conditioning upgrade has been completed, allowing staff to better control the auditorium's temperature and enhance the overall customer experience. Some additional work is scheduled for a short shut down in January 2025.

Freshwater Beach

Concept plans for new public amenities at Freshwater Beach were circulated for community consultation on our YourSay page. The response was largely in favour of the proposed building with some reservations about loss of green space. The architects are now working on the detailed design.

Aquatic Centres

72,241 people visited the Warringah Aquatic Centre (WAC) this quarter. Our swim school staff taught 2610 students from four local schools valuable swimming skills. This is a 36% increase compared with the number of students who participated in the program in the same period in 2023.

The Centre also hosted Warringah Amateur Swimming Association's 60th birthday Swimming Carnival, the Special Olympics Carnival and one local school Swimming Carnival.

Manly Andrew Boy Charlton Aquatic Centre (MABC) has achieved its highest attendance levels since the indoor pools opened in 2016 over the last quarter. A total of 184,906 people visited the Centre, reflecting the many benefits the facility offers the community including swim lessons, fitness classes, the gym and creche.

During this time MABC hosted an Accessible Aquatics Day to celebrate International Day of People with Disability on 3 December and four local school carnivals.

Performance measures – Property and facilities	Target	December quarter
Availability of Council buildings for use by the community (not currently programmed for maintenance)	100%	99.6%*
Total visitation to swim centres (Manly and Warringah aquatic centres)	> 184,300	257,147

Results Key:  Achieved  Approaching - within 5% of target  Behind - more than 5% off target

Notes on results:

* Due to a fire in 2021 the Sailing clubhouse in Jamieson Park is unavailable; Caretakers Cottage at Avalon Golf course is also unavailable requiring significant works before it could be re-occupied.

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Continue to improve the provision and cleanliness of public amenities - Executive Manager Property, Buildings & Beach Services

Council continues to work with the contracted service provider to manage the cleanliness of public amenities, through a combination of overnight cleaning and seasonally adjusted day teams.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule  Not proceeding

Emergency buildings program

Terrey Hills Emergency Services Headquarters - Executive Manager Property, Buildings & Beach Services

Project deferred to 2025/26 as it will require significant additional funds, primarily from the Rural Fire Service, to enable it to proceed.

Terrey Hills Rural Fire Station - Executive Manager Property, Buildings & Beach Services

This budget will enable planning for works at the Terrey Hills Rural Fire Station. Additional funds will be required to progress the project.

Emergency Buildings Works Program - Executive Manager Property, Buildings & Beach Services

This program is focused on completing the agreed building works at the Duffys Forest Rural Fire Brigade site. Works to rectify defects have been scheduled. Delays have occurred due to the lead time for replacement steelwork.

Public Amenities improvements

West Esplanade, Manly accessible amenity - Executive Manager Property, Buildings & Beach Services

This project will deliver the design works for an improved accessible amenity at West Esplanade, Manly. Planning has progressed well with a site and design selected.

Freshwater Beach Amenities - Executive Manager Property, Buildings & Beach Services

This project is to develop plans for a new Public Amenities building in Freshwater Reserve near the playground and surf club at Freshwater Beach, with construction proposed to take place in 2025 should sufficient funds be available to deliver the final design.

Architects are now working on the final design based on the results of the community engagement.

Public Amenities Works Program - Executive Manager Property, Buildings & Beach Services

This budget delivers a renewal program of Council's public amenities. Preparation for Church Point Public Amenities renovations is underway (which will include the addition of an accessible amenity). Designs and planning are also progressing for projects scheduled in future years.

Civic building and compliance works

Operational Buildings Works Program - Executive Manager Property, Buildings & Beach Services

Civic building and compliance works

This budget allocates funding for essential upgrades to various Council buildings. Highlights this year include the completion of partial re-roofing at the Dee Why Civic Centre and Work, Health and Safety (WHS) improvements at Rowland Reserve Depot and Collaroy Surf Life Saving Centre. (SLSC)



Sport Buildings Works Program - Executive Manager Property, Buildings & Beach Services

This works program includes upgrades to sports amenities buildings. Key projects for this financial year include the construction of a storage shed at Belrose Park Oval, along with planned upgrades to the Elanora Heights and Mona Vale Tennis Clubs and other minor works.



Pittwater Golf Driving Range, Warriewood Renewal Works - Executive Manager Property, Buildings & Beach Services

Funds for improvement works have been reallocated to address urgent needs, including the installation of air-conditioning units at Lakeside Caravan Park and lighting repairs at the Manly Andrew Boy Charlton Aquatic Centre.



Cromer Depot Improvement Plan Works - Executive Manager Property, Buildings & Beach Services

This budget funds improvements at Cromer depot. This year funds will be targeted towards a new electricity supply to the site and to minor structural works to the main work shed.

Cemetery Works



Mona Vale Cemetery Works Program - Executive Manager Property, Buildings & Beach Services

This budget provides for upgrades and additions to the Mona Vale cemetery. This year the program has delivered new ash interment positions within the Memorial Gardens. Polished granite memorials have been purchased and placed within the Gumtree Grove section of the Memorial Gardens and made available to the public for purchase.

Community Buildings



Beach Buildings Works Program - Executive Manager Property, Buildings & Beach Services

This works program includes the construction of a storeroom at South Curl Curl Surf Life Saving Club. Access to the facility expected to be available to surf club users in early 2025.



Disability access compliance works (DDA) - Executive Manager Property, Buildings & Beach Services

This program includes for the installation of a passenger lift at Avalon Bowling Club to provide access to the first floor of the building. The project is now completed with the lift commissioned and registered with Safework NSW.



Building Code of Australia compliance works (BCA) - Executive Manager Property, Buildings & Beach Services

This program includes for the installation of a passenger lift at Avalon Bowling Club to provide access to the first floor of the building. The project is now completed with the lift commissioned and registered with Safework NSW.



Investment Properties Works Program - Executive Manager Property, Buildings & Beach Services

This budget allocates funding for essential works to investment properties. Renovations have been completed at Bangaroo Street, North Balgowlah, preparing the property for lease. This year's works will also include the addition of a carport and stairs at a property in Walana Crescent, Mona Vale.

Property and facilities – Service Financials

**Income and Expenditure
Statement
01 July 2024 to 31 December
2024**

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	11,356	11,055	301	22,540	22,548	22,987
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	2,784	2,607	177	4,727	4,813	6,789
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	5,440	5,276	164	9,899	10,090	10,170
Gains on disposal of Assets	120	-	120	-	-	120
Total Income from Operations	19,700	18,939	761	37,166	37,451	40,066
Expenses from Operations						
Employee Benefits and Oncosts	(6,612)	(7,178)	567	(14,486)	(14,486)	(14,391)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(12,442)	(12,463)	22	(24,897)	(24,949)	(25,171)
Depreciation and Amortisation	(4,526)	(4,836)	310	(8,904)	(10,061)	(10,061)
Other Expenses	(95)	(131)	36	(262)	(262)	(262)
Internal Charges	(173)	(191)	18	(374)	(374)	(377)
Overhead Allocation	(2,550)	(2,550)	-	(5,102)	(5,102)	(5,102)
Total Expenses from Operations	(26,397)	(27,349)	952	(54,025)	(55,234)	(55,364)
Surplus / (Deficit) from Operations	(6,697)	(8,410)	1,713	(16,859)	(17,783)	(15,298)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	195	46	149	342	1,402	1,060
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(6,502)	(8,364)	1,862	(16,517)	(16,381)	(14,238)
Rates and Annual Charges						
Rates and Annual Charges	8,344	8,344	-	16,508	16,508	16,508

Property and Facilities – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$6.7)m is lower than forecast by \$1.7m at the end of the quarter.

Total Income from Operations of \$19.7m is higher than forecast by \$0.8m.

User Charges and Fees are higher by \$0.3m as a result of increased swimming pool fee income and the timing of caravan park accommodation receipts.

Other Revenues are higher by \$0.2m as a result of increased recoveries under property agreements, Lakeside Holiday Park revenues and outdoor dining and merchandise income.

Other Income is higher by \$0.2m as a result of increased lease income on residential properties and the timing of lease income receipts on commercial properties and the Kimbriki Resource Recovery Centre.

Gains on Disposal of Assets are higher by \$0.1m as a result of the proceeds on the sale of property within a road reserve.

Total Expenses from Operations of (\$26.4)m are lower than forecast by \$1.0m.

Employee Benefits and Oncosts are lower by \$0.6m as a result of vacant positions within the service and staff leave taken.

Depreciation and Amortisation is lower by \$0.3m as a result of timing differences associated with the allocation to the service.

Grants and Contributions for Capital Purposes are higher by \$0.1m as a result of the timing of grants for the Frank Gray Reserve amenities upgrade works.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$2.5m to (\$15.3)m principally due to additional swimming pool fee revenue, an insurance settlement, residential property lease income, property sale proceeds and reduced employee costs partly offset by increased utility expenditure and lower cemetery fee revenue.

CIVIC

Customer Services

HIGHLIGHTS

Customer Service saw an increase in contacts with an uplift in enquiries due to Funding Our Future community consultation. Coupled with new starters in training, Service level was lower than target, with 51.46% calls being answered within 30 seconds. The average speed of answer for all calls was 1 minute 37 seconds for quarter 3.

Online customer requests continues to grow with 46.43% of all requests being completed online.

Customer Services - Performance measures	Target	December quarter
Customer requests conducted online	30%	46%
Calls answered within 30 seconds	80%	52%*
- Workload measures		
No. calls to Customer Service 1300 434 434	-	34,423
No. enquiries received at the counters and by mail, email and online requests	-	22,438

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

Notes on results:

* Service level dropped due to increased workload with unplanned leave and new starters

OPERATIONAL PROJECTS

Key: ✓ Complete 🔄 Progressing ! Behind schedule



Improve and review the customer portal to enhance accessibility - Executive Manager Customer Service

Traffic, Parking and Signs section will go live in early 2025 and the next section of focus will be Roads and Footpaths.



Develop and implement a consistent feedback approach across all customer contact channels - Executive Manager Customer Service

Environment and Climate Change surveys and Community Centre surveys are in progress. Early Childhood annual survey has been updated with the consistent question.



Develop a new Customer Experience Strategy - Executive Manager Customer Service

Final draft will be ready for consultation in Q3.

Customer Service – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	0	-	0	-	-	-
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	0	-	0	-	-	-
Expenses from Operations						
Employee Benefits and Oncosts	(2,190)	(2,286)	96	(4,630)	(4,630)	(4,630)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(78)	(121)	43	(219)	(219)	(219)
Depreciation and Amortisation	(37)	(37)	(0)	(71)	(77)	(77)
Other Expenses	-	-	-	-	-	-
Internal Charges	404	404	(1)	809	809	809
Overhead Allocation	(315)	(315)	-	(630)	(630)	(630)
Total Expenses from Operations	(2,217)	(2,355)	138	(4,741)	(4,747)	(4,747)
Surplus / (Deficit) from Operations	(2,217)	(2,355)	138	(4,741)	(4,747)	(4,747)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(2,217)	(2,355)	138	(4,741)	(4,747)	(4,747)
Rates and Annual Charges						
Rates and Annual Charges	2,353	2,353	-	4,741	4,741	4,741

Customer Service – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.2)m is lower than forecast by \$0.1m at the end of the quarter.

Employee Benefits and Oncosts are lower by \$0.1m as a result of vacant positions within the service and staff leave taken.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$4.7)m.

Governance and Assurance Services

HIGHLIGHTS

Council held 6 meetings over the reporting period including the inauguration of the new Council for the 2024 – 2028 term.

A comprehensive induction program was held for all incoming councillors.

The Audit, Risk and Improvement Committee held 3 meetings.

Performance measures – Governance and Assurance	Target	December quarter
Council meeting minutes finalised and published within three working days of meetings	100%	100%

Results Key:  Achieved  Approaching - within 5% of target  Behind - more than 5% off target

OPERATIONAL PROJECTS

Key:  Complete  Progressing  Behind schedule



Support the Local Government election - Executive Manager Governance & Risk

Council engaged the NSW Electoral Commission to conduct the election for the Northern Beaches local government area (LGA) and worked with the Commission to provide voting locations within the LGA.

Council ensured staff were informed of the protocols and statutory requirements prior to an election, such as the regulated period and the caretaker period.

The Election of Councillors is now complete.



Coordinate induction of the newly elected Council - Executive Manager Governance & Risk

A comprehensive induction program was held between October and December including:

- Divisional overview briefings by all Directors
- Legal services provided Code of Conduct and Code of Meeting Practice training session
- Two evening workshop provided by Local Government NSW facilitator
- Independent Commission Against Corruption (ICAC) briefing
- A weekend strategic planning workshop
- Weekly Office of Local Government hit the ground running webinars including Q&A with Chief Executive Officer, Chief Operating Officer and relevant executive staff present
- Mock council meeting practice
- One on one system set up and training

Governance and Assurance Services – Service Financials

Income and Expenditure Statement 01 July 2024 to 31 December 2024	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	-	-	-	-	-	-
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	56	-	56	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	56	-	56	-	-	-
Expenses from Operations						
Employee Benefits and Oncosts	(1,936)	(1,933)	(3)	(3,905)	(3,905)	(3,905)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(6,042)	(5,731)	(311)	(9,301)	(9,385)	(9,397)
Depreciation and Amortisation	(9)	(9)	-	(18)	(19)	(19)
Other Expenses	(17)	(16)	(1)	(33)	(33)	(33)
Internal Charges	9	9	(0)	17	17	64
Overhead Allocation	(549)	(549)	-	(1,098)	(1,098)	(1,098)
Total Expenses from Operations	(8,545)	(8,230)	(314)	(14,339)	(14,423)	(14,389)
Surplus / (Deficit) from Operations	(8,489)	(8,230)	(259)	(14,339)	(14,423)	(14,389)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(8,489)	(8,230)	(259)	(14,339)	(14,423)	(14,389)
Rates and Annual Charges						
Rates and Annual Charges	8,188	8,188	-	14,339	14,339	14,339

Governance and Assurance Services – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$8.5)m is higher than forecast by (\$0.3)m at the end of the quarter.

Total Income from Operations of \$0.1m is higher than forecast by \$0.1m.

Other Revenues are higher by \$0.1m as a result of legal costs recovered from third parties.

Total Expenses from Operations of (\$8.5)m are higher than forecast by (\$0.3)m.

Materials and Services are higher by (\$0.3)m as a result of the timing of payments for legal services, third party claims management fees, specialist reports, internal audit services, membership fees and insurance costs.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain (\$14.4)m, with minor adjustments primarily to fund domestic waste contract related legal services.

Corporate Support Services

HIGHLIGHTS

IGNITE Program

The Inspiring Great New Ideas Towards Excellence (IGNITE) Program continues to be implemented across the organisation to encourage ongoing continuous improvement across Council's services.

Councils Improvement Register has now recorded over 800 improvements, with 58 additional improvements completed and added to the improvements register this quarter. These improvements range from process efficiency, reduction in waste, new technologies and better ways of operating that collectively result in improved customer experiences and enhanced service delivery.

Council has also continued to implement its Service Review program to ensure all Council's services are efficient and effective and deliver the best outcomes for our community now and into the future. Council has now completed reviews for the Hop Skip and Jump Service. Council is currently reviewing Marketing and Communications, Records Management and Beach Services. These reviews are scheduled for completion in early 2025.

State of our Region Report 2021-2024

A progress report on the Community Strategic Plan, called the State of our Region Report 2021-2024 was presented to Council at its meeting on the 15 October 2024. Some 77 measures tracked progress against baselines with 88% on track with nearly half the measures off track as a result of the impact of COVID.

Highlights in the report included reductions in greenhouse gas emissions by the community and Council; the development and implementation of plans to build resilience, support the circular economy, strengthen the social fabric of our community (focusing on disability inclusion, youth and multicultural programs); and the creation of new infrastructure to support our community.

Review of the Community Strategic Plan 2040

A community engagement plan was developed to support the review of the Community Strategic Plan 2040. Stage 1 of community engagement has been completed. It involved seeking feedback on the current vision, outcomes and goals in the plan. Over 190 submissions were received during the exhibition period which ran from 18 October to 17 November 2024. Focus groups were also held to explore in greater detail possible changes to the Plan. This feedback will inform the review and development of a new Plan. The revised Plan will be reported to the Council meeting in April 2025.

Securing grants

Via the 'Urban Rivers and Catchments' program' we were awarded \$1,680,000 (from the Australian Department of Industry, Science and Resources) for the restoration of South Creek, Dee Why. This project will be co-funded by Council (\$180,000 plus in-kind support).

Under the 'Thriving Suburbs' program (funded by the Australian Department of Infrastructure, Transport, Regional Development, Communications and the Arts) we received \$929,305 for Mackerel Beach Wharf Upgrades. Council will co-fund (50%) towards a total project cost of \$1,858,610.

During November we had success with a number of Transport grant applications. Transport NSW's 'Road Safety' program awarded 7 projects as part of their 2023/24 – 2024/25 program:

- new / improved (raised) pedestrian crossings at Carawa Road, Cromer (\$1,284,000)
- Headland Road, North Curl Curl (\$452,000)
- Oliver Way, Mona Vale (\$243,000)
- Park Street, Mona Vale (\$245,000)
- South Creek Road, Cromer (\$266,000)
- Melwood Avenue, Killarney Heights (\$246,000)
- Quirk Road, Manly Vale (\$237,000).

Additionally, as part of the 'Towards Zero, Safer Roads' program we were awarded \$265,000 for Avalon Beach Traffic Calming measures.

The 'Fresh Start for Local Government Apprentices, Trainees and Cadets' program' will support 6 new roles at Council, commencing from early 2025:

- Environmental Health Officer (1 position)
- Diploma Early Childhood and Care Educators (2 positions)
- Operator Driver (2 positions)
- Building Surveyor (1 position).

In December we were awarded \$12,000 as part of the 'NSW Women's Week' program. Northern Beaches Libraries will host a series of writing and poetry workshops during Women's Week in March 2025, culminating in a panel talk showcasing and celebrating female authors living with a disability.

Financial sustainability in Local Government

Several Federal and State Government inquiries on various matters relating to the financial sustainability of local councils are currently underway and Council has been active in advocating and communicating a range of important issues affecting our community.

The NSW Parliament's Legislative Council Standing Committee on State Development into the ability of local governments to fund infrastructure and services released their report in November 2024. The inquiry found that the whole Local Government sector is at risk under the current funding arrangements. The report includes key recommendations aimed at improving financial sustainability, flexibility, and fairness for councils. Council has written to all local members of Parliament and all NSW Senators requesting their support in implementing these recommendations.

NSW Revenue land classification for Emergency Services Funding Reform project

A land classification project was undertaken in the quarter at the request of NSW Revenue. The data is required by NSW Revenue as part of their Emergency Services Funding Reform project.

Effective IDT tools for staff

We continue to provide new and improved ways of working for Council staff to support a better experience for our customers including:

- Moving the geographic information system software, location intelligence, and mapping to a cloud-based platform; bringing greater productivity and reliability, along with robust

security, and cost savings to support the mapping services that the Council provides to the community.

- Security-driven recommendations on the application of AI to support improved ways of managing data, and innovative reporting generated with Council datasets.
- Auto-generation of applications submitted to the NSW Planning Portal, reducing the need to manually duplicate the thousands of applications submitted each year.
- Further work and insights to support and develop the Council's cyber resilience efforts and Centre of Excellence toolkit for governance and security improvements.
- Deployment of heightened authentication tools across all Council devices to improve our resilience against unauthorised access to Council-stored data.

IDT in the community

Council continues to expand its digital offerings by increasing the number of online transactional services for our customers including:

- The creation of digital customer feedback capture for development application (DA) customers, allowing improved customer service and heightened responsiveness from the Council.
- New digital forms for cemetery services that automatically generate and send any additional information customers require.
- Improved automation in correspondence and contact methods created for customers engaging with our Transport and Civil Infrastructure teams.
- Automation updates to password reset functions, enabling customers to process required resets digitally, reducing the need to call IT Helpdesk for support.
- Significant time-savings for the Rangers team and their customers through improvements to the customer satisfaction email and CRM processing.

Industry Recognition

Karen Sullivan was the recipient of the Special Recognition award for the Unsung Hero category presented by the Australian Women in Security Awards.

Leadership Talent

The Online Learning Library was launched to support organisational and personal development. Over 150 additional online modules have been made available and can be accessed via People Central. The expanded learning library is mapped to the capability framework.

The leadership program Elevate is designed to empower first-time and emerging leaders and forms part of our tiered leadership development initiatives. It also aligns to the Capability Framework and aims to help participants to unlock their potential, through developing and nurturing skills whilst fostering a culture of continuous growth. The pilot group commenced the program in June 2024 and have recently completed the program. The next cohort (Group 2) will commence the program in February 2025.

Digital Transformation

Ongoing changes are being implemented to optimise our core Human Resources Information Systems, improve the user experience, and drive digital engagement. The changes are planned and considered based on employee feedback received through system 'health-checks'.

Safety and Wellbeing

A new Injury Management Program is currently being drafted. The program will continue to ensure compliance with self-insurance licencing requirements; standards of practice and customer service conduct principles with a target to achieve a State Insurance and Regulatory Authority (SIRA) top tier ranking.

Diversity, Equity, Inclusion and Belonging

System improvements are being implemented to better represent current practices in relation to Diversity, Equity, Inclusion and Belonging (DEIB) data, this includes enabling the use of pronouns.

Corporate Support - Performance measures	Target	December quarter
Correspondence replied to within 10 working days	90%	92%
Operational projects on schedule	80%	88%
Capital projects on schedule	80%	85%
Quarterly, annual and statutory reports submitted to Council on time	100%	100%
- Workload measures		
No. service review actions implemented	-	13

Results Key: ■ Achieved ■ Approaching - within 5% of target ■ Behind - more than 5% off target

OPERATIONAL PROJECTS

Key: ✔ Complete ✔ Progressing ! Behind schedule

✔ Undertake a service review of the Community Engagement service - Executive Manager Community Engagement & Communications

The Community Engagement Service Review has been finalised and BATS created for implementation. The Audit, Risk and Improvement Committee adopted the Service Review Report on Community Engagement at its meeting in September 2024. Staff have commenced implementing the recommendations of the report.

✔ Report on the progress of implementing the Community Strategic Plan - State of our Region report - Executive Manager Strategy & Performance

The State of our Region report was tabled at the Council meeting on the 15 October and was endorsed by Council. The report assesses progress in implementing the Community Strategic Plan 2040 through qualitative commentary and performance against 77 measures.

The tabling of the report initiated the review of the Community Strategic Plan.



Review the Long-Term Financial Plan (LTFP) and options to maintain financial sustainability, such as a special rate variation - Chief Financial Officer

A workshop was held with Councillors on financial sustainability in November 2024 and engagement commenced on a draft LTFP and options for financial stability including 3 Special Variation options.



Build and develop future organisational workforce capabilities - Executive Manager Human Resources

The deliverables in the Workforce Management Strategy (WMS) continue to be rolled out to develop future workforce capabilities, underpinned by the WMS 4 focus areas; Leadership Talent, Digital Transformation, Wellbeing and Safety and Diversity, Equity, Inclusion and Belonging.



Undertake a service review of Marketing and Communications - Executive Manager Community Engagement & Communications

The finalisation of the report was delayed to enable the Business Unit to respond to urgent engagement and communication activities for the Funding our Future program. The report is scheduled to be completed before the end of FY24/25.



Deliver Core Operating System Modernisation & Optimisation - Chief Information Officer

The Program working towards Release 1 on 1 July 2025. Release 1 involves: Finance, Supply Chain, Assets, Content Manager and Spatial (Partial). The build Phase of all modules is in progress. Testing phase has also commenced. Program on track for Release 1 with risk and issues being managed in line with the governance framework.



Review the Workforce Management Strategy - Executive Manager Human Resources

The dates were confirmed by the Corporate Strategy Team to produce the next Workforce Management Strategy (WMS) which will be in place from 2026 to 2030. The project will commence in 2025.

The current WMS continues to be reviewed in preparation, noting that initiatives are still being delivered as part of the current WMS.



Undertake a service review of Traffic and Transport - Executive Manager Transport & Civil Infrastructure

Project commencing in first quarter 2025.



Undertake a service review on the maintenance of open space - Executive Manager Parks & Open Space

The Audit, Risk and Improvement Committee adopted a Service Review Report on Maintenance of Open Space and Related Infrastructure (Parks Operations) at its meeting in September 2024. Staff have commenced implementing the recommendations of the report, including improving the consistency of systems use, consultation for Capital Works Projects, and the management of Customer Request Allocation.



Revise the Community Strategic Plan - Executive Manager Strategy & Performance

Stage 1 of community engagement is complete. 190 submissions were received on the vision, outcomes and goals. The engagement ran from 18 October to 17 November.

5 focus groups have also been held.



Review the Asset Management Strategy, Policy and Plan - Director Transport & Assets

The Asset Management Policy has been reviewed; minor amendments recommended - for review and confirmation. All Asset Management Plans were reviewed in July 2024. Minor updates are required to reflect 2024 Asset Values and Condition. The Asset Management Strategy Action Plans for Asset Management Strategy and Asset Management Plan are reviewed and updated annually.



Develop a 4-year Delivery Program with the newly elected Council - Executive Manager Strategy & Performance

Initial planning and templates have been finalised and circulated.

CAPITAL PROJECTS

Key:  Complete  Progressing  Behind schedule

IT improvements



IT Infrastructure and Devices – Replacements - Chief Information Officer

Continue planning and deployment for replacement of end of life hardware - network switches, access points, laptops, workstations and mobiles

Corporate Support Services – Service Financials

**Income and Expenditure
Statement
01 July 2024 to 31 December
2024**

	Year to date			Annual		
	YTD	YTD	YTD	Annual	Approved	Current
	Actual \$'000	Forecast \$'000	Variance \$'000	Budget \$'000	Forecast \$'000	Forecast \$'000
Income from Operations						
User Charges and Fees	279	255	24	480	480	480
Investment Fees and Revenues	9,176	8,613	563	10,414	11,685	12,927
Other Revenues	701	424	276	853	822	972
Grants and Contributions - Operating Purposes	558	558	-	6,773	4,517	4,517
Other Income	18	-	18	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	10,732	9,851	881	18,519	17,505	18,896
Expenses from Operations						
Employee Benefits and Oncosts	(14,980)	(15,323)	343	(31,265)	(31,768)	(31,697)
Borrowing Costs	(250)	(260)	10	(516)	(516)	(516)
Materials and Services	(10,647)	(12,269)	1,622	(26,928)	(27,778)	(25,093)
Depreciation and Amortisation	(178)	(252)	74	(657)	(709)	(709)
Other Expenses	-	(1)	1	(9)	(9)	(9)
Internal Charges	374	386	(11)	766	776	776
Overhead Allocation	13,252	13,252	-	26,514	26,514	26,514
Total Expenses from Operations	(12,428)	(14,467)	2,040	(32,095)	(33,490)	(30,734)
Surplus / (Deficit) from Operations	(1,696)	(4,616)	2,920	(13,576)	(15,985)	(11,838)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	50	-	50	50	50	50
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(1,646)	(4,616)	2,970	(13,526)	(15,935)	(11,788)
Rates and Annual Charges						
Rates and Annual Charges	102,625	102,464	161	9,335	9,735	9,862

Corporate Support Services – Service Commentary

Year to Date Actuals

The Total (Deficit) from Operations of (\$1.7)m is lower than forecast by \$2.9m at the end of the quarter.

Total Income from Operations of \$10.7m is higher than forecast by \$0.9m.

Investment Fees and Revenues are higher by \$0.6m as a result of higher interest rates on greater balances.

Other Revenues are higher by \$0.3m as a result of additional interest transferred from Kimbriki into the tip remediation fund and funding from Revenue NSW to undertake a land classification task for their NSW Emergency Services Funding Reform project.

Total Expenses from Operations of (\$12.4)m are lower than forecast by \$2.0m.

Employee Benefits and Oncosts are lower by \$0.3m as a result of vacant positions within the service and staff leave taken.

Materials and Services are lower by \$1.6m as a result of timing differences associated with the payment of data services and phone charges and contract services for information technology

Rates and Annual Charges are higher by \$0.2m as a result of additional business and residential rates income.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$4.1m to (\$11.8)m principally due to increased investment revenue and the rephasing of \$2.9 million to future years associated with the staging of the replacement of the Council's core operating systems.



QUARTERLY BUDGET REVIEW STATEMENT

DECEMBER 2024

2025/076836



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Northern Beaches Council

Income and operating expenses budget review statement

For the period 1 July 2024 to 31 December 2024

						Year to date
	2023-24	ORIGINAL	REVISED	Recommended	CURRENT	YTD
	Actual	Budget	Budget	changes	Forecast	Actual
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from continuing operations						
Rates and annual charges	246,433	259,113	259,515	127	259,642	259,827
User charges and fees	99,931	101,855	102,637	1,638	104,275	54,706
Investment fees and revenues	11,082	8,411	8,918	1,320	10,238	6,045
Other revenues	21,620	20,684	20,845	1,812	22,658	11,652
Grants and contributions - Operating purposes	26,529	22,502	25,181	405	25,587	10,697
Grants and contributions - Capital purposes	29,218	32,343	39,594	(3,112)	36,482	13,642
Other income	6,915	6,785	6,946	47	6,993	3,844
Gain/(Loss) on disposal of assets	(545)	392	392	40	432	479
Total income from continuing operations	441,183	452,085	464,029	2,278	466,308	360,892
Expenses from continuing operations						
Employee benefits and oncosts	(159,331)	(170,968)	(171,870)	(314)	(172,184)	(83,040)
Borrowing costs	(2,689)	(2,436)	(2,605)	-	(2,605)	(1,151)
Materials and services	(163,471)	(177,881)	(180,245)	1,974	(178,271)	(83,415)
Depreciation and amortisation	(48,975)	(52,149)	(53,208)	38	(53,170)	(25,358)
Other expenses	(22,569)	(21,431)	(21,785)	234	(21,552)	(10,888)
Total expenses from continuing operations	(397,035)	(424,866)	(429,713)	1,932	(427,781)	(203,853)
Surplus / (Deficit) from continuing operations	44,148	27,219	34,317	4,210	38,526	157,039
Surplus / (Deficit) before Capital Grants & Contributions	14,930	(5,125)	(5,278)	7,322	2,044	143,398
Less: Rates yet to be allocated						
						(92,831)
Surplus / (Deficit) before Capital Grants & Contributions - adjusted for rates unallocated						50,566

Northern Beaches Council

Income and expenses budget review statement excluding Kimbriki Environmental Enterprises

For the period 1 July 2024 to 31 December 2024

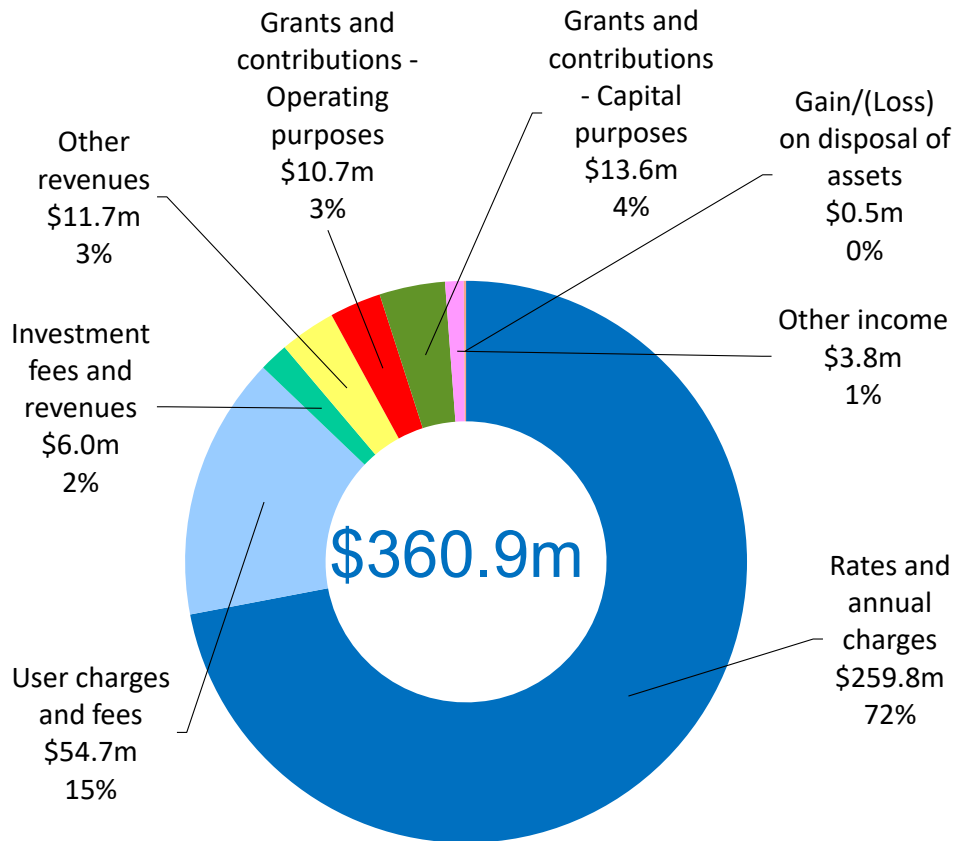
Council is the majority shareholder (96%) in Kimbriki Environmental Enterprises Pty Ltd. Kimbriki operates a waste and recycling business with a 25-year lease over a Council owned site. As a subsidiary of the Council, the consolidated financial reports of the Council incorporate the Kimbriki operation. For the information of the Council, an Income Statement has been prepared to represent the financial results of the Council's operations, excluding Kimbriki.

	Annual				Year to date
	ORIGINAL Budget \$'000	REVISED Budget \$'000	Recommended Changes \$'000	CURRENT Forecast \$'000	YTD Actual \$'000
Income from continuing operations					
Rates and annual charges	259,167	259,570	127	259,697	259,882
User charges and fees	76,089	76,575	1,217	77,792	40,919
Investment fees and revenues	10,469	11,741	1,241	12,982	9,260
Other revenues ^{1.}	17,496	17,533	1,972	19,505	10,302
Grants and contributions - Operating purposes	22,502	25,181	405	25,587	10,697
Grants and contributions - Capital purposes	32,343	39,594	(3,112)	36,482	13,642
Other income ^{1.}	9,995	10,186	42	10,228	5,492
Gain/(Loss) on disposal of assets	392	392	40	432	479
Total income from continuing operations	428,453	440,772	1,932	442,705	350,672
Expenses from continuing operations					
Employee benefits and oncosts	(165,613)	(166,507)	(358)	(166,865)	(80,280)
Borrowing costs	(693)	(693)	-	(693)	(343)
Materials and services ^{2.}	(174,618)	(176,970)	2,227	(174,743)	(81,444)
Depreciation and amortisation	(49,014)	(50,120)	-	(50,120)	(23,848)
Other expenses	(11,763)	(12,026)	-	(12,026)	(6,121)
Total expenses from continuing operations	(401,701)	(406,316)	1,868	(404,448)	(192,035)
Surplus / (Deficit) from continuing operations	26,752	34,456	3,801	38,257	158,637
Surplus / (Deficit) before Capital Grants & Contributions	(5,591)	(5,138)	6,913	1,775	144,995
Less: Rates yet to be allocated					(92,831)
Surplus / (Deficit) before Capital Grants & Contributions - adjusted for rates unallocated					52,164

^{1.} Other Revenues/Other Income includes lease income and (when applicable) dividends received from Kimbriki

^{2.} Materials and Services includes disposal costs charged to Council by Kimbriki



















Income from continuing operations



Income Items	For the period 1 July 2024 to 31 December 2024			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and annual charges	259,827	259,413	414	0.2%
User charges and fees	54,706	51,116	3,590	7.0%
Investment fees and revenues	6,045	5,347	698	13.1%
Other revenues	11,652	10,477	1,175	11.2%
Grants and contributions - Operating purposes	10,697	10,756	(59)	(0.5)%
Grants and contributions - Capital purposes	13,642	12,941	701	5.4%
Other income	3,844	3,703	141	3.8%
Gain/(Loss) on disposal of assets	479	157	322	0.0%
Total Income from Continuing Operations	360,892	353,910	6,982	2.0%

**ATTACHMENT 2 : QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2024 - ITEM 9.6 - NORTHERN
BEACHES COUNCIL MEETING - 18 FEBRUARY 2025**

User Charges and Fees

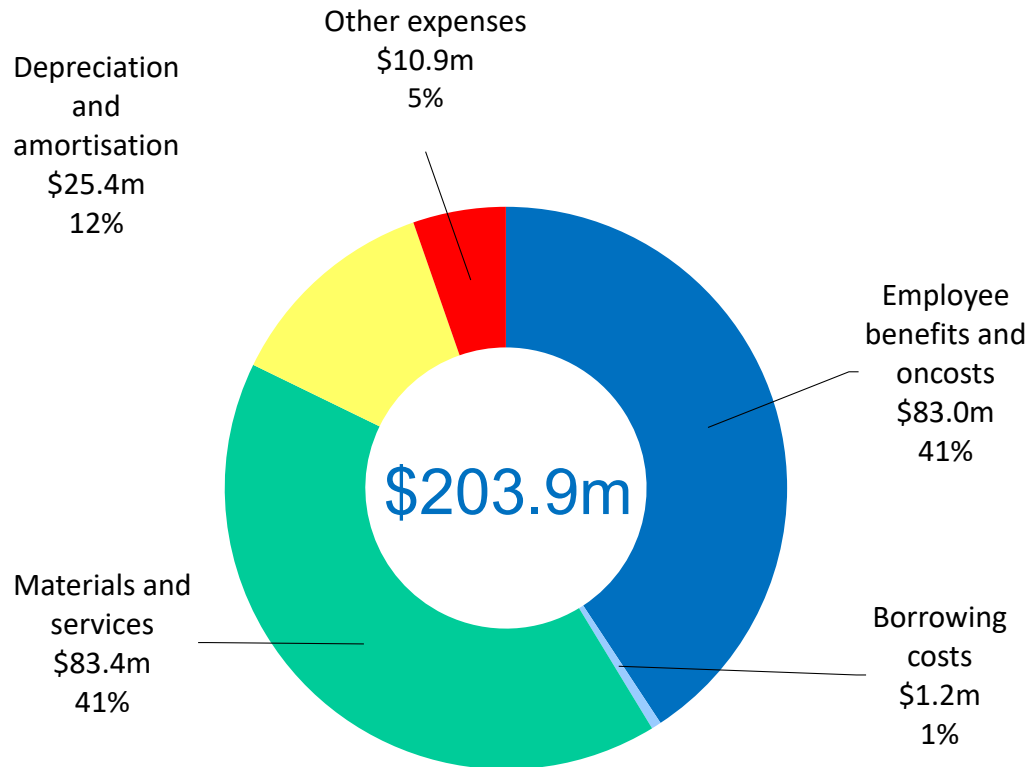
Item	For the period 1 July 2024 to 31 Decemeber 2024					Proposed	Proposed
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %		Budget Incr / (Decr)	Annual Budget
Aquatic Centres	5,510 	5,219	291	6%		500	11,213
Caravan Park	3,898 	3,770	128	3%		-	7,813
Cemeteries	334 	362	(28)	(8)%		(100)	624
Child Care	7,922 	7,928	(6)	(0)%		(43)	15,776
Community Centres	1,270 	1,394	(124)	(9)%		(134)	2,676
Currawong State Park	207 	266	(59)	(22)%		-	586
Glen Street Theatre	893 	943	(49)	(5)%		(171)	1,890
Golf Course and Driving Range	1,339 	1,425	(86)	(6)%		-	2,693
Kimbriki Waste and Recycling Centre	13,786 	13,141	645	5%		421	26,484
Libraries	59 	49	10	20%		-	98
Parking Areas	7,658 	7,447	211	3%		39	15,028
Sportsfields and Reserves	1,221 	1,105	116	10%		30	1,833
Planning and Building Regulation	6,782 	5,004	1,778	36%		361	10,673
Regulatory/Statutory Fees	512 	545	(33)	(6)%		-	1,091
Restoration Charges	1,193 	520	673	130%		760	1,800
Section 10.7 Certificates (EPA Act)	449 	437	12	3%		-	875
Section 603 Certificates (LG Act)	267 	242	25	10%		-	454
Other Fees	1,404 	1,318	87	7%		(26)	2,668
Total User Charges and Fees	54,706	51,116	3,590	7%		1,638	104,275

**ATTACHMENT 2 : QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2024 - ITEM 9.6 - NORTHERN
BEACHES COUNCIL MEETING - 18 FEBRUARY 2025**

Other Revenues and Other Income

Item	For the period 1 July 2024 to 31 December 2024				Proposed	
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	Budget Incr / (Decr)	Proposed Annual Budget
Advertising Income	81	418	(336)	(80)%	(282)	570
Ex Gratia Rates	28	28	0	0%	-	28
Investments at fair value through profit and loss	18	0	18	0%	-	-
Legal Fees Recovery - Other	165	114	51	45%	-	245
Parking Fines	4,357	3,549	809	23%	400	7,500
Other Fines	455	333	122	37%	-	667
Recycling Income	153	325	(172)	(53)%	(150)	500
Rental Income - Investment Properties	167	165	1	1%	-	334
Rental Income - Leased Council Properties	3,659	3,538	122	3%	47	6,659
Sale of Stock	731	662	69	10%	(15)	1,371
Other Revenues - Kimbriki	1,813	1,912	(100)	(5)%	(100)	3,757
Other Revenues	1,782	1,036	746	72%	1,948	4,373
Licences, Consents & Deeds	2,087	2,101	(14)	(1)%	10	3,646
Total Other Revenues and Other Income	15,496	14,180	1,316	9%	1,859	29,650
































Expenses from continuing operations



Expense Items	For the period 1 July 2024 to 31 December 2024			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee benefits and oncosts	83,040	84,333	1,292	1.5%
Borrowing costs	1,151	1,276	125	9.8%
Materials and services	83,415	85,299	1,884	2.2%
Depreciation and amortisation	25,358	26,645	1,287	4.8%
Other expenses	10,888	11,026	138	1.2%
Total Expenses from Continuing Operations	203,853	208,578	4,726	2.3%

**ATTACHMENT 2 : QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2024 - ITEM 9.6 - NORTHERN
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Materials and Services

Item	For the period 1 July 2024 to 31 December 2024				Proposed Budget Incr / (Decr)	Proposed Annual Budget
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %		
Agency Personnel	1,066 	1,248	182	15%	(1,621)	2,731
Bush Regeneration	1,779 	1,997	218	11%	(36)	5,520
Cleaning	3,505 	3,768	263	7%	(13)	7,638
Consultancy	171 	233	62	26%	-	467
Electricity, Heating and Water	2,797 	2,772	(24)	(1)%	263	5,810
Environment and Floodplain Mgt	1,160 	1,958	798	41%	(20)	4,771
External Roadwork	3,747 	2,771	(976)	(35)%	328	8,347
Golf Course and Driving Range	792 	712	(80)	(11)%	-	1,431
Insurance	2,165 	2,292	127	6%	-	4,435
IT and Communications	8,671 	10,255	1,583	15%	(1,415)	20,031
Kimbriki Waste and Recycling Centre	8,623 	8,370	(253)	(3)%	253	17,285
Land Use Planning	231 	315	84	27%	260	1,575
Legal Fees - Other	808 	960	153	16%	-	1,936
Legal Fees - Planning and Development	1,278 	550	(728)	(132)%	-	1,100
Lifeguard Services	843 	794	(49)	(6)%	(98)	1,666
Maintenance and Servicing	3,415 	2,876	(539)	(19)%	86	5,999
Management Fees	992 	1,076	83	8%	-	2,535
NSW Revenue Fine Processing Fees	709 	479	(230)	(48)%	100	1,058
Performance and Events	927 	975	48	5%	(168)	2,185
Plant and Vehicle	1,668 	1,631	(38)	(2)%	40	2,990
Printing, Postage & Stationery	757 	678	(79)	(12)%	172	1,541
Raw Materials and Consumables	2,678 	2,740	62	2%	(28)	5,496
Recreation and Sportsfields	3,881 	4,033	152	4%	(98)	8,337
Stormwater	342 	380	38	10%	30	938
Street Lighting	1,103 	1,319	216	16%	-	2,685
Training Costs	354 	471	116	25%	-	945
Tree Works	1,492 	1,721	229	13%	300	3,740
Waste Collection	10,606 	10,268	(339)	(3)%	244	20,781
Waste Disposal and Processing	9,002 	8,979	(23)	(0)%	(319)	18,770
Other Contracts	2,352 	2,503	150	6%	(72)	5,271
Other	5,502 	6,178	676	11%	(162)	10,258
Total Materials and Services	83,415	85,299	1,884	2%	(1,974)	178,271

Other Expenses

Item	For the period 1 July 2024 to 31 December 2024				Proposed	
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	Budget Incr / (Decr)	Proposed Annual Budget
Bad and Doubtful Debts	6	36	30	83%	-	81
Planning Levy	563	563	(0)	(0)%	-	751
Waste Levy	4,605	4,835	229	5%	(229)	9,192
Emergency Services Levy	4,447	4,447	0	0%	-	8,896
Other Levies	89	89	0	0%	-	179
Donations, Contributions and Assistance	1,015	889	(126)	(14)%	-	2,121
Land Tax	162	167	4	3%	(4)	333
Total Other Expenses	10,888	11,026	138	1%	(234)	21,552

Northern Beaches Council

Recommended material changes to the Revised Budget Income and operating expenses 2024/25 - December 2024 Review

Proposed variation		Details
Fav / (Unfit)		
\$'000	%	
127	0.0%	Rates and annual charges Additional rating income due to supplementary rates run.
1,638	1.6%	User charges and fees Higher than anticipated income including: <ul style="list-style-type: none"> • Restoration Charges \$0.8m • Aquatic Centres \$0.5m • Kimbriki Waste and Recycling Centre \$0.4m
1,320	14.8%	Investment fees and revenues Higher portfolio balance and increased returns on investments.
1,812	8.7%	Other revenues Increases in: <ul style="list-style-type: none"> • Insurance costs recovered \$1.9m • Parking Fines \$0.4m Decreases in: <ul style="list-style-type: none"> • Advertising on Council's Structures \$0.3m
405	1.6%	Grants and contributions - Operating purposes South Creek Rehabilitation grant \$0.4m
(3,112)	(7.9%)	Grants and contributions - Capital purposes <ul style="list-style-type: none"> • Additional grant funding received in the 2024/25 financial year offset by works to be completed in future years - <i>please refer to the 'Capital Expenditure - recommended changes to the budget' schedule for further information on grants for capital projects.</i>
47	0.7%	Other income Additional rental income on Council leased properties.
40	10.2%	Gain/(Loss) on disposal of assets Sale of land within a road reserve (\$0.12m) offset by a reduction to the net gain on the disposal of plant and fleet (\$0.08m).
2,278		TOTAL INCOME VARIATIONS

Proposed variation		Details
Fav / (Unfit)		
\$'000	%	
(314)	(0.2%)	Employee benefits and oncosts Higher employee costs mainly due to casual positions engaged in early learning with offsetting reductions in agency staff, additional lifeguard casuals and shift penalties for rangers in environmental compliance offset by lower costs in the Transport, Traffic and Active Travel service due to vacancy levels.
1,974	1.1%	Materials and services Decreases in: <ul style="list-style-type: none"> • Core operating system replacement project works rephased to future financial years - \$2.9m Increases in: <ul style="list-style-type: none"> • South Creek Rehabilitation grant funded works - (\$0.4m) • Kimbriki - (\$0.3m) • Storm clean up works - (\$0.3m)
38	0.1%	Depreciation and amortisation Minor adjustment to Kimbriki's depreciation.
234	1.1%	Other expenses Minor adjustment to Kimbriki's Waste Levy due to higher waste volumes.
1,932		TOTAL OPERATING EXPENDITURE VARIATIONS
4,210		TOTAL RECOMMENDED CHANGES TO INCOME AND OPERATING EXPENSES

Northern Beaches Council
Capital Budget Statement
For the Period 1 July 2024 to 30 December 2024

ORIGINAL Budget	REVISED Budget	RECOMMENDED changes	CURRENT Forecast	Actual to 31 Dec 2024
\$'000	\$'000	\$'000	\$'000	\$'000

Capital Funding

Working Capital	3,732	6,107	(1,092)	5,015	3,225
Depreciation	32,196	33,206	1,071	34,277	14,094
Capital Grants & Contributions					
- New Grants	11,687	17,106	(3,187)	13,919	4,480
- Grants from prior years	12,988	14,857	75	14,932	4,877
Externally restricted reserves					
- Developer contributions	17,298	21,943	(620)	21,323	13,955
- Domestic waste	-	-	-	-	-
- Other	2,055	1,965	-	1,965	713
Internally restricted reserves					
- Merger Savings Fund	518	209	-	209	-
- Other	16,606	16,212	(52)	16,160	1,792
Income from sale of assets					
- Plant and equipment	2,183	2,183	-	2,183	493
Total Capital Funding	99,263	113,788	(3,805)	109,983	43,629

Capital Expenditure (by Service)

Children's Services	-	34	-	34	39
Community, Arts and Culture	16,819	18,632	42	18,674	9,670
Corporate Support	2,410	3,122	-	3,122	901
Economic Development, Events and Engagement	500	500	-	500	176
Environment and Sustainability	14,036	15,290	(1,293)	13,997	5,395
Kimbriki Resource Recovery Centre	3,445	4,549	55	4,604	1,333
Library Services	1,107	1,203	2	1,205	520
Parks and Recreation	17,749	21,168	132	21,300	9,423
Property and Facilities	3,657	5,431	(321)	5,110	1,467
Transport, Traffic and Active Travel	39,440	43,759	(2,422)	41,337	14,658
Waste and Cleansing	100	100	-	100	47
Total Capital Expenditure	99,263	113,788	(3,805)	109,983	43,629

Northern Beaches Council

Capital Expenditure - recommended changes to the budget

December 2024

SOURCE OF FUNDS								
Job	Job Description	Recommended changes + INCR/(DECR) \$'000	Reason for Change	Developer Contri \$'000	Externally restricted \$'000	Internally restricted \$'000	Grants and Contri \$'000	Dep'n / Working Capital \$'000
Budget funding reallocation between projects / funding sources								
CR05014	Road resheeting program	(21)	Funding transferred for Manly Vale Community Centre Car Park resurface.					(21)
CR05010	Car park renewal works	21						21
CN01010	New footpaths	(179)	Funding transferred to complete Queenscliff Headland access ramp.	(179)				
CN01221	Queenscliff Headland access ramp	179		179				
CR05014	Road resheeting program	-	Replace depreciation funding with disposal proceeds from road reserve.			120		(120)
CN01259	Pittwater Rugby Park	(430)	Funding transferred for renewal of public amenities.					(430)
CR05015	Public amenities works program	430						430
Total budget funding reallocation between projects/ funding sources		-		-	-	120	-	(120)
Budget funding reallocation (to) / from operating budget								
CN01065	Gallery Art Work Purchases	20	Funding transferred for essential equipment replacement at Manly Art Gallery & Museum.					20
Total budget funding reallocation (to) / from operating budget		20		-	-	-	-	20

Job	Job Description	Recommended changes + INCR/(DECR) \$'000	Reason for Change	Developer Contri \$'000	Externally restricted \$'000	Internally restricted \$'000	Grants and Contri \$'000	Dep'n / Working Capital \$'000
Increase in capital works budget								
CR05065	Energy Savings initiatives program	7	Additional Community Building Partnership funding received.				7	
CR05043	Sport buildings works program	188	Additional funding for tennis court resurfacing and glazing.			188		
CR05076	Glen Street Theatre - renewal works	122	Additional funding for the replacement of the stage fire curtain hoist.			100		22
CR05085	Mona Vale Cemetery works program	33	Additional funding for memorial masonry.			33		
Total increase in capital works		350		-	-	320	7	22
Decrease in capital works budget								
CR05070	Major plant renewal	(290)	Additional grant funding to support the replacement of a Hop Skip Jump bus, offset by a reduction in the number of buses requiring replacement due to the approved changes to the service routes.			(392)	102	
CR05137	Creative Arts Space - Mona Vale design works	(100)	Funding redirected to Glen Street Theatre stage fire curtain replacement.			(100)		
Total decrease in capital works budget		(390)		-	-	(492)	102	-

Job	Job Description	Recommended changes + INCR/(DECR) \$'000	Reason for Change	Developer Contri \$'000	Externally restricted \$'000	Internally restricted \$'000	Grants and Contri \$'000	Dep'n / Working Capital \$'000
Brought forward from future years								
CN01055	Warriewood Valley - public space and recreation	33	Variation and scope change of the project to achieve cost efficiency.	33				
CN01168	Clontarf masterplan implementation	99	Multi-year project progressed ahead of schedule.	99				
CN01018	Scotland Island roads and drainage improvements	75	Multi-year project progressed ahead of schedule.				75	
CR05038	Library buildings works program	1	Funding required for Forestville Library carpet tiles.					1
Total brought forward from future years		208		132	-	-	75	1
Rollover to future years								
CN01247	Oxford Falls Road west flood mitigation	(1,300)	Project delayed due to alignment issues impacting design.			(1,300)		
CN01011	New traffic facilities	(1,600)	Project behind schedule due to delays in community engagement.				(1,600)	
CN01020	Warriewood Valley – traffic and transport infrastructure	(552)	Project behind schedule due to delays in community engagement.	(552)				
CN01182	Traffic Facility Delivery - accelerated	(54)	Project to commence delivery in May 2025 and complete in July 2025.				(54)	
CN01109	Terrey Hills Emergency Services Headquarters	(124)	Project deferred to 2025/26 pending confirmation with key stake holders.				(124)	

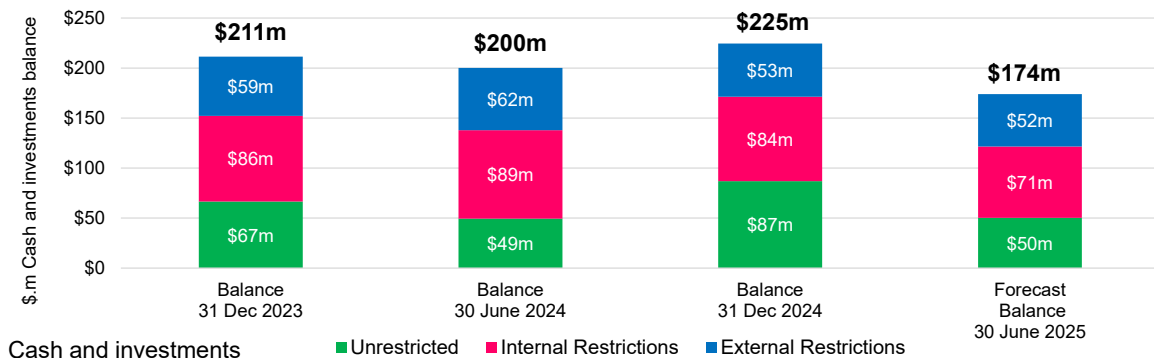
Job	Job Description	Recommended changes + INCR/(DECR) \$'000	Reason for Change	Developer Contri \$'000	Externally restricted \$'000	Internally restricted \$'000	Grants and Contri \$'000	Dep'n / Working Capital \$'000
CN01174	West Esplanade, Manly accessible amenity	(200)	Project delayed due to site contamination.	(200)				
CR05159	Terrey Hills Rural Fire Station	(218)	Project deferred to 2025/26 pending confirmation with key stakeholders.				(218)	
Total rollover to future years		(4,049)		(752)	-	(1,300)	(1,996)	-
Kimbriki								
CR05099	Kimbriki vehicles	55	Vehicle for site management function.					55
Total Kimbriki		55		-	-	-	-	55
TOTAL VARIATIONS		(3,805)		(620)	-	(1,352)	(1,812)	(21)
Approved budget		113,788						
Current Forecast		109,983						

**ATTACHMENT 2 : QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2024 - ITEM 9.6 - NORTHERN
BEACHES COUNCIL MEETING - 18 FEBRUARY 2025**

**Northern Beaches Council
Cash and investments**

For the period 1 July 2024 to 31 December 2024

	Annual Budget 2024/25						
	ACTUAL	ACTUAL	ACTUAL	ORIGINAL	REVISED	Recommended	CURRENT
	Balance 31 Dec 2023 \$'000	Balance 30 June 2024 \$'000	Balance 31 Dec 2024 \$'000	Budget Balance 30 June 2025 \$'000	Budget Balance 30 June 2025 \$'000	changes for Council resolution \$'000	Forecast Balance 30 June 2025 \$'000
Total cash and investments	211,417	200,214	224,563	153,253	166,174	7,866	174,040
represented by:							
Externally restricted							
Development contributions	47,272	47,386	38,812	32,718	34,422	900	35,322
Unexpended grants - not tied to liability	346	573	-	-	-	-	-
Domestic waste management	10,833	13,176	7,024	12,158	15,433	463	15,896
Stormwater management	489	253	390	200	243	-	243
Special rates	252	877	6,954	880	1,000	(5)	994
Total externally restricted	59,191	62,264	53,180	45,955	51,098	1,357	52,455
Internally restricted							
Deposits, retentions and bonds	17,550	19,527	19,527	17,550	19,527	-	19,527
Employee leave entitlements	7,111	7,580	7,580	7,362	7,580	-	7,580
Kimbriki landfill remediation	15,418	18,207	18,207	20,253	20,660	-	20,660
Manly Environmental Levy	1,250	1,179	1,170	1,169	1,150	-	1,150
Merger Savings Fund	1,164	911	911	343	702	-	702
Mona Vale Cemetery	8,091	5,964	8,320	3,796	3,795	(132)	3,663
Plant and fleet replacement	6,821	7,593	8,715	6,378	5,948	312	6,260
Unexpended grants - tied to liability	21,239	20,741	15,200	6,159	5,725	(75)	5,650
Stronger Communities Fund (I/R)	5,368	5,378	5,509	4,732	4,608	22	4,630
Other i/r	1,656	1,504	(756)	1,634	1,693	(182)	1,511
Total internally restricted	85,668	88,585	84,383	69,375	71,389	(56)	71,333
Total restricted cash and investments	144,859	150,849	137,563	115,330	122,487	1,302	123,789
Total unrestricted cash and investments	66,558	49,365	87,000	37,923	43,687	6,565	50,251
<i>Kimbriki cash - unrestricted</i>	<i>6,227</i>	<i>6,394</i>	<i>5,636</i>	<i>6,725</i>	<i>5,311</i>	<i>375</i>	<i>5,686</i>
<i>Remaining cash - unrestricted</i>	<i>60,331</i>	<i>42,971</i>	<i>81,364</i>	<i>31,198</i>	<i>38,376</i>	<i>6,189</i>	<i>44,565</i>



Northern Beaches Council

Cash flow statement

For the period 1 July 2024 to 31 December 2024

Original Budget 2024/25 \$'000		Actual For the period 1 Jul 2024 to 31 Dec 2024 \$'000	Actual 2023/24 \$'000
Cash flows from operating activities			
<u>Receipts:</u>			
258,610	Rates and annual charges	155,871	245,463
107,755	User charges and fees	52,135	104,315
8,401	Investment revenue and interest	6,492	9,052
39,282	Grants and contributions	19,629	48,521
7,742	Bonds, deposits and retentions received	4,473	8,143
45,084	Other	27,682	44,701
<u>Payments:</u>			
(168,477)	Employee benefits and on-costs	(85,901)	(156,343)
(204,094)	Materials and services	(95,666)	(182,311)
(664)	Borrowing costs	(355)	(924)
(7,742)	Bonds, deposits and retentions refunded	(3,274)	(5,867)
(21,000)	Other	(11,757)	(21,914)
64,898	Net Cash provided (or used in) Operating Activities	69,329	92,836
Cash flows from investing activities			
<u>Receipts:</u>			
323,300	Sale of investment securities	150,185	269,831
2,183	Sale of infrastructure, property, plant & equipment	681	2,513
<u>Payments:</u>			
(297,826)	Purchase of investment securities	(185,624)	(276,178)
(99,263)	Purchase of infrastructure, property, plant and equipment	(43,623)	(73,302)
(71,606)	Net cash provided from (or used in) investing activities	(78,381)	(77,136)
Cash Flows from financing activities			
<u>Receipts:</u>			
10,450	Proceeds from borrowings	-	2,500
<u>Payments:</u>			
(2,098)	Repayment of borrowings	(1,210)	(5,863)
(1,269)	Principal component of lease payments	(635)	(1,241)
(119)	Dividends paid to minority interests	(148)	(115)
6,964	Net cash provided from (or used in) financing activities	(1,993)	(4,719)
256	Net increase/(decrease) in cash and cash equivalents	(11,045)	10,981
6,552	Cash and cash equivalents at beginning of reporting period	17,541	6,605
6,808	Cash and cash equivalents at end of reporting period	6,496	17,586
(25,218)	Net increase/(decrease) in cash, cash equivalents and investments	24,394	17,328
178,471	Cash, cash equivalents and investments at beginning of reporting period	200,169	182,886
153,253	Cash, cash equivalents and investments at end of reporting period	224,563	200,214

Northern Beaches Council
Statement of Financial Position
as at 31 December 2024

Original Budget 2024/25 \$'000	Actual as at 31 Dec 2024 \$'000	Actual as at 30 June 2024 \$'000	Actual as at 31 Dec 2023 \$'000
ASSETS			
Current Assets			
10,569 Cash and cash equivalents	6,433	17,541	8,219
142,144 Investments	217,624	182,096	202,596
19,301 Receivables	129,132	25,958	120,588
384 Inventories	393	392	356
3,472 Prepayments	6,528	4,984	5,008
175,870 Total Current Assets	360,110	230,971	336,767
Non-Current Assets			
540 Investments	506	577	602
1,062 Receivables	952	952	1,012
5,701,953 Infrastructure, property, plant and equip	5,661,959	5,643,257	5,426,038
6,485 Investment properties	6,565	6,565	6,320
5,209 Right of use assets	5,911	6,544	7,177
5,715,248 Total Non-Current Assets	5,675,893	5,657,895	5,441,149
5,891,117 Total Assets	6,036,003	5,888,866	5,777,916
LIABILITIES			
Current Liabilities			
48,897 Payables	51,594	55,607	47,058
3,592 Contract liabilities	18,515	20,102	23,045
1,307 Lease liabilities	644	1,279	625
2,596 Borrowings	969	2,178	1,419
36,799 Employee benefit provisions	36,523	35,901	34,436
1,123 Provisions	1,770	1,193	1,860
94,314 Total Current Liabilities	110,015	116,260	108,443
Non-Current Liabilities			
0 Payables	0	50	50
10,147 Contract liabilities	5,793	10,053	7,311
4,365 Lease liabilities	5,717	5,717	6,996
15,134 Borrowings	6,983	6,984	9,185
1,952 Employee benefit provisions	2,001	2,001	1,843
42,452 Provisions	46,240	45,433	45,905
74,050 Total Non-Current Liabilities	66,734	70,238	71,290
168,364 Total Liabilities	176,749	186,498	179,733
5,722,753 Net Assets	5,859,254	5,702,368	5,598,183
EQUITY			
4,996,064 Accumulated surplus	5,180,055	5,023,109	5,128,181
725,209 IPPE revaluation reserve	677,778	677,778	468,600
5,721,272 Council equity interest	5,857,833	5,700,887	5,596,781
1,481 Non-controlling equity interests	1,421	1,481	1,402
5,722,753 Total Equity	5,859,254	5,702,368	5,598,183

**ATTACHMENT 2 : QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2024 - ITEM 9.6 - NORTHERN
BEACHES COUNCIL MEETING - 18 FEBRUARY 2025**

Northern Beaches Council

Contracts Listing

For the period 01 July 2024 to 31 December 2024

Contracts entered into during the three months to 31 December 2024 that exceed \$50,000 are detailed below:

Contract Number	Contractor's Name	Description	Total Value Ex GST(\$)	Actual Start Date	Expected Finish Date	Budgeted (Y/N)
2024/036	Gartner Australasia Pty Ltd (Melbourne Office)	ICT Industry Analyst and Consulting	\$429,300	1/10/2024	30/09/2027	YES
2024/124	Alluvium Consulting Australia Pty Ltd	Hydrology & Flooding Study - Brookvale Structure Plan	\$161,570	2/10/2024	30/05/2025	YES
2024/062	SMC Marine Pty Ltd	Taylor's Point Wharf Refurbishment	\$768,800	8/10/2024	7/01/2025	YES
2024/121	Spackman Mossop Michaels Pty Ltd	Urban Tree Canopy and Greening Strategy - Brookvale Structure Plan	\$56,545	15/10/2024	31/03/2025	YES
2024/097	Ally Property Services Pty Ltd	Colloroy Beach Stair Access	\$241,389	16/10/2024	3/03/2025	YES
2024/154	Beasy Pty Ltd	Warringah Recreational Centre - Demolition & Site Cleaning Package	\$441,610	21/10/2024	20/12/2025	YES
2024/105	Moduplay Group Pty Ltd	Michaela Howie Playground Equipment Renewal	\$100,000	25/10/2024	18/04/2025	YES
2024/064	Cerak Constructions Pty Ltd	Frank Gray Sports Amenities Upgrades	\$1,142,147	4/11/2024	7/04/2025	YES
2024/069	Integrate AV	Audio Visual (AV) Hardware and Services Including Design, Support & Installation	\$276,720	4/11/2024	3/11/2026	YES
2023/204	Optimal Stormwater Pty Ltd	Nolans Reserve Floating Boom Replacement	\$53,300	5/11/2024	7/02/2025	YES
2024/123	SMEC AUSTRALIA PTY LTD	Utilities Capacity Assessment - Brookvale Structure Plan	\$72,576	5/11/2024	30/05/2025	YES
2024/092	Department of Climate Change, Energy, the Environment	Northern Beaches Flood Information Network Maintenance 24/25	\$100,820	14/11/2024	30/06/2025	YES
2024/034	The Rix Group Pty Ltd	Landslip Restoration- 11-24 Walker Street, Narrabeen	\$215,750	18/11/2024	12/03/2025	YES
2024/071	Nine Lives Pty Ltd	Supply of Manly Visitor Information Centre Merchandise	\$190,000	27/11/2024	26/11/2026	YES
2024/084	Downer EDi Works	Transportation and Recycling of Street Sweeping Material from Council Roads	\$1,434,000	29/11/2024	29/11/2027	YES
2025/010	Outback Imaging Pty Ltd	Ezescan Cloud Scanning Solution	\$205,000	2/12/2024	1/12/2027	YES
2024/083	IT Cyber Security Partner	IT Cyber Security Partner/Solution	\$3,820,000	6/12/2024	5/12/2027	YES
2024/151	Galapagos Pty Ltd t/a iPlatinum	Applications Archive Solution for Legacy Applications	\$148,771	9/12/2024	9/12/2027	YES

Northern Beaches Council

Budget review of consultancy and legal expenses

For the period 1 July 2024 to 31 December 2024

The table below discloses expenditure to date on consultancies and legal expenses:

Expense	1 July 2024 to 31 December 2024 \$	Budgeted (Y/N)
Consultancies	171,127	Y
Legal services	2,085,922	Y

December 2024 Quarterly Report - Stronger Communities Fund

PURPOSE

To provide a quarterly progress report to Council on the outcomes delivered and expenditure of funds from the \$36.1 million Stronger Communities Fund, as required by the conditions of the funding agreement until funds are spent.

EXECUTIVE SUMMARY

The Stronger Communities Fund (SCF) was established by the NSW Government to provide new councils with funding to kick-start the delivery of improved infrastructure and services to the community. Northern Beaches Council received \$36.1 million from the SCF for the following programs:

- Community Grants Program - \$1 million
- Connecting Communities Program - \$14 million
- Tied Grant Program - \$21.1 million

A summary of the program of work and expenditure of the SCF to 31 December 2024 is below:

Program	SCF Funds	Status
Community Grants Program (SCF)	\$ 1,025,599*	Acquittal
Connecting Communities		
• Cycleways	\$3,249,433	Acquittal
• Pathways	\$ 5,771,457	Ongoing
• Inclusive play	\$3,170,138	Acquittal
• Active Play	\$2,000,000	Acquittal
Sub Total	\$ 14,191,028*	
Tied Grants		
• Pasadena	\$76,374	Acquittal
• Wakehurst Parkway	\$1,131,623	Ongoing
• Mona Vale – Performing Arts Centre	\$2,500,000	Acquittal
• Mona Vale SLSC	\$4,422,500	Acquittal
• Long Reef SLSC	\$ 3,349,626	Acquittal
• Currawong Beach Heritage refurbishment	\$3,081,327	Acquittal
• Nth Pittwater Foreshore improvements	\$1,920,000	Acquittal
• Scotland Island Wastewater Feasibility Study	\$303,263	Acquittal
• Nth Pittwater permanent Netball Courts	\$550,000	Acquittal
• Newport SLSC	\$100,275	Acquittal
• Barrenjoey Performance Space	\$1,050,000	Acquittal
Sub Total	\$ 18,484,988	
Total expenditure	\$ 33,701,615	

* The additional expenditure is interest earned on the grant funds

Projects with a status of 'acquittal' have been acquitted with the Office of Local Government and will no longer be reported as part of the SCF program in accordance with the conditions of the funding agreement. The progress of projects with a status of 'ongoing' are detailed below.

Connecting Communities Program - \$14 Million from SCF

The Connecting Communities Program is a multi-year program of works partially funded by SCF. The project still ongoing under this program is:

Sub-programs	Status
Connecting Northern Beaches – Coast Walk	<p>Ongoing</p> <p>7.3 kms delivered since the program commenced.</p> <p>Council accepted a tender for the detailed design and construction for the Newport to The Serpentine section of the Coast Walk in November. Contract documents are being prepared. A contract kick-off meeting with the successful contractor has been scheduled. Works involve the construction of a shared user path, proposed to be a combination of elevated boardwalk type structure and on grade concrete path.</p> <p>It is anticipated that works will commence on site in early 2025 and be completed by mid 2025.</p>

Tied Grant Program \$21.1 Million

The Tied Grants Program commenced in October 2017 with the NSW Government allocating \$21.1 million for 11 specified projects. The remaining project to be delivered under this program is:

Project	Status
Wakehurst Parkway flood mitigation	<p>Ongoing</p> <p>There are 3 sites being considered in this project to improve accessibility by reducing the flooding impacts along Wakehurst Parkway: - Oxford Falls Road West causeway, The Bends, and the Academy of Sport.</p> <p>The Oxford Falls Road West project is still in the design phase. Recently identified land tenure issues have required further investigations which in turn have caused delays. As a result the project is behind schedule. A preliminary environmental assessment has been completed and a Review of Environmental Factors for the site is pending. Council is working with Transport for NSW to coordinate activities and minimise disruption to traffic and the community between this site and the adjacent works site on Wakehurst Parkway.</p> <p>At the Bends, Council continues to investigate how the creek modifications will impact flood performance, the environment, the proposed infrastructure and works maintenance. An asset condition survey is being completed</p>

Project	Status
	<p>to assess the existing condition of the road at the Bends including embankments, levees, pavement, and culverts. Additional survey work and concept designs are underway to clarify the extent of the road reserve and the creek alignment which will assist in design of flood mitigation solutions.</p> <p>Council continues to investigate how changing the creek will impact flood performance, the environment, the proposed infrastructure and works maintenance. An asset condition survey is being completed to assess the existing condition of the road at the Bends including embankments, levees, pavement, and culverts. Additional survey work and concept designs are underway to clarify the extent of the road reserve and the creek alignment which will assist in design of flood mitigation solutions.</p> <p>At the Academy, we are working with Transport to ensure the concept design for flood improvements integrates into existing infrastructure and minimises disruptions to traffic during construction. Additional survey work and concept designs are underway.</p>

DRAFT

Our Ref: 2025/035304

Feedback regarding Draft Model Code of Meeting Practice for Local Councils in NSW

Thank you for the opportunity to comment on the consultation draft Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) prepared by the Office of Local Government (OLG) and the accompanying consultation paper entitled *A new model code of meeting practice – consultation draft* (consultation paper).

This letter constitutes the submission of Northern Beaches Council.

Initial comments

Council understands the consultation in respect of the draft Model Meeting Code and the consultation paper is part of a staged process to overhaul the councillor conduct framework and further changes will be released over the course of 2025.

As stated in Council's submission on the OLG's discussion paper entitled *Councillor conduct and meeting practices – A new framework dated September 2024* (discussion paper), Council supports transparency of Council decision making and initiatives to appropriately recognise the status of local government and role of councillors. It also welcomes opportunities to increase complaints handling efficiencies, in particular, those that deliver cost savings for local government. However, as set out in that submission and as outlined below in relation to the consultation draft, there are various initiatives proposed which are unclear, misconceived or unhelpful.

Council is concerned at the pace of the proposed changes, which do not allow sufficient time for the OLG to give proper consideration to feedback provided by councils or industry bodies as part of the consultation processes. While comments closed on the discussion paper on 15 November 2024, this current and subsequent consultation on the consultation draft of the Model Meeting Code, a complex and technical document, was published just one month later on 17 December 2024.

It is also premature to proceed with changes to the Model Meeting Code when these changes are linked to other proposals (including amendments to the *Local Government (General) Regulation 2021*), the details of which have not yet been shared and which councils and the community have not had an opportunity to consider. It is imperative that all proposed amendments to the existing regime can be considered in their entirety to understand properly the implications of what is envisaged. To do otherwise would not be reasonable.

It is observed that the proposed new Model Meeting Code, in its current form, will result in significant changes to the operation of Council meetings including how staff participate, the role of the general manager, the role of councillors and the role and powers of the mayor in chairing the meeting. Given this, it is recommended that suitable time, training and support is provided to all councils to enable a smooth transition when the new Model Meeting Code is prescribed and to assist councils prepare for and implement the changes. No indication has been given that appropriate resources or time will be provided to facilitate this.

In relation to the key questions raised in the consultation paper for consideration, we provide the following high-level responses:

- ***Will the proposed amendments made in the consultation draft of the Model Meeting Code achieve the policy outcomes identified in this paper?***

No

- ***Are there any other amendments you would suggest that will achieve these policy outcomes?***

Yes

- ***Will the proposed amendments have any unintended consequences?***

Yes

- ***Are there any other amendments the Government should consider?***

Yes

Details regarding why Council has this position are provided below.

Detailed remarks

At the outset, it is noted the Government's position on banning briefings has been maintained despite there being significant feedback from the industry to the contrary. As per Council's previous submission, we do not support the proposed banning of briefings and the reasons we previously provided are still relevant. These reasons included:

- The practice of briefing councillors has been in place for many years and cannot be said to be a recent development. Briefings occur to ensure elected officials have the opportunity to obtain background advice and ask questions before they make significant and binding decisions in a public forum that impact the community.
- The practice reflects an increased desire from councillors to be more fully engaged, knowledgeable and professional in their decision making. Just as local communities are more engaged with the advent of social media and new technologies, it is important that councillors also have the opportunity for greater engagement. As such, councillors seek greater information to inform their strategic decision making. The practice is likely also linked to the increased professional capabilities of councillors that are enshrined in the NSW Government's capability framework for councillors and councillor professional development.
- It is important to provide a forum where councillors can ask detailed questions, including those that may be relevant for their professional development. Councillors have expressed the concern that they may be impeded in seeking advice and asking questions if they are unable to have briefings. They have also identified that the absence of such opportunity will result in less efficient and less robust decision making, which would decrease the confidence of the community in local government.
- The proposition that all information provided to councillors should be provided in a public meeting also does not acknowledge the size, scale and complexity of the operations of local government organisations. For context, Northern Beaches Council is a large organisation with an income of \$425 million. It provides a broad mix of services including management of 80 kilometres of coastline, 39 beaches, 122 sportsfields, 254 playgrounds, 2 aquatic centres, 5 art galleries, 9 daycare centres, 39 community centres, 600 kilometres of stormwater assets and 844 kms of local roads. It would be challenging to provide the level of information required to support councillors to undertake their very broad functions all in a public environment. It would also add a significant administrative burden and cost through the additional resources required associated with the public briefing of councillors.
- There are already significant protections enshrined in legislation to ensure that councils operate in a transparent manner. Among other things, the provisions of the *Local Government Act 1993* and the *Government Information (Public Access) Act 2009* (GIPA Act) oblige councils to operate transparently. Significant decisions may only be made by the governing body of a council in a public meeting under the *Local Government Act 1993* including as a result of the

limitations contained in section 377. These meetings are required to be open to the public and may only be closed in very limited circumstances as set out in Part 1 of Chapter 4 of the *Local Government Act 1993*. Further the GIPA Act establishes a proactive, open approach to gaining access to government information in NSW and these provisions already apply to briefing materials.

- The proposed changes with regards to briefings are inconsistent with the practices of State government. Members of parliament and ministers regularly receive information and briefings from public servants in closed environments outside the public meetings and deliberations of Parliament. This includes receiving oral briefings, the holding of meetings with constituents and stakeholders and internal meetings between offices.
- It is also not clear how the proposed banning of briefings may impact councils receiving briefings from NSW Government department representatives as happens currently on key issues. It does not also consider how engagement with local State or Federal MPs should occur. This may lead to a degradation of clear communication between the tiers of government and their representatives.
- Insofar as it is still proposed that the mayor should be entitled to briefings and not all councillors, this is incongruous with the principles behind the change. The proposal could lead to the weaponisation of information. Further, the provision of briefing materials to mayors and not councillors, may create an increase in requests from other councillors seeking to get access to information provided to the mayor. More information on whether mayors may share any briefing information with other councillors at their discretion is necessary.

We provide the following further comments regarding specific clauses in the consultation draft Model Code of Meeting Practice:

- **Former clauses 3.12, 3.13 and 10.9 – Removing the provisions for the general manager to provide advice on strategic, financial or policy implications in relation to notices of motion**

It is Council's view these provisions did not 'politicise' the role of the general manager and should remain. These clauses help to ensure motions generated by staff report and by notice of motion receive the same level of consideration and review. This is an important assurance mechanism and provides for stronger checks and balances of decisions that impact the strategic direction of councils and the community. Deleting this provision is contrary to good decision-making principles and indeed the recent comprehensive reforms associated with the operations of the Audit, Risk and Improvement Committees, for example. General managers should be entitled to provide frank and fearless advice to the governing body, consistent with the foundations of the Westminster system.

- **Former clause 3.15 – Deleting the prohibition on questions comprising a complaint**

It is not clear how removing this clause, which prohibited a councillor from asking a question with notice that comprised a complaint against staff or implied wrongdoing by staff, aligns with the intentions of the Government including a more streamlined complaints process. More explanation is needed on the rationale for allowing complaints about staff or the general manager to be aired in council business papers. There is a risk that complaints being published in council business papers, before due process has been applied, will lead to a risk of defamation claims and/or risk of psychosocial issues and claims. There is also a risk of this mechanism being used for inappropriate political advantage.

It further appears starkly contrary to contemporary workplace practice. Last year, SafeWork NSW released its [Psychological Health and Safety Strategy 2024–2026](#). Under the Strategy, SafeWork NSW has stated that it will increase regulatory action against high-risk and large businesses, as well as government agencies. This is designed to ensure compliance with the new psychosocial hazard laws.

There are other mechanisms for complaints to be raised and as such this change is not considered appropriate.

- **Former clause 3.23 and updated clause 9.17– Removal of statement of ethical obligations from business paper and obligation to ask questions respectfully**

The amendments proposed through the removal and update of these two clauses do not align with the stated intent to restore dignity to the council chamber. Clause 3.23 was introduced in the last iteration of the Model Code of Conduct and simply seeks to remind councillors of their oaths and affirmations of office. It aligns with the desire for increased probity in council decision making, something being strongly pursued by the ICAC.

Further, the arbitrary removal of the word 'respectfully' from the updated clause 9.17 relating to the manner in which questions may be asked, not only removes a layer of control the mayor and/chairperson can have over the decorum of the meeting but significantly lowers the bar for the tone of public discourse. The comments made at the previous point are relevant as are the comments made by Council in our submission on the discussion paper, which included:

- Councillors, as leaders of the organisation, set the tone from the top. This is a pillar of good governance and supports positive organisational culture. This responsibility requires councillors to be held to standards higher than that of the community.
- It is not unreasonable to expect councillors to adhere to clear and unambiguous behavioural standards to council staff.
- This is inconsistent with the approach taken by the OLG over many years which has seen the need to introduce various model policies to guide councillor behaviour in even greater detail than is set out in the code of conduct. The Model Councillor and Staff Interaction policy and the Model Social Media Policy are examples of this. The introduction of such documents has been driven by, among things, the desire to manage corruption risks.

- **Clause 5.19 – Amendments to limit councillors attending by audio visual connection**

These new mandatory amendments will preclude councillors from attending meetings remotely due to working commitments and when they travel for personal reasons. This may limit the ability of councillors who have full time jobs to participate fully and may limit the field of people able to be councillors. Our experience using the current framework is that the opportunity for councillors to participate remotely has only been used when required, is not oversubscribed and has been successful.

- **New clause 5.44 and former clause 5.44 – Determination of staff attendance by the council**

This amended clause transfers the responsibility of determining staff attendance at a council meeting from the general manager to the council. More clarity on how this clause is intended to be practically implemented is needed given that staff do not report individually to the council. Insofar as councillors will have direct influence over staff, this would be contrary to recent advice provided by ICAC and could constitute a corruption risk.

- **Clauses 9.3 and 9.5 & new clauses 3.25 and 3.27 - The implication of councillors not being present**

Further clarification is required in relation to the phrase 'all councillors are present'. It is our experience that, while councillors may be present at a meeting, they can leave during items (due to disclosures of interest or other reasons) or from time to time throughout debate. The clause needs to be clarified whether it only applies in the event a councillor leaves the chamber or meeting entirely (or whether it also applies to ad hoc and brief departures) as the proposed changes are confusing.

- **Former clause 10.24 - Removing the ability of council to reduce the time limit for speeches**

At Northern Beaches Council, we have reduced the speeches to 3 minutes, with an opportunity for an extension subject to a council decision. With 15 councillors, this provision assists in providing councillors an equal opportunity to speak while allowing the council to efficiently manage the business and agenda before it in a timely manner. An unintended consequence of this proposed change for larger councils may be greater use of 'motion be put' to expedite debate on a matter which limits debate more than a reduced speaking time applicable to everyone. This potential consequence is inconsistent with the stated intention of the changes proposed.

- **New clauses 15.15 and 15.16 – Expulsion from meetings**

These clauses provide the option for councils to determine whether the mayor may expel a councillor or not without a council resolution. It is understood a cornerstone of the Government's consultation paper and proposed changes is to give mayors greater powers to manage a meeting. We note the caution expressed in our previous submission regarding the proposal to increase the powers of the mayor to preside over council meetings as this may also lead to potential for mayors to use, or be perceived to use, this power for political advantage. Nevertheless, the options provided by these clauses appear inconsistent with the intent of the proposed changes. Further, the introduction of 'rolling' acts of disorder from one meeting to another (see clauses 15.12 and 15.13) will only prolong matters and disrupt meetings, which is contrary to the intent of the proposed changes to more efficiently manage conduct matters.

- **Clause 16.1 – Conflicts of interest**

The references to the Code of Conduct will need to be updated following the implementation of the councillor's 'aspirational' version. No guidance is provided in the consultation draft as to what is envisaged.

- **Clause 17.6 – Rescinding or altering council decisions**

While there are no proposed changes to this clause, it is worth noting that the fixed number of councillors required to sign a notice of motion to alter or rescind a resolution – 3 – is not proportional to the different number of councillors on councils across NSW. For example, 3 councillors constitute 20% of Northern Beaches Council's governing body of 15 councillors, but 50% of Blayney Shire Council (3 out of 6 councillors). For a large governing body, the clause allows a small component of the governing body to call for a rescission or alteration of a decision, whereas half of a small governing body is needed for a similar action. This creates inconsistency and disproportionality across the sector.

Thank you again for the opportunity to share Northern Beaches Council's views, I look forward with interest to hearing more following the outcome of the consultation process.



Policy Tree Management

Purpose

This Policy sets out the objectives and key principles for the sustainable and strategic management of trees on public and private land across the Northern Beaches.

Objectives:

The key objectives of the Policy are to:

- Recognise the significant benefit provided by trees to our local community in terms of air quality, soil protection, water quality and quantity, carbon sequestration, energy conservation, noise reduction, urban cooling, and habitat for local wildlife.
- Maximise tree cover by enhancing and promoting protection, increasing new or replacement planting, and improving rates of retention and long-term survival where trees are healthy and do not pose unacceptable risks to safety.
- Enhance canopy connectivity within and between natural areas (such as bushland, parks, and road reserves) and urban areas (including residential and commercial property) through the preservation of existing canopy trees, and the planting of trees and other vegetation.

Principles

Council has various responsibilities for the management of trees across the Local Government Area on both public and private land.

In relation to public trees including those in bushland reserves, parks, gardens and road reserves, Council seeks to retain trees and promote tree canopy having regard to environmental values, the management of risk and relevant statutory controls such as State Environmental Planning Policies.

The management of private trees is subject to the relevant statutory requirements and planning instruments and controls. Private tree works are typically authorised through a tree permit application under a planning instrument or control, through 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 or control (depending on the type of work, species, type and condition of the tree).

This tree management policy is founded on the following principles and measures:

Planting and Selection

- Suitable species will be selected for each location having regard to the surrounding built environment, provision of biodiversity habitat, potential damage to utilities, planned future works at or adjacent to the location, and the overall aesthetic appeal of the area.
- A spread of tree age classes will be maintained to minimise the impact of tree removals in a given area.
- Planting will be prioritised in areas of low or poor canopy coverage and where there are opportunities to create green links and connectivity between natural areas.
- Locally occurring native species are preferred unless there is reasonable justification for using other species.

Tree Management

General tree protection

- Maximising long-term tree retention is a key consideration when making decisions about proposed activities on public and private land.
- Public trees are to be protected as public assets by prescribing appropriate protection measures.
- The removal of public trees (including pruning, root removal and total removal) is considered only when it is consistent with Council's policies, planning controls, risk framework, statutory responsibilities, and after other tree retention measures have been considered.
- Council supports the long term retention of trees on private land noting that tree removals can occur such as when they are an exempt tree species under a planning instrument, through an approved tree permit under a planning instrument or control, or through a development consent.
- Where any tree is proposed to be retained appropriate retention measures shall be put in place and maintained.
- The relevant Australian Standard(s) for the protection of trees (including AS4970) shall be applied in relation to works.

Assessment of trees as part of a Development Application

- The assessment of a development application that proposes the removal or other work on trees (including iconic trees) will be guided by the prevailing planning instruments and controls such as a Development Control Plan or State Environmental Planning Policy.
- In the assessment of development applications, Council will consider opportunities for the protection, replacement and/or additional trees on private land where it is not inconsistent with the applicable planning instruments.
- Locally occurring native species are preferred unless there is reasonable justification for using other species.

Tree assessments under a Tree Permit Application or in relation to public trees

- Council's tree assessment methodology and processes will be:
 - mapped and documented.
 - undertaken by suitably qualified and experienced persons.
 - consistent with appropriate standards including AS4970, and those of Australian Institute of Arboriculture, and Arboriculture Australia.
- Where requests for the removal or pruning of trees are made, the supporting arborist assessments shall be undertaken in accordance with Council's tree assessment methodology and process.
- In considering whether ongoing tree retention is appropriate, staff will have regard for the long-term viability of the tree, overall risk, the costs associated with retention, and the impact of deferring more suitable plantings.
- Where an iconic public tree has been recommended for removal, a review of the underlying assessment will be undertaken by a panel of internal subject matter experts, before a final

Tree Management

instruction is issued for removal. This does not apply in the case of trees that are at imminent risk of failure or in response to an emergency.

- On roads (or road reserves) where Council is the road authority, tree removal or pruning over roads or within road reserves will have regard to among other things the risks associated with the road classification and the use of the road.
- The removal or pruning of trees on public land will generally not be supported where it relates solely to supporting/enhancing advertising, to reducing the extent of normal leaf, flower, or fruit drop, to reducing the impact from any animal waste, noise, solar access, solar panels or for enhancement or restoring views from private or public property.
- The removal or pruning of trees on public land for allergies will only be considered if they can be medically proven and linked by a certified allergist specialist.
- Council will have regard to its enterprise risk management framework in considering threats to public safety and/or utilities/assets before determining whether a tree should be removed.

Exemptions related to tree management

- In some cases works and types of trees species are exempt (i.e. does not require approval prior to pruning or removal).
- Council will maintain and regularly review a list of trees where approval for pruning and/or removal is not required (i.e. exempt trees). These exemptions will be reflected in Council's Development Control Plan.
- Other planning instruments and statutory controls may also specify exemptions in certain circumstances (such as State Environmental Planning Policy Exempt and Complying Development Codes, and 10/50 Vegetation Clearing Code of Practice)

Iconic trees

- Trees that Council considers iconic due to their environmental, social or cultural value will be incorporated into an Iconic Tree Register.
- The community can nominate a tree for Council's consideration for inclusion on the Iconic Tree Register.
- Trees on private land nominated for inclusion will require the landowner's consent.

Vandalism and Unauthorised Removal

- All reported acts of vandalism or unauthorised tree removal or pruning will be managed in accordance with Council's Compliance and Enforcement Policy.
- In the event of a tree on public land requiring removal or pruning or any other treatment due to vandalism, Council will inform surrounding residents of the vandalism via letters and or the erection of a sign in the place of or near to the removed or vandalised tree identifying the reason for the removal or pruning.

Community Notification

- The community will be informed about **public** tree removal or mitigation works in their area where Council is satisfied that it poses an unmanageable risk in the context of relevant policies and directions including Council's Enterprise Risk and Opportunity Management Policy and Risk Appetite Statement.

Tree Management

- Feedback from relevant stakeholders will be sought where a proposal for revegetation or replanting of public open space may result in loss of local amenity, changes to public access (via designated trails) and or loss of view lines, and this will be considered as part of the decision-making process.
- Relevant stakeholders will be consulted (as part of the normal project process) where **public** tree removal is required for the purpose of capital works and maintenance works or where the tree removal is not related to an unmanageable risk to community safety or damage to property or infrastructure.
- Where a permit has been issued for the removal of a tree on private land, a copy of the permit must be displayed on the street frontage of the property for an appropriate period of time before, during and after the approved removal.
- Consultation, notification and other communication with the community and other stakeholders will be undertaken in accordance with relevant Council policies including Council's Community Engagement Policy and Strategy.

Advocacy and Education

- Council will advocate to government and/or industry for improvements to tree protection where it assists in achieving the objectives of a Council policy or strategy.
- Council will produce and publish information that assists the community in understanding the value of trees and the various controls that apply to trees in the Northern Beaches Local Government Area.

Scope and application

This Policy applies to:

- All Council staff, contract workers, consultants and all residents and owners when dealing with all trees and bushland on public and private lands.
- Land under Council's care, control and management.

This Policy does not apply to:

- the 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, planning instruments and controls (e.g. 10/50 Vegetation Clearing Code of Practice for NSW, State Environmental Planning Policies).

References and related documents (including those references updated, repealed and or adopted thereafter)

- Local Environment Plan and Development Control Plans
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Roads Act 1993
- Environmental Planning and Assessment Act 1979
- The Australian Standard for pruning of amenity trees (AS4373)

Effective Date:

Version

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- The Australian Standard for the protection of trees on development sites (AS4970)
- Specifying Trees – a guide to assessment of tree quality (NATSPEC)
- Electricity Supply Act 1995
- Electricity Supply (General) Regulation 2014
- Rural Fires Act 1997
- Sydney Water Act 1994
- Trees (Disputes Between Neighbours) Act 2006
- Government Architect's draft Greener Places Policy
- Government Architect's draft Urban Tree Canopy Guide
- Northern Beaches Environment and Climate Change Strategy 2040
- Tree Canopy Plan 2023

Definitions

Public Land: Public land includes Council owned and managed land that has been set aside for open spaces, road reserves, parks and recreational areas, natural areas, and general greenspace.

Canopy coverage: an indicator of the quantity of Urban Canopy often used as a measure of an Urban Canopy's general capacity to provide economic, social, environmental and aesthetic benefits.

Habitat: defined as any tree, living or dead, that provides, or could provide habitat for wildlife.

Green Infrastructure: describes the network of green spaces and water systems that deliver multiple environmental, economic and social values and benefits to urban communities.

Iconic tree is a tree that is, in accordance with the defined categories of significance including over 5.0m in height and has visual/aesthetic significance that impacts on the streetscape by virtue of its size, botanic/scientific, ecological, and historical, commemorative, cultural or social significance, appearance, type, age, trees of conservation significance or habitat value.

Risk Appetite Statement: amount of risk an entity is willing to accept or retain in order to achieve its objectives. It is a statement or series of statements that describes the entity's attitude towards risk taking.

Responsible Officer

Executive Manager Parks and Open Space

Review Date

At least every four years or as required.

Tree Management

Revision History

Revision	Date	Change	TRIM #
1			
2			
3			

DRAFT

T69. Tree Management Policy

Title:	Tree Management Policy
Policy No:	T69.
Policy Replaces:	T69, T70, T80, T85, T90, T100, and T110
Keywords:	Tree Management, Tree Removal, Root Damage, Ring barking, Trees Maintenance
Responsible Officer:	Divisional Manager – Civic and Urban Services and Deputy General Manager People Place & Infrastructure

1. PURPOSE AND AUTHORITY OF THIS POLICY

This policy is intended to be the umbrella for a suite of related documents located under the *Manly Council Tree Management Strategy – Trees for a Sustainable Manly*. Note. This policy is inclusive of former separate policies T70, T80, T85, T90, T100, and T110.

This policy has been authorised by the General Manager and Council and is available to all Council officials, the general public and developers. It has been developed in consultation with staff and has been exhibited and consulted through the community and Precincts. Ownership of the policy rests with the Divisional Manager Civic and Urban Services, and Deputy General Manager, Landuse and Sustainability of Council who is responsible for administering the Council's tree and vegetation preservation regulatory controls or similar instrument under the State legislation requirements.

2. POLICY STATEMENT

This policy directs actions required in respect of trees within the Manly local government area (LGA), within private and public land, and directs actions from the Tree Management Strategy, to be implemented as a process.

This policy supersedes and replaces various former separate tree policies referred to above.

3. PRINCIPLES

1. Establish Manly Council's commitment to, and the future strategic direction for, tree protection, management, planting and maintenance for its streets and parks in the Manly LGA.
2. Provide a rationale for decision making to ensure consistency in the management of park and street trees in the Manly LGA.
3. Address issues related to the park and street tree management and maintenance faced by Manly Council. Provide for a strategy to improve the current 'tree environment' and pass on an improved heritage of trees to the future.
4. Provide direction to support Council's commitment to tree protection, management, planting and maintenance for trees in parks and on streets in the Manly LGA.
5. To consolidate existing tree related policy documents into a directional strategy.
6. Develop a succession planting plan for all Manly's mature tree stock in streets and parks, building on Manly's unique image.

The Strategy documents included in the tree management decision making process are:

- SEPP19- Bushland in Urban Areas;
- Tree Management Strategy;
- Tree Preservation Order;
- Street Tree Master Plan (to be further developed);
- Significant Tree Register (to be further developed);

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- Norfolk Island Pine Management Plan;
 - Trees Removal of "Ficus" Varieties;
 - Trees Ringbarking, Poisoning, Root Damage;
 - Nature Strip Garden Policy (to be developed by Natural Resources);
 - Manly Local Environmental Plan 2013 (cl. 5.9 and 5.9AA);
 - Manly DCP 2013.

Trees and vegetation listed as items of the environmental heritage include the following:

- Street trees;
- Vegetation within parks and reserves (exotic and endemic) and individual trees;
- Species listed under the Threatened Species Conservation Act 1995 (NSW);
- Species listed under the Noxious Weeds Act 1993 NSW);
- Endangered ecological communities/Eastern Suburbs banksia scrub/littoral rainforest.

This Policy and the associated Tree Management Strategy' aim to balance the needs of our trees and our community, so as to:

- optimise the capacity of our urban forest to provide both present and future residents with environmental, economic, and social benefits;
- achieve a balance between minimising risks and liabilities to the community whilst delivering a sustainable urban tree cover;
- achieve target canopy cover, stocking levels and projected life spans for the LGA's trees, including replacing removed trees and planning for deteriorating and ageing street and park trees;
- achieve efficient, cost-effective, and sustainable management of the LGA's trees by coordinating efforts across Council and others' programs;
- minimise tree interference with existing above and below ground services, signage, street lighting, and public and private structures;
- encourage space for street tree planting through design coordination between Council divisions/business units and utility organisations;
- minimise impacts on existing trees by providing clear approval processes and ensuring coordination across Council's planning guidelines and improvement programs, and between Council and others in infrastructure development and management;
- uphold Council's duty of care, and commitment to public safety, including a 'good neighbour' approach to managing trees adjacent to private property;
- engage the community, provide open and accountable decision making, and encourage stewardship and partnership;
- support sustainable development and management practices;
- preserve and enhance Manly's tree heritage as it relates to iconic plantings, significant trees, and livability;
- provide shade cover for streets, public parks, and reserves;
- maintain diversity within the different Precincts of Manly;
- provide shade cover for users of our streets and public parks; and
- develop a succession planting plan for all Manly's significant trees and major plantings in parks, reserves, and streets.

RETAINING TREES

Keeping established trees, particularly in areas undergoing a change in land use, is the most cost-effective way as respects sustainability. Conditions of development consents will be used to ensure that, where appropriate, established trees are protected through all stages of a proposed development (*eg insertion of the 'Protection of trees on development sites' - AS 4970-2009*).

TREE PLANTING

Planting new trees is important in enhancing and renewing urban tree cover. Council is directly involved in planting trees as well as requiring tree planting by others.

Tree species should be selected having special regard to the following matters:

- the purpose of the planting
- the available space
- the conditions of the site (including consideration of climate change effects)
- the related infrastructure.

While endemic tree species are the most appropriate for restoring habitat, some non-native species or exotics (*excluding pest plants*) such as Norfolk Pines are part of the landscape character and botanic history of the Manly ocean beach front, esplanades, streets, and parks.

The planting of street trees should:

- promote tree lined boulevards along arterial roads and major entry roads, including feature tree species iconic to the landscape of Manly;
- contribute to the local streetscape quality, storm water management;
- be guided by existing canopy cover density, urban 'hot-spots', and resident requests;
- favour whole-street plantings or blocks within streets in preference to individual plantings (this being more efficient as respects both establishment and ongoing maintenance);
- favour clear trunked, small to medium shade tree species under power lines in residential streets so as to minimise maintenance requirements;
- encourage high quality vistas;
- encourage community participation in street and park tree planting programs to promote ongoing stewardship;
- take into account and build on the historical and heritage plantings in individual streets and suburbs;
- enhance and protect habitats and walkways;
- promote shade and amenity at picnic areas, pathways, spectator areas, playgrounds, and carparks; and
- conserve historically significant tree plantings and designs and develop a succession of plans for existing heritage plantings to maintain the historic character of Manly.

BUSHLAND FORESHORE AND BROAD SCALE AREAS

Tree planting in bushland and broad scale areas should:

- add to biodiversity by revegetating degraded land;
- assist the natural regeneration of desired species within significant conservation areas;
- favour endemic species so as to provide safe corridors for fauna and flora;
- improve biodiversity value of remnant vegetation by suppressing weeds species;
- contribute to the conservation of Manly's unique biodiversity and waterway health;

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- contribute to a native vegetation cover target;
 - eliminate tree pruning or removal of trees in bushland except for structural integrity or safety reasons; and
 - Discourage and prevent the pruning of trees in foreshore protection zones.

REMOVAL OR PRUNING OF TREES IN BUSHLAND

The removal or pruning of trees in bushland (other than those listed below) is prohibited:

- dangerous trees;
- dead trees (subject to habitat evaluation);
- noxious weeds; and
- exempt species from Council Policies or undesirable trees.

BUSHLAND AND HABITAT CORRIDORS

Bushland corridors are important to our natural areas. These linkages can be by way of natural existing corridors or via streets or private open space where an owner's agreement can be obtained. Council will endeavour to continue to create these corridors through its street tree planting programs, as well as by seeking private agreement to enhance corridor linkages throughout the Manly LGA.

TREE REPLACEMENT

Council is committed to replacing any tree which has been removed, whether it has been removed according to the above guidelines or removed by way of a tree removal permit. Residents will be required to replace a tree on their property if one has been removed.

GOOD NEIGHBOUR APPROACH

Council will adopt a 'good neighbour' approach to managing trees near property boundaries by undertaking tree maintenance works that address genuine 'nuisance' issues to the adjacent property owner. Where possible, significant trees nearing the end of their life expectancy will have succession planting carried out to allow for establishment of a new tree prior to any removal of an existing tree.

DEAD TREES

Dead trees on public land will **not** be notified for removal but will be removed during the course of the cyclic works program, unless any such tree is dangerous in which case it will be removed as soon as possible. Dead trees on private property do not require a permit for removal but must be technically dead (that is, no green vegetation present and not a deciduous species).

COSTS OF TREES IN THE URBAN ENVIRONMENT

Trees are major community assets, and considerable sums of public money are invested in their establishment and management, usually through local government or other public funding.

A priority for Council is to identify the mitigation of damage caused by trees to infrastructure and services. A maximum cost (generally around \$10,000) will be outlined in order to keep a tree that is creating infrastructure issues or related claims for damage. *Ficus microcarpa* var. *Hillii* (Hills Weeping Fig) and *Populus* sp. (Poplar) have been identified as species that are particularly problematic within Manly LGA in relation to underground pipelines and surrounding infrastructure damage. Where conflict occurs between trees and infrastructure, the cost of damages to either the tree or infrastructure will be considered carefully by Council. Action will be taken to remove trees causing damage to infrastructure only after careful consideration.

TREE SELECTION CRITERIA

As most trees in the streets and parks of the Manly LGA will occupy their planting sites for a significant length of time, a carefully considered selection of site and appropriate tree species is vital. Established trees within the streetscape will influence the choice of future new trees to be planted, trees which are performing

well will continue to be used within the Council region where appropriate. Trees which perform poorly or are particularly damaging to pavements, kerbs, gutters, or underground services are more likely and eligible to be replaced, taking the opportunity to introduce additional tree species or cultivars.

There is a range of issues that Council will consider when selecting the type of trees to plant across the LGA, including, but not limited to the following:

- climate;
- geology and soils;
- topography;
- wildlife habitat;
- native versus exotic tree selection;
- drought tolerance;
- tolerance of pests and diseases;
- tolerance of atmospheric pollution;
- performance record;
- provision of shade to pavement and road;
- safety and visibility;
- availability at advanced size;
- acceptable leaf and fruit fall characteristics;
- low risk of becoming environmental weed;
- proneness to major limb shear;
- life expectancy;
- capacity to lift pavements and kerbing;
- low maintenance;
- solar access;
- relationship with distinctive landscape characters;
- ultimate size of tree canopy;
- historic and cultural associations;
- form of tree canopy;
- corridor potential and value to natural fauna;
- overhead power lines;
- narrow footpaths;
- related issues with the tree species;
- consistency and visual uniformity for each street;
- reinforcement of major features such as gateways and foreshore areas of Manly; and
- enhancement of key cultural and commercial areas.

TREE MAINTENANCE AND REMOVALS

Tree Maintenance

Council recognises that trees are an important community asset with value to Council. Understanding this value helps Council make decisions about aiming to achieve proactive rather than reactive maintenance activities, including the following:

Inspection

- Council will routinely carry out visual inspections of large trees in high visitation areas of parks (eg over paths, playgrounds, carparks, playing fields, and areas adjacent to private property boundaries).
- Council will prioritise visual inspections of street trees during annual maintenance programs.
- Council will carry out additional visual and technical inspections in response to community concerns or suspicion of a tree's health or safety.
- Where appropriate, Council will prune young trees to encourage strong and functional tree growth patterns, and periodically prune branches to address structural weaknesses and prevent foliage from obstructing street signs, traffic, street lighting, power lines, rooflines, and pedestrians.
- All pruning will be done by suitably trained and qualified staff.
- Removal of any tree is considered an action of last resort. The intention is to maintain or increase the tree canopy of the whole of the LGA. Therefore removal of a tree must be followed by replacement planting.
- Appropriate watering and fertilising of trees will be carried out where trees identified by technical staff as to be in decline.

Tree Removal

Trees will only be removed after careful consideration of a number of factors including, but not limited to, the following:

- Risk to public safety;
- Significance and value;
- Life expectancy and condition (health and structure);
- Damage to structures and or ongoing maintenance costs in relation to surrounding infrastructure and services; and
- Exempt or weed species.

The consideration to remove a tree may be in response to a customer request or routine inspections and maintenance. The decision will be made by a suitably qualified Council officer or contracted arborist.

Trees and Vegetation Preservation Regulatory Controls

The relevantly applicable provisions of *Manly Local Environmental Plan 2013* (see, especially, cl. 5.9 and 5.9AA), together with the relevantly applicable provisions of any development control plan, will constitute the main tool for the regulation and assessment of applications made to Council for permission to prune or remove trees in the Manly LGA.

Trees are also to be provided protection from construction activities and other activities such as major events that are likely to have an adverse effect on their stability, health, long term viability in line with Australian Standard AS 4970/2009 Protection of Tree on Development Sites.

Manly Norfolk Island Pine Management and Conservation Plan

Council has previously identified the significance and heritage value of its *Araucaria sp.* population along the Ocean Beach, East West Esplanade and those within the vicinity of the Manly Lagoon at Queenscliff.

Council is committed in its efforts to continue to maintain, enhance, protect and improve this community asset by way of the *Plan for the Management and Conservation of Coastal Norfolk Island Pines within Manly Council Region*.

Significant Trees on Private or Public Land

Council has previously identified Significant Trees on public land and these identified trees have been listed in the Significant Tree Register. Any new trees or tree stands that develop into Significant Trees will be

included in the future. Council intends to identify Significant Trees within private property and include these within the Significant Trees Register. Council resolution 337/2005 of Ordinary Meeting 15 August 2005 clarified private property owners will be notified but their permission will not be required.

The Significant Tree Register is to be used to record all significant trees or tree stands that should be preserved, detailing their form and character. Generally, permission will be given under Council's regulatory controls on trees and vegetation for what are reasonably considered by Council to constitute remedial maintenance works only.

In determining development applications Council will seek to give priority to the preservation of significant trees. A development, to be acceptable, must aim to maximise the preservation of significant trees, with the development application including strategies for the maintenance of their long term health.

The Significance Criteria for trees listed will be encapsulated on a 'statement of significance' which involves interpretation and analysis of comparative points of importance.

The Significance Criteria are in the opinion of Council that the tree or tree stand are:

- remnant of the indigenous tree cover of the area;
- have visual and/or sensory appeal and/or landmark qualities;
- have a major role contributing in establishing a distinctive and highly valued landscape or townscape within Manly LGA;
- has recognition for, and is, of value for its growth habit or physical features i.e. is a good representation and typical of, its species or has a curious growth habit;
- part of the curtilage of a historic garden or park;
- holds a historical/cultural association or is a Commemorative tree;
- is associated with a public figure and/or ethnic group;
- holds horticultural or scientific value;
- an old/mature specimen that is at the upper scale of longevity and/or size of recognised limits for that species on a regional basis.

Scheduling of significant trees under the provisions of *Manly Local Environmental Plan 2013* (see, in particular, Schedule 5) establishes clear recognition of heritage values and facilitates improved protection, particularly with respect to development. For this reason, **all** scheduled trees (including individuals and groups) in the Significant Tree Register are to be listed as heritage items (trees) in the LEP. Of particular importance is the scheduling of trees assessed as significant at the LGA and/or regional level (i.e. excluding local level listings).

Where possible, significant trees that are nearing their natural life span will be identified in a timely manner and a succession plan developed in consultation with the community.

Council will facilitate the protection of public and private trees through the relevantly applicable tree and vegetation preservation regulatory controls.

A Schedule of Exempt Species is stated under the provisions of *Manly Development Control Plan 2013* identifies undesirable and nuisance species (see in particular Schedule 4, Part A), which are not caught by the tree and vegetation preservation regulatory controls. Furthermore, trees declared as noxious species under the *Noxious Weeds Act 1993* (NSW) are also excluded from the tree and vegetation preservation regulatory controls.

Permission for removal of trees/pruning of trees will not to be granted in certain cases:

Falling leaves, twigs, fruit and flowers are normal expected tree behaviour and are not, in and of themselves, valid reasons for tree removal or pruning whether under this policy or otherwise. Similarly, it is Council's policy, as well as the law, that no individual exclusively owns a view. Therefore, Council will not give consent to remove a street tree's canopy simply for view enhancement.

Council will not prune trees to create a new view nor will Council prune trees in areas classified (by Council) as 'Bushland' (Note: long-standing view pruning relationships/services on trees in 'Bushland' classified areas may be maintained if not detrimental to a tree's health).

Council will only prune a tree to maintain a previously established view, where the tree, in the opinion of Council:

- has been inspected and has received approval by Council for view pruning within the last two years; OR
- In instances where a growing tree encroaches on a previously uninterrupted view by more than 75 percent or 2/3, the applicant must provide photographic evidence to show the previous existence of a view*;
- The tree is centrally located in the view corridor of the principal living area and within approximately 50 metres of the viewing point. (Note: long-standing view pruning relationships / services on trees not centrally located to the principal living area may be maintained if not detrimental to a tree's health);
- Pruning will not be generally permissible greater than 20 percent of the total live canopy of a tree. Pruning will only be approved if it will not disfigure the tree. The term "disfigure" will generally mean pruning beyond the guidelines of the Australian Standard for the Pruning of Amenity Trees (AS 4373-2007);
- A Tree Permit Application is lodged with Council with the appropriate application fee paid, additionally all costs of view pruning are to be borne by the applicant, the applicant will be notified in writing of the costs. Payment of these monies is required before any works are scheduled;
- View pruning work will only be carried out by Council preferred/approved tree contractors;
- Council will only consider a request to undertake view pruning of a tree once in any 12 month period however fast growing trees should be inspected regularly (e.g. approximately every two years) to avoid harsh pruning.

* Evidence of the previous existence of a view will not be accepted from new owners of a property applying for a view prune if these residents bought the property with the tree of a similar size at application time. An application will only be accepted by property owners of 5 years or more. Council will not consider zoomed or real estate photographs.

Council reserves the right to refuse an application to view prune a tree, even where all the criteria have been met, if the requested pruning would be detrimental to the health or structure of the tree. Refusal on one occasion will not preclude the applicant from making another application up to 2 years from the date of the original refusal.

4. SCOPE

This policy applies to all persons that have any relationship to the management of trees in Manly, including residents, other stakeholders, and developers in the Manly LGA.

Council will use principles and guidelines in this policy as well as those contained in the relevantly applicable tree and vegetation preservation regulatory controls so as to ensure that trees are planted, protected, maintained and ultimately removed or replaced in a way that is sustainable, economically sound, and socially acceptable.

5. DEFINITIONS

Private land - any land **not** owned or controlled by Council or some other public authority.

6. IMPLEMENTATION

This policy will be implemented through Council staff and actions taken with respect to tree preservation and management within the Manly LGA.

Council and/or the General Manager, may during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Penalties apply for breaches under this policy through either the Local Court or the Land and Environment Court. Penalties of up to \$1,100,000 apply in the Land and Environment Court.

In addition, where a person is guilty of an offence involving the destruction of or damage to a tree or vegetation, the Court dealing with the offence may, in addition to or in substitution for any pecuniary penalty imposed or liable to be imposed, direct that person:

- (a) to plant new trees and vegetation and maintain those trees and vegetation to a mature growth, and
- (b) to provide security for the performance of any obligation imposed under paragraph (a).

Council will pay (at its sole discretion) up to \$1'000 as a reward for information leading to a successful prosecution of a person or persons who wilfully damage trees protected by Council's tree and vegetation preservation regulatory controls.

8. REPORTING

NIL

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Department of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCE & LEGISLATION

Threatened Species Conservation Act 1995 (NSW)

Noxious Weeds Act 1993 (NSW)

Australian Standard AS4970/2009

Australian Standard for the Pruning of Amenity Trees (AS43737/2007)

10. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
		Draft Policy prepared	Manager Parks & Reserves	Divisional Manager Civic and Urban Services
119/11	18/07/11	Placed on Public Exhibition for 28 Days.	Manager Parks & Reserves	Divisional Manager Civic and Urban Services
PS128/11	7/11/11	Adopted the draft Tree Management Policy	Council	
	11/11/11	Added Policy to Policy Register	OM Corporate Services	Manager Administration
	September 2013	Comprehensive Policy Review and incorporation of old policies	T70, T80, T85, T90, T100, and T110	Governance and Legal
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance



Tree Preservation Order

1. The purpose of this policy is

- To retain the character and identity of the Council area by maintaining and, where possible, enhancing the soft landscape qualities of the area.
- To ensure that proposed changes to the soft landscape through removal or maintenance of trees are fully justified.

2. Policy statement

2.1 Environment/Landscape

- To preserve the existing environmental amenity by preventing unnecessary damage to limbs and roots, pruning and removal of trees.
- To encourage new tree planting and tree replacement to achieve an adequate tree canopy density.
- To maintain a continuous tree canopy consistent with native vegetation characteristics.
 - To protect the habitat of fauna.
 - To maintain the endemic floristic diversity of the area.

2.2 Administration

- To administer the Warringah Tree Preservation Order through clear and effective guidelines.
- To implement the Warringah Tree Preservation Order which provides for a control over tree felling and pruning, while recognising the need to exclude certain types and categories of trees from the Order.



ENV-PL 440

- To introduce administrative procedures whereby arboricultural advice is obtained from Council staff or consultants prior to the determination of subdivision and development applications or approval granted for public works. Should Council receive advice prior to any works being carried out on the site that a tree is considered dangerous to persons or property or is likely to cause problems and the Council Officer is not convinced this is the case, then the applicant is required to submit an appropriate report from a suitably qualified practising arboriculturalist. If the Council Officer is still not convinced the tree is dangerous the matter will be referred to the General Manager or his nominee for determination.
- To implement replanting schemes where trees have been or are to be removed.
- To ensure the trees are adequately described in applications to Council.
- To provide a thorough information base comprising information on trees endemic to various parts of Warringah for the benefit of the public.
- To provide guidelines for pruning or removal arising from alleged encroachments or effects on neighbouring properties whereby the owners or occupants of those properties are to be contacted to verify in writing the complaints and concerns.
- To enforce the provisions of the Warringah Tree Preservation Order through replanting and prosecutions where appropriate.

2.3 Education

- To encourage community awareness of the importance of trees particularly those forming a canopy.
- To develop and provide an education program for Warringah residents demonstrating the benefits of an enhanced tree cover for shade, reduced soil erosion, fauna and aesthetic value.
- To provide information and guidelines to prospective developers in order to encourage the provision of an appropriate standard of landscaping and tree protection on all projects.



ENV-PL 440

- To encourage individuals to plant and nurture trees and to replace trees which have been removed.
- To promote community awareness of the individuals' role in preserving the natural soft landscape and habitat of Warringah.
- To encourage appropriate tree care particularly in relation to pruning. This must be carried out to the Australian Standard 4373 – 1996 “Pruning of Amenity Trees”.

3. Principles

3.1 Warringah Tree Presentation Order

The trees to which the Warringah Tree Preservation Order applies and the works that may be carried out with or without the consent of Council are set out in the Warringah Tree Preservation Order adopted by Council.

Approval is not required for any works on exempted trees as detailed in the Warringah Tree Preservation Order.

Those trees which appear on the list of undesirable plants under Section 8 of the Tree Preservation Order, for one or more of the following reasons, are exempt from application under the Warringah Tree Preservation Order:

1. Capable of naturalising in urban and natural bushland in and around Sydney.
2. Capable of competing aggressively against native species.
3. Allergenic (asthma, allergic rhinitis, dermatitis, etc).
4. Poisonous to people and animals.
5. Taints water.
6. Smells offensive.
7. Possesses thorns, spikes, spines or prickles, etc.
8. Allelopathic (inhibits growth of nearby plants through release of chemicals through the root system).
9. Forms thickets of dense growth.
10. Harbours disease organisms.
11. Alters soil chemistry and structure.



ENV-PL 440

12. Shades other plants considerably.
13. Aggressively absorbs water.
14. Expensive to control colonisation.

3.2 Assessment Criteria for the Warringah Tree Preservation Order

1. Considerations

Any proposed works on a tree must be justified. In determining whether the proposed works should be permitted, Council may have regard to the following considerations:-

- Whether a tree is dying, diseased or dangerous The onus for establishing whether the tree is dying, diseased or dangerous and that it will not recover lies with the owner or nominated applicant (where not the owner).
- Whether a tree is interfering or likely to interfere with the provision of a public utility or road construction, provided that in the design and location of these works all reasonable effort is made and demonstrated to avoid the destruction of trees.
- Whether a tree interferes with or prevents the construction of a building, provided all reasonable effort is made and demonstrated in the location and design of the building to avoid the unnecessary destruction of trees.
- Whether a tree would interfere with the construction of roads or drainage in a subdivision, provided all reasonable effort is made and demonstrated in the subdivision layout to avoid the unnecessary damage or destruction of trees.
- Whether a tree is within 3m of existing buildings, causing or is likely to cause, damage to the buildings, structures or utility services.
- Whether a tree is, in the opinion of Council, out of character with the area by virtue of its species, location and existing number of trees.
- Whether the works to the tree are likely to have an adverse effect on the local soft landscape.



ENV-PL 440

- Whether a tree has significant value to the floristic and faunal diversity of the area.
- Whether the proposed works to the tree will adversely affect any other part of the tree located on other land.
- Whether a tree enhances soft landscape qualities of the natural topography and vegetation of the area.
- Whether a tree or group of trees has significant value by virtue of it being a rare or endangered species, or forms part of an endangered ecological system (as defined in the Threatened Species Conservation Act 1995), has cultural, historical, botanical or Aboriginal significance, contributes to soft landscape quality or serves a functional purpose.
- Whether the removal of a tree will affect soil stability, run off, fauna habitats and scenic and aesthetic qualities of the environment.

2. Replacement Trees

Replacement trees are to be endemic to the area, preferably sourced with local native stock. List of suitable trees are available from Council.

4. Amendments

This policy was last amended on 30.8.2000.

5. Authorisation

Government Gazette.

6. Who is responsible for implementing this policy?

Service Unit Manager, Environmental Management

7. Document owner

Director, Services

8. File number

170.002.003

170.003.001



ENV-PL 440

9. Legislation and references

Government Gazette.

9.1 Definitions

None.



Council Policy – No 118	Adopted:	OM: 02.06.1997
	Reviewed:	
	Amended:	OM 05.07.1999 OM:17.10.2011 OM: 04.11.2013
	Revoked:	

TITLE: SIGNIFICANT TREE POLICY

STRATEGY: VEGETATION
BIODIVERSITY

BUSINESS UNIT: RESERVES, RECREATION & BUILDING SERVICES

RELEVANT LEGISLATION: NONE

RELATED POLICIES: NONE

Objective

To ensure that significant trees in the Pittwater LGA are suitably protected.

Policy Statement

That a report from a suitably qualified Arborist be submitted to Council with tree applications or development applications that impact on significant trees.

Significant trees are described as:-

1. Mature local endemic trees
2. Significant habitat trees
3. Trees with historical/cultural significance.
4. Large amenity trees with visual significance

When Council receives a request to remove a significant tree, a notification will be placed on the site and the adjoining property owners and councillors will be notified in writing at least 14 days prior to any determination of the application in order to provide the opportunity for comment.



Warringah Council Policy
Policy No. Number PL 416
Street Tree Planting Policy

1 Purpose of Policy

The purpose of this policy is to establish a framework to guide the systematic and planned planting of street trees to enhance the streetscapes and environment of the Warringah Council local government area while providing for the most cost effective management of street trees over the longer term.

2 Policy statement

Council will manage street tree planting in Warringah in accordance with this Policy and the associated plans, policies and strategies.

2.1 Aims

The Street Tree Planting Policy aims to;

- Provide guiding principles for new street tree planting across Warringah;
- Enhance the natural environment through street tree plantings
- Provide consistency in the management of street tree planting;
- Preserve and enhance the existing character of Warringah streets through a rigorous approach to tree selection and planting techniques;

2.2 Desired outcomes

- Create a distinctive and aesthetically pleasing street environment through tree planting.
- Provide a realistic future street tree planting program;
- Provide a list of appropriate trees for planting as well as a breakdown based on location;
- Install and maintain street trees to an agreed standard using best practice.
- Recognise and enhance the role that street trees have in habitat connectivity, particularly in key wildlife corridors.

3 Principles

This policy is intended to provide high level information and guidance for Council staff, contractors, developers and members of the community on the planting of street trees.

3.1 This policy will consider and inform the current broader guidelines "Warringah Design Guidelines – Public Spaces (STR-PR-350)".

3.2 Tree Specification, Selection and Planting

Effective date
27/8/13

Version 1

Street Tree Planting Policy

Link
2013/253437

Page 1 of 4



Policy No. PL 416

The current Street Tree Planting Guidelines (part of the “Warringah Design Guidelines”) will be reviewed and updated to provide a consistent approach to future street tree planting. These guidelines include a list of preferred species based on specific individual location constraints.

The following principles apply to the selection and planting of street trees;

- Street tree planting will be carried out in a planned and integrated manner taking care to consider broader social and environmental issues, ensuring the most suitable species for a location while preserving and enhancing the existing character of Warringah Streets (refer - Street Tree Planting Guidelines);
- Council will avoid the use of unacceptable and high risk species, including;
 - Some Fruit Trees (refer to definition below)
 - Trees listed as Warringah Council environmental or noxious weeds
 - Trees linked to a known health issue
 - Poor performers (refer to definition below)
 - Trees that can likely cause damage to infrastructure
- Council will utilise Indigenous species where appropriate. These species may not be appropriate in some locations i.e. in circumstances where altered nature strip soils are known to influence the successful establishment of particular species or species known to be commonly affected by summer branch drop in high risk zones.
- Council will implement procedures for protection of existing and future tree stock by;
 - using quality nursery stock and proven installation techniques
- Council will use published risk management procedures and practices as part of its tree planting (location) assessments, including;
 - Assessing risk zones, involving
 - Risk to services (all underground and overhead services)
 - Risk to infrastructure (e.g. footpaths, kerbs, road pavements and driveways)
 - Risk to traffic and potential targets

Refer to the “Trees and Tree Root Management Best Practice Manual” (reference below).

The revised Street Tree Planting Guidelines will specify the stakeholders who will be consulted as part of the above assessments.

- Development application assessments will ensure that proposed tree selection for replacement is compatible with Street Tree Planting Guidelines and the existing streetscape.



Policy No. PL 416

- Council will ensure that appropriate species diversity is obtained in its street tree replanting programs to reduce the likelihood of catastrophic loss of trees in Warringah.
- Council will inform and consult with the community about new planting proposals.
- Council will consider and assess resident requests for street tree planting. However, Council can remove trees that have been planted without Council consent.
- Council will prioritise the sequence of its planting across Warringah based on its budget allocations and the requirements to renew or increase canopy cover.
- Council will consider the use of volunteer groups undertaking street tree planting only where it can ensure a safe and efficient service and where Council can fulfil its legal obligations.

3.3 Conflicting Policies

The "Warringah Design Guidelines – Public Spaces" (reference below) will be informed by and include reference to this Street Tree Planting Policy and Guidelines.

3.4 Rescinding Policies

A policy can only be rescinded by a formal resolution of Council.

3.5 Owners and Responsible Officers

A policy owner is the General Manager.

The person responsible for implementing this policy is the Manager, Asset Management Parks Reserves and Foreshores.

3.6 Timing of Review

This policy is not driven by specific legislative requirements and thus will be reviewed within four (4) years of the adoption of this latest amendment.

4. Who is responsible for implementing this policy?

This policy will be implemented by the Parks Reserves and Foreshores ('PRF').

5. Document owner

Deputy General Manager, Environment.

6. References

Definitions

The Warringah Public Tree Management Plan is being developed by PRF to control the life cycle management of all public trees in the Warringah local government area, including street trees.



Policy No. PL 416

Street Tree Planting Guidelines (including nominated species to be used for replacement) are currently available on the web site but will be reviewed and enhance to document Warringah best practice for future tree planting.

Fruit Trees refer to trees that can bear fruit. This includes fruits for human consumption e.g. apple, pear, stone fruits including mangoes, avocados, loquat and any tree whose fruit drop could present a significant health and safety risk.

Poor performers are trees with significant pest and disease susceptibility or trees that have a record of responding poorly to local conditions.

Summer Branch Drop: An unpredictable phenomenon involving the failure of apparently sound branches during calm summer or autumn weather.

Legislation

There is no specific legislation that addresses the issue of Street Tree Planting. The Roads Act (1993) and the NSW Electricity Supply Act (1995) permit the removal or trimming of trees on roads to protect infrastructure. These Acts will be referenced in the Tree Management Policy.

Council

This policy supports Good Governance and Asset Management Practices under Council's Strategic Community Plan and the relevant Tree Management Plan.

Other

Warringah Design Guidelines – Public Space (STR-PR-350, May 2003)

Trees and Tree Root Management Best Practice Manual – Version 2, May 1993 (last edited July 2011) - Statewide

Noxious Weeds Act (1993) and the Noxious Weeds Amendment Act (2005)
Warringah Council environmental weed list -

<http://www.warringah.nsw.gov.au/environment/documents/EnvironmentalWeedList.pdf>

Street Openings Conference

(http://www.streetsoopening.com.au/SOC_Guide_2009.pdf) Section 6.7 refers to impact of street trees on public utility services.

7. Review

This policy is to be reviewed within four (4) years of its last amendment.

8. Document History

1.0: ENV-PL 416
November 2006

Effective date
27/8/13

Version 1

Street Tree Planting Policy

Link
2013/253437

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Warringah Council Policy

Policy No. PL 800 Urban Forest

Urban Forest Policy

1 Purpose of Policy

The purpose of this policy is to establish a principle based framework to guide a planned, systematic and integrated approach to managing Warringah's urban forest which will improve the natural and built environment. The policy applies to all land uses in the Warringah local government area, excluding national parks.

2. Context

An urban forest can contribute to a variety of environmental, social and economic benefits such as:

Environmental: improve air quality, prevent soil erosion, improve water quality, increase carbon sequestration, aid storm water retention, increase energy conservation, noise reduction, reduce urban heat island effect and increase habitat and wildlife corridors for local fauna;

Social: increased ability to absorb air pollution and reduce potential health issues, increase in mental well-being, increase in visual amenity and providing shade for skin protection enabling people to have more active lifestyles;

Economic: decreased heating and cooling costs, increase in property values.

Council is committed to establishing a culture of sustainability in relation to tree and shrub management. This includes balancing the protection and enhancement of the urban forest whilst managing risks to infrastructure and personal safety. An Urban Forest Strategy will be developed to implement the following principles.

3 Principles

- 1.1 To recognise Warringah's urban forest as an asset with economic, environmental and social benefits;
- 1.2 To protect and manage Warringah's urban forest via urban forest principles (i.e. Planned, Systematic and Integrated Management) to optimise its health and condition; and to minimise threats by increasing species diversity and establishing a wide age distribution of trees.
- 1.3 To set a financially and environmentally sustainable canopy coverage target through the development of the Urban Forest Strategy.
- 1.4 To manage risk to life, property, public infrastructure and the environment through best practice tree planting and maintenance, in accordance with Council's adopted Enterprise Risk Management Framework;
- 1.5 To promote the retention and planting of trees and shrubs, preferably locally endemic species where appropriate, which will enable plant and animal communities to survive;
- 1.6 To recognise and enhance the role that the urban forest has in habitat connectivity, particularly in wildlife corridors;



Policy No. PL 800

- 1.7 To ensure that public trees that are removed as a result of private development are replaced and maintained through an establishment period of 10 weeks at the expense of the proponent of the development.
- 1.8 To promote the importance of the urban forest to all stakeholders.

2 Authorisation

This Policy was adopted by Council on 15 December 2015.

It is effective from 16 December 2016.

It is due for review on 15 December 2010.

3 Amendments

This Policy was last amended on 15 December 2015.

4 Who is responsible for implementing this Policy?

Group Manager Parks, Reserves and Foreshores

5 Document owner

Deputy General Manager Environment

6 Related Council Policies

- a) Street Tree Planting Policy PL 416.
- b) Removal of private trees threatening Council stormwater pipes. PL 415 to be replaced by Water Management Policy
- c) Bushland Policy ENV – PL 005
- d) Protection of Waterways and Riparian Land Policy PL 740
- e) Environmental Sustainability Policy STR-PL 830
- f) Tree Preservation Order Policy – PL 440
- g) Water Sensitive Urban Design Policy – PR 820 – to be replaced by Water Management Policy
- h) Asset Management Policy – PL550

7 Legislation and references

- a) Warringah Natural Area Survey, August 2005
- b) Warringah Local Environment Plan 2000 and 2011
- c) Development Control Plan 2000 and 2011
- d) Local Government Association Urban Forest Policy 2003

8 Definitions

Effective date
15 December 2015

Version 1

Urban Forest Policy

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Policy No. PL 800

Canopy coverage: an indicator of the quantity of urban forest often used as a measure of an urban forest's general capacity to provide economic, social, environmental and aesthetic benefits.

Urban forest: The urban forest is defined as the totality of trees and shrubs on all public and private land in and around urban areas (including bushland, parkland, gardens and street trees) within the Local Government Area (LGA) and is measured as a canopy cover percentage of the total area, and is recognised as a primary component of the urban ecosystem. The Urban Forest Policy applies to all land within the LGA excluding national parks.

Urban Forest Management: A planned, systematic and integrated approach to managing the urban forest. The principles can be broadly broken down into the following:

- Planned Management – An urban forest strategic plan is fundamental to achieving the optimal development and quality of the urban forest.
- Systematic Management – Adequate resourcing is invested and these are managed effectively and efficiently.
- Integrated Management – All relevant stakeholders must work in an integrated manner to achieve the best outcomes for urban areas.

Habitat connectivity: Habitat connectivity is a measure of the degree of interconnection of habitat. It is an important issue for managing remnant native vegetation in a unified manner across different land tenure units.

Wildlife Corridor: means a vegetation feature (preferably remnant bushland, but may include remnant trees, native plantings, weed thickets and gardens) that connects larger areas of remnant bushland and facilitates fauna movement between them. Fauna movement allows dispersal, interbreeding and recolonisation to occur, making fauna populations more viable in the long term. Fauna movement also facilitates pollen and seed dispersal, enhancing the viability of plant populations. Continuous corridors are preferable, but discontinuous corridors still contribute to fauna movement, and can potentially be improved through habitat enhancement.





Community and Stakeholder Engagement Report
Naming proposal – Ronda Alterator Reserve, 3 Boondah Road, Warriewood
Consultation period: 12 September to 13 October 2024

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1. Summary

At its meeting of 28 May 2024 Council considered Notice of Motion 18/2024 and the request from the Narrabeen Youth Club Netball (NYC) and subsequently resolved among other things, to undertake all necessary actions to propose the hard courts on Boondah Road, Warriewood be named the Ronda Alterator OAM Netball Courts in honour of her outstanding service to the community ([resolution 129/24](#)).



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), 1 lit mini hard court, public amenities, car park, fitness equipment and a picnic setting (Attachment 1). The courts in this reserve are very well used, particularly for netball and basketball, casual recreation and play.

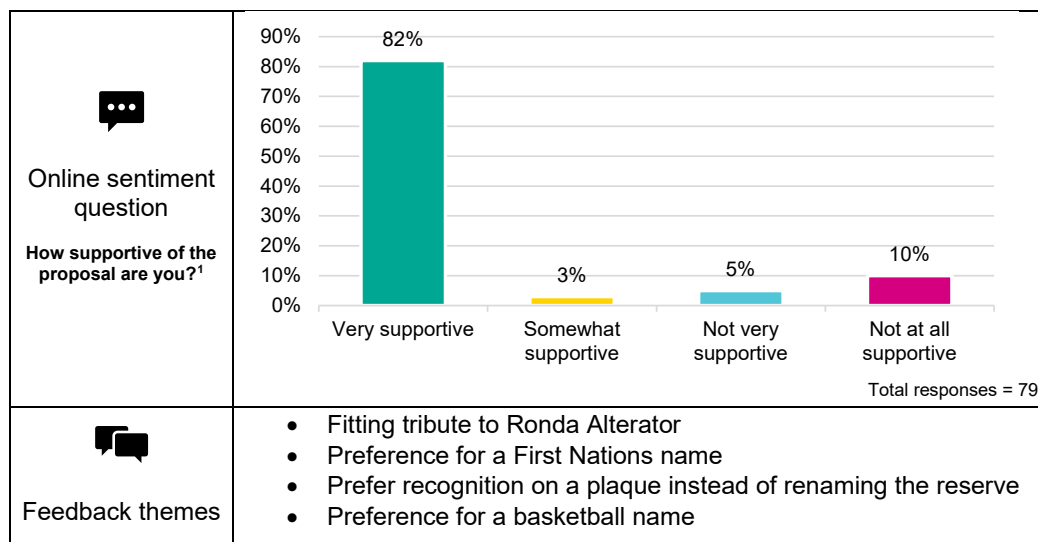
Following consideration of advice from the Geographical Names Board of NSW (GNB), the support of the Alterator family and the NYC and current use of the reserve the proposal to name the reserve the Ronda Alterator Reserve (the naming proposal) was publicly exhibited from 12 September to 13 October 2024.

We heard from 80 respondents, with a high level of support expressed for the proposed name (82% supportive). Non-supportive responses expressed a preference for greater recognition of First Nations People, a name related to basketball or suggested the installation of a plaque as an alternative to naming the reserve.




This report provides details about the public exhibition of the naming proposal, analysis of the feedback received, responses to key matters arising from the feedback and includes the verbatim responses (Appendix 1).

1.1. Key outcomes

 Total unique responses	80	
 How responses were received	Comment form Written responses (email/letter)	Completions: 79 Number received: 1



1.2. How we engaged

 <p>Have Your Say: visitation stats</p>	Visitors: 462	Visits: 551	Average time onsite: 1 minute 19 seconds
 <p>Print media and collateral</p>	Letterbox drop: 2102 Site signs used: Yes		Distribution: 5 Number of signs: 2
 <p>Electronic direct mail (EDM)</p>	Community Engagement (fortnightly) newsletter: 2 editions Council (weekly) e-News: 2 editions Stakeholder emails: <ul style="list-style-type: none"> • Collaroy Plateau Netball Club • Comets Northern Beaches Netball Club • Manly Warringah Netball Association • Mona Vale Commodores Netball • Narrabeen Youth Netball • Newport Breakers Netball Club • Warringah Zone PSSA • Stella Maris College (Pen Cup) • Pittwater PSSA 		Distribution: 21,800 subscribers Distribution: 58,200 subscribers Distribution: 12

¹ Percentage may not add up to exactly 100% due to rounding

	<ul style="list-style-type: none"> • Mater Maria Catholic College • Narrabeen Youth Club Netball • Manly Warringah Basketball Association Inc. 	
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1.3. Who responded²



² Demographic data was gathered by request in the online form. The data represented only includes those respondents who provided this detail.

Some totals may not add to 100% due to rounding.

³ Other refers to postcodes with 3 or fewer responses.

2. Background

At its meeting of 28 May 2024 Council considered [Notice of Motion 18/2024](#) and the request from the Narrabeen Youth Club Netball (NYC) and subsequently resolved ([resolution 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 of their loss.*

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), 1 lit mini hard court, public amenities, car park, fitness equipment and a picnic setting (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).

In response to the resolution the GNB were contacted for their 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 was put to and supported by the Alterator family and the NYC.

The NYC provided background information. Ronda Alterator was a member of the NYC for over 42 years. In that time she held positions including; Director, President, Vice President, Net Set Go Coordinator, Umpires Convener and coach. She also volunteered on various Manly Warringah Netball Association committees including grading, competition and coaching committees. Her contributions to netball and the 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'.

She also volunteered on various local P&Cs raising much needed funds for local schools as well as being involved in senior citizen programs. Mrs Alterator passed away on 10 April 2024 aged 82.

In accordance with Council's Naming Our Reserves, Facilities and Roads Policy public exhibition sought the community's feedback and sentiment in support or otherwise of the proposal to name the unnamed reserve at 3 Boondah Road, Warriewood the Ronda Alterator Reserve (the naming proposal).

The GNB Policy – Place Naming indicates that postnominals shall not be included for geographical names and as such 'OAM' has not been included in the proposed naming.

The project's impact is assessed as level four in accordance with the Council's Community Engagement Strategy resulting in a community engagement process devised on a single stage approach.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- build community and stakeholder awareness of participation activities
- provide accessible information so community and stakeholders can participate in a meaningful way
- identify community and stakeholder concerns, local knowledge and values
- facilitate inclusive and ongoing dialogue using context appropriate spaces and platforms
- communicate to community and stakeholders how their input was incorporated into the planning and decision making process.

4. Engagement approach

Community and stakeholder engagement for the proposed naming of Ronda Alterator Reserve was conducted between 12 September and 13 October 2024. It consisted of a series of activities that provided opportunities for community and stakeholders to contribute.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Strategy](#) (2022).

A project page⁴ was established on our have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through our regular email newsletter (EDM) channels. Signage was also erected at the location and letters were delivered to local residents in the area. Key stakeholders were contacted by email and/or phone.

Feedback was captured through an online comment form embedded onto the have your say project page. The form included a question that directly asked respondents for their level of support on the proposal.

An open-field comments box asked community members to explain or elaborate on their level of support on non-support, as well as any other feedback they wished to contribute.

Email and written responses were also invited.

5. Findings

We heard from 80 respondents. The majority of responses (82%) were **very supportive** of the proposal to name the reserve at 3 Boondah Road the Ronda Alterator Reserve. A further 3% of responses were **somewhat supportive**. Comments included that it is a fitting recognition of Mrs Alterator's contribution to the community including to the NYC and netball.

A minority (5%) of responses were **not very supportive** and 10% of responses were **not at all supportive**. Non-supportive responses expressed a preference for greater recognition of First Nations People, a name related to basketball or suggested the installation of a plaque to honour Mrs Alterator at the reserve as an alternative to naming the reserve.

⁴ <https://yoursay.northernbeaches.nsw.gov.au/ronda-alterator-reserve-warriewood>

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 the 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.	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.	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.
A plaque is enough recognition.	A small number of responses suggested the reserve does not require a name and a plaque is sufficient recognition.	Should the naming proposal be approved a reserve sign and interpretive sign would be installed.

Appendix 1 Verbatim community and stakeholder responses*

To view all verbatim comments, please click the link below:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/Document.aspx?t=webdoc&id=K3%2Fktq4uTDAV0A60ki4OEg==>

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

Document administration	
Version	1.0
Date	10 December 2024
Approval	Content provided and approved by Open Space Planning Team. Responsible manager: Damian Ham Manager Open Space Planning
Status	Final
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



**Planning
Panels**

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION**
STRATEGIC PLANNING PANEL OF THE
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	12 June 2024
DATE OF PANEL DECISION	3 June 2024
PANEL MEMBERS	Sue Francis (Acting Chair), Glennis James, Greg Woodhams & Annelise Tuor
APOLOGIES	Graham Brown
DECLARATIONS OF INTEREST	None

Public meeting held by Public Teleconference on 3 June 2024, opened at 2:00pm and closed at 3:17pm.
Papers circulated electronically on 29 May 2024.

PLANNING PROPOSAL

PP-2021-7404 – Northern Beaches LGA – 159-167 Darley Street West, Mona Vale (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made.

The Panel's decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the Department of Planning, Housing and Infrastructure's Post-Exhibition Report, 29 May 2024 and met with the Department, Solve Property Group (Proponent), Magnolia Views PTY Ltd (Landowner), Northern Beaches Council and members of the community in a public meeting.

The Panel generally concurred with the Post Exhibition Report and conclusions that the Planning Proposal, subject to revisions, demonstrated strategic and site-specific merit, the conditions of the Gateway had been met, agency and community consultation had occurred in accordance with the Gateway Determination and submissions raised had been adequately addressed.

While the Panel agreed the Planning Proposal, subject to the Post Exhibition Report's recommendations, warranted support, it shared community and Council concerns with the proposed density of residential development on the site in the absence of a density control. Consequently, the Panel requests that the Planning Proposal and supporting documents be revised and updated to:

- Remove the provision to delete the application of clause 4.5A of Pittwater LEP 2014 so that the maximum dwelling density requirements do not apply to the site and replace with a provision to amend Clause 4.5A of the Pittwater LEP 2014 to introduce a maximum of 1 dwelling/150m² of site area, which will deliver the proposed maximum density of 41 dwellings.

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The Panel did not support the Proponent's view that the provisions within the Pittwater Development Control Plan 2014, relating to biodiversity conservation and flooding were specific enough to deliver a development outcome envisaged by the Panel. Consequently, the Panel agreed with the Post Exhibition Report that the Planning Proposal and supporting documents be revised and updated to include a requirement in the LEP for the preparation of a Site-Specific Development Control Plan (DCP) prior to the development consent being issued. The DCP will need to be prepared in consultation with Council and include the following Post Exhibition Report's recommendations as well as other requirements identified by the Panel. The DCP is to:

- include objectives and controls to protect, rehabilitate and conserve the ecological values on the site, including the endangered ecological community, Pittwater and Wagstaffe Spotted Gum Forest including:
 - to require an assessment of biodiversity values to be undertaken through application of Stages 1 and 2 of the Biodiversity Assessment Method;
 - to require preparation and implementation of a Vegetation Management Plan which restricts development and identifies appropriate setbacks on the southern portion of the site where the vulnerable, endangered or critically endangered species are predominantly located;
- include objectives and controls specific to the site that will establish site coverage and landscaping requirement to manage density and retention of vegetation. Controls should also ensure overshadowing, visual, privacy, bulk and amenity impacts on the adjoining low density residential properties are acceptable;
- include objectives and controls to manage flood patterns within and downstream of the site to ensure that post development flows are improved or not worsened by the development, including the recommendations in the Lyall & Associates peer review letter to Solve Property, 16 February 2024; and
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Finally, the Panel also agreed with the Post-Exhibition Report's recommendations that the Planning Proposal and supporting documents be revised and updated to address the following:

- Include an LEP clause to require an affordable housing rate of 5% to apply to the total gross floor area;
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- remove the site from the Minimum Lot Size Map consistent with all land zoned R3 Medium Density Residential in the Pittwater LEP 2014 not having a minimum lot size control; and
- flood hazard vulnerability classification maps for existing and post development scenarios based on the current concept plans, are to be prepared and provided to the Department.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions during the public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included biodiversity values & ongoing management of native vegetation; flooding & stormwater management; affordable housing & viability testing; proposed density and built form; traffic, car parking & public transport; and privacy & amenity.

The Panel acknowledges the work of the Department to resolve issues raised during the public exhibition, including the engagement of an independent peer review of the Northern Beaches Council and the Proponent's Affordable Housing Feasibility Assessments. The Panel also notes that the Proponent engaged an independent peer review of the flooding and drainage related documents exhibited with the Planning Proposal as well as the post-exhibition Stormwater Management Strategy.

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The Panel considers that the concerns raised by the community have been adequately considered in the Department’s Post-Exhibition Report and this Record of Decision or would be more appropriately considered at the development application stage.

PANEL MEMBERS	
<div></div> <div>Sue Francis (Chair)</div>	<div></div> <div>Glennis James</div>
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SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2021-7404 – Northern Beaches LGA – 159-167 Darley Street West, Mona Vale
2	LEP TO BE AMENDED	Pittwater Local Environmental Plan (LEP) 2014
3	PROPOSED INSTRUMENT	<p>The Planning Proposal seeks to amend the Pittwater LEP 2014 to enable the redevelopment of the site to deliver medium density housing (approximately 41 dwellings), including a portion as affordable housing. In summary, it seeks to:</p> <ul style="list-style-type: none"> • rezone the site from R2 Low Density Residential to R3 Medium Density Residential Zone; • amend clause 4.5A of Pittwater LEP 2014 so that the maximum dwelling density requirements do not apply to the site; and • introduce an Affordable Housing clause in the Pittwater LEP 2014, identify a 5% contribution rate for the site and include the site on an Affordable Housing Contributions Scheme Map.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Department of Planning, Housing and Infrastructure Post Exhibition Report, 29 May 2024 • Written submissions during public exhibition: 43 unique submissions • Total number of unique submissions received by way of objection: 31 of the 33 community submissions • Verbal submissions at the Panel’s public meeting 2:00pm – 3:17pm, 3 June 2024: <ul style="list-style-type: none"> ○ Registered Speakers: Bruce Lakin as read by Adam Williams, Shane Bisset, Colin Edmonds, Gary Thompson, Stephen Balme and Arlette Rike on behalf of residents from Kunari Place & Park Road. ○ On behalf of the proponent: Andrew Thurlow, Brendan Nelson & David Robertson
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**Planning
Panels**

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION**
STRATEGIC PLANNING PANEL OF THE
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	12 June 2024
DATE OF PANEL DECISION	3 June 2024
PANEL MEMBERS	Sue Francis (Acting Chair), Glennis James, Greg Woodhams & Annelise Tuor
APOLOGIES	Graham Brown
DECLARATIONS OF INTEREST	None

Public meeting held by Public Teleconference on 3 June 2024, opened at 2:00pm and closed at 3:17pm.
Papers circulated electronically on 29 May 2024.

PLANNING PROPOSAL

PP-2021-7404 – Northern Beaches LGA – 159-167 Darley Street West, Mona Vale (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made.

The Panel's decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the Department of Planning, Housing and Infrastructure's Post-Exhibition Report, 29 May 2024 and met with the Department, Solve Property Group (Proponent), Magnolia Views PTY Ltd (Landowner), Northern Beaches Council and members of the community in a public meeting.

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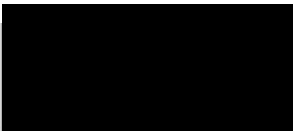
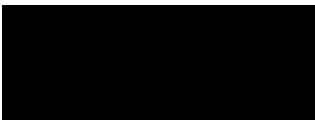
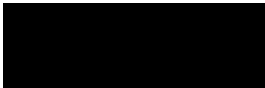
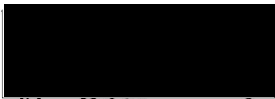
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Affordable Housing Contributions Scheme

18 February 2025



northern
beaches
council

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Council Versions

No.	Version	Date
1	Adopted by Council	28 September 2021
2	Endorsed by the Department of Planning	8 April 2022
3	Amended to include 159-167 Darley Street West, Mona Vale	18 February 2025

Section 1 - Introduction

1.1 Objectives of the Scheme

The objectives of Council's Affordable Housing Contributions Scheme are:

- to set out how, why, where and at what rate development contributions can be collected for the purpose of affordable housing; and
- to provide local residents and key workers on low to moderate incomes with access to affordable rental accommodation to assist them to enter the private rental market or home ownership.

1.2 Areas to which the Scheme applies

The Scheme will apply to specified areas within the Northern Beaches Council area as follows:

1. Frenchs Forest Planned Precinct as identified within Figure 1.

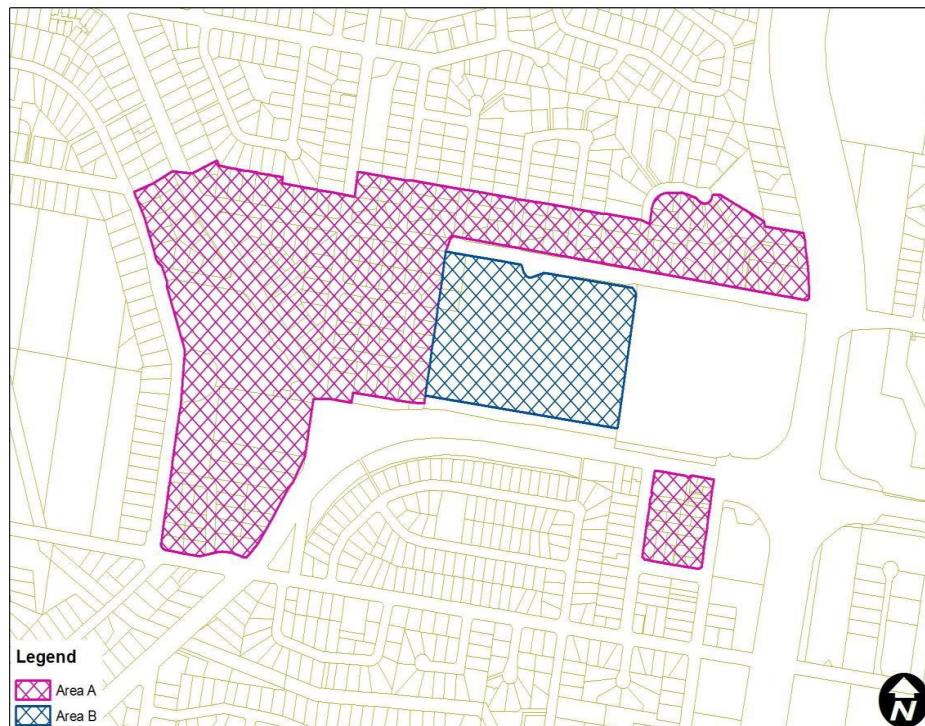


Figure 1: Frenchs Forest Planned Precinct - Affordable Housing Contribution Rate Areas

2. Narrabeen (1294-1300 Pittwater Rd & 2-4 Albert St) as identified within Figure 2.

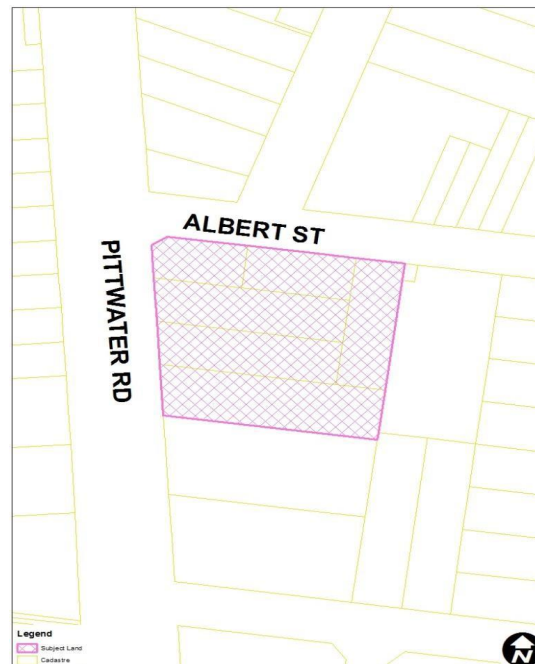


Figure 2: Narrabeen (1294-1300 Pittwater Rd & 2-4 Albert St) Affordable Housing Contribution Rate Areas

3. Mona Vale (159-167 Darley Street West) as identified within Figure 3

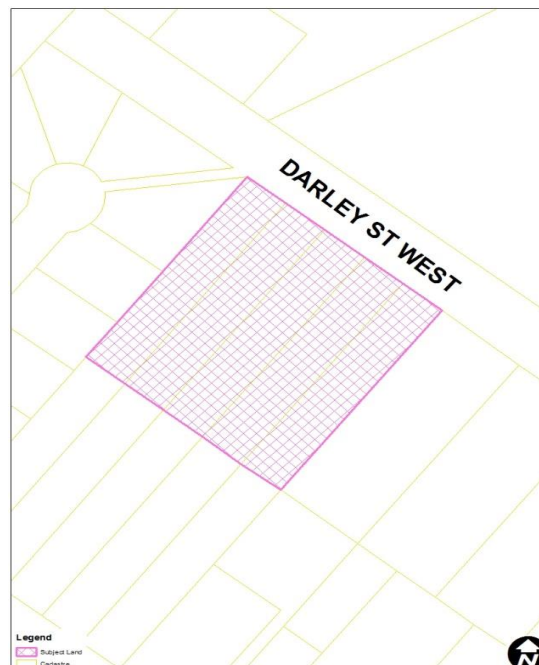


Figure 3: Mona Vale (159-167 Darley Street West) Affordable Housing Contribution Rate Area

1.3 Types of Development to which the Scheme Applies

The Northern Beaches Affordable Housing Contributions Scheme applies to the residential component of a development to which the development application relates.

1.4 Overview – Affordable Housing Need

Housing has a vital role to play in developing sustainable local communities. Providing housing that is affordable and appropriate to the needs of the local community also ensures a strong and stable labour force to sustain local businesses.

The lack of affordable housing for households on low and middle incomes has become a critical issue on the Northern Beaches.

Many households on moderate or lower incomes cannot afford to rent without experiencing “housing stress” or being forced into sub-standard housing in order to secure affordable rents.

The consequences of poor rental and home purchase affordability are substantial, including:

- local residents with established ties being driven further away from the sub-region in search of more affordable housing. This has tended to undermine social bonds and diversity in the local community; and
- community sector and lower paid employees who have relocated further afield in order to find more affordable housing options. This adversely affects the operational viability of local services and businesses.

In December 2016, Northern Beaches Council resolved to develop a Northern Beaches Affordable Housing Policy.

A draft Affordable Housing Policy and supporting evidence of the need for affordable housing (Housing Needs Analysis and Affordable Housing Discussion Paper), and a recommended Action Plan to respond to that need, were subsequently developed in consultation with an internal working party, State Government, and representatives from other Councils across Metropolitan Sydney. The Affordable Housing Strategic Reference Group, comprising industry representatives and community members, worked closely with Council to confirm the policy principles, statements, and actions.

At its meeting on 28 March 2017, Council resolved to publicly exhibit the draft Policy and Action Plan. The exhibition included the following community engagement:

- Bulk emails to over 13,500 members of the Community Engagement Register
- Targeted email to 283 community and disability groups
- Targeted email to all representatives of Council's 11 Strategic Reference Groups, comprising of 170 representatives from the community and community organisations
- Drop-in session held at Council's Dee Why Civic Centre
- Presentations to the Affordable Housing Strategic Reference Group and Local Representation Committee
- Notices in the Manly Daily

The community expressed strong overall support for the adoption of an Affordable Housing Policy. Council subsequently adopted the Policy in June 2017.

A key element of the Policy and related Action Plan was the delivery of affordable rental housing through the operations of State Environmental Planning Policy 70 (Affordable Housing) Revised Schemes (SEPP 70), which enables Councils to levy developers for the provision of affordable housing through its Local Environmental Plans (LEPs), subject to the approval of the State Government.

Following strong submissions, Council was included in SEPP 70 in April 2018. Since then, Council has been working with the Department of Planning and Environment to develop affordable housing requirements for inclusion in Council's LEP for the Frenchs Forest Planned Precinct. It is important to note that the State Government has directed that affordable housing requirements will only be supported in localities subject to "up-zoning" e.g. Frenchs Forest.

At its meeting on 28 August 2018, Council reviewed its Affordable Housing Policy and resolved to tender for a Community Housing Provider to manage affordable housing dedicated to Council through the planning process.

In addition, at its meeting of 27 April 2021 Council adopted the Northern Beaches Local Housing Strategy (LHS) which outlines how and where future housing will be delivered to meet our community's needs over the next 20 years. Part of this work included undertaking an affordable housing needs analysis which identified a current shortfall of 8,000 social and affordable housing dwellings on the Northern Beaches, which is set to increase by another 1,880 dwellings by 2036.

The LHS adopts the 1,880 dwelling figure as a social and affordable housing target across the LGA to 2036. It is important to recognise that Council's affordable housing contributions scheme will not be enough on its own to deliver on this target, and so Council will develop a comprehensive affordable housing action plan, which will explore other options and mechanisms to help deliver affordable housing.

1.5 Legislative Basis for the Affordable Housing Contributions

An Object of the *Environmental Planning and Assessment Act 1979* (the Act) is to encourage the provision and maintenance of affordable housing.

Section 7.32 of the Act allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- a) The consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- b) The consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- c) The proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- d) The regulations so provide

State Environmental Planning Policy No. 70 – Affordable housing (Revised Schemes) 2009 (SEPP 70) enables Councils identified in the SEPP to prepare schemes requiring developer contributions for affordable housing.

1.6 Relationship to other affordable housing provisions in the LGA

The Affordable Housing Contribution Scheme will be referenced in Council's LEP(s) and is the primary mechanism for Council to levy for affordable housing (for areas of

uplift) in the Northern Beaches LGA.

Councils LHS also adopts a social and affordable housing target of 1,880 dwellings (being the projected additional demand for social and affordable dwellings across the LGA to 2036). Whilst Councils affordable housing contributions scheme will help deliver on this target, an affordable housing action plan will also be developed which will explore other options and mechanisms to help deliver affordable housing. The LHS will inform the preparation of a single Northern Beaches Local Environmental Plan.

Should Council undertake negotiations through a proposed planning agreement for the provision of affordable housing, in connection with a development application or proposed development application, the Minister's Direction *Environmental Planning and Assessment (Planning Agreements) Direction 2019* is to be considered. This includes consideration of the Northern Beaches Council Affordable Housing Contributions Scheme.

1.7 Affordable Housing Principles

(1) The **Northern Beaches Affordable Housing Contribution Scheme Principles** are:

- a) Affordable housing must be provided and managed so that accommodation for a diverse residential population representative of all income groups is available in the Northern Beaches, and
- b) Affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) according to the Australian Bureau of Statistics:

Very low income household	less than 50%
Low income household	50% or more, but less than 80%
Moderate income household	80–120%

or any combination of these households, and at rents that do not generally exceed a benchmark of 30% of their actual household income, and

- c) Dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing, and
- d) Rental from affordable housing received by or on behalf of the Council, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), and money from the disposal of affordable housing received by or on behalf of the Council must be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Northern Beaches, and
- e) Affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with the same type of dwellings within the development to which the development application relates, especially in terms of internal fittings and finishes, solar access and privacy, and
- f) The affordable housing rental program is a transitional program providing access to affordable housing to eligible local residents and key workers to assist them to enter the private rental market or home ownership by the end of that period.

NOTE:

The affordable housing principles set out in Schedule 2 to State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes) may also apply to any development.

1.8 Definitions

Accountable total floor space means the gross floor area of the residential component of the development to which the development application relates. This includes changes of use of floor area to a residential use.

Affordable housing means housing for very low-income households, low-income households or moderate-income households, being such households as are prescribed by the regulations or as are provided in an environmental planning instrument.

Gross floor area is defined by the relevant Local Environmental Plan

Section 2 – Affordable Housing Contributions

2.1 Contributions Rates

The following affordable housing rates apply to the areas in which the Scheme applies:

1. The Frenchs Forest Planned Precinct (Figure 1)

Where the contribution is provided as a dedication of dwellings:

- Within area “A” the dedication in favour of the consent authority, free of cost, one or more complete dwellings with a gross floor area equivalent to 10% of the accountable total floor space.
- Within area “B” the dedication in favour of the consent authority, free of cost, of one or more complete dwellings with a gross floor area equivalent to 15% of the accountable total floor space.

Where the contribution is provided as an equivalent monetary contribution:

- \$11,000 per square metre.

See Attachment 3 for the feasibility assessments for the Frenchs Forest Planned Precinct.

2. Narrabeen (1298-1300 Pittwater Rd & 2-4 Albert St) (Figure 2)

Where the contribution is provided as a dedication of dwellings:

- the dedication in favour of the consent authority, free of cost, one or more complete dwellings with a gross floor area equivalent to 5.7% of the accountable total floor space.

Where the contribution is provided as an equivalent monetary contribution:

- \$15,894 per square metre

See Attachment 4 for the feasibility assessments for Narrabeen (1298-1300 Pittwater Rd & 2-4 Albert St)

3. Mona Vale (159-167 Darley Street West) (Figure 3)

Where the contribution is provided as a dedication of dwellings:

- the dedication in favour of the consent authority, free of cost, one or more complete dwellings with a gross floor area equivalent to 5% of the accountable total floor space.

Where the contribution is provided as an equivalent monetary contribution:

- \$19,658 per square metre

See Attachment 5 for the feasibility assessment for Mona Vale (159-167 Darley Street West)

2.2 Dedication of Dwellings

Generally, the contribution is to be provided via the dedication of dwellings – build and dedicate free of charge to the Council, the required affordable housing dwellings in order to achieve the objectives of this plan.

Each dwelling is to have a gross floor area of not less than 50 square metres, and be incorporated within the proposed development.

Where a dedication of affordable housing dwellings is required, the development application must:

- state the amount of affordable housing floor area to be dedicated, and any residual amount for which a monetary contribution is required;
- clearly identify on the plans the affordable rental dwellings proposed to be dedicated;
- demonstrate the appropriateness of the dwellings proposed for dedication, the location, size and quality of the affordable housing dwellings are to be to the satisfaction of Council. If they are not to satisfaction, Council may require changes to the development application, or that the contribution be made by way of an equivalent monetary contribution; and
- demonstrate the accountable total floor space of the development that was used to calculate the contribution.

Example

A development application within area “A” of the Frenchs Forest Planned Precinct comprises 1000m² of accountable total floor space (the gross floor area of the residential component of the development). The affordable housing contribution is calculated as:

$(10\% \times 1,000\text{m}^2) = 100\text{m}^2$ (gross floor area) dedicated as affordable housing dwellings

NOTE:

The area to be dedicated as affordable housing is gross floor area i.e. does not include balconies, car spaces, storage and common circulation areas.

There are to be no ‘savings’ or ‘credit’ for floor space that already exists on the site, even if the building is being adapted and reused.

2.3 Equivalent Monetary Contribution

If the percentage of accountable total floor space results in an area which equates to less than 50 square metres, or where Council otherwise considers it appropriate to achieve a better affordable housing outcome, a monetary contribution equivalent to the market value of the dwellings that would otherwise be required will be sought as condition of development consent.

In some cases, a contribution may comprise a combination of dedication and monetary contribution.

Example

A development application within area "A" of the Frenchs Forest Planned Precinct comprises 1000m² of accountable total floor space (the gross floor area of the residential component of the development). The affordable housing contribution is calculated as:

$(10\% \times 1,000\text{m}^2) = 100\text{m}^2$ (gross floor area) \times \$11,000 per square metre = \$1,100,000 as an equivalent monetary contribution

2.4 Development that is Exempt from the Scheme

The following development is excluded from the requirement to make an affordable housing contribution:

- (a) community housing (as defined in section 3 of the Housing Act 2001);
- (b) group homes; and,
- (c) public housing (as defined in section 3 of the Housing Act 2001)

2.5 Conditions of Consent for Affordable Housing

The requirement for an affordable housing contribution will be a condition of development consent. A summary of conditions that will be applied to relevant consents is provided below.

Dedication of Dwellings

Where the dedication of dwellings is required, a condition requiring the dedication in favour of the Council, free of cost, of land comprised of one or more complete dwellings as determined by Council's LEP requirements and the requirements of this Scheme, with each dwelling having a gross floor area of at least 50 square metres.

The transfer of title of dwellings will be required to be completed prior to the earlier of:

- a. Two months after the registration of the subdivision of the development
- b. Six months after the issue of any Occupation Certificate for the development

Monetary Contribution

Where a monetary contribution is required, a condition requiring the payment of a monetary contribution to the Council calculated by reference to the market value of dwellings of a similar size to those proposed by the development application.

Council may require the applicant to provide evidence of the market value of dwellings prior to the issue of development consent or undertake its own valuation at the applicant's cost.

The condition of consent will contain but not be limited to, the following information:

- The monetary contribution required including the market price used in the calculations;
- The accountable total floor space used in the calculations;
- The contribution period at the time of determination (i.e. for a consent dated July 2019, the contribution period is 1 June 2019 – 31 August 2019);

- The method of indexation of contribution rates; and
- A requirement that the condition be satisfied (to Council's satisfaction) prior to the issue of any construction certificate for development. Where a construction certificate is not required, the condition must be satisfied prior to the commencement of work.

Combination of Dedication of Dwellings and Monetary Contribution

A condition requiring the dedication of dwellings and the payment of a monetary contribution to Council will be required where the required contribution cannot be met through the dedication of a whole dwelling.

NOTE:

Section 7.32 of the Act permits the imposition of such a condition and specifies the circumstances under which such a condition may be imposed. Any condition imposed is subject to section 7.33 of the Act.

An affordable housing condition will not be imposed in relation to an amount of accountable total floor space if the consent authority is satisfied that such a condition has previously been imposed under this clause in relation to the same or an equivalent amount of accountable total floor space on the site.

Section 3 – Administration and Implementation

3.1 How to make a Contribution

Complete affordable dwellings are to be dedicated to Council as outlined in Section 2.

Monetary Contributions are to be paid to Council by unendorsed bank cheque prior to the issue of any construction certificate for the development. In circumstances where no construction certificate is required, payment is required prior to commencement of any work or the use/occupation of the development (whichever occurs first). The procedure for making payment is available on Council's website.

3.2 Indexing of Payments

3.2.1 Adjustment of Monetary Contribution Amount

Monetary contribution amounts are adjusted on an annual basis, on 1 March each year, with reference to movements in the median strata dwelling price in the Northern Beaches LGA as detailed in NSW Government Rent and Sales Report, Table: Sales Price – Greater Metropolitan Region – Strata.

The Rent and Sales Report is available on the NSW Government, Family and Community Services website.

The formula for adjustment of the monetary contribution rate is:

$$\text{New Contribution Rate} = \text{Current Contribution Rate} \times (\text{MDP2}/\text{MDP1})$$

Where:

- The Current Contribution Rate is available on the Council's website.
- MDP1 is the median strata dwelling price used to establish the current contribution rate
- MDP2 is the median strata dwelling price for the CURRENT period, being established in the most recently published Rent and Sales Report.

3.2.2 Adjustment of a Monetary Contribution Amount on a Development Consent

Where a condition requiring a monetary contribution has been imposed, the contribution amount must be adjusted over time. That is, if a consent is issued in June 2018 and the applicant does not wish to pay the contribution and develop the site until August 2021, the contribution amount will need to be adjusted to the period in which it is paid.

Monetary contributions are adjusted by Council and confirmed with the applicant prior to payment being made.

The formula for adjusting a contribution amount in a condition of consent is:

$$\text{Monetary Contribution} = \text{Base Contribution Amount} \times (\text{R2}/\text{R1})$$

Where:

- Base Contribution Amount is the required payment amount contained in the Development Consent.
- R1 is the contribution rate that applied at the time of consent.

- R2 is the contribution rate that applies at the time of payment.

3.3 Where a Previous Affordable Housing Contribution has been Paid

If an affordable housing contribution has already been paid in accordance with the Scheme, a contribution is not required on subsequent development on land if:

- the total floor area is the same, or because of redevelopment of the site, will replace an equivalent area; or
- the same percentage of the total floor area has already been provided for use for affordable housing.

Where a development is for a larger total floor area than a previous development on the site for which an affordable housing contribution was made, then the consent authority will require a contribution for the difference in total accountable floorspace. It does not matter whether the total accountable floorspace for which the contribution was previously paid is demolished or re-used as part of the new development.

3.4 Refunds for Demolition or Changes in Use

Council will not refund the applicant where there is a subsequent change in use from residential uses to non-residential uses or demolition of floor area.

Similarly, where affordable housing dwellings are replaced on site, the dwellings (as replaced) are to remain the property of the Council.

3.5 Process for the Distribution and Management of Funds

Contributions are to be managed and allocated by the Council. As sufficient funding becomes available through the Scheme, Council will seek proposals from eligible community housing providers for projects for the development of affordable housing within the LGA.

Any financial return resulting from the management of funds in waiting is to be used for the purpose of developing affordable housing in accordance with this Scheme.

Tenders or requests for expressions of interest may be issued for:

- immediate use of contribution funds for development in the LGA;
- allocation of funding for eligible community housing providers to seek development opportunities in the LGA; or
- land and funding packages, where land is made available by supplementary sources for the purpose of developing affordable housing.

Terms will include, amongst other things, that proposals demonstrate how the resulting affordable rental housing will be consistent with the Affordable Rental Housing Principles set out in this Scheme and comply with the requirements of this Scheme. Proposals will also be required to demonstrate how funding will be leveraged to maximise the quantum of affordable rental housing dwellings. Priority will be given to eligible community housing providers who have appropriate experience.

3.6 Registered Community Housing Provider and Delivery Program

Council resolved at its meeting on 28 August 2018, that following Council obtaining appropriate Affordable Housing stock, an open Request for Tender be issued for a Community Housing Provider to manage this stock on the Northern Beaches.

3.7 Monitoring and Review of the Scheme

The Affordable Housing Contribution Scheme will be reviewed and amended as required in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979*.



Council Policy

Affordable Housing

Purpose of Policy

Council is committed to increasing the range and supply of affordable housing in the Northern Beaches to meet the growing and changing needs of its community and particularly, key workers. The purpose of this policy is to outline Council's position and approach to the provision of affordable housing in the Northern Beaches.

The policy comprises principles and policy statements that together will guide Council's actions to support affordable housing.

Principles

- a) Establishing clear targets for the provision of affordable housing in the Northern Beaches.
- b) Leading change by example.
- c) Embedding affordable housing in Council's strategies, plans and policies.
- d) Partnering with the State and Commonwealth Government, other local councils, industry experts, the private sector, stakeholders and community housing providers to deliver affordable rental housing.
- e) Advocating for change to support affordable housing in the Northern Beaches.

Policy Statements

- a) Council is committed to a 10% affordable rental housing target for all strategic plans and planning proposals for urban renewal or greenfield development. Higher rates of provision will be sought where feasible.
- b) Targets for the provision affordable rental housing in other parts of the Council area will be established through feasibility analysis as part of Council's new local housing strategy.
- c) Mechanisms to deliver more affordable market-based or private housing will be investigated and implemented through Council's new local housing strategy.
- d) Council will enter into relationships with community housing providers to manage and deliver affordable rental housing in the Northern Beaches.
- e) Council will undertake an expression of interest to determine the best model for relationships with community housing providers to deliver affordable rental housing.
- f) Council will use the expression of interest process to determine whether to transfer title of affordable rental housing delivered to Council through the planning approval process to community housing providers.
- g) When selecting tenants, Council will give priority to persons who are employed in identified key worker occupations in the Northern Beaches Council area, persons with a disability, long term local residents, and persons with a social or economic association with the Council area.

Responsible Officers

Executive Manager Community, Arts & Culture and Executive Manager Strategic & Place Planning

Attachment 1



Related Council Policies

- a) Property Acquisition Reserve Fund – P100 (Former Manly Council)
- b) Property Management Policy – No 200 (Former Pittwater Council)
- c) Allocation of funds obtained from the Sale of Council Real Property Policy – GOV PL 915 (Former Warringah Council)
- d) Asset Management Policy – PL 550 (Former Warringah Council)
- e) Voluntary Planning Agreements – PL 600 VPA (Former Warringah Council)

Legislation and references

- a) Environmental Planning and Assessment Act 1979
- b) Local Government Act 1993
- c) State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes)
- d) State Environmental Planning Policy (Affordable Rental Housing) 2009

Definitions

Affordable housing: Is defined by the *Environmental Planning and Assessment Act 1979* as: “affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument”.

Affordable rental housing: Affordable housing managed by a community housing provider and rented to very low, low, or moderate income level households.

Community housing provider: A not-for-profit organisation which provides affordable rental and social housing for very low, low, to moderate income and is registered under the National Regulatory System for Community Housing.

Housing affordability: Relates to the general affordability of both rental and purchase housing on the open market, and is not limited to those on low to moderate incomes. A common benchmark of affordability is housing that does not absorb more than 30% of the gross income of very low, low, or moderate income households.

Key worker occupations: Workers on very low to moderate incomes critical to the economic and social development of the Northern Beaches, including but not limited to occupations such as school teachers, carers, midwifery and nursing professionals, hospitality and retail workers, personal carers and assistants, child carers, fire fighters, police, carers and aides, automobile, bus and rail drivers, cleaners and laundry workers.

Review Date

1 August 2021

Revision History

Revision	Date	Change	TRIM Ref
1	28/3/2017	Draft Affordable Housing Policy	2017/054781
2	5/6/2017	Affordable Housing Policy authorised by CEO, under delegation as per Council resolution 110/17 on 30/5/2017, incorporating formatting changes.	2017/176253
3	28/8/2018	Policy reviewed with no changes recommended. Minor amendments to reflect changes to titles and update review date.	2017/176253

Attachment 2

NORTHERN BEACHES
COUNCIL

NORTHERN BEACHES AFFORDABLE HOUSING NEEDS ANALYSIS

December 2016



Attachment 2

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EXECUTIVE SUMMARY

The purpose of this background paper is to provide an understanding of demand for affordable housing within the Northern Beaches and the extent to which current provision of housing (to buy or rent) meets the needs of its existing and future residents. The paper also considers how population and workforce changes, as well as market conditions, are likely to impact on the future affordability of housing on the Northern Beaches.

This paper provides an 'evidence-base' which could support the Northern Beaches Council in developing an understanding of the demand for affordable forms of housing across the northern beaches and how to communicate this to the wider community.

The findings highlight the worsening conditions for very low, low, and moderate income households to buy or rent properties across the Northern Beaches, with rising levels of housing stress for these communities and property values and rental costs accelerating at unprecedented rates.

Housing Stress

- Rates of '**housing stress**' for very low to moderate income households across the Northern Beaches grew from 67% to 69% between 2006 and 2011, with 1,500 additional households experiencing housing stress.
- For **renters housing stress** grew more significantly from 73% to 79% between 2006 and 2011.
- Significant increases in property values and rental growth since 2011 are likely to have **exacerbated levels of housing stress** further, as wage and salary growth has failed to keep pace with rising housing costs.

Demand for Affordable Housing

- Projections for **20,300 additional households** between 2011 and 2036 within the Northern Beaches will require different housing forms and price brackets.
- Social changes (such as divorce) and a **growing and ageing population** are likely to create demand for a more diverse range of affordable housing. Household growth is expected to be strongest in lone person or 'non-family households'.
- Expansion of the leisure and hospitality and the health and education industries, including the opening of the Northern Beaches Hospital, will fuel demand for affordable housing to **attract/retain 'key workers' occupations**.
- Provision of affordable housing for key workers is a specific challenge for local businesses due to **the poor public transport connections into the northern beaches**, for those workers who can't afford to live locally. This was highlighted in the recent Council Business Survey.
- Households tend to move within the Northern Beaches, however there is a recent trend for households, especially 24-34 and 35-44 year olds, to **relocate out of the region** to the Central Coast, north to Hornsby or Ku-ring-gai or further afield to Gold Coast or Sunshine Coast, due possibly to rising housing costs.

Supply of Affordable Housing

- Meanwhile, the **supply of affordable housing** to rent or buy within the Northern Beaches is at historically low levels, and is significantly below the Sydney average.
- Across the Northern Beaches, in 2011 only 2% of total housing stock (1,718 dwellings) was for **social housing**. This was less than half the Sydney average (5% of all housing stock) and tended to be concentrated in a handful of suburbs, namely Narrabeena (16.9% of all

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dwelling); Brookvale (8.2%); Allambie Heights (5.4%); Forestville (4.6%) and Narrabeen (4.5%) and Manly Eastern Hill (3.8%).

- Beyond social housing, there is little supply except for market housing with virtually no non-market or community housing provider housing on the Northern Beaches.
- The **median house prices** for the Northern Beaches at June 2016 was \$1.51 million (compared to \$949,000 for the Sydney region), and no suburb had a median house price below \$1 million.
- For the **lower end of housing market**, which be more applicable to moderate to low income earners and first home buyers, house prices are exactly double the Sydney average (\$1.34million compared to \$669,500).
- While less distinct, lower end **units sale prices** for northern beaches are also substantively higher (+28%) than the Sydney average and increased by 47% last 4 years.
- Consequently, less than 1% of properties (unit or homes) are available to **purchase at an affordable price** for very low to low income households (i.e. households earning less than \$65,000 per annum) across the Northern Beaches.
- For moderate income households (\$65,000-\$80,000), only a handful of properties would be **affordable to purchase** across the Northern Beaches at June 2015: 4% for Warringah; 3% for Manly; and 2% for Pittwater (compared to 18% for Sydney average).
- The ability of lower income households to rent a property within the Northern Beaches has also become more constrained, with the **median rental costs** for homes nearly double the Sydney average at \$895 per week compared to \$520 at June 2016.
- The weekly **rental values of units**, while still high, are less distinct from the Sydney average (\$595 per week for the northern beaches, compared to \$500 for median bracket for Sydney), but increased 14% last 4 years.
- Analysis of **stocks of rental properties** across the Northern Beaches which would be considered affordable (i.e. less than 30% household disposable income) at June 2015 found that:
 - For very low income households only 1% would be affordable, compared to 3% for Sydney average.
 - For low income households only 3% of rental properties in Manly, 5% in Warringah and 7% in Pittwater are considered affordable, compared to 18% for Sydney average.
 - For moderate income households only 26% of rental properties in Manly were considered affordable, increasing to 30% in Pittwater and 40% in Warringah (compared to 60% of all rental properties for Sydney region).
- This is despite strong **new supply of dwellings** in recent years, with 1,648 new dwellings built between 2012 and 2015 across the Northern Beaches (82% of which were multi unit dwellings). This emphasises that supply of new housing alone will not address affordability, without policy and planning intervention.
- There is, therefore, an **urgent need for action** to increase the supply of affordable, especially rental, housing which is targeted at low to moderate income households, who are required to live and work in the Northern Beaches to support its community and economy. There are a number of opportunities arising with current Structure Planning undertaken by Council in key locations e.g. Northern Beaches Hospital and Ingleside precincts.

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1. What is Affordable Housing and Affordable Rental Housing?

'Affordable housing' refers to 'reasonable' housing cost in relation to income'. A common benchmark is housing that does not absorb more than 30% of the gross income of very low, low or moderate income households. State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) defines low to moderate income households as households with a gross income that is less than 120 per cent of the median household income for the Sydney Statistical Division. Currently, this would equate to a household income of less than \$100,000 per annum.

'Affordable Rental Housing' is rental housing delivered by the not-for-profit sector for very low, low or moderate income households. Eligibility for this form of housing is not limited to any one occupation and includes: essential services workers such as nurses, teachers and police officers; hospitality and retail workers; and creative and cultural sector workers.

2. What is Housing Stress?

Housing Stress has generally been defined as those households in the lowest 40% of incomes (i.e. very low, low or moderate income households) who are paying more than 30% of their usual gross weekly income on housing costs (rental or purchasing).

Housing stress is a critical measure of the need for affordable housing, as it shows the interplay between housing costs (rental and purchasing) and income levels.

According to 2011 Census data, 12,525 very low, low or moderate income households across the Northern beaches, were experiencing housing stress. Of these, 6,847 were renting and 5,678 were purchasing a home. This results in over two-thirds (69%) of all very low to moderate income households experiencing housing stress, in renting or purchasing a home.

Those who were renting were even more susceptible to housing stress (79%), compared to 60% of those purchasing a home. Rental stress is especially high for very low income households with 96% demonstrating housing stress. This is consistent with the Sydney average at 95%. However rental stress was significantly higher in the Northern Beaches than the Sydney average for low income (88% compared to 69%) and for moderate income households (65% compared to 43%).

Between 2006 and 2011 the number of very low to moderate income households experiencing housing stress has increased by over 1,500 from 10,990 to 12,525 households. This is a change from 67% to 69% of renters and purchasers. For renters, the share experiencing housing stress increased even more significantly from 73% to 79%, while for home purchasers the proportion in housing stress marginally declined from 61% in 2006 to 60% in 2011.

Housing Stress is a significant issue if mortgage and rent payments rapidly increase as a share of income. As discussed further below, house sales prices and rents have grown significantly over the last 5 years, while wages and salaries have grown modestly (less than 1% per annum). This is likely to have exacerbated levels of housing stress in the Northern Beaches for very low to moderate income households in recent years.

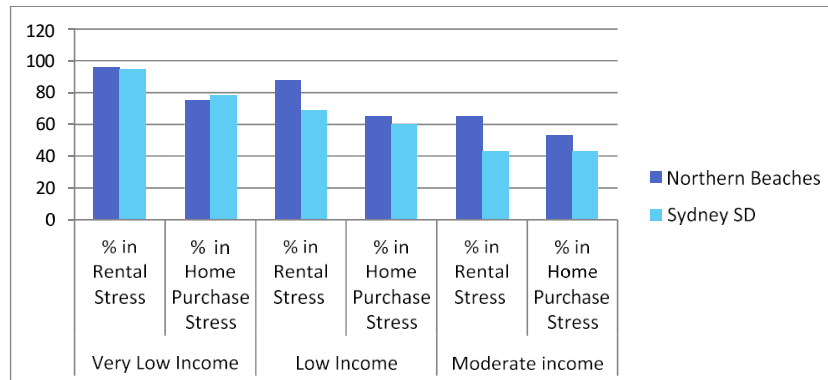
Figure 1: Households in Housing Stress in the Northern Beaches

Area	Very Low Income		Low Income		Moderate income	
	% in Rental Stress	% in Home Purchase Stress	% in Rental Stress	% in Home Purchase Stress	% in Rental Stress	% in Home Purchase Stress
Northern Beaches	96	75	88	65	65	53
Sydney SD	95	78	69	60	43	43

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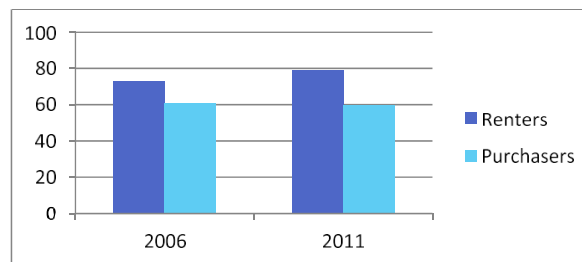
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Figure 2: Comparison chart of housing stress in the Northern Beaches and Sydney



Source : Census 2011. Housing NSW, Local Government Housing Kit.
Note: Housing stress = housing cost above 30% of their equivalised household income.

Figure 3: Changing Levels of Housing Stress between 2006 and 2011 in the Northern Beaches



Source : Census 2006 and 2011. Housing NSW, Local Government Housing Kit

3. What is the Demand for Affordable Housing?

3.1 Very Low, Low and Moderate Income Households

While often perceived as an affluent and homogenous part of Sydney, the Northern Beaches has a diverse social structure, which requires a range of housing forms and prices to accommodate.

In 2011, across the Northern Beaches, 40,000 households had a combined income of less than \$2,000 per week (or \$100,000 per annum). Nearly 17,000 households (22%) earned less than \$800 per week (\$41,000 per annum).

These low to very low income households are more prevalent in the suburbs of Narrabeena (22% of all households), Narrabeen (19%), Forestville (17%), Allambie Heights (17%), Cromer (16%) Brookvale (16%), Mona Vale (13%), Newport (13%) and Manly, Pittwater Road (12%).

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Figure 4: Very Low, Low and Moderate Income Households in the Northern Beaches

Weekly income	Northern Beaches	annual hh income (max)
Negative Income/Nil Income	926	0
\$1-\$199	950	10,348
\$200-\$299	1,372	15,548
\$300-\$399	3,314	20,748
\$400-\$599	5,225	31,148
\$600-\$799	4,898	41,548
<i>total very low income hh</i>	<i>16,685</i>	
\$800-\$999	5,377	51,948
\$1000-\$1249	5,331	64,948
<i>total low income hh</i>	<i>10,708</i>	
\$1250-\$1499	5,376	77,948
\$1500-\$1999	9,255	103,948
<i>total moderate income hh</i>	<i>14,631</i>	
\$2000-\$2499	7,270	129,948
\$2500-\$2999	10,793	155,948
\$3000-\$3499	6,491	181,948
\$3500-\$3999	3,483	207,948
\$4000-\$4999	3,172	259,948
\$5000 or more	3,664	260,000
Not stated	9,540	
Total households*	76,897	
total v low to moderate income hh	40,024	
% very low to moderate income hh	52%	

excludes 'not stated'

Source: ABS 2011 Census (ID. The Population Experts)

3.2 Growing demand for Key Worker Housing

Low to moderate income jobs, or 'key worker' occupations, are expected to become increasingly important in supporting the Northern Beaches' economy and changing demographic needs in the long term due to:

- A growing and ageing population (the proportion of residents over 65 years increasing from 15% in 2011 to 19% in 2031);
- Major investment in health infrastructure (i.e. Northern Beaches Hospital);
- Increasing female participation in the workforce; and
- Increasing affluence and demand for recreation and lifestyle services

In 2011 around 11,500 jobs within Northern Beaches were in 'key worker' occupations (as defined in Figure 5 below), accounting for 15% of all jobs. School teachers were the highest number of key worker jobs followed by hospitality workers and personal carers and assistances. Between 2006 and 2011 jobs in these occupations grew by over 1,500 jobs.

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There were also over 14,000 residents of the Northern Beaches who were employed in the selected 'key workers' occupations in 2011. This represents 12% of all resident workers and an increase of 750 resident workers between 2006 and 2011. While it is not possible to assert if these residents work within the northern beaches area, there is likely to be a desire to work locally.

Midwifery and nursing professionals was the second largest resident key worker occupation (2,275 resident workers). The opening of the Northern Beaches Hospital in 2018 will significantly increase demand for local workers in this and other health related occupations.

Figure 5: 'Key Worker' Residents and Jobs in Northern Beaches

Key Worker Occupations	2011		2006	
	Jobs	Resident workers	Jobs	Resident workers
School Teachers	3,230	3,469	2,827	36,35
Midwifery and Nursing Professionals	1,399	2,352	1,347	2,275
Hospitality Workers	2,048	2,472	1,854	23,340
Personal Carers and Assistants	1,495	1,644	1,156	1,378
Child Carers	1,336	1,621	934	1,195
Defence Force Members, Fire Fighters and Police	357	781	361	764
Carers and Aides nfd	25	58	36	54
Automobile, Bus and Rail Drivers	733	851	620	807
Cleaners and Laundry Workers	1,019	1,513	1,027	1,556
total key worker jobs/resident workers	11,642	14,761	10,162	14,004
total jobs/resident workers	76,713	121,636	72,812	115,375

Source: *northern beaches economy.id (ABS Census 2011)*

NSW Government employment forecast's show that over the next 20 years 'Health and Social Assistance' will be the faster growing job sector across the Northern Beaches (+62% or 6,800 new jobs), followed by 'Retail' (+38% or 4,750 new jobs) and 'Education and Training' (+45% or 3,500 jobs). These industries are characterised by key worker occupations and likely to generate further demand for more affordable housing forms to enable these workers to live locally.

The 2015 Warringah Council Business Survey identified the ability to attract and retain staff as a significant challenge to businesses in operating in the local area. The issue of housing costs for key workers was raised, especially in precincts such as Brookvale and Frenchs Forest, which have a diverse workforce (ranked top 3 challenge for Brookvale and top 4 for French Forest businesses). This issue is exacerbated by relatively poor public transport connections for workers into Warringah from lower housing cost areas outside the local area.

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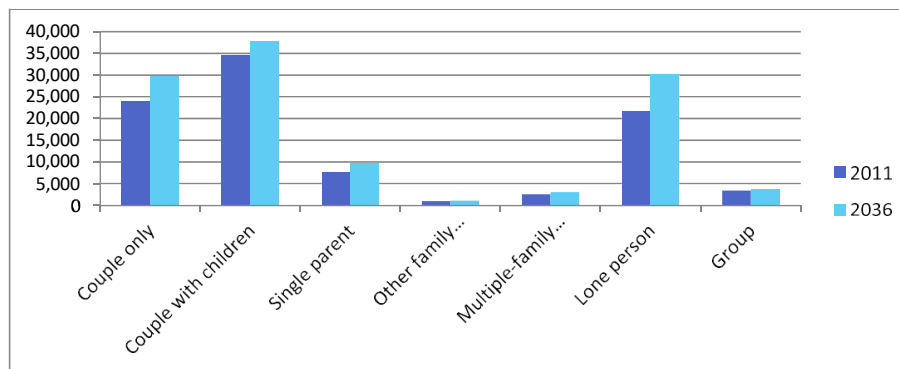
3.3 Changing Household Structures

An ageing population and social change is also likely to increase demand for greater housing choice and affordability. The Department of Planning & Environment latest household projections for the period 2011 to 2036 predict the creation of an additional 20,300 households within the Northern Beaches.

Assuming the proportion of very low to moderate income households remains constant at 52%, another 10,500 very low to moderate income households will need to be accommodated within the Northern Beaches over the next 20 years.

Across all households, 'non-family households' (i.e. lone persons and groups) are expected to increase by 8,700 households (+34%) while single parent households are expected to grow by 2,000 households (26%). Catering for these different household structures will require a greater range of housing forms and affordability.

Figure 6: Changing household structures in Northern Beaches 2011-2036



Source: Department of Planning & Environment Population, Household and Dwelling projections (2016)

In summary, available data shows growing demand within the Northern Beaches for a diverse range of housing forms and affordability levels to meet the needs of a growing and changing resident population, as well as the workforce to it.

3.4 Household mobility

Between 2006 and 2011, the Northern Beaches experienced a significant churn in household migration i.e. the number of households coming into the area and the number of households moving out. Households that migrated tended to remain within the Northern Beaches, with most relocations occurring between the 3 former LGAs.

In terms of people leaving the northern beaches, this was highest for 25-34 year olds who tended to out migrate to the Central Coast (Gosford and Wyong), upper North Shore (Hornsby and Ku-ring-gai) and even further afield to the Gold Coast and Brisbane. These are areas which offer many of the lifestyle attributes of the Northern Beaches, but are considered more affordable, possibly reflecting 'push out' from rising housing costs for this age group who are more likely to be first home buyers or 'up-graders'.

In terms of household's movements within the Northern Beaches, there was a trend for movement from former Manly LGA to Warringah LGA. Higher rental and home purchasing costs in Manly

Attachment 2

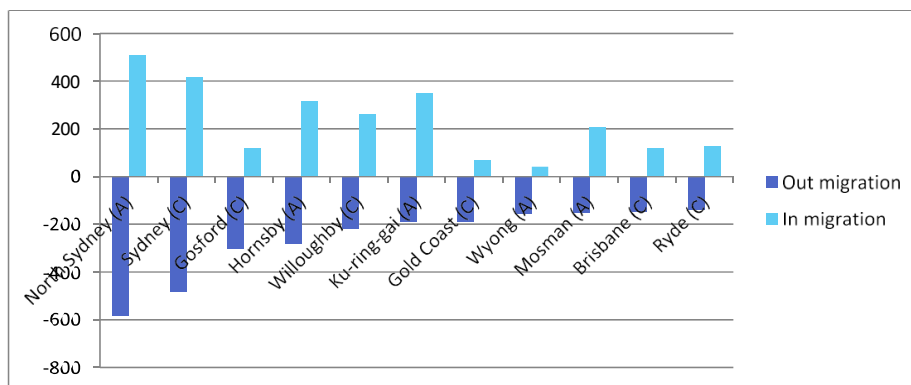
may have caused households wanting to remain on the Northern Beaches but requiring more affordable or larger properties, to move to adjoining areas.

This highlights the importance of looking at affordable housing supply from a Northern Beaches wide perspective, as well as a propensity for some age groups (especially young families) to move out of the area to find accommodation to meet changing needs.

Figure 7: Household migration into and out of Northern Beaches by age 2006-2011

Age group	In migration	Out migration	Net migration
5 to 11 years	2,050	2,355	-305
12 to 17 years	1,012	1,222	-210
18 to 24 years	1,986	2,589	-603
25 to 34 years	5,680	6,657	-977
35 to 44 years	5,737	6,014	-277
45 to 54 years	2,600	3,171	-571
55 to 64 years	1,777	2,525	-748
65 years and over	1,932	2,529	-597
Total	22,774	27,062	-4,288

Figure 8: Movement of younger people (24-35 yr olds) out of the Northern Beaches 2006-2011



Source: .ID The Population Experts (based on 2006 and 2011 Population and Housing Census data)

4 What is the Existing Supply of Affordable Housing?

4.1 Housing Tenure Profile

Across all households within the Northern Beaches there has been a decline in the proportion of households owning their property outright between 2006 and 2011 (35% to 33%), while the proportion purchasing a home has increased from 32% to 35%.

Attachment 2

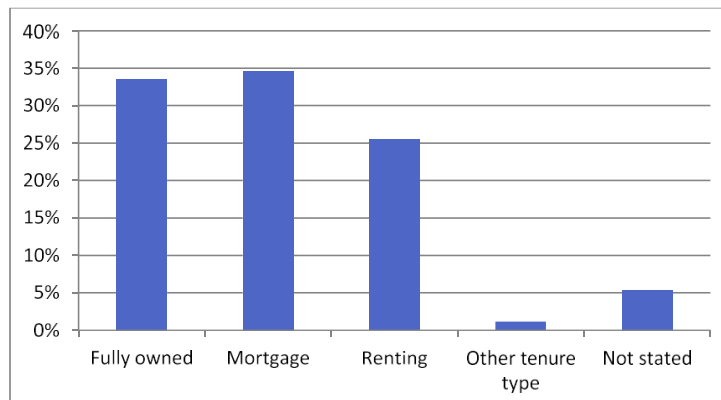
The proportion of households renting has stayed constant at 25%. However, the number of households renting has grown by over 1,303 with a vast majority renting privately with only 69 additional households renting in social housing.

Compared to Greater Sydney, there is a lower share of households renting but a higher proportion of home ownership, 69% (purchasing a home or own outright), which may reflect a slightly older demographic.

Figure 9: Housing Tenure Profile of Northern Beaches Households

Tenure	2011	%	2006	%
Fully owned	29,904	33%	29,962	35%
Mortgage	30,859	35%	27,449	32%
Renting	22,724	25%	21,421	25%
<i>Renting - Social housing</i>	1,718		1,649	
<i>Renting - Private</i>	20,532		19,185	
<i>Renting - Not stated</i>	474		587	
Other tenure type	1,047	1%	928	1%
Not stated	4,747	5%	5,961	7%
Total households	89,281		85,721	

Figure 10: Chart of Housing Tenure Profile of Northern Beaches Households



Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011.

The Northern Beaches has a comparatively low stock of housing targeted at lower income households. Across the Northern Beaches in 2011 there were 1,718 social rental properties. This constitutes only 2% of total housing stock in the council area and is less than half the rate of total housing stock for metropolitan Sydney and NSW (5% and 4.9% respectively).

The supply of social housing is spatially concentrated in the suburbs of: Narrabeena (16.9% of all dwellings); Brookvale (8.2%); Allambie Heights (5.4%); Forestville (4.6%) and Narrabeen (4.5%). For former Manly council area the highest proportion of social rental housing was in Manly Eastern Hill (3.8%) and for former Pittwater, this was 0.8% for Mona Vale.

Attachment 2

4.2 Affordable Home Purchasing

Across the Northern Beaches monthly median mortgage payments range from an average of \$2,600 per month for Warringah households, to \$3,033 per month for Manly households, in 2011. This compares to \$2,167 per month on average across the Sydney region. Over half of all households who were paying off a mortgage were paying over \$2,600 per week (considered to be 'high'), compared to 36% across Sydney.

Figure 11: Median Monthly Mortgage Repayments 2011

Former LGA Area	Median mortgage repayment (\$)	Households paying over \$2,600 month
Manly Council area	3,033	58.2 %
Pittwater Council area	3,000	53.7 %
Warringah Council area	2,600	50.1 %
Greater Sydney	2,167	36.0 %

Source: Housing NSW, Local Government Housing Kit

The Northern Beaches has seen very strong growth in house values over the last few years, which has seen diminishing stocks of properties available to low earners to purchase. The median house price in the Northern Beaches at June 2016 was \$1.51 million which was significantly higher than the Sydney average of \$949k.

Of particular concern from affordability perspective, is the significantly higher cost of housing at lower end of the housing market. For 'first quartile', house sales in the northern beaches in 2016 were exactly double the Sydney average (\$1.34, compared to \$670,000 for Greater Sydney).

Houses prices in the first quartile on the northern beaches increased by 58% (nearly \$500k) between 2012 and 2016

Unit sale prices are also higher in first quartile for northern beaches, compared to the Sydney average (\$695k compared to \$548k), though this is less distinct than house sales (28% higher). During 2012 to 2016 unit sales in the first quartile increased by 47%.

Figure 12: House & Unit Sales in the Northern Beaches

Sales	2016			2012			Change
Housing value (at June)	Northern Beaches LGA	Greater Sydney	Nthn Beaches relative to Gt Sydney	Northern Beaches LGA	Greater Sydney	Nthn Beaches relative to Gt Sydney	2012 to 2016
House							
First Quartile	1,339,779	669,558	100.1	846,174	418,587	102.2	+493,605
Median	1,514,939	949,151	59.6	953,775	603,520	58.0	+561,164
Third Quartile	1,885,559	1,402,097	34.5	1,200,652	865,792	38.7	+684,907
Unit							
First Quartile	694,799	547,903	26.8	474,201	370,647	27.9	+220,598
Median	828,083	699,292	18.4	570,318	481,561	18.4	+257,765
Third Quartile	1,021,119	872,649	17.0	687,498	605,892	13.5	+333,621

Source: Hometrack 2011-2016, Housing Valuation System.

Attachment 2

Escalating housing purchase costs are resulting in very few low to moderate income households being able to purchase a home on the Northern Beaches. Data below of house sales and loan repayment estimates suggest that less than 1% properties for sale in 2015 would be 'affordable' (less than 30% of income household) to very low or low income household across the Northern Beaches.

Only 2% of properties for sale in former Pittwater would be affordable to moderate income households, increasingly slightly to 3% properties in former Manly and 4% in former Warringah council areas. This is a significantly lower level of affordable housing stock compared to the rest of Sydney where 18% of properties for sale would be affordable to moderate income households.

Figure 13: Proportion of Property Sales Affordable to Very Low to Moderate Income Households in the Northern Beaches (2015)

Former LGA Area	Very Low Incomes	Low Incomes	Moderate Incomes
Manly	0.5	0.5	3.1
Pittwater	0.1	0.4	2.2
Warringah	0.0	0.3	4.0

Source: Valuers General (VG) Data - Affordable purchase - Based on sales transferred in the last 2 quarters.

Note: A property is regarded affordable if the loan repayment is less than 30% of the household incomes.

4.3 Affordable Rental Accommodation

At June 2016, the median weekly rental for houses in the northern beaches was nearly double the Sydney average (\$895 per week compared to \$520). This is also the case for lower value rental properties in the first quartile (\$695 compared to \$420).

The weekly rental values of units, while still high, are less distinct from the Sydney average (\$595 per week for the northern beaches, compared to \$500 for median bracket for Sydney).

Figure 14: House and Unit Rental Costs in Northern Beaches vs Greater Sydney

Rental listings	2016			2012			Change
Housing value (at June)	Northern Beaches LGA	Greater Sydney	Nthn Beaches relative to Gt Sydney	Northern Beaches LGA	Greater Sydney	Nthn Beaches relative to Gt Sydney	2012 to 2016
House							
First Quartile	695	420	65.5	695	390	78.2	0
Median	895	520	72.1	825	500	65.0	+70
Third Quartile	1,200	700	71.4	1,100	700	57.1	+100
Unit							
First Quartile	500	410	22.0	440	375	17.3	+60
Median	595	500	19.0	520	450	15.6	+75
Third Quartile	715	630	13.5	635	580	9.5	+80

Source: Hometrack 2011-2016, Automated Valuation System.

Attachment 2

Between 2012 and 2016, the weekly cost of renting a unit in the first quartile grew 14%, similar to the Sydney average. The cost of renting a home in the first quartile did not change between 2012 and 2016, though increased for median and third quartile homes (\$70 and \$100 per week, respectively).

Over the last 14 years, the Northern Beaches has seen a decline in the proportion of rental properties which is affordable to very low to moderate income households. In 2015, only 1 % of existing rental properties are classified as 'affordable' (i.e. less than 30% gross income) for very low income households across the Northern Beaches. This increases to 3% of rental properties being affordable to low income earners in former Manly, 5% in Warringah and 7% in Pittwater.

Moderate income households are able to afford to rent nearly 40% of all rental properties in Warringah, declining to 30% in Pittwater and 27% in Manly. However this share of affordable rental stock which is affordable to moderate income households is significantly less than the Sydney average of 60%, and has also significantly declined from levels in 2006 (60% for former Warring and 49% for both former Manly and Pittwater council areas).

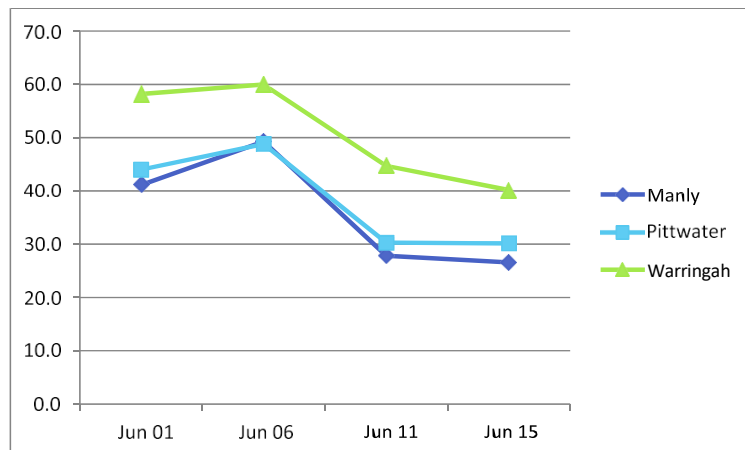
Figure 15: Proportion of Affordable Rental Properties for Very Low to Moderate Income Households in the Northern Beaches

Former LGA Area	Very Low Incomes	Low Incomes	Moderate Incomes
Manly	1.3	3.4	26.5
Pittwater	1.0	7.4	30.1
Warringah	1.0	5.3	40.1
Sydney average	3.3	18.0	59.0

Source: Rental Bond Board (RBB) Data (Housing NSW, Local Government Housing Kit)

Note: Rental affordability indices have been calculated for Very Low Incomes

Figure 16: Declining Stock of Affordable Rental Accommodation to Moderate Income Households in the Northern Beaches



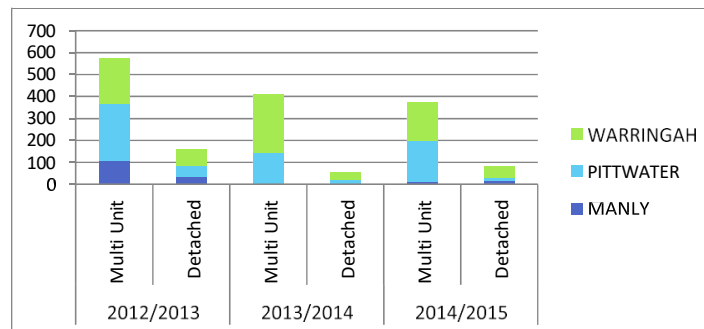
Attachment 2

5. New Housing Supply

Data from the Department of Planning & Environment's Metropolitan Development Program, which monitors completion of new dwellings across Sydney, shows that there has been a strong supply of new dwellings in the Northern Beaches in recent years: 730 in 2012/13; 463 in 2013/14 and 455 in 2014/15.

Of the 1,648 dwellings constructed over the last 4 years: 808 were in the former Warringah; 658 in former Pittwater; and 182 in former Manly. The vast majority of these (82%) have been multi-unit dwellings (i.e. apartments) in local centres such as Dee Why and Narrabeen.

Figure 17: Recent Supply of New Dwellings within the Northern Beaches 2012-2015



Source: DP&E Metropolitan Development Program 2015

Significant additional supply is also forecast, including the proposed Meriton development in Dee Why town centre (around 380 new apartments), plus expected potential new apartment development from other key sites in the town centre.

Structure Planning around the new Northern Beaches Hospital and the Ingelside land release area, is also expected to deliver several thousand additional dwellings over the next decade across the Northern Beaches.

While there is a strong market for new residential development (especially apartments), new supply is having limited impact on the overall affordability of housing within the Northern Beaches, with new build houses and apartments beyond the reach of most low to moderate income households.

Clearly, the issue of affordable housing will not be addressed through new supply alone. Without policy and planning interventions to ensure that a proportion of new dwelling construction is set aside for lower income households, housing affordability will continue to worsen across the Northern Beaches.

Attachment 2

6. Summary

In summary, the escalating cost of housing (to rent or buy) is placing a growing number of households in housing stress across the Northern Beaches. The Northern Beaches has comparatively low stocks of social or affordable housing targeted at very low to moderate income households

The declining affordability of housing is unlikely to slow without intervention into the market, and supply of new dwellings alone will not address this issue. Existing stocks of social and affordable housing must therefore be protected.

Further, opportunities to create new forms of affordable housing, especially rental, must be taken up to prevent deepening of the housing crisis, and to support demographic change and economic growth. There are a number of opportunities arising with current Structure Planning undertaken by Council in key locations e.g. Northern Beaches Hospital and Ingleside precincts.

Frenchs Forest Precinct

August 2018
MacroPlan



Attachment 3

Key Assumptions

General assumptions underlying built-form options include:

- Section 94 Contribution charge per dwelling of \$20,000*
- State Infrastructure Contributions (SIC levy) per dwelling of \$15,000**
- Affordable housing targets to be tested: 15% of residential dwelling yield using affordable sale price at 15% discount from the market price.
- No detailed cost estimate available for carbon, water and waste precinct outcomes, but we have included allowance for ESD (3% of construction cost).
- These are all assumptions that are built into our feasibility assessment, which will be fully outlined in our report.
 - Building efficiency (CHROFI)
 - Car Parking rates (Architectus)
 - Developer Profit Market (the hurdle rate): 20% (MacroPlan)
 - Financing: 100% debt. Interest on this amount is 6% (MacroPlan)
 - Construction Timeframe: 12-24 months & assumed staging
 - Lift requirements: 50 elevators (MacroPlan)
 - Unit size: 80 sq.m GFA per unit (CHROFI & Architectus)
 - Pre-commitment sales (of units): 70% (MacroPlan)
 - Statutory fees and Levy: adopted from DP&E
 - Other non-residential composition (in sq.m) : adopted from CHROFI
 - High level QS estimates: adopted from Altus Group
 - Affordable housing: 15% discount from the market price



** MacroPlan has assumed a maximum Section 94s contribution rate of \$20,000 per dwelling, which might not be reflective of the ultimate situation.*

*** A SIC contribution of \$15,000 per dwelling might not be reflective of the ultimate situation/SIC rate, it only has been used to compare the different development options.*



Attachment 3

Current Land Value

Key Assumption - Threshold Feasibility Condition

Opportunity cost

- The current value of the TC site land if development does not occur
- The value of land with land zoning for **standard detached houses**

Market evidence

- The figure (right) maps the spread of property sales for Frenchs Forest for the 2017/18 financial year to date.
- There is a substantial concentration of property sales within the 600 to 800 square meter range and within the price range of \$2,000 to \$3,000 persq.m

For our assessment

Based on these sales the following value has been adopted for our assessment

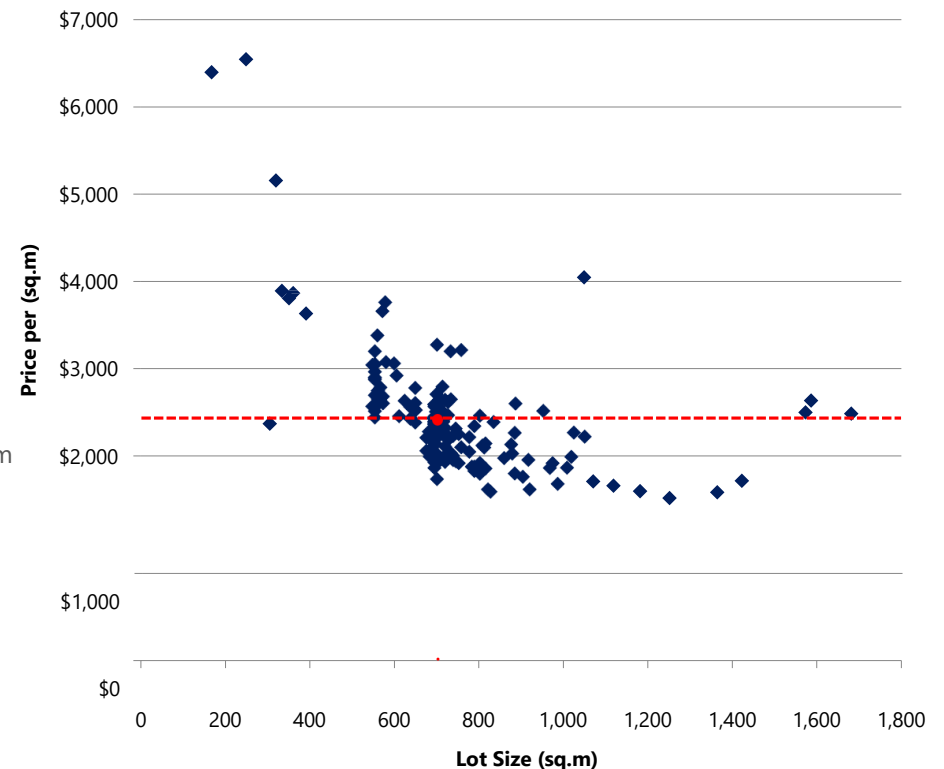
- Current land value in Frenchs Forest Precinct: **\$2,400 persq.m**
- Note: Our previous assessment conducted in March 2017 applied a rate of \$2,300 per sq.m

Residual Land Value

= 'Value of the completed development' – 'development costs' – 'developer's profit'

- Residual land value is the surplus after development cost and profit have been deducted from the value of a completed development project.

Recent House Sales, Frenchs Forest (FY 2017 – 18)



Source: CoreLogic RP Data & MacroPlan

Attachment 3

Scenario 2A (FSR 2.16:1)

Frenchs Forest TC with specified non-residential uses

- Scenario 1 includes the following components (GFA)
 - Community – 2,046 sq.m
 - Commercial (office) – 5,896 sq.m
 - Residential -77,562 sq.m (i.e. 801 apartments)
 - Retail – 10,630 sq.m
 - Hotel – 9,202 sq.m
 - University – 8,362 sq.m
 - Aged Care – 10,880 sq.m
 - School -7,905 sq.m
 - Non-retail (e.g. Gym) -616 sq.m
 - Underground Supermarket and other retail uses-5,719 sq.m
 - University Library -1,504 sq.m
 - Childcare Centre -506 sq.m
 - Indoor Sport Centre -2,427 sq.m
- Key development costs
 - Total basement carpark – circa \$122.5 M (about \$50k per carpark)
 - Additional costs* – Circa \$20.5 M
 - Project Contingency** – Circa \$50.6 M (for any excavation cost)

* Includes Roadworks, Public domain works, Additional Earthwork (excl. basement carpark), Landscaping etc.

** 7.5% of construction, professional, statutory fees, state infrastructure levy and any other additional costs



Feasibility Outcome

- Scenario 2A is feasible, with 15% affordable housing provision.

Feasibility Analysis	Scenario 2A
Assumed FSR	2.16 :1
Affordable housing target	15%
Site Area	66,310 m ²
Retail	10,630 m ² GFA
Commercial	5,896 m ² GFA
Apartments	77,562 m ² GFA
Hotel	9,202 m ² GFA
University	8,362 m ² GFA
Aged Care facilities	10,880 m ² GFA
School	7,905 m ² GFA
Community	2,046 m ² GFA
Non-retail	616 m ² GFA
Underground retail	5,719 m ² GFA
Library	1,504 m ² GFA
Childcare	506 m ² GFA
Indoor Sport	2,427 m ² GFA
Total Yield	143,255 m ² GFA
Total Revenue	\$1,136M
Total Development Cost	\$776M
Target (Goal)	\$360M
Residential Land Value*	\$160M
RLV per m2 (of site area)	\$2,419

Source: MacroPlan

Feasibility Assessment - Frenchs Forest Transition Areas

1. Development Feasibility – Explanation Notes

Residual land value is the surplus after development cost and profit have been deducted from the value of a completed development project.

Residual Land Value (RLV) = Value of the completed development – development costs – developer's profit

Residual land value is a useful technique for testing alternative development schemes for a given parcel of land. It usually involves a reference to comparable evidence to estimate inputs (value, costs and profit) and is often a pre-cursor to more rigorous (cash-flow) value assessment techniques.

Residual land value can be calculated for various development schemes and compared to land prices of similar sites that have been recently sold. Residual land value provides insight as to whether development is feasible and should proceed or whether the land is best left untouched.

In general, if the value of a property 'as improved' is greater than the value of the property 'as though vacant', its highest and best use is 'as improved'. If not, then development under the assumed controls is not presently viable, meaning that development is delayed until either:

- The estimated gross value of the completed development rises;
- Development costs (e.g. land costs) are reduced; or
- The controls that determine development yield are adjusted.

The Residual Land Value therefore represents **the maximum price a developer would be prepared to pay for a development site to achieve target hurdle rates.**

Calculating residual land value involves an estimation of development value and development costs and an estimation of developer's profit, explained as follows:

- Development value relates to the gross sale or lease value of a completed development.
- Development costs include land costs, borrowing costs, construction costs (including required monetary contributions and taxes) and sales/marketing costs.

- Developer's profit is the reward for taking development risk and for initiating and facilitating development. It can be estimated as either a percentage of gross development cost or as a percentage of gross development value.

Developer profits vary from market to market, however, for our analysis we assume a target profit margin of 20% of gross development costs and apply this approach to all of the development scenarios and sites being investigated.

The residual land value method for testing site development feasibilities is not a detailed financial model. It has several limitations:

- It does not account for the time value of money, e.g. whether profit is achieved over 2 or 20 years; and
- It is suspect to input errors which may have a magnified effect on findings.

Nevertheless, the method is a useful indicator of development profitability, especially in the absence of detailed financial information for tested projects. In practice the method is generally employed in its simplest form to gauge project viability, with complexity added as more detail about development plans and costings is made available.

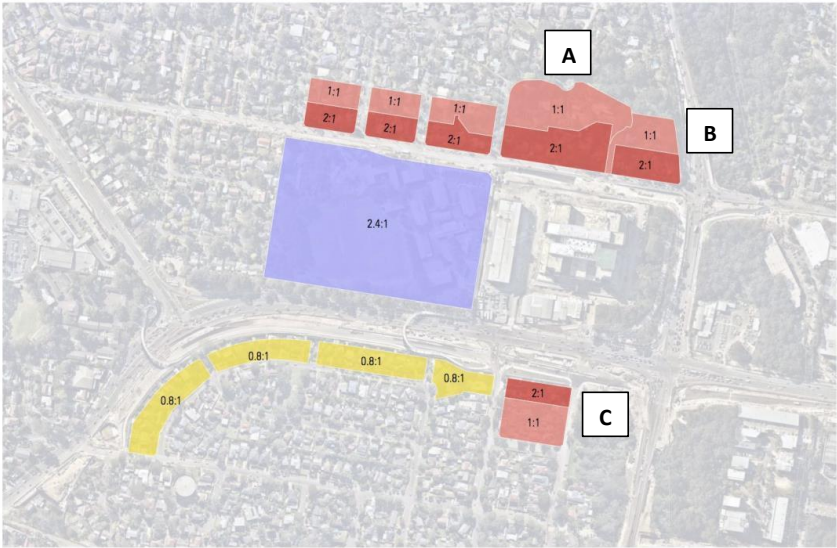
2. General assumptions underlying built-form options include:

For our residual land value based feasibility assessments for various development options at Frenchs Forest in the vicinity of the proposed new Frenchs Forest town Centre, we have made the following assumptions:

- Section 94 Contribution charge per dwelling of \$20,000*
- State Infrastructure Contributions (SIC levy) per dwelling of \$15,000**
- Affordable housing targets to be tested: 10% of residential dwelling yield using affordable sale price at 15% discount from the market price.
- These are all assumptions that are built into our feasibility assessment.
 - Building efficiency – 85%
 - Car Parking rates – Warringah DCP 2011
 - Developer Profit Market (the hurdle rate): 20%
 - Financing: 100% debt. Interest on this amount is 6%

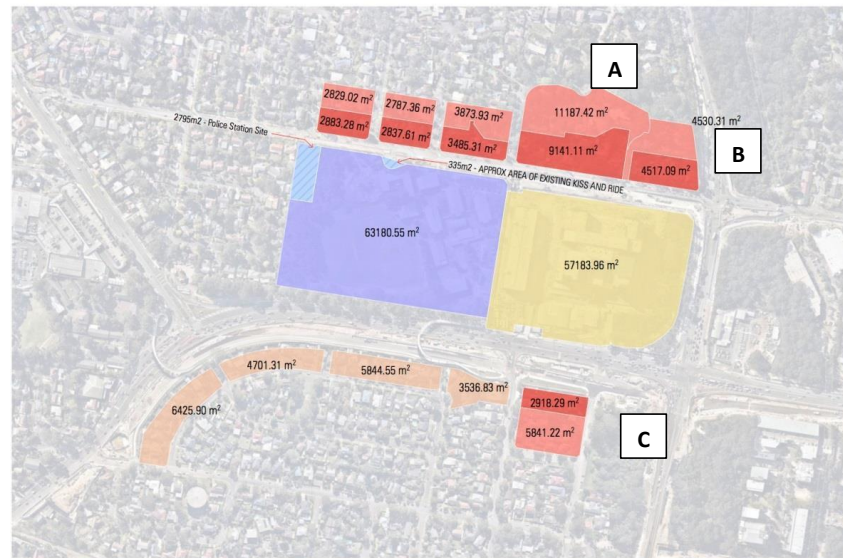
- Construction Timeframe: 12-15 months (depending on construction value)
- Residential Construction – 'walk-up medium density apartments' (Sites with a FSR of 1:1) & 'mixed-use standard apartments with lift ' (sites with a FSR of 2:1)
- Unit size: 90 sq.m per unit (CHROFI & Architectus)
- Pre-commitment sales (of units): 70%
- Statutory fees and Levies: adopted from DP&E
- High level QS estimates: adopted from Rawlinsons & BMT QS
- Realisation rate (i.e. sales price) – marginally lower than what we adopted for the Frenchs Forest TC site

The 'tested sites' for the purpose of this assessment are depicted below:



1 : 5000; FRENCHS FOREST PRECINCT - DRAFT MAXIMUM FSR DIAGRAM - 19.07.18 - CHROFI

The assumed site areas that we have used are as per provided by CHROFI (below).



1 : 5000; FRENCHS FOREST PRECINCT - SITE AREAS DIAGRAM - 19.07.18 - CHROFI

3. Feasibility Outcome – Part of Site A zoned residential FSR 1:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

$$\text{Residual Land Value (RLV)} = (\text{Value of the completed development}) - (\text{development costs}) - (\text{developer's profit})$$

- At a \$26.9 M land acquisition cost (i.e. \$2,400 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site A
FSR	1:1
Site Area	11,187 m ²
Retail	0 m ² GFA
Commercial	0 m ² GFA
Medium Density*	11,187 m ² GFA
Total Yield	11,187 m² GFA
Total Revenue	\$88.2M
Total Development Cost	\$42.6M
Selling Costs	\$3.8M
Residential Land Value	\$26.9M
Developer's target margin**	\$15.3M
RLV per m² (of site area)	\$2,400
Current Land Value (RP Data)	\$2,400

* Low-rise (walk-up) Apartment

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

4. Feasibility Outcome – Part of Site A zoned Mixed-Use FSR 2:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

$$\text{Residual Land Value (RLV)} = (\text{Value of the completed development}) - (\text{development costs}) - (\text{developer's profit})$$

- At a \$22.8 M land acquisition cost (i.e. \$2,494 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site A
FSR	2:1
Site Area	9,141 m ²
Retail	1,500 m ² GFA
Commercial	3,000 m ² GFA
Apartments*	13,782 m ² GFA
Total Yield	18,282 m² GFA
Total Revenue	\$134.8M
Total Development Cost	\$84.0M
Selling Costs	\$5.9M
Residential Land Value	\$22.8M
Developer's target margin**	\$23.4M
RLV per m² (of site area)	\$2,494
Current Land Value (RP Data)	\$2,400

* Residential buildings with lifts

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

5. Feasibility Outcome – Part of Site B zoned residential FSR 1:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

Residual Land Value (RLV) = (Value of the completed development) – (development costs) – (developer's profit)

- At a \$10.9 M land acquisition cost (i.e. \$2,410 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site B
Overall FSR	1:1
Site Area	4,530 m ²
Retail	0 m ² GFA
Commercial	0 m ² GFA
Medium Density*	4,530 m ² GFA
Total Yield	4,530 m² GFA
Total Revenue	\$35.7M
Total Development Cost	\$17.3M
Selling Costs	\$1.5M
Residential Land Value	\$10.9M
Developer's target margin**	\$6.2M
RLV per m² (of site area)	\$2,410
Current Land Value (RP Data)	\$2,400

* Low-rise (walk-up) Apartment

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

6. Feasibility Outcome – Part of Site B zoned Mixed-Use FSR 2:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

$$\text{Residual Land Value (RLV)} = (\text{Value of the completed development}) - (\text{development costs}) - (\text{developer's profit})$$

- At a \$11.5 M land acquisition cost (i.e. \$2,541 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site B
FSR	2:1
Site Area	4,517 m ²
Retail	800 m ² GFA
Commercial	1,200 m ² GFA
Apartments*	7,034 m ² GFA
Total Yield	9,034 m² GFA
Total Revenue	\$67.4M
Total Development Cost	\$41.9M
Selling Costs	\$2.9M
Residential Land Value	\$11.5M
Developer's target margin**	\$11.7M
RLV per m² (of site area)	\$2,541
Current Land Value (RP Data)	\$2,400

* Residential buildings with lifts

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

7. Feasibility Outcome – Part of Site A zoned residential FSR 1:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

$$\text{Residual Land Value (RLV)} = (\text{Value of the completed development}) - (\text{development costs}) - (\text{developer's profit})$$

- At a \$14.1 M land acquisition cost (i.e. \$2,405 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site C
FSR	1:1
Site Area	5,841 m ²
Retail	0 m ² GFA
Commercial	0 m ² GFA
Medium Density*	5,841 m ² GFA
Total Yield	5,841 m² GFA
Total Revenue	\$46.0M
Total Development Cost	\$22.3M
Selling Costs	\$2.0M
Residential Land Value	\$14.1M
Developer's target margin**	\$8.1M
RLV per m² (of site area)	\$2,405
Current Land Value (RP Data)	\$2,400

* Low-rise (walk-up) Apartment

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

8. Feasibility Outcome – Part of Site A zoned Mixed-Use FSR 2:1

- The Residual Land Value is that price which a developer can afford to pay to purchase the land knowing all the variable input costs associated with the proposed development in order to achieve the anticipated gross realisation.
- Residual land value is the surplus after development costs and profit have been deducted from the value of a completed development project.

$$\text{Residual Land Value (RLV)} = (\text{Value of the completed development}) - (\text{development costs}) - (\text{developer's profit})$$

- At a \$7.3 M land acquisition cost (i.e. \$2,499 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site C
FSR	2:1
Site Area	2,918 m ²
Retail	500 m ² GFA
Commercial	1,000 m ² GFA
Apartments*	4,437 m ² GFA
Total Yield	5,836 m² GFA
Total Revenue	\$42.8M
Total Development Cost	\$26.7M
Selling Costs	\$1.9M
Residential Land Value	\$7.3M
Developer's target margin**	\$7.4M
RLV per m² (of site area)	\$2,499
Current Land Value (RP Data)	\$2,400

* Residential buildings with lifts

** 20% on 'total development cost + selling costs + RLV (also inc. other land acquisition cost e.g. stamp duty)'

9. Feasibility Outcome – Part of Site A zoned residential FSR 1:1 (townhouse)

- Here we have tested a particular scenario, where developer(s) decides to amalgamate the existing residential lots (i.e. 2 lots) for their townhouse development, instead of medium density development (i.e. walk-up unit complex/apartments).
- We have assumed that there is no affordable housing under this scenario.
- We have assumed a site area of 1,000 m² after merging lots
- Building efficiency – 75%
- 2 storey development, span over basement carpark
- 3 bedroom & 2 toilets and 1 carpark
- Realisation rate (i.e. sales price) – assumed at \$9,550 per sq.m GFA
- At a \$1.9 M land acquisition cost (i.e. \$2,436 per sq.m site area), the project achieves the hurdle rate of 20% and the Net Present Value of this project becomes 0 (i.e. NPV break- even).

Feasibility Analysis	Site C - townhouse
FSR	0.8:1
Site Area	1,000 m ²
Retail	0 m ² GFA
Commercial	0 m ² GFA
Townhouses*	800 m ² GFA
Total Yield	800 m² GFA
Total Revenue	\$5.0M
Total Development Cost	\$2.1M
Selling Costs	\$0.2M
Residential Land Value	\$1.9M
Developer's target margin**	\$0.9M
RLV per m² (of site area)	\$2,436
Current Land Value (RP Data)	\$2,400

* 3 bedroom townhouses with basement carpark

** 20% on total development cost + selling costs

Affordable housing demand in Frenchs Forest

Final report



Northern Beaches Council
May 2017

Independent insight.



This report has been prepared for Northern Beaches Council. SGS Economics and Planning has taken all due care in the preparation of this report. However, SGS and its associated consultants are not liable to any person or entity for any damage or loss that has occurred, or may occur, in relation to that person or entity taking or not taking action in respect of any representation, statement, opinion or advice referred to herein.

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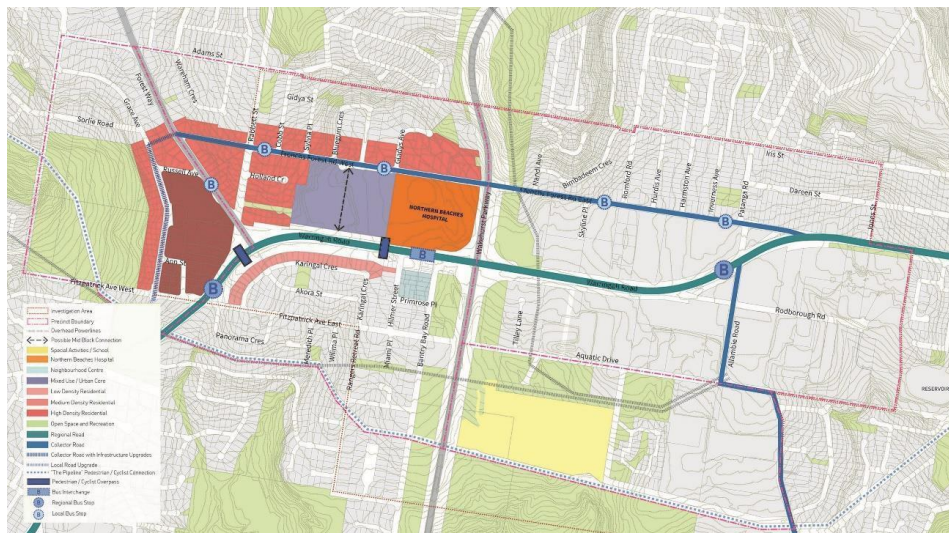
1 INTRODUCTION

SGS Economics and Planning has been commissioned by Northern Beaches Council to assess demand for affordable housing for key workers in Frenchs Forest associated with the realisation of the draft *Hospital Precinct Structure Plan* and determine a feasible proportion of floorspace for affordable housing to meet this demand.

1.1 Study area

This report considers the Hospital Precinct as defined in the draft *Hospital Precinct Structure Plan* as exhibited by Northern Beaches Council. The draft structure plan is shown in Figure 1.

FIGURE 1 . DRAFT HOSPITAL PRECINCT STRUCTURE PLAN



Source: Hames Sharley 2016

1.2 Scope of this report

This report provides a demand study and feasibility assessment for affordable housing in the Hospital Precinct. This report addresses:

- The policy and economic rationale for the provision of affordable rental housing for key workers within the Hospital Precinct
- The need for affordable rental housing within the Hospital Precinct
- The scope for securing such housing without unduly disrupting the development feasibility
- What the appropriate level of affordable housing contributions should be, in light of above considerations

This report builds upon the draft *Hospital Precinct Structure Plan* prepared by Hames Sharley (November 2016) as well as the findings of the *Northern Beaches Hospital Precinct Structure Plan*:

Feasibility Assessment prepared by MacroPlan Dimasi in March 2017 and the *Northern Beaches Affordable Housing Needs Assessment* prepared by Northern Beaches Council in December 2016 where appropriate.

1.3 Definition of key workers

This analysis focuses on housing affordability for key workers. This follows the emphasis placed on affordable housing for key workers in recent Council policy development, as noted in the *Northern Beaches Affordable Housing Needs Analysis*.

This study builds on the definition of key workers provided in the *Northern Beaches Affordable Housing Needs Analysis*. This definition includes occupations as defined by the Australian Bureau of Statistics' Australian and New Zealand Standard Classification of Occupations (ANZSCO). This definition includes 3-digit level occupations (i.e. categories of occupations with similar skill specialisation). The occupations considered to be key workers for the purpose of this report are:

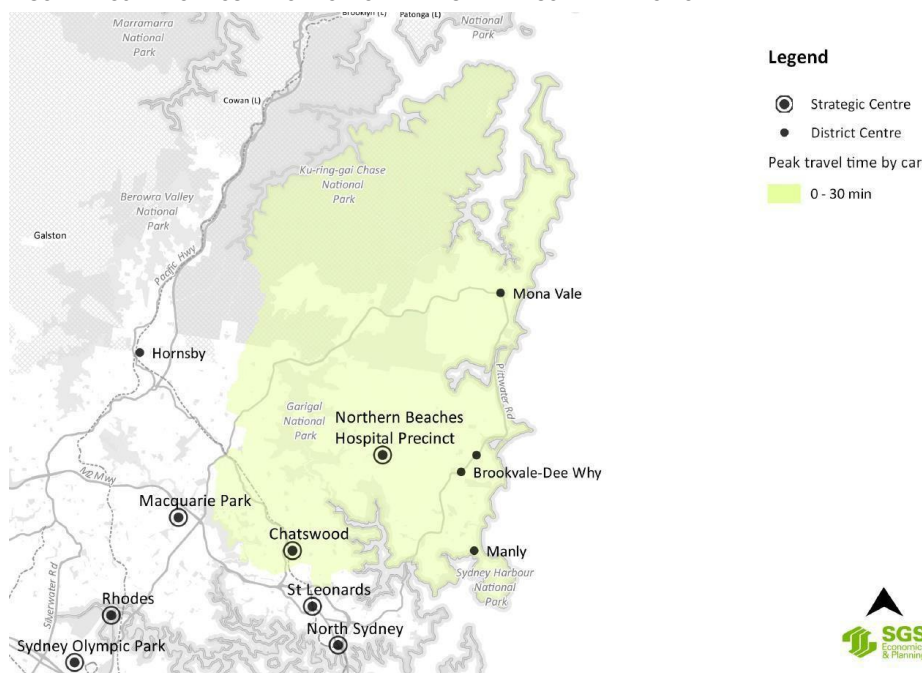
- School Teachers
- Midwifery and Nursing Professionals
- Hospitality Workers
- Personal Carers and Assistants
- Child Carers
- Defence Force Members, Fire Fighters and Police
- Carers and Aides
- Automobile, Bus and Rail Drivers
- Cleaners and Laundry Workers
- Sales Assistants and Salespersons

Catchment of key workers

For the purposes of this study, a catchment of key workers has been defined. This catchment is a 30 minute peak hour drive time from the Hospital Precinct and identifies households with at least one key worker working in the catchment at the 2011 Census, the most recent data available. A 30 minute catchment has been employed to reflect the average commuting time reported for Greater Sydney as published by the NSW Transport and Performance Analytics branch of Transport for NSW and the concept of the 30 minute city put forward in recent Federal and State government planning policies. At the 2011 Census, 23,081 key workers were employed in this catchment.

The catchment is shown in Figure 2 overleaf.

FIGURE 2 . 30 MINUTE COMMUTE CATCHMENT OF THE HOSPITAL PRECINCT



Source: SGS Economics and Planning 2017

1.4 Report structure

The subsequent chapters of this report are as follows:

Chapter 2: Policy and economic rationale for affordable housing	Provides an overview of the current policy framework for affordable housing development and the social and economic rationale for providing affordable housing in the Hospital Precinct.
Chapter 3: Rental affordability of the Hospital Precinct and surrounds	Assesses the rental affordability of the Hospital Precinct and surrounds under current market conditions for key workers.
Chapter 4: Affordable housing demand from key workers	Calculates current demand for affordable housing from key workers and future demand generated from the draft <i>Hospital Precinct Structure Plan</i> .
Chapter 5: Feasibility of affordable housing provision	Assess the feasibility of development of the Hospital Precinct with an affordable housing levy.
Chapter 6: Conclusion and recommendations	Summarises the findings and provides a recommendation for an affordable housing levy at the Hospital Precinct.

The following appendices have also been included:

Appendix A: Detailed policy review	A comprehensive review of relevant legislation, state and local planning and affordable housing policies.
Appendix B: Median rents by postcode	Median rents by postcodes and number of bedrooms for the key worker catchment applied to this study.
Appendix C: Centre case studies	Maps of the Travel Zones included for case studies.

2 POLICY AND ECONOMIC RATIONALE FOR AFFORDABLE HOUSING

2.1 Policy framework for the provision of affordable housing

The provision and maintenance of affordable housing is an Object of the *Environmental Planning and Assessment Act 1979*. The existing legislative framework enables select local government areas to levy affordable housing as a development contribution under *State Environmental Planning Policy No 70 Affordable Housing (Revised Schemes)*. This environmental planning instrument does not currently apply to land in the Northern Beaches local government area. NSW legislation also contains special development controls and permissibility for certain affordable housing developments, such as secondary dwellings, groups homes and infill affordable housing managed by community housing providers, under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Affordable housing in NSW is primarily provided through affordable rental housing managed by community housing providers. According to the Registrar of Community Housing, community housing providers across NSW managed approximately 34,000 dwellings in 2012/13. The vast majority of these are community housing dwellings for social housing tenants. Approximately 6,550 dwellings are managed as affordable rental housing.

Northern Beaches Council has recently prepared a *Northern Beaches Affordable Housing Needs Assessment* (2016) to understand the demand for affordable housing within the Northern Beaches local government area and the extent to which current provision of housing meets the needs of current and future residents. The document does not include recommendations; however, it does provide an overview of the current state of the provision of affordable housing and affordable rental housing as well as increasing demand from key workers employed in the local government area.

The *Northern Beaches Affordable Housing Needs Assessment* found that there were approximately 40,000 households in the Northern Beaches local government area falling within very low, low or moderate income households. This equates to approximately 52% of all households residing in the Northern Beaches local government area in 2011. The majority of within very low, low or moderate income households were also experiencing housing stress in 2011, with 69% of households with mortgages and 79% of renting households experiencing housing stress in 2011.

The *Northern Beaches Affordable Housing Needs Assessment* also found that this demand for affordable housing is likely to increase as the population of the local government area increases, household sizes reduce, and there are increases in key worker employment in the area. The *Northern Beaches Affordable Housing Needs Assessment* noted that this trend is likely to be exacerbated as the current supply of affordable housing is low and sales and rent prices continue to increase.

There have been several recent changes to the policy framework in NSW that may see increased provision of affordable housing. These changes have primarily occurred in the draft District Plans released in 2016 and prepared by the Greater Sydney Commission. The draft *North District Plan* provide an increased emphasis and direction for the planning and development of affordable Sydney across the district, proposing a target for the provision of affordable rental housing for low and very low income households.

The proposed Affordable Rental Housing Target proposes 5% to 10% of new floorspace at the rezoning stage to be dedicated to affordable housing. The target can only be applied in areas which have a demonstrated current or future need for affordable housing, subject to development feasibility, where additional housing capacity could be achieved through the rezoning. The target applies to new floorspace above the existing permissible floorspace. It is proposed that dwellings are secured by the relevant planning authority and passed on to a registered community housing provider to manage.

Affordable housing dwellings constructed under the Affordable Rental Housing Target are only to be provided to very low and low income households. The draft District Plans make clear that this does not preclude councils encouraging affordable rental housing to support moderate income households.

At the time of writing, Northern Beaches Council exhibited the *Draft Affordable Housing Policy*. This draft policy outlines a set of principles and policy statements designed to increase the range and supply of affordable housing in the local government area. The Draft Policy includes:

- Council is committed to an affordable rental housing target of 10% of all new floor space (subject to feasibility) in the Ingheside and Northern Beaches Hospital (Frenchs Forest) precincts and all 'spot' rezonings (planning proposals) in the Northern Beaches.
- Targets for the provision of affordable rental housing in other parts of the Council area will be established through feasibility analysis as part of Council's new local housing strategy.
- Mechanisms to deliver more affordable market-based or private housing will be investigated as part of Council's new local housing strategy.
- Council will enter into a relationship with a Tier 1 community housing provider to manage and deliver affordable rental housing in the Northern Beaches.
- Council will undertake an expression of interest for a Tier 1 community housing provider every five years.
- Council's preference is to transfer the title of affordable rental housing delivered to Council to a Tier 1 community housing provider.
- Council will give priority to key worker occupations as tenants of affordable rental housing in the Northern Beaches.

A detailed policy review is included in Appendix A.

2.2 Economic rationale for affordable housing

It is widely recognised that the provision of affordable housing to support very low, low and moderate income households produces significant social and economic benefits not only for residents of these dwellings but also for society at large.

Social impacts of affordable housing

Households and individuals who experience housing stress, particularly those who struggle to make regular rent payments, are likely to suffer heightened emotional and physical stress. The provision of affordable housing prevents housing stress from eventuating, avoiding emotional and physical stress and associated poor health and wellbeing outcomes.

Improved social cohesion may also result as households are able to remain in a community despite rising rent levels and/or reduced income. The provision of affordable housing also encourages a social mix within communities as people in a variety of occupations and with a variety of household incomes live together in a community.

The provision of affordable housing near places of work also reduces transport costs and transport times for households. The concentration of lower cost and lower rental households in less accessible locations can lead to spatial isolation. This can increase the severity of housing stress, as households are often forced to pay additional transport costs to access jobs.

The provision of affordable housing near employment not only reduces this additional stress and costs. Reduced travel times enable increased time for recreation, interaction with family, friends and community members, and overall improved quality of life.

Economic impacts of affordable housing

In direct terms, the provision of affordable housing provides households with increased income to spend on other essential items such as food, utilities, education and health services.

Economic efficiency can be improved through labour market productivity, as households and individuals are able to migrate to locations which have more job opportunities yet higher housing costs. Increases in labour productivity can improve the regional gross product and gross value added of local industries and businesses.

The provision of affordable housing can also assist with staff attraction and retention for local businesses. Affordable housing can help attract and retain key workers otherwise impeded by poor and expensive public transport connections to places of employment.

Increasing house prices can lead to inequity, with the wealth of existing owners growing, and non-owners increasingly shut out of the housing market. The provision of affordable housing provides a means to combat wealth inequality and provide an economically stable housing environment for residents to save for home purchase.

2.3 Implications

There is a clear social and economic rationale for the provision of affordable housing to improve the lives of key workers, and the functioning of the community and local economy. The development will provide a new 488-bed hospital, town centre and approximately 2,200 new dwellings supported by a major, albeit congested, road network and relatively poor public transport connections. Recent changes in the policy and strategic framework for Greater Sydney provides a new mechanism for the provision of affordable housing in the Hospital Precinct. This report considers an affordable housing levy in light of the proposed Affordable Rental Housing Target criteria prepared by the Greater Sydney Commission, and the commitment to a 10% affordable rental housing target of all new floorspace in line with Council's *Draft Affordable Housing Policy*.

3 RENTAL AFFORDABILITY OF HOSPITAL PRECINCT AND SURROUNDS

This Chapter assesses the rental affordability of the Hospital Precinct and surrounds under current market conditions. This assessment considers whether very low, low and moderate income households can be accommodated in the private rental market within a 30 minute commute of the Hospital Precinct.

3.1 Defining rental affordability

Rental bond data published by NSW Family and Community Services has been used to determine the median rental prices across the 30 minute commuting catchment for key workers servicing the Hospital Precinct and the future population of Frenchs Forest. Median rent prices for leases lodged are reported by postcode and number of bedrooms. Rental bond data for the September Quarter 2016 was the most recent data available at the time of writing. Median rents for each postcode and number of bedrooms are shown in Appendix B.

Two thresholds of affordability have been applied for very low, low, and moderate income households. The standard threshold for affordability is 30% of household income, that is housing costs (whether rent or a mortgage) is considered to be affordable if a household contributes less than 30% of the income (NSW Family and Community Services 2016). Paying more than 30% of household income to housing costs places a household in housing stress. A threshold of 50% of household income has also been applied in this analysis.

Table 4 below identifies the 30% and 50% income thresholds for very low, low, and moderate income households in Greater Sydney.

TABLE 1 . RENTAL AFFORDABILITY IN GREATER SYDNEY

Household	Maximum annual income	Weekly income	30% of weekly income	50% of weekly income
Very Low	\$42,300	\$811	\$243	\$405.62
Low	\$67,600	\$1,296	\$389	\$648.22
Moderate	\$101,400	\$1,945	\$583	\$972.33

Source: NSW Family and Community Services, 2016

Rent data has been collected from Family and Community Services' Rental Sales Reports. The most recent data available at the time of writing was September Quarter 2016.

The maps on the following pages illustrate the rental affordability of postcodes within a 30 minute catchment of the Hospital Precinct under current market conditions. For the purpose of these maps, postcodes are considered 'affordable' if the median weekly rent for the postcode is less than 30% of maximum weekly household income, 'unaffordable' if the median weekly rent falls between 30% and 50% of the maximum weekly household income, and 'significantly unaffordable' if the median weekly rent is greater than 50% of the maximum weekly household income. Postcodes with insufficient data (i.e. fewer than 10 properties were rented over the September Quarter) are shown in grey, indicating that there are few appropriate properties in that postcode.

3.2 Very low income households

Figure 3 and Figure 4 show the rental affordability of one and two bedroom dwellings respectively for households on very low incomes (less than \$42,300 annually) within the 30 minute driving catchment of Frenchs Forest.

FIGURE 3 . RENTAL AFFORDABILITY – VERY LOW INCOME HOUSEHOLDS, 1 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017

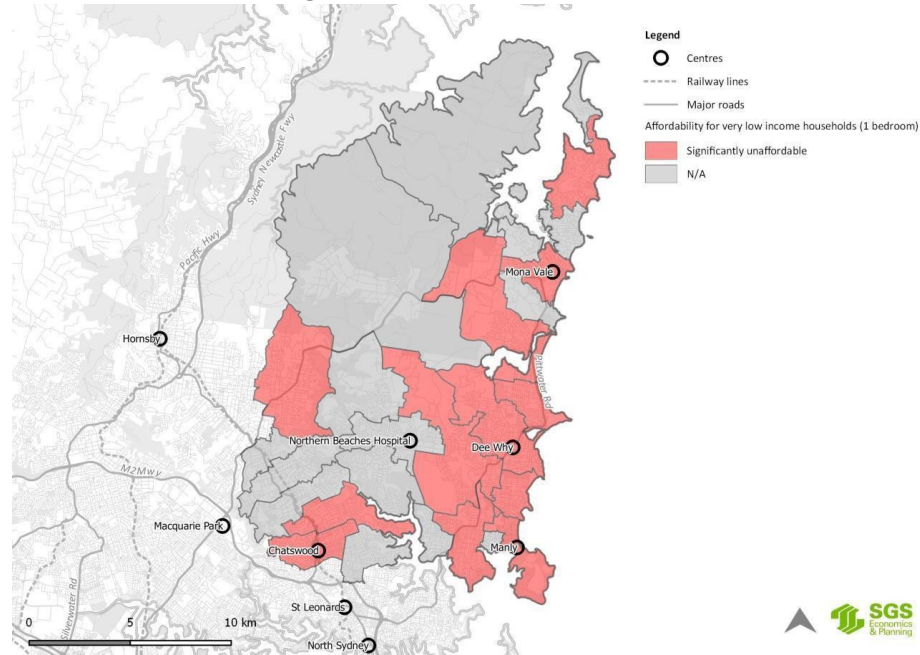
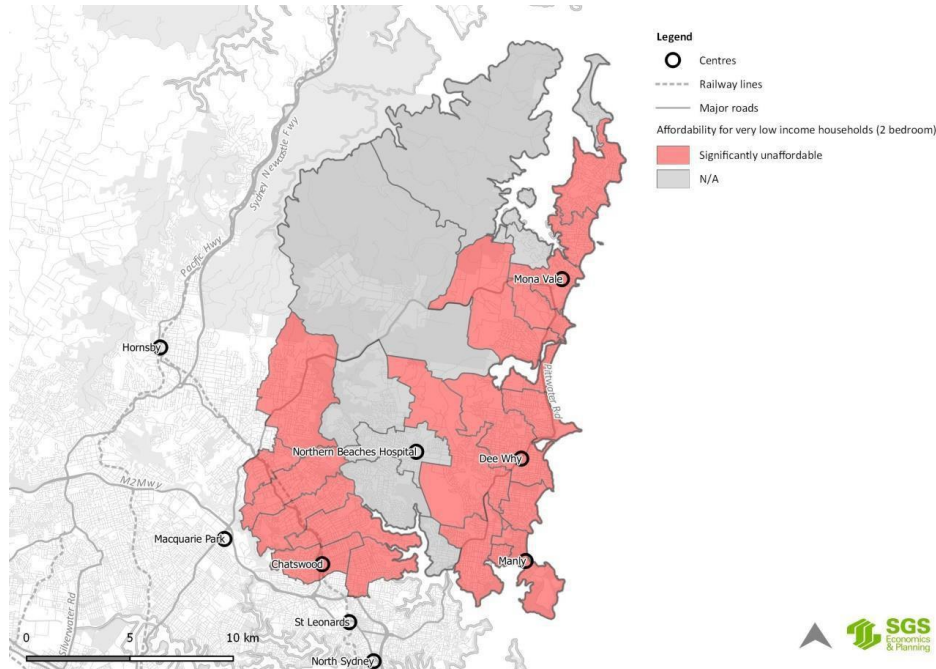


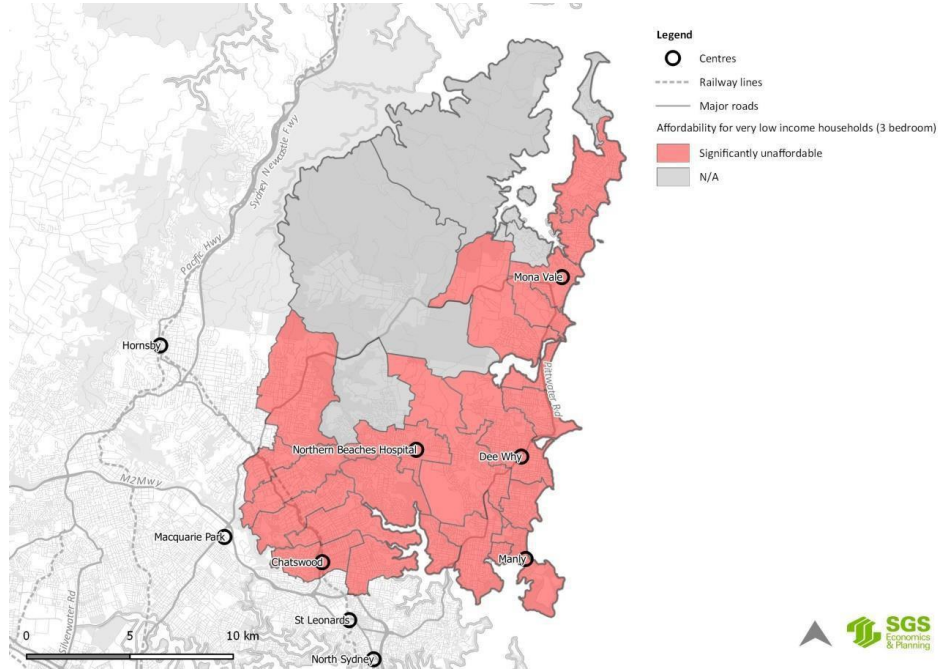
FIGURE 4 . RENTAL AFFORDABILITY – VERY LOW INCOME HOUSEHOLDS, 2 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

As illustrated, all the postcodes with available data are rated as significantly unaffordable for very low income households in both one and two bedroom dwellings. Similarly, rents for larger three and four bedroom dwellings are also rated as significantly unaffordable for these households across the catchment area, including around the Northern Beaches Hospital Precinct, as show in Figure 5 and Figure 6 respectively.

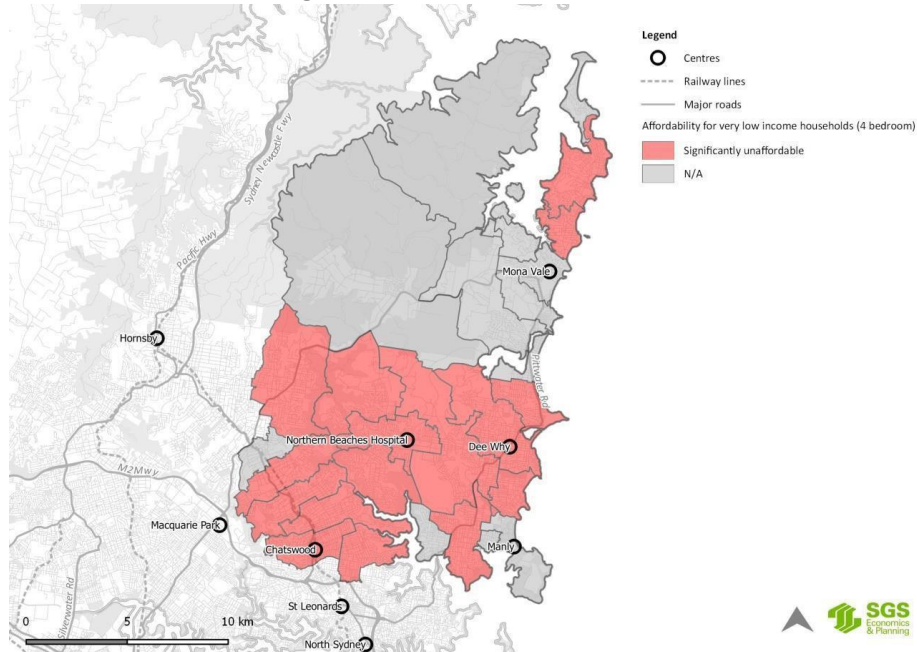
FIGURE 5 . RENTAL AFFORDABILITY – VERY LOW INCOME HOUSEHOLDS, 3 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

FIGURE 6 . RENTAL AFFORDABILITY – VERY LOW INCOME HOUSEHOLDS, 4 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017



3.3 Low income households

Figure 7 and Figure 8 illustrate the rental affordability of the 30 minute catchment for low income households (earning up to \$67,600 annually) for one bedroom and two bedroom dwellings respectively. For one bedroom dwellings, the postcodes with available data are rated as unaffordable. Rents for two bedroom dwellings across the area are largely rated as unaffordable, with pockets around Chatswood, Manly, Pymble and Warriewood that are significantly unaffordable.

FIGURE 7 . RENTAL AFFORDABILITY – LOW INCOME HOUSEHOLDS, 1 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017

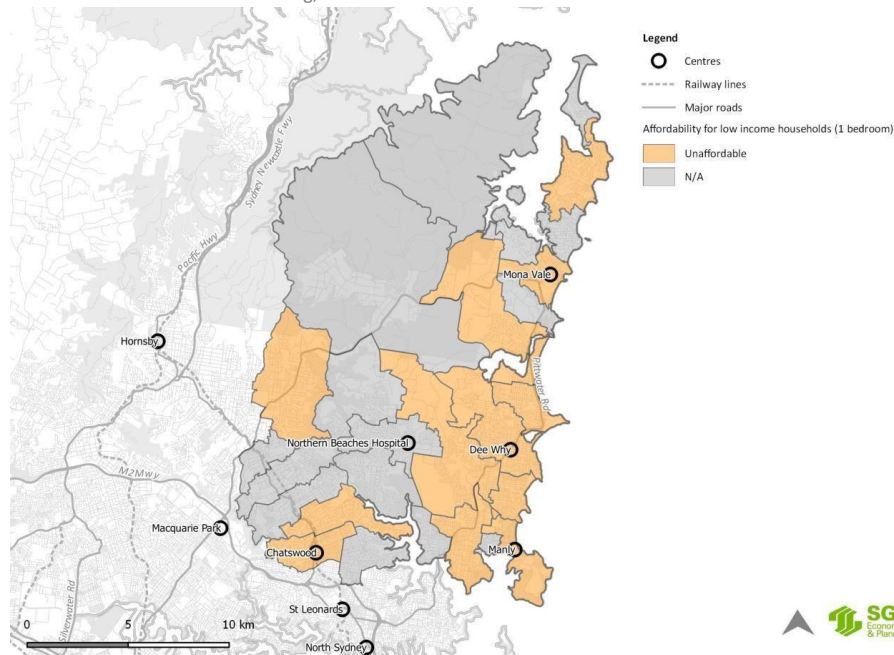
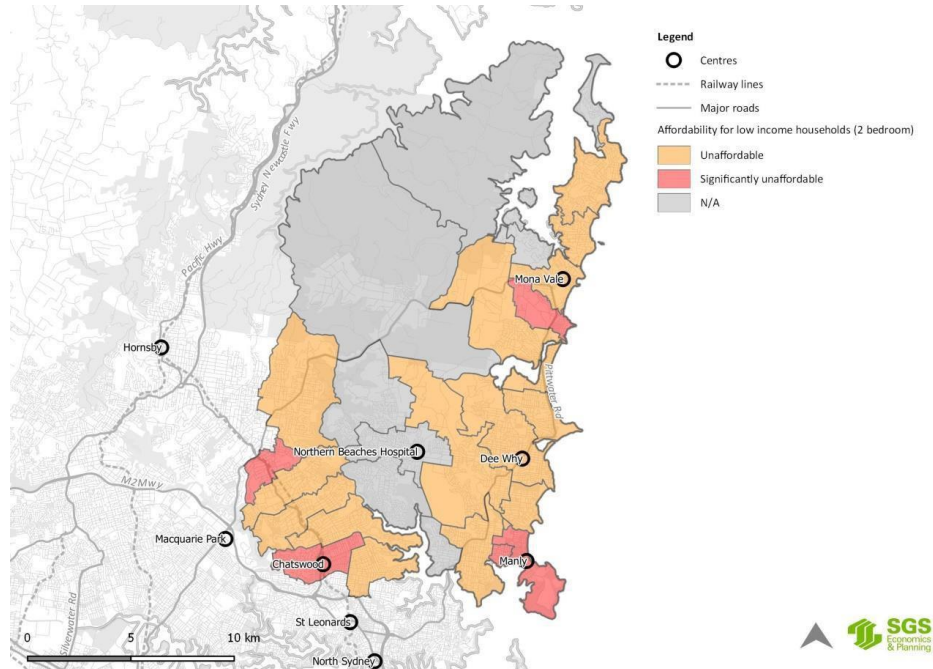


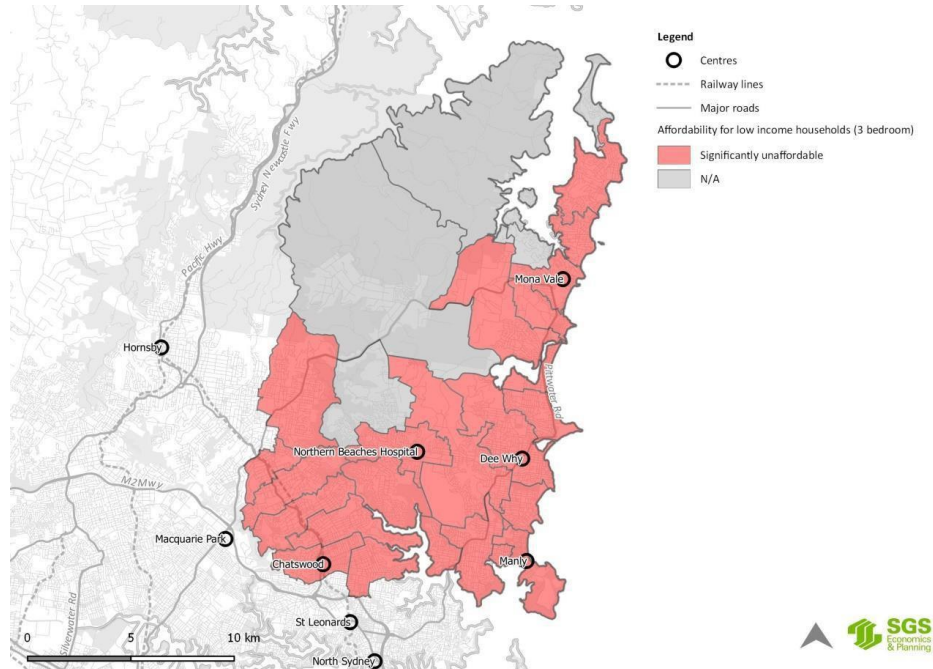
FIGURE 8 . RENTAL AFFORDABILITY – LOW INCOME HOUSEHOLDS, 2 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

Figure 9 and Figure 10 show the affordability of three and four bedroom dwellings respectively in the catchment area for households on low incomes. The figures illustrate that for these types of housing, all the areas within 30 minutes of Frenchs Forest (with available data) are significantly unaffordable, including around the Hospital Precinct.

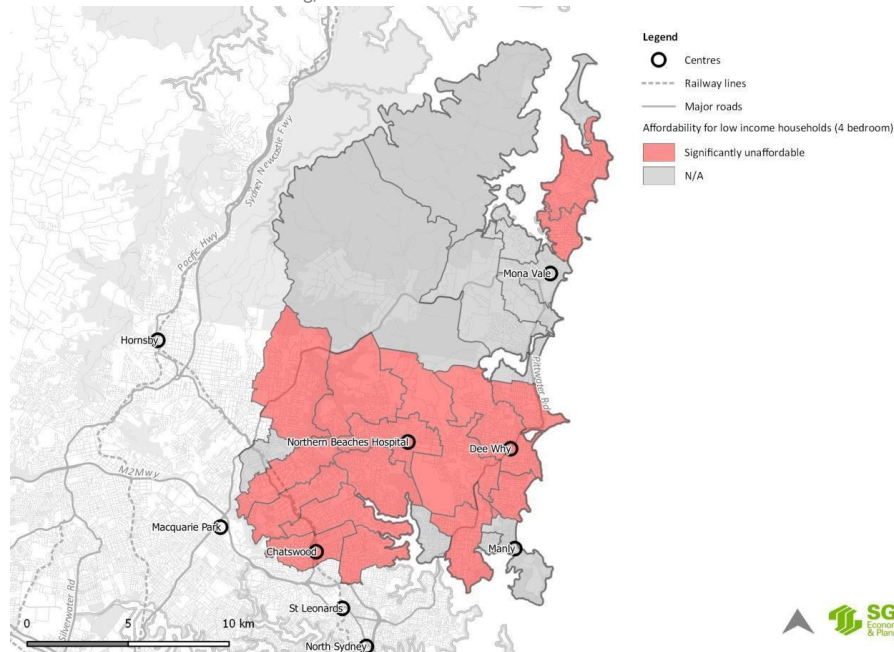
FIGURE 9 . RENTAL AFFORDABILITY – LOW INCOME HOUSEHOLDS, 3 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

FIGURE 10 . RENTAL AFFORDABILITY – LOW INCOME HOUSEHOLDS, 4 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017



3.4 Moderate income households

Figure 11 and Figure 12 show the affordability of one and two bedroom dwellings respectively for households on moderate incomes (up to \$101,400 annually) within a 30 minute drive. One bedroom dwellings for this household type are rated as affordable across the area, however for two bedroom dwellings there are only some pockets where rents remain affordable, including around Avalon Beach, Collaroy Plateau, Willoughby and Lindfield.

FIGURE 11 . RENTAL AFFORDABILITY – MODERATE INCOME HOUSEHOLDS, 1 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017

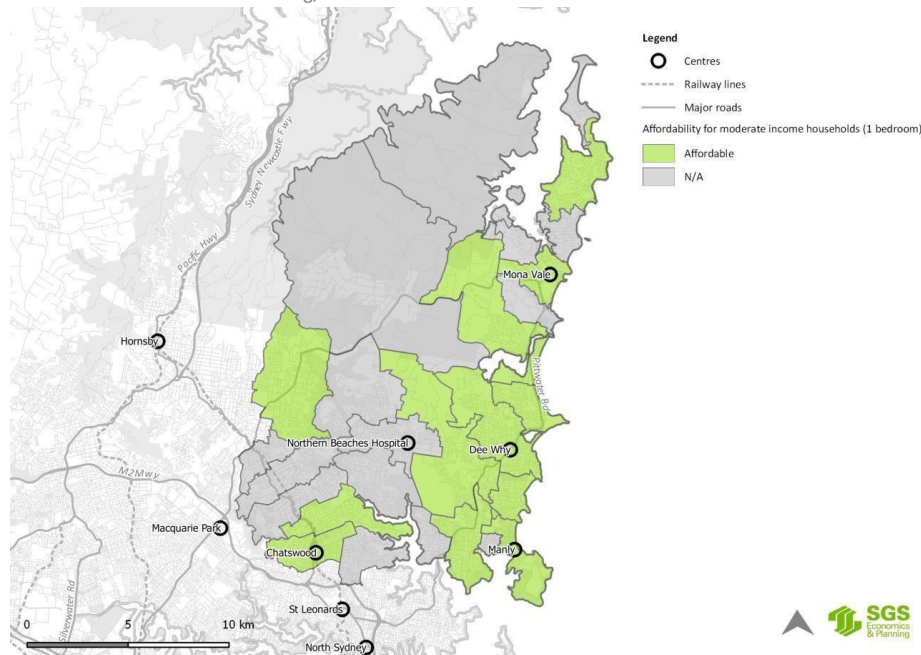
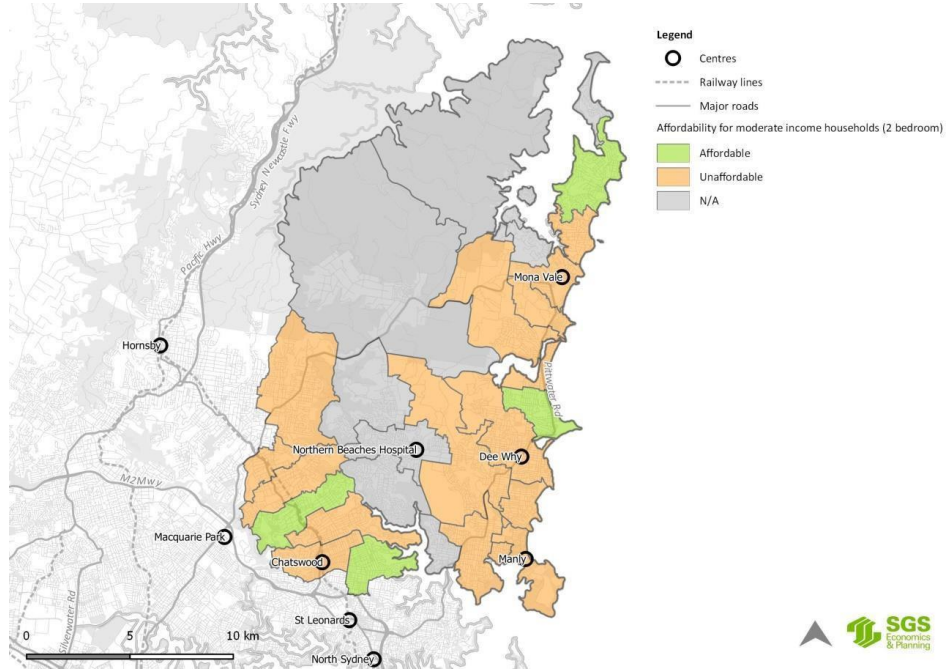


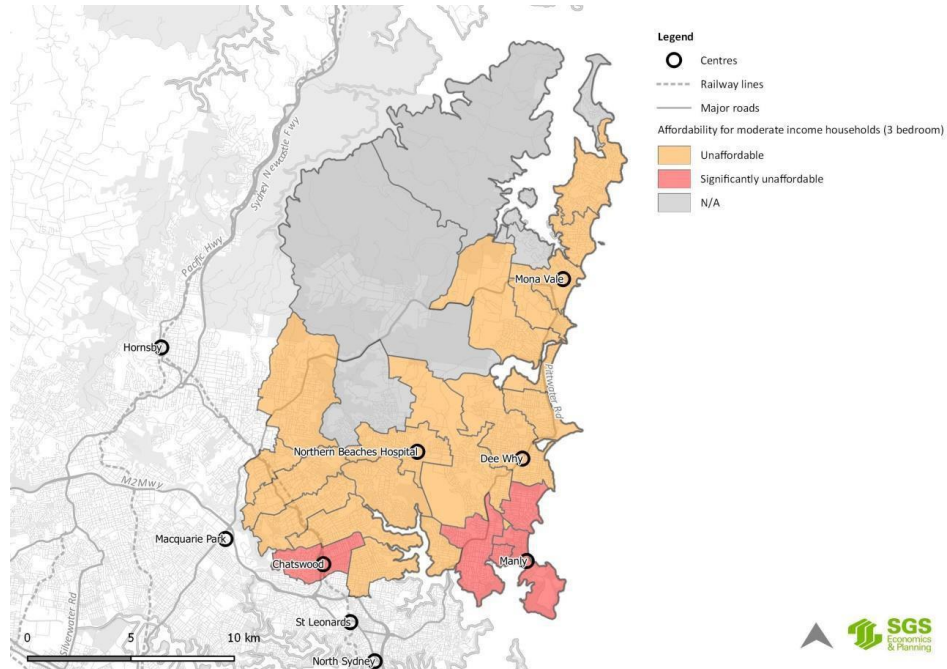
FIGURE 12 . RENTAL AFFORDABILITY – MODERATE INCOME HOUSEHOLDS, 2 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

Figure 13 and Figure 14 illustrate the rental affordability for moderate income households of three and four bedroom dwellings respectively. There are no areas within the 30 minute catchment rated as affordable for either three or four bedroom dwellings. Rents for three bedroom dwellings across the area are largely rated as unaffordable with the exception of areas around Chatswood and Manly which are significantly unaffordable. For four bedroom dwellings, the only area that is unaffordable rather than significantly unaffordable is around Forestville and Killarney Heights.

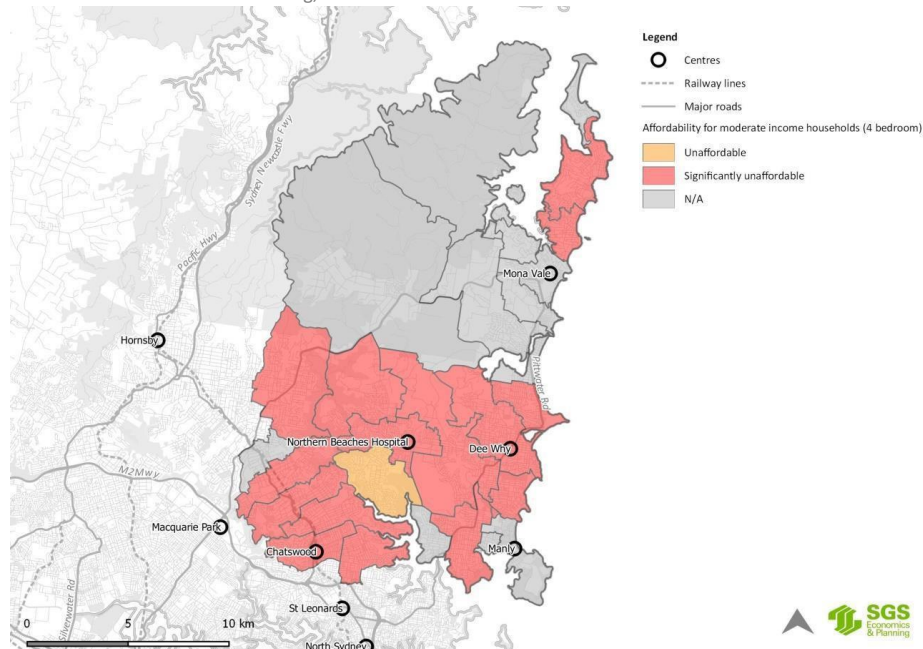
FIGURE 13 . RENTAL AFFORDABILITY – MODERATE INCOME HOUSEHOLDS, 3 BEDROOM DWELLINGS



Source: SGS Economics and Planning, 2017

FIGURE 14 . RENTAL AFFORDABILITY – MODERATE INCOME HOUSEHOLDS, 4 BEDROOM DWELLINGS

Source: SGS Economics and Planning, 2017



3.5 Implications

Based on the above analysis of rental affordability within a 30 minute drive catchment of Frenchs Forest, there is currently a limited amount of affordable rental housing available in the area. Very low and low income households in particular cannot be accommodated within the private rental market without contributing the majority of their income to housing costs.

The analysis shows that rents within the catchment for one, two, three and four bedroom dwellings are currently at unaffordable prices for households on very low incomes. In all locations, very low income households are required to pay over half of their household income to rent, or there are not a sufficient number of rental properties on offer. One and two bedroom dwellings across the area are also generally at the unaffordable level for low income households, while three and four bedrooms rentals are significantly unaffordable.

Rents for one bedroom dwellings within the catchment are affordable for households earning moderate incomes, and there are some pockets of rental affordability in two bedroom dwellings. However, for the most part, both two bedroom and three bedroom dwellings are unaffordable for moderate income households, with some areas also rated as significantly unaffordable and requiring over half of household income in rent payments. Four bedroom dwellings are also significantly unaffordable even for those on moderate incomes, with the exception of one area that is still rated as unaffordable.

Based on the available data, rental housing around the Hospital Precinct in particular is also unaffordable to significantly unaffordable for the different dwelling sizes, even for households on moderate incomes. This emphasises the lack of affordable rental accommodation for families and larger households requiring 3 or more bedrooms found in the *Northern Beaches Affordable Housing Needs Assessment*.

This suggests that there is a need for more provision of affordable rental housing within the catchment and the Hospital Precinct. This will be particularly important for key workers which the Hospital Precinct is intending to accommodate, particularly for those key worker households requiring more than one bedroom.

4 AFFORDABLE HOUSING DEMAND FROM KEY WORKERS

This Chapter analyses demand for affordable housing from key workers. Current demand from key workers employed within a 30 minute commute of the Hospital Precinct is determined, as well as future demand for affordable housing from the development of the precinct under the draft *Hospital Precinct Structure Plan*. Future demand has been determined through two approaches; demand generated by future residents and demand from employment uses in the Hospital Precinct.

4.1 Current key worker affordable housing demand

Current demand for key workers has been determined from 2011 Census household income, occupation and place of work data. The 2011 Census is the most recent data available at the time of writing. Household income data has been inflated to 2016 dollars using the Wage Price Index published by the Australian Bureau of Statistics. This inflation provides an estimate of household incomes in the September Quarter of 2016 from the most recent available data. This inflation assumes household income follows the same distribution in 2016.

Table 2 identifies the number of key workers by industry in the catchment that would qualify for affordable housing in line with the requirements in the 2016/17 *NSW Affordable Housing Ministerial Guidelines*. In total, 9,230 workers in key worker occupations have a household income which qualifies for affordable housing. This equates to 39.99% of all key workers employed in this catchment (23,081 workers).

Almost half of the households (4,351 or 47% of eligible key workers) reside in moderate income households with a household income of between 80% and 120% of the Greater Sydney median household income. As noted in Chapter 2, moderate income households would not qualify for affordable housing delivered under the Greater Sydney Commission's proposed Affordable Rental Housing Target. Approximately 4,800 key workers employed within a 30 minute commute of the Hospital Precinct reside in very low and low income households.

TABLE 2 . NUMBER OF KEY WORKERS ELIGIBLE FOR AFFORDABLE HOUSING

Household income category	Number of key workers	% of key workers
Very low	2,218	24.04%
Low	2,660	28.82%
Moderate	4,351	47.14%
Total	9,230	100.00%

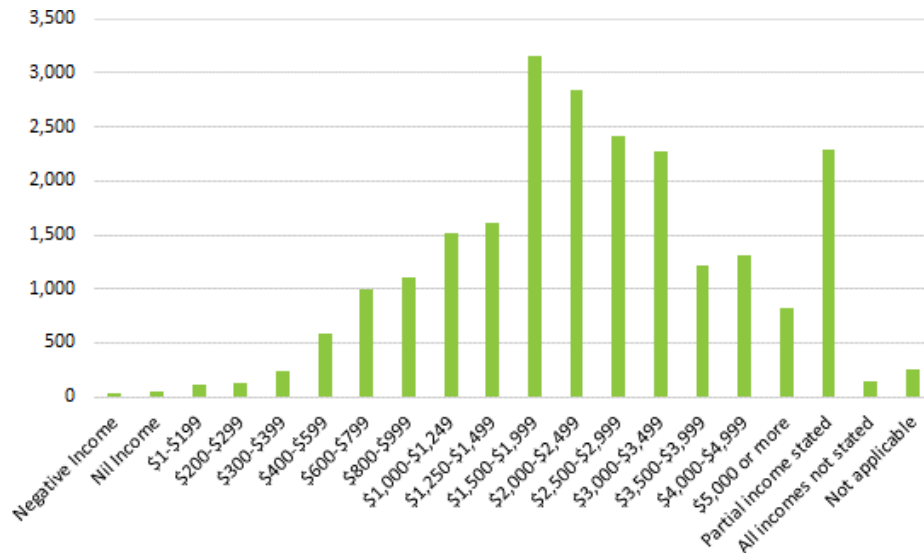
Source: SGS Economics and Planning 2017, using ABS 2011

Note: This table assumes a uniform distribution of key workers within each income bracket.

The income distribution of key workers in the 30 minute commute catchment is shown in Figure 15 overleaf. The figure shows that there are significant proportion of key worker households have incomes slightly higher than the affordable housing threshold. There are also a significant number of households with a key worker employed in the catchment area which have not stated their complete household

income. These households have been included in the overall count of key worker households and have been assumed to have household incomes that exclude them from affordable housing eligibility and may represent an underestimation of affordable housing demand.

FIGURE 15 . INCOME DISTRIBUTION OF ALL KEY WORKERS



Source: SGS Economics and Planning 2017, using ABS 2011

4.2 Additional demand associated with the draft Hospital Precinct Structure Plan

Demand for key workers from residential development

Table 3 overleaf illustrates the proportion of key worker households to the residential population of the key worker catchment. As at the 2011 Census, there were 339,092 residents in the key worker catchment. Key workers eligible for affordable housing equate to 2.72% of all residents in the 30 minute commute catchment. Applying this rate to the resident yield of new development in the Hospital Precinct suggests that this development creates demand for an additional 127 key workers who are eligible for affordable housing.

Assuming one key worker per household, this demand equates to 5.99% of the total dwellings proposed. Of these households, 30 are very low income households, 37 are low income households and 60 are moderate income households. Demand for affordable housing dwellings from key workers in very low and low income households equates to 3.16% of the total dwellings proposed.

**TABLE 3 . ESTIMATED FUTURE DEMAND FOR KEY WORKER AFFORDABLE HOUSING
BASED ON CURRENT PRO PORTION OF KEY WORKERS**

Household income category	Number of key workers	Proportion of all residents	Number of key workers per 1,000 residents	Number of key worker households to support new Hospital Precinct residents
Very low	2,218	0.65%	7	30
Low	2,660	0.78%	8	37
Moderate	4,351	1.28%	13	60
Total	9,230	2.72%	27	127

Source: SGS Economics and Planning 2017, using ABS 2011

Note: This table assumes a uniform distribution of key workers within each income bracket.

Demand from employment activities

The Northern Beaches Hospital Precinct is identified as a Strategic Centre in the draft *North District Plan* (discussed further in Appendix A). This distinction recognises the potential for Frenchs Forest as an employment destination anchored by the Northern Beaches Hospital. These employment activities are likely to generate demand from key workers employed in the Northern Beaches Hospital Precinct over and above demand required to support new residents.

The draft *Hospital Precinct Structure Plan* plans for an additional 2,350 jobs in Frenchs Forest in the short term. Of these new jobs, 1,300 of these will be at the Northern Beaches Hospital and 1,050 will be in the new Frenchs Forest town centre. Likely demand for affordable housing from key workers has been calculated for the new hospital and town centre separately.

Key worker affordable housing demand from the Northern Beaches Hospital

As noted above, the new Northern Beaches Hospital is expected to contain 1,300 jobs in the short term. Employment at the hospital is expected to increase to 1,900 in 2036. In the absence of a publicly available breakdown of workers forecast for the Northern Beaches Hospitals, the breakdown of occupations in NSW hospitals has been applied from the Australian Institute of Health and Wellbeing's *Hospital resources: 2014-15: Australian Hospital Statistics*.

For the purpose of this analysis, key worker demand from the Northern Beaches Hospital considers demand from key workers in Midwifery and Nursing Professional occupations. It is recognised that some key workers, including some workers in Cleaners and Laundry Workers and Personal Carers and Assistants occupations, may also be employed at the hospital. However, *Hospital resources: 2014-15: Australian Hospital Statistics* does not provide an appropriate breakdown to identify these occupations. All occupations other than Midwifery and Nursing Professionals are considered in demand generated from the town centre and demand from the Northern Beaches Hospital may represent an undercount.

Across NSW hospitals, 41.82% of all FTE staff are nurses¹. At the Northern Beaches Hospital, this would equate to 544 FTE staff employed as nurses. As noted in section 4.2, 39.99% of key workers currently employed within a 30 minute driving catchment of the Northern Beaches Hospital Precinct are eligible for affordable rental housing in line with the 2016/17 *NSW Affordable Housing Ministerial Guidelines*. Applying these assumptions and assuming one key worker per household, the Northern Beaches Hospital is likely to generate demand for 217 affordable housing dwellings. This equates to 10.27% of all dwellings proposed for under the draft *Hospital Precinct Structure Plan*.

Table 4 overleaf provides a breakdown of likely demand applying the income distribution assumptions outlined in section 4.2. Under these assumptions, and assuming one key worker per household, 52 households would be very low income households, 63 would be low income households and 102 would be moderate income households. Demand for affordable housing dwellings from key workers in very low and low income households equates to 5.43% of the total dwellings proposed.

¹ Australian Institute of Health and Wellbeing (2016) *Hospital resources: 2014-15: Australian Hospital Statistics*.

Attachment 3

**TABLE 4 . ESTIMATED FUTURE DEMAND FOR KEY WORKER AFFORDABLE HOUSING FROM
NORTHERN BEACHES HOSPITAL**

Household income category	Number of key worker households eligible for affordable housing	Proportion of all dwellings
Very low	52	2.47%
Low	63	2.96%
Moderate	102	4.84%
Midwifery and Nursing Professionals	217	10.27%

Source: SGS Economics and Planning 2017, using AIHW 2016, ABS 2011

Note: This table assumes a uniform distribution of key workers within each income bracket.

Key worker affordable housing demand from the Frenchs Forest town centre

A number of case studies have been reviewed to provide an indication of key worker demand stemming from the development of the new Frenchs Forest town centre. These case studies are centres in the North District of Greater Sydney which contain a public hospital. These centres are:

- Mona Vale (Mona Vale Hospital)
- Manly (Manly Hospital)
- Hornsby (Hornsby-Ku-ring-gai Hospital)
- Denistone-Eastwood (Ryde Hospital)
- North Ryde (Gladesville-Macquarie Hospital)
- St Leonards (Royal North Shore Hospital)

Current occupations in these centres have been determined from the Travel Zone/s that contain the centre and the hospital as defined by NSW Transport Performance and Analytics. Maps of the Travel Zones that make up these centres are included in Appendix C. The proportion of key worker occupations of all workers in each centre has been calculated, as well as the proportion of key workers eligible for affordable housing. As per the demand assessment from the Northern Beaches Hospital, it is assumed 39.99% of key workers would be in households eligible for affordable housing.

In order to avoid double counting, hospital occupations have been excluded from this demand analysis. To exclude these occupations, medical and administrative occupations associated with hospital operations that are located in the Travel Zone with the hospital have been removed. Workers in these occupations located in the centre (i.e. in the other Travel Zones that make up the centre) are still included. In some cases (i.e. St Leonards and North Ryde), part of the centre falls within the hospital Travel Zone. These assumptions may result in an undercount of key worker demand generated from workers in the Frenchs Forest town centre.

The proportion of key worker jobs in these centres ranges from 8.29% and 29.49% of all jobs in these centres. This equates to key workers in households eligible for affordable housing ranging between 3.31% and 11.76% of all workers in the centre. The median proportion of key workers eligible for affordable housing is 7.36% of all jobs in the centre. The proportion of key workers in the centre case studies are shown in Table 5 overleaf.

Attachment 3

TABLE 5 . KEY WORKERS IN CASE STUDY CENTRES

	Proportion of key workers of all jobs	Proportion of key workers eligible for affordable housing	Equivalent key workers in the Frenchs Forest town centre
Mona Vale	22.01%	8.80%	92
Manly	9.07%	3.63%	38
Hornsby	29.42%	11.76%	123
Denistone	14.81%	5.92%	62
North Ryde	24.19%	9.67%	102
St Leonards	8.29%	3.31%	35
Median	18.41%	7.36%	77

Source: SGS Economics and Planning 2017, using TPA 2014 and ABS 2011

For the Frenchs Forest town centre, which is planned for 1,050 jobs in the short term, this equates to 77 key workers eligible for affordable housing. Assuming one key worker per household, this equates to 3.64% of all new dwellings planned for the Hospital Precinct. Demand for affordable housing from key workers employed in the new Frenchs Forest town centre would equate to 19 very low households, 22 low income households and 36 moderate income households. Demand for affordable housing dwellings from key workers in very low and low income households equates to 1.92% of the total dwellings proposed.

TABLE 6 . ESTIMATED FUTURE DEMAND FOR KEY WORKER AFFORDABLE HOUSING FROM FRENCHS FOREST TOWN CENTRE

Household income category	Number of key worker households eligible for affordable housing	Proportion of all dwellings
Very low	19	0.87%
Low	22	1.05%
Moderate	36	1.72%
Total	77	3.64%

Source: SGS Economics and Planning 2017, using TPA 2014 and ABS 2011

Total demand from employment in the Hospital Precinct

Table 7 shows the total likely demand for affordable housing generated by key workers employed in the Hospital Precinct. In total, there is likely demand for affordable housing for 294 key workers in the Hospital Precinct. Assuming one key worker per household, this equates 13.91% of all new housing proposed. If only very low and low income households are considered, key worker demand for affordable housing equates to 7.35% of all dwellings proposed.

TABLE 7 . ESTIMATED FUTURE DEMAND FOR KEY WORKER AFFORDABLE HOUSING FROM EMPLOYMENT

	Hospital	% of all dwellings	Town centre	% of all dwellings	Key worker affordable housing	% of all dwellings
Very low	52	2.47%	19	0.87%	71	3.34%
Low	63	2.96%	22	1.05%	85	4.01%
Moderate	102	4.84%	36	1.72%	139	6.56%
Total	217	10.27%	77	3.64%	294	13.91%

Source: SGS Economics and Planning 2017, using AIHW 2016, TPA 2014 and ABS 2011

Attachment 3

4.3 Summary

The Hospital Precinct has demonstrated current and future demand for affordable housing to support key workers. There are currently 9,230 key workers employed within a 30 minute catchment of the Hospital Precinct who reside in households eligible for affordable housing in accordance with the 2016/17 NSW *Affordable Housing Ministerial Guidelines*.

Future demand for affordable housing from key workers has been calculated considering demand to support the new residents of the Hospital Precinct (5.99% of all dwellings (127 dwelling or approximate 12,700sqm of residential floorspace)) and from proposed employment uses in the Hospital Precinct (13.91% of all dwellings (294 dwellings or approximately 29,400sqm of residential floorspace)).

If only very low and low income households are considered as per the proposed Affordable Rental Housing Target, affordable housing demand from key workers would equate to 3.16% of all dwellings proposed if only demand from residents is considered (the equivalent of 67 dwellings or approximately 6,700sqm of residential floorspace). If demand from employment uses is considered, there is likely demand for 156 affordable housing dwellings to support key workers. This equates to 7.35% of all dwellings proposed or approximately 15,600sqm of residential floorspace.

5 FEASIBILITY OF AFFORDABLE HOUSING PROVISION

The previous chapters have established there is likely demand for up to 294 affordable housing dwellings from key workers in the Hospital Precinct from new development under the draft *Hospital Precinct Structure Plan* in addition to existing demand for affordable housing. Chapter 3 also demonstrated that this demand cannot be met under current market conditions, especially for very low and low income households.

This Chapter tests the feasibility of providing affordable housing through developer contributions to meet this forecast likely demand. The feasibility assessment builds on the *Northern Beaches Hospital Precinct Structure Plan: Feasibility Assessment* prepared by MacroPlan Dimasi in March 2017. The methodology and assumptions used to inform the feasibility assessment are outlined as well as the results of the affordable housing contribution scenarios tested.

5.1 Feasibility modelling methodology

For the purpose of the report, the feasibility assessment considers the financial viability of the precinct as a whole rather than the feasibility of individual development sites. This differs from the approach adopted by MacroPlan Dimasi. A precinct-wide feasibility assessment has been employed as the nature of development sites and the amalgamation of lots is unknown and floorspace for affordable housing would be levied across the precinct.

A bespoke residual land value model has been developed by SGS to test the feasibility of development in the Hospital Precinct. The model calculates the residual land value of the development by deducting all the development costs from the sales revenues of all new dwellings and commercial development in the current market. The development costs include the construction costs plus contingencies, professional fees, typical profit margin for the developer, interest charges and sales transaction costs.

This model aims to determine the threshold for an affordable housing levy, i.e. the point beyond which the proportion of affordable housing levied makes the development unviable. The development is usually considered feasible when the residual land value is greater than the current land value.

A levy on non-residential floorspace developed as part of the draft *Hospital Precinct Structure Plan* has also been tested as part of this assessment. A levy of 1% for all non-residential floorspace has been tested. This is in accordance with available precedent in NSW in the *Sydney Local Environmental Plan 2012*.

Attachment 3

5.2 Key inputs and assumptions

Development form and land use mix

Assumptions for dwelling and land use mix and dwelling size applied in the *Northern Beaches Hospital Precinct Structure Plan: Feasibility Assessment* have been obtained from MacroPlan Dimasi and incorporated in this analysis.

Land values

Land value assumptions have been taken from the *Northern Beaches Hospital Precinct Structure Plan: Feasibility Assessment*. The land value applied for this analysis is \$2,300 per square metre of developable land.

Land development costs

The following land development costs have been considered as part of this analysis:

- Construction costs for different built forms, including a mix of dwelling types, including construction contingency
- Professional fees
- GST
- External works and services
- Infrastructure contributions
- Key worker housing levy

Construction costs

Construction costs have been taken from *Rawlinsons Construction Cost Guide (Rawlinsons)*. *Rawlinsons* is widely recognised as an industry standard and reference guide for construction costs across Australia and a variety of built forms. Costs are included at a per square metre rate. A construction contingency of 10% of construction costs has also been applied.

Professional fees and external works and services

These costs assumptions represent a percentage of the construction costs. For the purposes of this assessment, professional fees are assumed to be 15% of construction and external works and services represent 3% of construction costs.

Infrastructure contributions

As per the *Northern Beaches Hospital Precinct Structure Plan: Feasibility Assessment*, a \$20,000 Special Infrastructure Contribution per dwelling is assumed in addition to local infrastructure development contributions of \$20,000 per dwelling.

In addition to these infrastructure levies, a levy for key worker housing has been applied to provide affordable housing for key workers to meet the likely demand established in Chapter 4. The feasibility assessment treats an affordable housing contribution as a development contribution in accordance with the current legislative framework (i.e. SEPP 70).

Transaction costs

Transaction costs considered as part of this analysis include:

- Sales expenses
- Interest charges

Sales expenses are assumed to represent 4% of the sales revenue for each dwelling. Interest charges area based on an interest rate of 10% p.a. over a two year construction period.

Attachment 3

Sales revenue

Sales revenue assumptions have been applied from the *Northern Beaches Hospital Precinct Structure Plan: Feasibility Assessment* as follows:

- Townhouses
 - 1 bedroom - \$8,500 per square metre
 - 2 bedroom - \$8,500 per square metre
 - 3 bedroom - \$8,500 per square metre
- Apartments
 - 1 bedroom - \$10,500 per square metre
 - 2 bedroom - \$11,000 per square metre
 - 3 bedroom - \$11,000 per square metre
- Retail - \$7,000 per square metre
- Commercial/Other - \$6,500 per square metre

5.3 Feasibility results

Exhibited development scenario

Using the aforementioned inputs and assumptions, the residual land value of the development of the draft *Hospital Precinct Structure Plan* with a key worker affordable housing levy has been calculated. The development of the Hospital Precinct as exhibited in the draft *Hospital Precinct Structure Plan* is not feasible. This is regardless of whether an affordable housing levy is applied to the development or not. The feasibility calculations are shown overleaf in Table 8.

It is important to note that this feasibility assessment considers current market conditions. It is likely that market conditions will shift into the future, which in turn impacts the revenue and costs assumptions applied in this analysis. Prices may change to absorb costs associated with the development of affordable rental housing, as had been forecasted for costs associated with BASIX requirements², however it is difficult to predict such price movement, as it can be impacted by a range of other market factors, including increasing demand for housing.

² Allen Consulting Group 2013, *Benefit-cost analysis of proposed BASIX stringency settings*, Report to the Department of Planning and Infrastructure, Sydney, June.

Attachment 3

TABLE 8 . FEASIBILITY RESULTS – EXHIBITED DEVELOPMENT SCENARIO

Affordable housing levy	0.00%
<hr/>	
Costs	\$
Townhouses	\$45,258,353
Apartments	\$407,439,371
Retail	\$48,750,000
Office	\$3,864,000
Total Dwelling Costs	\$505,311,724
External works and services	\$15,159,352
Construction contingency	\$50,531,172
Professional fees	\$75,796,759
Construction GST	\$50,531,172
Local Infrastructure Contributions	\$42,320,000
SIC	\$42,320,000
Interest charges	\$156,394,036
Developer's profit margin	\$156,394,036
TOTAL Construction Costs	\$1,094,758,250
<hr/>	
Revenue	
Townhouses	
1 bedroom	\$48,266,400
2 bedroom	\$83,538,000
3 bedroom	\$49,857,600
Apartments	
1 bedroom	\$793,346,400
2 bedroom	\$624,393,000
3 bedroom	\$115,434,000
Retail	\$148,750,000
Office	\$12,240,000
Sales expenses	(\$75,033,016)
AH contributions - Res only	\$0.00
AH contributions - Non-res	\$0.00
TOTAL Revenue	\$1,800,792,384
<hr/>	
Residual Land Value	\$706,034,134
Current Land Value	\$727,798,200
Feasibility Ratio	0.97

Source: SGS Economics and Planning, 2017

Attachment 3

Alternate floorspace ratio scenario

An alternate development scenario has been prepared in light of the results of the feasibility test shown in Table 8, the findings of feasibility testing for individual sites prepared by MacroPlan Dimasi and the draft policy commitments of Northern Beaches Council. MacroPlan Dimasi's report found that the five individual sites tested were not feasible under the development controls as exhibited in the draft *Hospital Precinct Structure Plan*. This is consistent with the findings shown in Table 8. MacroPlan Dimasi's report suggested changes to development controls, primarily through increased floorspace ratios, to improve the feasibility of individual developments in the Northern Beaches Hospital Precinct

Separately, a commitment to 10% residential floorspace levy for affordable rental housing at the Northern Beaches Hospital Precinct has been included in Council's *Draft Affordable Housing Policy*. A similar draft commitment is made for the Ingleside precinct.

Furthermore, revised traffic modelling has been prepared as part of the Hospital Precinct planning process has indicated additional development capacity may be achievable without comprising the road network in and around the precinct.

In light of these factors, increased floorspace ratios have been tested alongside a 10% affordable housing levy for residential floorspace. Revised floorspace ratios have been provided by Council. This analysis assumes approximately 3,680 dwellings in the Hospital Precinct in line with revised traffic modelling prepared by ARUP.

The results of the feasibility testing are shown in Table 9 overleaf. Under the alternate floorspace development scenario, a 10% affordable housing levy would be feasible under current market conditions. This equates to approximately 36,347sqm of residential floorspace.

An affordable housing levy up to 18.00% of all residential floorspace has been found to be feasible under current market conditions. Table 10 overleaf outlines the feasibility calculations for the Hospital Precinct for this threshold levy. Under the alternate FSR development scenario, this equates to approximately 65,290sqm of residential floorspace.

A 1% affordable housing levy on non-residential floorspace has also been tested, as shown in Table 11. With the inclusion of a 1% levy on non-residential floorspace, an affordable housing levy on residential floorspace is feasible up to 17.90% of all residential floorspace. Along with a 1% levy on non-residential floorspace, this equates to approximately 65,564sqm of floorspace.

Attachment 3

TABLE 9 . FEASIBILITY RESULTS – ALTERNATE FSR DEVELOPMENT SCENARIO – 10% LEVY

Affordable housing levy	10.00%
<hr/>	
Costs	\$
Townhouses	\$32,638,235
Apartments	\$814,248,188
Retail	\$48,750,000
Office	\$3,864,000
Total Dwelling Costs	\$899,500,424
External works and services	\$26,985,013
Construction contingency	\$89,950,042
Professional fees	\$134,925,064
Construction GST	\$89,950,042
Local Infrastructure Contributions	\$72,540,000
SIC	\$72,540,000
Interest charges	\$277,278,117
Developer's profit margin	\$277,278,117
TOTAL Construction Costs	\$1,940,946,818
<hr/>	
Revenue	
Townhouses	
1 bedroom	\$34,807,500
2 bedroom	\$60,243,750
3 bedroom	\$35,955,000
Apartments	
1 bedroom	\$992,864,712
2 bedroom	\$1,272,512,158
3 bedroom	\$826,816,254
Retail	\$148,750,000
Office	\$12,240,000
Sales expenses	(\$135,367,575)
AH contributions - Res only	(\$322,319,937.38)
AH contributions - Non-res	\$0.00
TOTAL Revenue	\$2,926,501,861
<hr/>	
Residual Land Value	\$985,555,043
Current Land Value	\$727,798,200
Feasibility Ratio	1.35

Source: SGS Economics and Planning 2017

Attachment 3

**TABLE 10 . FEASIBILITY RESULTS – ALTERNATE FSR DEVELOPMENT SCENARIO – THRESHOLD
LEVY ON RESIDENTIAL FLOORSPACE**

Affordable housing levy	18.00%
<hr/>	
Costs	\$
Townhouses	\$32,638,235
Apartments	\$814,248,188
Retail	\$48,750,000
Office	\$3,864,000
Total Dwelling Costs	\$899,500,424
External works and services	\$26,985,013
Construction contingency	\$89,950,042
Professional fees	\$134,925,064
Construction GST	\$89,950,042
Local Infrastructure Contributions	\$72,540,000
SIC	\$72,540,000
Interest charges	\$277,278,117
Developer's profit margin	\$277,278,117
TOTAL Construction Costs	\$1,940,946,818
<hr/>	
Revenue	
Townhouses	
1 bedroom	\$34,807,500
2 bedroom	\$60,243,750
3 bedroom	\$35,955,000
Apartments	
1 bedroom	\$992,864,712
2 bedroom	\$1,272,512,158
3 bedroom	\$826,816,254
Retail	\$148,750,000
Office	\$12,240,000
Sales expenses	(\$135,367,575)
AH contributions - Res only	(\$580,076,780.62)
AH contributions - Non-res	\$0.00
TOTAL Revenue	\$2,668,745,018
<hr/>	
Residual Land Value	\$727,798,200
<hr/>	
Current Land Value	\$727,798,200
<hr/>	
Feasibility Ratio	1.00

Source: SGS Economics and Planning 2017

Attachment 3

**TABLE 11 . FEASIBILITY RESULTS – ALTERNATE FSR DEVELOPMENT SCENARIO –
THRESHOLD LEVY ON RESIDENTIAL AND NON - RESIDENTIAL FLOORSPACE**

Affordable housing levy – res floorspace	17.90%
Affordable housing levy – non-res floorspace	1.00%
<hr/>	
Costs	\$
Townhouses	\$32,638,235
Apartments	\$814,248,188
Retail	\$48,750,000
Office	\$3,864,000
Total Dwelling Costs	\$899,500,424
External works and services	\$26,985,013
Construction contingency	\$89,950,042
Professional fees	\$134,925,064
Construction GST	\$89,950,042
Local Infrastructure Contributions	\$72,540,000
SIC	\$72,540,000
Interest charges	\$277,278,117
Developer's profit margin	\$277,278,117
TOTAL Construction Costs	\$1,940,946,818
<hr/>	
Revenue	
Townhouses	
1 bedroom	\$34,807,500
2 bedroom	\$60,243,750
3 bedroom	\$35,955,000
Apartments	
1 bedroom	\$992,864,712
2 bedroom	\$1,272,512,158
3 bedroom	\$826,816,254
Retail	\$148,750,000
Office	\$12,240,000
Sales expenses	(\$135,367,575)
AH contributions - Res only	(\$576,952,687.91)
AH contributions - Non-res	(\$1,609,900.00)
TOTAL Revenue	\$2,670,259,211
<hr/>	
Residual Land Value	\$729,312,393
Current Land Value	\$727,798,200
Feasibility Ratio	1.00

Source: SGS Economics and Planning 2017

Attachment 3

Monetary payment in lieu of in kind contribution

Under section 94F of the *Environmental Planning and Assessment Act 1979*, consent authorities that can levy affordable housing under that provision can require the dedication of land, a monetary contribution, or both for the purposes for affordable housing. This section provides an indication of the equivalent monetary contribution in lieu of residential floorspace for the alternate floorspace ratio scenario outlined above.

The monetary contribution has been calculated as a percentage of the sales price per square metre. The same percentage that is applied to residential floorspace is applied to the average sales price per square metre of development assumed in this analysis (i.e. \$10,714 per square metre).

If an affordable rental housing levy of 10% of all residential floorspace is applied, the equivalent monetary contribution is \$1,071 per square metre of residential floorspace in the development. This increases to \$1,929 per square metre if the threshold levy of 18% were to be applied.

If a levy on non-residential floorspace were to be applied as per the feasibility assessment in Table 11, the equivalent monetary contribution would be \$1,918 for residential floorspace and \$69 per square metre of non-residential floorspace.

Impact of floorspace ratio on feasibility of affordable housing

The potential floorspace ratio of residential and mixed use development in the Hospital Precinct has a significant impact on the feasibility of development. Table 12 presents a 'sliding scale' of floorspace ratios and the resulting maximum percentage of affordable housing before development of the Hospital Precinct becomes unfeasible. Table 12 assumes that all land in the Hospital Precinct has the same floorspace ratio (which is not the case under the draft Structure Plan nor the alternate floorspace ratio scenario above) and the height of buildings remains consistent with the draft *Hospital Precinct Structure Plan*.

Table 12 shows that the provision of affordable rental housing will become feasible when all sites within the Precinct have a floorspace ratio of 1.5:1. At this point, a maximum proportion of 10.91% of residential floorspace contributed as affordable rental housing is feasible. This up to 31.31% if the floorspace ratio is 5.0:1 across all sites in the Hospital Precinct.

TABLE 12 . IMPACT OF FSR ON THE FEASIBILITY OF AFFORDABLE HOUSING

FSR	% of affordable housing that is feasible
5.0:1	31.31%
4.5:1	30.57%
4.0:1	29.66%
3.5:1	28.59%
3.0:1	27.09%
2.5:1	24.93%
2.0:1	21.14%
1.5:1	10.97%
1.0:1	0%
0.5:1	0%

Source: SGS Economics and Planning 2017

Note: This table assumes all lots have the same floorspace ratio and maximum height buildings is as per the draft *Hospital Precinct Structure Plan*.

Attachment 3

6 CONCLUSION AND RECOMMENDATIONS

There is a clear economic rationale for the provision of affordable housing near key employment, recreation and transport nodes to provide housing for key workers and support the productive functioning of cities. Recent changes to policy in NSW and Greater Sydney, in particular the proposal to introduce an Affordable Rental Housing Target, provide a framework to deliver new affordable housing dwellings to support those in need, and very low and low income households.

It is evident that there is a need for affordable housing in and around the Hospital Precinct. Within a 30-minute commute of the Hospital Precinct, there were 9,230 key workers employed in the area who also were eligible for affordable housing under the requirements of the 2016/17 *NSW Affordable Housing Ministerial Guidelines*. However, the current rental market is unable to adequately deliver affordable rental housing to support key workers. This is especially true for very low and low income households as well as households containing key workers that require more than two bedrooms.

The development of the Hospital Precinct in accordance with the draft *Hospital Precinct Structure Plan* brings with it additional demand for affordable housing driven by key workers employed in the precinct and those required to support the new residential population. Based on the scale and nature of development proposed, there is likely demand for approximately 294 affordable housing dwellings, which equates to approximately 29,400sqm of residential floorspace or 13.91% of all dwellings proposed. If only very low and low income households are considered, as per the proposed Affordable Rental Housing Target, key worker demand for affordable housing equates to 156 affordable housing dwellings. This is equivalent to 15,600sqm of residential floorspace or 7.35% of all dwellings proposed.

However, the provision of affordable housing dwellings to fully accommodate demand is not feasible under current market conditions and the exhibited development controls under the draft *Hospital Precinct Structure Plan*. Feasibility testing for the entire precinct found that the development of the precinct under the exhibited development controls is not feasible, regardless of whether an affordable housing levy is applied or not.

An alternate development scenario with different floorspace ratios has been tested in light of the feasibility testing prepared by SGS and MacroPlan Dimasi, Council's commitment to a 10% levy in the *Draft Affordable Housing Policy*, and revised traffic modelling. Under this alternate scenario with increased floorspace ratios, an affordable housing levy of 10% of residential floorspace is feasible. An affordable housing levy remains feasible until it encompasses 18.00% of all residential floorspace. If a 1% affordable housing levy is also applied to non-residential floorspace, development of the Hospital Precinct under the alternate floorspace ratio development scenario remains feasible up to 17.90% of the residential floorspace.

It is recognised that this feasibility assessment adopts a precinct wide approach. As such, this does not consider site-specific costs and mix of residential and non-residential floorspace which vary on a site by site basis. The proposed Affordable Rental Housing Target prepared by the Greater Sydney Commission enables some flexibility in providing affordable housing subject to development feasibility.

In light of this analysis and the potential variation in development feasibility on a site by site basis, it is therefore recommended that an affordable housing levy should not be applied if the development controls exhibited under the draft *Hospital Precinct Structure Plan* are implemented. However, if floorspace ratios are increased in line with the alternate floorspace ratio scenario provided by Council, it

Attachment 3

is recommended that 10% of new residential floorspace be levied for the provision of affordable rental housing at the Northern Beaches Hospital Precinct. In accordance with the Greater Sydney Commission's proposed Affordable Rental Housing Target, this levy should provide for very low and low income households.

A 10% levy would accommodate the demand for affordable housing generated by key workers employed in the Hospital Precinct who reside in very low and low income households (calculated to 7.35% of residential floorspace). The remaining residential floorspace could provide affordable rental housing to very low and low income households that do not have key workers. Further targets could be applied by Northern Beaches Council to accommodate some demand generated from moderate income key worker households.

A 10% levy is considered appropriate in light of the policy framework established by the Greater Sydney Commission and the draft policy exhibited by Northern Beaches Council. A 10% levy also recognises that the Northern Beaches Hospital Precinct is not the only location suitable for the provision of affordable rental housing in the local government area. The proposed levy returned a feasibility ratio of 1.35, indicating that there is potential for value uplift of 35% above the current land value. This provides an incentive for developers and landowners to develop within the precinct above the assumed internal rate of return and contribute to the provision of affordable rental housing.

The recommended levy only considers new demand generated by the development of the Hospital Precinct. It is stressed that this levy does not address existing demand for affordable housing as identified in the *Northern Beaches Affordable Housing Needs Analysis*.

Furthermore, it is unlikely that all key workers would require or choose to reside in the Northern Beaches Hospital Precinct. The Northern Beaches local government area has several high amenity locations which have greater accessibility to services and activities other than employment, such as recreation and leisure, and have high natural amenity. It is therefore recognised that key workers choosing to locate close to employment in the Hospital Precinct may not locate directly in the precinct and may locate elsewhere in the local government area.

Therefore, the application of an Affordable Rental Housing Target should be considered in the future across the Northern Beaches local government area in light of the findings of this report, the *Northern Beaches Affordable Housing Needs Analysis* and the draft Action Plan of Northern Beaches Council's *Draft Affordable Housing Policy*.

APPENDIX A - DETAILED POLICY REVIEW

Legislative requirements

Environmental Planning and Assessment Act 1979

An Object of the *Environmental Planning and Assessment Act 1979* is to 'encourage the provision and maintenance of affordable housing'. Under Part 3 Environmental Planning Instruments, 'providing, maintaining and retaining, and regulating any matter relating to affordable housing' is an objective in the contents of environmental planning instruments. The *Environmental Planning and Assessment Act 1979* also provided provisions for a consent authority to levy affordable housing as a development contribution subject to a state environmental planning policy identifying the need for affordable housing in that area (i.e. SEPP 70).

State Environmental Planning Policy (Affordable Rental Housing) 2009

The primary aim of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* is to provide a consistent planning regime for the provision of affordable rental housing. The environmental planning instrument defines affordable housing as the following:

Affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

Divisions under the Policy are designed to guide and facilitate the delivery of new affordable rental housing and include development direction for in-fill affordable housing managed by community housing providers, secondary dwellings, boarding houses, supportive accommodation, residential flat buildings (social housing providers, public authorities and joint ventures), residential development by the Land and Housing Corporation and group homes. The policy provides controls which enable community housing sectors to provide a range of different types of new affordable housing through both private developers and social housing providers.

State Environmental Planning Policy 70 Affordable Housing (Revised Schemes)

The aim of *State Environmental Planning Policy No 70 Affordable Housing (Revised Schemes)* (SEPP 70) is to recognise areas where the need for affordable housing has been identified in accordance with the *Environmental Planning and Assessment Act 1979*. The land to which this policy applies does not include the Northern Beaches local government area.

SEPP 70 outlines the Schedule 2 provides a set of affordable housing principles, which includes:

- Affordable housing is to be created and managed so that a socially diverse residential population representative of all income groups in developed and maintained in a locality.
- Affordable housing is to be made available to a mix of very low, low and moderate income households.
- Affordable housing is to be rented to appropriately qualified tenants and at an appropriate rate of gross household income.
- Land provided for affordable housing is to be used for the purpose of the provision of affordable housing.

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- Buildings provided for affordable housing, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), is generally to be used for the purpose of improving or replacing affordable housing or for providing additional affordable housing.
- Affordable housing is to consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the vicinity.

NSW Government policy

NSW Affordable Housing Ministerial Guidelines (2016/17)

The *NSW Affordable Housing Ministerial Guidelines* sets out the criteria for eligibility for affordable rental housing in NSW. The primary criterion is the income of the household. The 2016/17 *NSW Affordable Housing Ministerial Guidelines* identify the maximum household income for very low, low and moderate income households in Greater Sydney and the balance of NSW. Applicants for affordable housing also must be in housing need and unable to resolve this need in the current market without assistance.

Under section 8.5 of the 2016/17 *NSW Affordable Housing Ministerial Guidelines*, additional eligibility criteria aside for income may be applied to some affordable housing dwellings. A connection to a local area, including living and working in an area, are recognised examples of additional eligibility criteria that can be applied to affordable housing.

It is noted that affordable housing should target households across income bands experiencing housing stress under section 9 of 2016/17 *NSW Affordable Housing Ministerial Guidelines*. The allocation of affordable housing by community housing providers should prioritise the following cohorts:

- households in housing stress whose housing need cannot be met in the short to medium term, or
- households with the potential to transition into home ownership in the medium term, or
- social housing applicants and tenants, including those exiting social housing, seeking another choice of housing which may be more suited to their needs.

A Plan for Growing Sydney (2014)

A Plan for Growing Sydney was released in December 2014 as the NSW Government's plan for metropolitan Sydney over the next 30 years. The Northern Beaches Hospital Precinct is recognised as a Strategic Centre under the Plan. The Plan details that the priority for the centre is to 'work with council to provide capacity for additional mixed-use development in Northern Beaches Hospital Precinct including offices, health, retail, services and housing' (*A Plan for Growing Sydney*, 2014, p126).

Goal 2 under the Plan states 'a city of housing choice, with homes that meet our needs and lifestyles'. As outlined in the Plan, the purpose of this goal is to enable people to live close to work, education and social activities and to ensure new housing is supported by local infrastructure and services that reflect the changing demographic needs and different household budgets. The directions and actions under Goal 2 have been established to implement actions to achieve this goal. Relevant directions and actions under Goal 2 include:

- Direction 2.1: Accelerate housing supply across Sydney
 - Accelerate housing supply and local housing choices
 - Accelerate new housing in designated infill areas (established urban areas) through the priority precincts and UrbanGrowth NSW programs
 - Deliver more housing by developing surplus or under-used government land
- Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs
 - Use the Greater Sydney Commission to support council-led urban infill projects
 - Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres
- Direction 2.3: Improve housing choice to suit different needs and lifestyle

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- Require local housing strategies to plan for a range of housing types
- Enable the subdivision of existing homes and lots in areas suited to medium density housing
- Deliver more opportunities for affordable housing.

Draft North District Plan

The Greater Sydney Commission has been established by the *Greater Sydney Commission Act 2015*. The Greater Sydney Commission have been tasked with delivering the District Plans for metropolitan Sydney which provide strategic direction based on the actions established in *A Plan for Growing Sydney*. In preparation of the draft District Plans, *A Plan for Growing Sydney* has been amended to further align with the vision in the draft District Plans.

Towards Great Sydney 2056 outlines a draft amendment to *A Plan for Growing Sydney* in order to align with the vision set out in the draft District Plans. The amendment focuses on Sydney as a metropolis of three cities as presented in the draft District Plans.

The Northern Beaches Hospital Precinct at Frenchs Forest falls within the strategic planning for the North District. Under the draft *North District Plan* (2016), the Northern Beaches Hospital and surrounding industrial areas are considered a Strategic Centre with a population of 9,300 (2016) and forecast to reach a baseline target of 12,000 by 2036. A housing target of 97,000 new dwellings by 2036 has been forecast in the draft *North District Plan* across the district. A five year target of 3,400 dwellings has been established for the Northern Beaches local government area.

The draft *North District Plan* builds on the affordable housing direction in *A Plan for Growing Sydney* by establishing a target for the provision of affordable rental housing in new urban renewal and land release areas for the low and very low income households. The proposed Affordable Rental Housing Target proposes 5% to 10% of new floorspace at the rezoning stage to be dedicated to affordable housing. The target can only be applied in areas which have a demonstrated current or future need for affordable housing, subject to development feasibility. The target applies to new floorspace above the existing permissible floorspace. It is proposed that dwellings are secured by the relevant planning authority and passed on to a registered community housing provider to manage.

Affordable housing dwellings constructed under the Affordable Rental Housing Target are only to be provided to very low and low income households as per the definitions in the Ministerial Guidelines. The draft District Plans make clear that this does not preclude councils encouraging affordable rental housing to support moderate income households.

It is noted in the draft *North District Plan* that this relates to supporting a supply of diverse housing types in the private market that are more affordable to key workers and moderate income households. The Plan identified that Greater Sydney requires 4,000 to 8,000 additional affordable dwellings per annum to meet the needs of low and very low income groups. Liveability actions have been established in the draft District Plan to address the provision of affordable housing and include:

- L1: prepare local housing strategies
- L6: support councils to achieve additional affordable housing
- L7: provide guidance on Affordable Rental Housing Targets
- L8: undertake broad approaches to facilitate affordable housing.

The Plan notes that the Greater Sydney Commission are in partnership with NSW Health and other state and local government stakeholders to provide new housing, including affordable housing, to support key workers.

Future Directions for Social Housing in NSW (2016)

In 2016, FACS released *Future Directions for Social Housing in NSW*, the guiding policy document for the department setting out the NSW Government's vision for social housing over the next 10 years. The policy has three key objectives over the next 10 years:

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- More social housing
- More opportunities, support and incentives to avoid and/or leave social housing
- A better social housing experience.

While focussed on social housing, *Future Directions* identifies affordable rental housing as ‘an ideal stepping stone’ along the housing continuum for households transitioning out of social housing. Affordable housing is also identified in *Future Directions* as a means to divert households away from social housing, providing subsidised rent to meet their needs and maintain social housing access for the most vulnerable of NSW’s households. In terms of contributions and delivery of affordable housing, affordable housing is identified as a feature of the Social and Affordable Housing Fund and Land and Housing Corporation redevelopments. *Future Directions* also includes a policy action to ‘explore options to better utilise Government land for social and affordable housing’.

As part of *Future Directions*, FACS have commenced two programs to deliver additional social and affordable housing on current government-owned properties (through Communities Plus) and on privately owned land (through the Social and Affordable Housing Fund). While both programs aim to increase social and affordable housing stock, the focus remains on social housing to achieve the key objectives of *Future Directions*.

Local government policy

Draft Warringah Housing Strategy (2011)

The *Draft Warringah Housing Strategy* was prepared to determine how Warringah will meet the NSW Government’s housing target of 10,300 new dwellings between 2005 and 2031. The purpose of the Strategy is to ensure Council’s planning policies respond to the housing demand of the current and future population.

The objectives of the Strategy include:

- Ensure that an adequate supply of appropriate land is appropriately zoned for residential development.
- Plan for housing in accessible location to transport and services.
- Provide a more constrained and efficient pattern of urban development with an emphasis on efficient and effective use of existing and new facilities, services and infrastructure.
- Optimise the use of existing infrastructure, services and facilities.
- Facilitate a diversity of housing options through the provision of a greater mix of housing, in terms of type, density and affordability, to accommodate an increasing and diverse population.
- Minimise the impacts of residential growth on the natural environment.
- Encourage development that will enhance the amenity of residential areas, and ensure that new housing relates to the character and scale of existing residential development.

The Strategy does not explicitly detail the extent of demand for affordable housing in the local government area. However, the Strategy identifies the importance of the availability of affordable housing at a local level and the role of local government in influencing the availability of affordable housing directly through partnerships with social housing providers, or indirectly, through planning policy. The Strategy recognises the importance of affordable housing at a local level, noting affordable housing:

- Allows essential service workers such as shop assistants, bus drivers, construction workers, cleaners, nurses and teachers, to live close to work. A shortage of affordable housing will force lower income earners to relocate to more affordable areas and thereby face longer commute times to work which will contribute to poor environmental outcomes.
- Provides housing for a diverse local workforce.
- Provides direct economic benefits to the local community, including increased demand for a range of goods and services which in turn provides increased local employment opportunities.
- Meets the needs of the growing number of smaller households living in high-cost areas.

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- Promotes social integration and social diversity.

The Strategy highlights that there is capacity for 4,219 additional dwellings under current planning controls, however the percentage of affordable housing was not identified in the Strategy. The Strategy identified centres in the LGA capable of accommodating future growth as informed by the centres hierarchy under the former Metropolitan Strategy (2005). This included the study area, Forest Way and Bantry Bay Road at Frenches Forest as a potential centre for additional housing. Dwelling forecasts were not published; however, it was highlighted that the Warringah LEP will need to be amended to enable more housing through rezoning and changes to development controls.

Northern Beaches Affordable Housing Needs Assessment (2016)

The purpose of the *Northern Beaches Affordable Housing Needs Assessment* (2016) is to understand the demand for affordable housing within the Northern Beaches local government area and the extent to which current provision of housing meets the needs of current and future residents. The document reports on the current state of the provision of affordable housing and affordable rental housing in the Northern Beaches local government area. The document does not include recommendations, however may inform the development of future housing strategies.

The *Northern Beaches Affordable Housing Needs Assessment* found that there were approximately 40,000 households in the Northern Beaches local government area falling within very low, low or moderate income households. This equates to approximately 52% of all households residing in the Northern Beaches local government area in 2011. The majority of very low, low or moderate income households were also experiencing housing stress in 2011, with 69% of households with mortgages and 79% of renting households experienced housing stress in 2011.

The *Northern Beaches Affordable Housing Needs Assessment* also found that this demand for affordable housing is likely to increase as the population of the local government area increases, household sizes reduce, and there are increases in key worker employment in the area. The *Northern Beaches Affordable Housing Needs Assessment* noted that this trend is likely to be exacerbated as the current supply of affordable housing is low and sales and rent prices continue to increase.

It was noted that jobs in 'key worker' occupations grew by over 1,500 between 2006 and 2011 within the Northern Beaches. In 2011, there were 11,500 jobs in 'key worker' occupations, accounting for 15% of all jobs within the Northern Beaches (ABS Census, 2011). Of this total, school teachers were the highest number of key worker jobs followed by hospitably workers and personal carers and assistances. Notably, the document highlighted that in 2011, there were 1,399 jobs in the 'midwifery and nursing professionals' occupation in the Northern Beaches and 2,352 resident workers (ABS Census, 2011).

The provision of affordable housing for key workers was raised as a challenge for local businesses. The document further noted that for those that cannot afford to live locally, public transport connections to the Northern Beaches is poor. The Northern Beaches has low levels of housing stock targeted at lower income households with 1,718 social rental properties. This accounts for 2% of total dwellings in the Northern Beaches local government area. The document reports that the distribution of social housing is concentrated in the suburbs of Narrabeen (16.9% of total dwellings), Brookvale (8.2%), Allambie Heights (5.4%), Forestville (4.6%) and Narrabeen (4.5%).

The document highlights that changing demographics, such as a growing and ageing population and the growth of lone person or 'non-family households' are likely to create demand for affordable housing. Further, affordable housing, particularly rental housing for key workers, will be needed to support the development of Northern Beaches Hospital at Frenches Forest.

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Draft Affordable Housing Policy (2017)

At the time of writing, Northern Beaches Council exhibited the *Draft Affordable Housing Policy*. The Draft Policy outlines a set of principles and policy statements designed to increase the range and supply of affordable housing in the local government area.

The Draft Policy includes the following eight policy statements outlining Council's approach and actions to support the provision of affordable housing:

- Council is committed to an affordable rental housing target of 10% of all new floor space (subject to feasibility) in the Ingleside and Northern Beaches Hospital (Frenchs Forest) precincts and all 'spot' rezonings (planning proposals) in the Northern Beaches.
- Targets for the provision of affordable rental housing in other parts of the Council area will be established through feasibility analysis as part of Council's new local housing strategy.
- Mechanisms to deliver more affordable market-based or private housing will be investigated as part of Council's new local housing strategy.
- Council will enter into a relationship with a Tier 1 community housing provider to manage and deliver affordable rental housing in the Northern Beaches.
- Council will undertake an expression of interest for a Tier 1 community housing provider every five years.
- Council's preference is to transfer the title of affordable rental housing delivered to Council to a Tier 1 community housing provider.
- Council will give priority to key worker occupations as tenants of affordable rental housing in the Northern Beaches.

The Draft Policy is accompanied by a draft Action Plan, identifying relevant actions and timing of the actions under each principle. Relevant actions to this study as per the draft Action Plan include, but are not limited to:

- A1 - Advocate for the inclusion of the Northern Beaches Hospital (Frenchs Forest) precinct in State Environmental Planning Policy No. 70 (SEPP 70) to mandate Council's affordable rental housing target.
 - Timing - 2017-2018
- A6 - Investigate financial incentives for the provision of affordable rental housing provided in perpetuity including development application fees reduction and rate rebates.
 - Timing - 2017-2018
- A7 - Waive section 94A development contributions for that part of any development proposal comprising affordable rental housing.
 - Timing - Ongoing
- A8 - Recognise that affordable rental housing is essential social and economic infrastructure for the Northern Beaches in Council's land-use planning strategies, plans and policies.
 - Timing - Ongoing
- A9 - Incorporate affordable rental housing targets in Council's land-use planning strategies, plans and policies.
 - Timing - Ongoing
- A12 - Develop relationships with State Government departments, the Greater Sydney Commission and other local councils to understand wider affordable housing needs and opportunities.
 - Timing - Ongoing
- A14 - Identify priority key workers for tenants of affordable rental housing in the Northern Beaches.
 - Timing - 2017-2018

The *Draft Affordable Housing Policy* was placed on public exhibition on Saturday 1 April 2017. The exhibition period continues to Sunday 30 April 2017.

Attachment 3

APPENDIX B - MEDIAN RENTS BY POSTCODE

Median rents for the September Quarter 2016.

	One bedroom	Two bedroom	Three bedroom	Four bedroom
2067	\$580	\$750	\$980	\$1,260
2068	-	\$580	\$927.5	\$1,450
2069	\$440	\$610	\$967.5	\$1,325
2070	-	\$575	\$877.5	\$1,235
2071	-	\$635	\$825	\$1,500
2072	-	\$657.5	\$810	-
2075	\$490	\$630	\$800	\$1,097.5
2084	-	-	-	-
2085	-	-	-	\$1,100
2086	-	-	\$760	\$1,047.5
2087	-	-	\$790	\$952.5
2092	-	-	\$895	-
2093	\$450	\$600	\$995	\$1,730
2094	-	\$697.5	\$1,075	-
2095	\$570	\$800	\$1,137.5	-
2096	\$467.5	\$610	\$1,085	\$1,550
2097	\$435	\$575	\$820	\$1,250
2099	\$472.5	\$585	\$820	\$1,075
2100	\$470	\$630	\$800	\$1,100
2101	\$455	\$620	\$762.5	-
2102	-	\$690	\$800	-
2103	\$455	\$607.5	\$825	-
2104	-	-	-	-
2105	-	-	-	-
2106	-	\$597.5	\$800	\$1,100
2107	\$482.5	\$580	\$850	\$1,250
2108	-	-	-	-

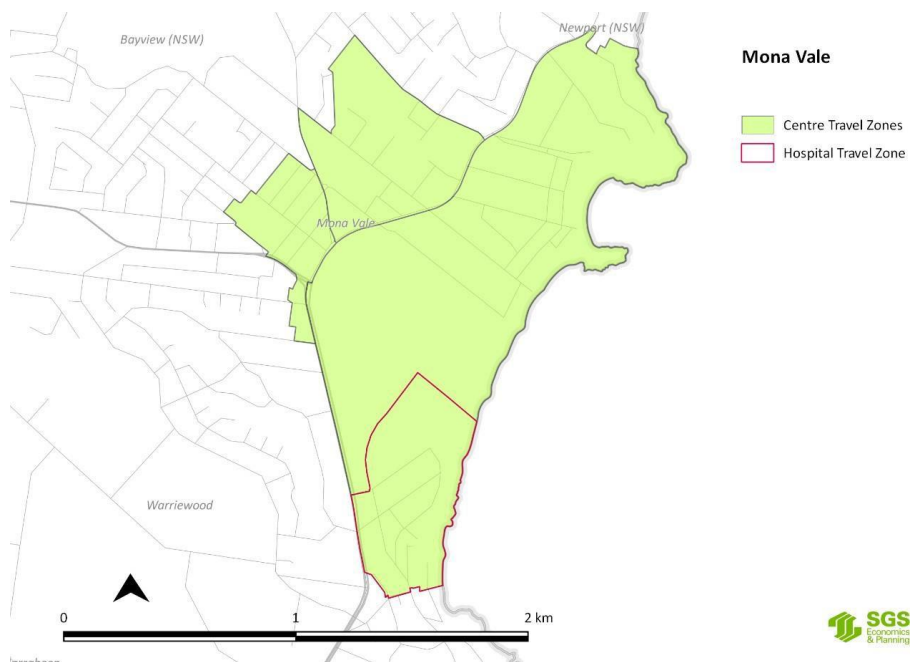
Source: Department of Family and Community Services, 2017

Attachment 3

APPENDIX C - CENTRE CASE STUDIES BY TRAVEL ZONE

The following pages show the Travel Zones used for the purpose of this study to identify employment in centres with an adjacent public hospital in the North District. The Travel Zone containing the hospital is outlined in pink.

Attachment 3



Attachment 3



Attachment 3



Attachment 3

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Attachment 4

2 October 2020

Felicity ShonkPlanner
Strategic & Place Planning Northern
Beaches Council02 8495 6167
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Dear Felicity,

**Review of affording housing contribution feasibility analysis for 1294-1300
Pittwater Road and 2-4 Albert Street, Narrabeen**

SGS Economics and Planning was engaged by Northern Beaches Council to review and to provide advice on the affording housing contribution (AHC) feasibility analysis for the planning proposal for the sites 1294-1300 Pittwater Road and 2-4 Albert Street, Narrabeen.

Specifically, Council has asked SGS to:

- Review applicant's calculations of AHC based on applicable rate per square metre
- Review applicant's feasibility analysis and supporting evidence if the AHC offer received by Council is less than 10% of the additional floorspace sought by the planning proposal or equivalent monetary contribution based on market values.

SGS have sought additional property advisory input from Savills who reviewed the valuation advice and feasibility modelling, including the key feasibility inputs. MBM Pty Ltd were also engaged to review the construction cost estimates.

Review of the affording housing contribution feasibility analysis

Information provided

Two versions of the report "PRN1300 – 1294-1300 Pittwater Road and 2-4 Albert Street, Narrabeen Commercial Viability of NBC's Target Affordable Housing Contribution under SEPP70" prepared by Highgate Management were provided to SGS (the Highgate Report). The first dated 28th June 2020 and the second dated 20th July 2020. The latter, which included revised valuation data, was the basis for this review.

Background

The site in question is the amalgamation of six properties: 1294, 1296, 1298 and 1300 Pittwater Road and 2 and 4 Albert Street in Narrabeen. The total site area is 4,700.9 sqm. The land is zoned R3 – Medium Density Residential in the Warringah Local Environmental Plan (2011). The planning proposal is seeking permission for 1,447.3 sqm of an additional floor space (Gross Floor Area) on the site and to build to a maximum height of 11 metres, exceeding the existing height limit of 8.5 metres and estimated allowable floor space at that height of 4,874.7 sqm. If approved the proposal would represent a 30% increase in allowable floor space on the site.

In relation to the planning proposal, the Northern Beaches Council (NBC) resolved at a meeting on 28 May 2019, that:

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Attachment 4

- A. Council submits an amended Planning Proposal to the NSW Department of Planning and Industry for gateway determination to amend Warringah Local Environment Plan 2011 to:
- a. Increase the maximum building height standard on the site to 11 metres with the exception of 2 Albert Street, Narrabeen being lot 1, DP613544 (containing heritage listed dwelling house) and the front part of 4 Albert Street, Narrabeen being part lot 8C, DP200030 which will retain an 8.5 metre height limit.
 - b. Permit the additional uses of commercial premises, medical centre and shop-top housing on the area of the site adjoining the intersection of Pittwater Road and Albert Street.
 - c. Permit a maximum of 1,150 square metres of medical centre, commercial premises, and the retail/ business premises component of any shop-top housing to the area referred to b. above.
 - d. Require a minimum 10% of the additional dwellings on the site resulting from the Planning Proposal, to be dedicated to Council as affordable rental housing.

The Highgate Report was commissioned by the proponent at the request of Council: "NBCrequired that the Proponent submit an Affordable Housing Feasibility Study which demonstrates that the 10% of additional dwellings to be dedicated to Council is feasible."¹

The report concludes that "it is not viable for the development to pay the NBC an AffordableHousing Contribution". Notwithstanding this finding, an offer is made to provide a monetary contribution equivalent to 2% of the uplift (\$320,000).

Key issues

Having reviewed the Highgate Report and advice from Savills and MBM, SGS has identifiedseveral issues that require Council's consideration in assessing the proponents offer. The remainder of this letter addresses the following matters:

- How should the contribution be calculated?
- Existing land values
- Review of the feasibility assessment
- Assessment of the impacts of different AHC rates on feasibility

How should the Affordable Housing Contribution be calculated?

Section 3.3 of the Highgate report lists the additional floor space (NLA) enabled by the planning proposal as 1,285 sqm assuming a building efficiency of 89%. (A figure of 1,233 sqm metres is cited in the second last paragraph on page 7 based on a building efficiency of 85%.) 10% of 1,285 sqm is 128.5 sqm, which is then 'converted' into two x one bedroom units with anominal value of \$800,000 giving a total of \$1,600,000.

Dividing \$1,600,000 by 128.5 sqm gives a value per square metre rate of \$12,451. This valueis significantly lower than the average value per square metre of all residential floor space in the development of \$15,894, implied elsewhere in the report.² We therefore find that the

¹ Highgate Report, page 5.

² We calculate this value using figures from the feasibility summary tables at pages 16-19: total residential revenue of \$72,520,000 divided by the total residential NSA of 4,562.60sqm = \$15,894.

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method employed in the Highgate Report to calculate the AHC as a monetary contribution underestimates the contribution amount.

The AHC should be determined by reference to the *average* value of residential floor space in the development. A contribution for the equivalent of 10% of the additional floor space would be $1,233 \text{ sqm}^3 \times 10\% \times \$15,894$, which gives a total AH contribution of \$1,959,730.⁴

Review of existing land value assessment

The Highgate Report includes advice from valuers Pontons that provides market values for each of the six sites. The combined total value of all six is \$14,600,000.

Savills undertook an independent valuation exercise for the six lots that confirmed that the existing market value of the combined sites is \$14,600,000.

We can therefore confirm that this reflects a fair market value. Savills have offered the following caveats with their valuation advice:

We concur with these assessments and believe they are reflective of values achievable in the market assuming individual sale *over an appropriate sale period*. It is important to note that these values do not reflect an In One Line Value or what a single purchaser would pay, *given a discount would be anticipated and expected*. (emphasis added)

These comments suggest that achieving the total amount of \$14,600,000 would require the proponent to sell their land holdings as six individual properties and over a long enough period of time as not to oversupply the market and prevent estimated values being achieved.

Due to the valuation techniques used in both valuations (Pontons and Savills) this value is informed by both the 'existing use value' (the value based on the existing land use in perpetuity) and the underlying land value of undeveloped R3 zoned land. While it would be our preference that the valuation of the sites be undertaken on the basis of their existing use value alone, in practice valuers are not pre-disposed to this approach.

Review of the feasibility assessment

The Highgate report provides feasibility assessments of three different development scenarios:

- Staged construction, including costs associated with securing the Planning Proposal
- Not-staged, including Planning Proposal costs and costs of relocating an existing medical practice
- Not-staged, excluding Planning Proposal and relocation costs.

The first two scenarios reflect particular idiosyncrasies associated with the developer's and/or land owner's preferred approach to developing the site. We therefore find that the last scenario is most appropriate for assessing the impact of the affordable housing contribution requirement on project feasibility. Our review was confined to this scenario.

In Table 1 below includes two feasibility assessments: in the first SGS has replicated the Highgate feasibility assessment; in the second assessment we have made adjustments to the input assumptions based on our review and advice from Savills.

In the second assessment we have utilised Savills' advice on cost inputs where these have differed from the Highgate assumptions. Commentary on the differences between individual elements of the feasibility assessments are provided in the final column of Table 1.

³ This figure for additional net saleable area is cited in the second last paragraph on page 7 and assumes an 85% building efficiency rate.

⁴ The amount of \$320,000 is the equivalent to a contribution of 1.63% of the additional floor space rather than the 2%.

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Allowing for these adjustments – and without introducing an affordable housing contribution – the SGS feasibility assessment suggests that the residual land value would exceed the current land value. The difference is shown in the final row of the table as \$1,129,846 for tests assessment using Savills cost assumptions.

The difference between the two RLVs is due to lower overall costs in the SGS assessment in the order of \$1.6M. The main costs differences include lower professional fees in Savills estimation, the removal of cost escalation (removed as revenues are not escalated); and lower project contingencies. Savills' revenue estimates are also slightly higher but a small margin (approximate 0.1% higher than the Highgate assessment).

MBM's review the base construction estimates in the Highgate report and confirm that these are within expected range for 'normal' market conditions. MBM's review noted that the current market conditions will place downward pressure of construction cost as a result of increased competition amongst builders for fewer large construction projects.

The finding of an RLV of \$15.7M aligns Savills estimate of \$16.0M derived using a direct comparison valuation approach.

TABLE 1: HIGHGATE AND SGS FEASIBILITY ASSESSMENTS COMPARED

	Highgate (Option 3 Report Version 6.3)	SGS (based on Savills' review of inputs)	Difference	Comment
COSTS	Excluding GST			
Professional fees (excl. PP)	\$3,021,805	\$2,675,104	-\$346,701	Lower in Savills
Authority fees (excl. PP)	\$723,507	\$673,184	-\$50,323	Similar
Base construction	\$23,375,006	\$23,375,006	\$-	MNM review confirmed within expected range.
Preliminaries	\$3,740,001	\$3,740,001	\$-	Savills adopted value from Highgate
Builders overhead and margin	\$1,355,750	\$1,355,750	\$-	Savills adopted value from Highgate
Escalation	\$1,232,493	\$-	-\$1,232,493	Not required as revenues not escalated
Project contingency	\$4,656,421	\$3,113,042	-\$1,543,379	Lower in Savills
Total construction and contingency	\$34,212,227	\$31,583,799	-\$2,628,428	Lower in Savills
Holding costs	\$460,500	\$440,693	-\$19,807	Similar
Marketing and leasing	\$1,427,762	\$562,947	-\$864,815	Similar when combined with sales expenses
Finance	\$4,136,955	\$6,350,246	\$2,213,291	Higher in Savills
Total costs excluding land	\$43,982,756	\$42,285,973	-\$1,696,783	Overall costs are in Savills estimate are lower by \$1.6M
Total including land and acquisition costs	\$59,449,756	\$57,752,973	-\$1,696,783	Lower
Total including land and sales costs	\$60,457,856	\$59,233,196	-\$1,224,660	Similar
REVENUES	Including GST except as noted			
Residential	\$72,520,000	\$73,110,000	\$590,000	Similar
Commercial	\$5,944,000	\$5,450,000	-\$494,000	Similar
Total gross realisation	\$78,464,000	\$78,560,000	\$96,000	Similar
Less GST	-\$6,592,727	-\$6,646,364	-\$53,636	Similar
Sales expenses (ex-GST)	-\$1,008,100	-\$1,480,223	-\$472,123	Similar if combined with marketing and leasing expenses
Total net realisation (ex-GST)	\$70,863,173	\$70,433,413	-\$429,759	Similar
DEVELOPER PROFIT	Excluding GST			
Profit (at 20% of costs)	\$11,889,951	\$11,550,595	-\$339,357	Similar
RESIDUAL LAND VALUE AND AHC	Excluding GST			
Residual land value (after 20% profit)	\$14,123,466	\$15,729,846	\$1,606,380	Higher
Existing land value	\$14,600,000	\$14,600,000	\$-	Same
Land acquisition costs (@6%)	\$867,000	\$867,000	\$-	Same
RLV minus Existing land value	-\$476,534	\$1,129,846		

What are the impacts of different affordable housing contribution rates on feasibility?

The following tables show the impact of applying four different affordable housing contribution (AHC) rates to the SGS feasibility assessment.

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TABLE 2: SGS FEASIBILITY ASSESSMENT WITH FOUR LEVELS OF AHC

RESIDUAL LAND VALUE AND AHC	0%	2%	5%	10%	5.7%
Residual land value (after 20% profit)	\$15,729,846	\$15,729,846	\$15,729,846	\$15,729,846	\$15,729,846
AHC as % of additional floor space	0.0%	2.0%	5.0%	10.0%	5.7%
AH contribution dollar value	\$-	-\$395,146	-\$987,865	-\$1,975,729	-\$1,129,846
Residual land value after AHC	\$15,729,846	\$15,334,700	\$14,741,981	\$13,754,116	\$14,600,000
Existing land value	\$14,600,000	\$14,600,000	\$14,600,000	\$14,600,000	\$14,600,000
'RLV after AHC' minus 'Existing land value'	\$1,129,846	\$734,700	\$141,981	-\$845,884	\$-

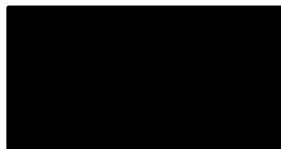
Based on the SGS feasibility assessment using Savills' cost and revenue assumptions a 2%, 5%, or 10% AHC would generate residual land values (rounded) of \$15,330,000, \$14,470,000 and \$13,750,000 respectively. In the case of the 10% contribution rate, this RLV implies the proponent would receive \$846,000 less for the land than they would by selling the individual sites. A fourth rate was considered to estimate the 'break-even' point at which the AHC would generate an RLV exactly equal to \$14,600,000. This analysis found that a rate of 5.7% was the break-even point.

Summary

- The method employed in the Highgate Report to calculate the affordable housing contribution (AHC) is incorrect. An appropriate approach is described above.
- An independent review of the land valuation has confirmed that \$14,600,000 is a fair assessment of the total of the individual market values of the six sites.
- Our reviewed the proponent's feasibility assessment has suggested some modifications to the approach are warranted. These changes result in an increase in the estimated RLV and therefore the proponent's ability to absorb the costs of an AHC.
- MBM's review of the base construction estimates in the Highgate report confirms that these are within expected range for normal market conditions.
- Savills' review of other key inputs to the feasibility modelling suggests costs (excluding land) might be reduced by approximately \$1.6M. This would add further buffer to the proponent's ability to afford the AHC.
- Based on this evidence we conclude that an AHC of 5.7% is unlikely to prevent the development from proceeding.
- Council should consider introducing a mechanism that would trigger a review of the AHC rate if the development were to proceed at some point in the future. As markets change, conceivable that the project might sustain a higher AHC rate should property prices increase.

If you have any questions regarding any aspect of our advice, please feel free to contact me on 8307 0121. Kind

regards,



Andrew Spencer Senior Associate SGS
Economics & Planning Pty Ltd

Offices in Canberra, Hobart, Melbourne and Sydney Phone: 02 8307 0121

ATTACHMENT 5

10 May 2024

Padraig Scollard
Keylan

Sent via email: padraig@keylan.com.au

Dear Padraig

Re: 159-167 Darley Street West, Mona Vale - Affordable Housing Viability Assessment Peer Review

Atlas Economics (**Atlas**) is engaged by Keylan on behalf of Department of Planning, Housing and Infrastructure (**DPHI**) to undertake a peer review of Affordable Housing Viability Assessments prepared for a planning proposal at 159-167 Darley Street West, Mona Vale (**the Site**). This is to assist with the setting of an appropriate Affordable Housing contribution rate.

BACKGROUND

Intrec Management (**the Proponent**) lodged a planning proposal (**the Proposal**) with Northern Beaches Council (**Council**) in July 2021. The Proposal sought to enable development of residential flat buildings and townhouses (3,683sqm GFA).

Table 1 outlines the planning controls under the Pittwater Local Environmental Plan (**LEP**) 2014 that currently apply to the Site and the amendments sought by the Proposal.

Table 1: Current and Proposed Controls

Control	Current	Proposed
Zone	R2 Low Density Residential	R3 Medium Density Residential
Maximum height of building	8.5 metres	No change
Floor space ratio	Not applicable	No change
Number of dwellings	5 (existing single dwellings), 10 (potential dual occupancy)	41 dwellings comprised of: <ul style="list-style-type: none">• 38 apartments - 1b (12), 2b (20), 3b (6)• 3 townhouses

Source: Planning Proposal

In March 2023 the Proposal made a voluntary planning agreement (**VPA**) offer to contribute to Affordable Housing at a rate of 2.085% (equivalent to \$1,122,627). The offer was supported by a feasibility analysis by Macroplan (**the Macroplan Study**).

Separately, Council engaged Hill PDA to undertake a review of the Macroplan study and provide advice on an appropriate Affordable Housing contribution assuming the proposed planning control amendments were made (**the Hill PDA Study**).

In September 2023 a Gateway Determination was issued for the Proposal. At the pre-Gateway briefing, the Sydney North Planning Panel (**the Panel**) determined that the contribution be increased to 5% and required through a new Affordable Housing clause in the LEP and associated Affordable Housing Contributions map.

Atlas Economics (**Atlas**) is engaged to carry out a peer review of the Macroplan Study and the Hill PDA Study and provide advice on an appropriate Affordable Housing contribution rate. This Peer Review reviews both studies and undertakes its own feasibility testing in arriving at a recommended Affordable Housing contribution rate.

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AFFORDABLE HOUSING POLICY

Greater Sydney Region Plan and District Plans (2018)

The Greater Sydney Region Plan and North District Plan identify affordable housing targets of 5%-10% of *new* residential floorspace (that is, floorspace resulting from a rezoning), subject to viability. The Greater Cities Commission (**GCC**) issued Information Note 4 (GSC, 2017) to clarify application of the Affordable Rental Housing Targets.

The GCC proposed Affordable Rental Housing Targets to apply as follows:

- apply to land that is the subject of upzoning - a change of land use to residential or an increase in permissible residential development density.
- vary by precinct according to the local development viability.
- apply only to new areas nominated by the relevant planning authority; not apply retrospectively to rezoned land.
- be announced prior to rezoning to give the market certainty about the amount of affordable housing to be provided, and so that it can be factored into underlying land prices.
- apply to land within new urban renewal or land release areas (govt and private) identified via a local or district housing strategy, or another form of appropriate research that illustrates a current or future need for affordable rental housing.
- be calculated as a proportion of all residential floor space above the base floor space ratio - that is, the residential floor space ratio that was permissible before the upzoning within the nominated area.

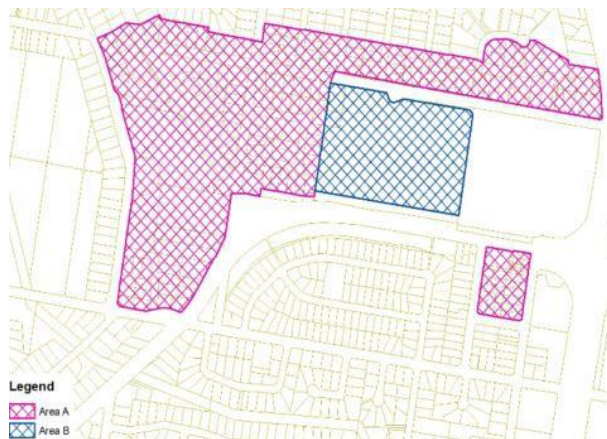
Information Note 4 provides some parameters for an approach to development feasibility testing, including that the testing should consider "*the feasibility of residential development, with a normal risk/ return margin, including the cumulative costs of local, and where appropriate State contributions*".

Atlas notes that both studies (Macroplan and Hill PDA) identify that Affordable Housing contributions should be on 'new' floorspace. However, they deduct 'existing/ built' floorspace, rather than permissible floorspace under the current controls.

Northern Beaches Affordable Housing Contributions Scheme (2019)

The Northern Beaches Council (**Council**) Affordable Housing Contributions Scheme (**the AHCS**) applies in the Frenchs Forest Planned Precinct (**Figure 1**) and specified sites in Narrabeen.

Figure 1: Frenchs Forest Planned Precinct - Affordable Housing Contribution Rate Areas



Source: Northern Beaches Council (2019)

Affordable Housing contributions are required depending on the area of a development (shown in **Figure 1**):

- In Area A (private land) - dedication free of cost to the consent authority - 10% of gross floor area (GFA) is required.
- In Area B (the Forest High School) - dedication free of cost to the consent authority - 15% of GFA is required.

The application of the 10% rate in Area A does not acknowledge the residential floor space ratio that was permissible before the rezoning. Rather, contributions are required on total floorspace, not just on the floorspace enabled by the rezoning.

PEER REVIEW OBSERVATIONS

Atlas generally agrees with the assumptions taken by both studies. Since their preparation, new fees and charges have come into effect and should accordingly be included in the feasibility testing.

Table 2 selects key feasibility assumptions for comparison and comment.

Table 2: Feasibility Assumptions - Comparison and Comment

Assumption	Macroplan	Hill PDA	Atlas comment
Cost of Land	\$16,524,000	\$16,535,000	Agrees with and adopts Macroplan assumption
Sales Revenue	\$65.82m (excl. GST)	\$70.34m (incl. GST)	<p>It is market practice for residential revenues to be quoted inclusive of GST. Sales commissions and GST are thereafter deducted from these revenues.</p> <p>Atlas considers the revenue rates generally appropriate and adopts:</p> <ul style="list-style-type: none"> 1 bedroom unit - \$1,028,500 2 bedroom unit - \$1,815,000 3 bedroom unit - \$2,530,000 Townhouse - \$2,860,000 <p>After multiplying with the proposed residential yield (per the Planning Proposal), a gross sales revenue (incl. GST) of \$72.4m results. This is equivalent to \$65.82m (excl. GST) the same as Macroplan's assumptions.</p>
Build Cost and Contingency	\$25,581,327 (\$6,946/sqm GFA)	\$22,762,320 (\$6,180/sqm GFA)	<p>Atlas concurs with Hill PDA's comment that the build rate of \$4,800/sqm is well above Rawlinsons and RLB generic rates. Notwithstanding, in the current inflationary cost environment, this rate is adopted.</p> <p>The basement construction rate of \$50,000 per space would appear low. Atlas adopts a rate of \$60,000 per space.</p> <p>The above rates result in a build cost of \$23,182,320 (including 5% contingency), which is equivalent to \$6,294/sqm GFA. While Atlas are not quantity surveyors, from past industry experience, this build cost rate (before professional fees and statutory fees) is considered appropriate, if not conservative, for a development of 8.5m (<3 storeys). Additional allowances for site works are not separately made. This could be required if there are extraordinary site conditions (e.g. geotechnical or contamination constraints).</p>
Statutory Fees and Charges	\$255,813	\$303,498	<p>The studies appear to only allow for s7.12. Atlas additionally allows for:</p> <ul style="list-style-type: none"> Housing and Productivity contributions (at 75% from 1 July 2024) <ul style="list-style-type: none"> \$12,000 per house \$10,000 per apartment Sydney Water DSP charges (at 25% from 1 July 2024) <ul style="list-style-type: none"> \$5,663.60 per ET (drinking water and wastewater) 1 ET per house, 0.8 per ET per apartment
Construction Period	24 months	16 months	Atlas considers 16 months to be possibly too tight, adopting an 18-month construction period. A lead-in period of 18 months is assumed prior (to allow for DA approval, documentation and pre-sales).
Interest Rate	10% pa	7.5% pa	<p>The latest RBA data would suggest inflation has peaked. While rate cuts are not imminent, there is generally a market consensus that rates have peaked and they could start to fall in 2025/ 2026.</p> <p>Atlas adopts an interest rate of 8% pa, which is considered to be conservative for when the project is expected to commence and require project finance (2025).</p>
Holding Costs	\$330,000	\$600,000	Holding costs are estimated at \$475,000 through searches of land tax, Council rates and fixed water rates.
Affordable Housing Contributions	\$1,122,627	\$3,374,872	Both studies iteratively test different % contribution rates on the proposed GFA less 'existing/ built' GFA. This is contrary to the GCC's guidance on how Affordable Housing contributions are to be calculated.

Source: Atlas

As an overall observation, assumptions in the two studies are mostly aligned except on build cost and contingency where there is an almost \$3 million difference. Atlas considers the Macroplan assumptions to be conservative; we adopt the build cost (and increase the basement parking cost) but do not make separate allowances for site works. There may however be extraordinary site conditions unknown to Atlas, which could require revisiting of the construction cost assumptions.

ATLAS' FEASIBILITY TESTING

The objective is to test that if after making Affordable Housing contributions, development still achieves commercial returns.

The feasibility testing uses the Residual Land Value (RLV) method, similar to the approach both studies have taken. This method assesses the potential revenue on completion of the development, deducts development costs and makes a further deduction for profit and risk that a developer and financier would require to take on the project. If the project return and development margin are above minimum hurdles, the development is considered feasible.

The RLV can be defined as the maximum price a developer would be prepared to pay for a site in exchange for the opportunity to develop a particular development scheme whilst achieving target hurdle rates for profit and project return. For a development to be considered feasible, the RLV must exceed the Site's 'base land value' or opportunity cost of land.

Assumptions and Limitations

Atlas acknowledges the assumptions and limitations associated with the feasibility testing.

- Market research is carried out on a 'desktop' basis without the benefit of site surveys and internal inspections.
- Construction prices have increased significantly (circa 20%-30%) over the past 24 months across the country.
- Atlas expects project delivery to occur over 2-4 years (from DA lodgement to completion). Market commentators expect construction cost escalations to begin stabilising in 2025. This does not mean costs will reduce, merely that annual increases return to trend (~3%). In the circumstances, the cost assumptions are considered appropriate.

Lenders require mortgage valuations to assume certain hurdle rates; while market appetite may vary with development/market cycles, capital finance requirements do influence the parameters within which a development project is 'bankable'.

Table 3 outlines the target hurdle rates adopted for the feasibility testing.

Table 3: Benchmark Hurdle Rates

Hurdles	Feasible	Marginal	Not Feasible
Development Margin	>20%	18%-20%	<18%
Project Return (IRR)	>18%	17%-18%	<17%

Source: Atlas

Affordable Housing Contributions

Any assessment of Affordable Housing contributions is underpinned by the considerations of Information Note 4, that is, the Affordable Housing Targets are calculated as a proportion of residential floor space **above** the base floor space ratio.

The Site measures 6,120sqm and is subject to an 8.5m height limit. There is no floor space ratio. While current improved with five single dwellings, dual occupancy is permitted in the zone and thereby the Site has a dwelling potential of 10.

The Planning Proposal seeks to amend the LEP to permit 41 dwellings, thereby resulting in 31 dwellings enabled by the rezoning. **Table 4** shows the quantum of Affordable Housing that could result from 5% and 10% of the 31 'new' dwellings.

Table 4: New Residential Floorspace from Rezoning

	Before Rezoning	Planning Proposal
Dwellings potential	10 (dual occupancy)	41
New dwellings (enabled by Planning Proposal)		31
5% x 31 new dwellings (% of 41 dwellings)	n/a	1.55 dwellings (3.8%)
10% x 31 new dwellings (% of 41 dwellings)	n/a	3.1 dwellings (7.6%)

Source: Atlas

Depending on the percentage contribution, the quantum of Affordable Housing is equivalent to:

- 5% of 31 dwellings - 1.55 dwellings, which is approximately 3.8% of the 41 proposed dwellings.
- 10% of 31 dwellings - 3.1 dwellings, which is approximately 7.6% of the 41 proposed dwellings.

The feasibility modelling tests the impact of the above contributions on the feasibility of development.

Solving for Viable % Affordable Housing Contributions

This section tested Affordable Housing contributions - at 5% and 10% of 'new' dwellings (1.55 and 3.1 dwellings respectively) and found that it was viable to contribute 1.55 dwellings but not 3.1 dwellings. The testing found that development had the capacity to contribute more than 1.55 dwellings.

Testing was then iteratively carried out to solve for the number of dwellings (more than 1.55 dwellings, but fewer than 3.1 dwellings) that would be viable. The testing found that 2 dwellings was a viable contribution (which was equivalent to 5% of the 41 dwellings proposed).

Table 5 shows the % scenarios that were tested.

Table 5: Viability of Varying Levels of Affordable Housing Contributions

Dwellings	% Affordable Housing		Feasible?
(a)	(b) = (a ÷ 31 dw)	(c) = (a ÷ 41 dw)	(d)
1.6 dw	5% (x new floorspace)	3.8% (x total floorspace)	Yes
3.1 dw	10% (x new floorspace)	7.6% (x total floorspace)	No
2.0 dw	6.5% (x new floorspace)	5.0% (x total floorspace)	Yes

Table 6 shows the feasibility of development *after* Affordable Housing contribution of 2 dwellings is made. The target hurdle rates are achieved and the residual land value is greater than the Opportunity Cost of Land.

Table 6: Modelling Results

5% total floorspace (6.5% new floorspace)			
Total Dwellings ('New' Dwellings)	41 dwellings (31)		
Affordable Housing Dwellings	2 dwellings	184sqm GFA (3,683sqm x 5%)	
Gross Revenue (41 dwellings) (\$/sqm GFA)	\$72,402,000	\$1,765,902/dw	\$19,658/sqm GFA
Revenue		\$/dw	
Gross Sales Revenue (revenue from 2 dwellings foregone)	\$68,781,900		
Less: Selling Costs	(\$2,124,957)		
Total Revenue (before GST paid)	\$66,656,943		
Less GST paid on revenue	(\$6,252,900)		
Total Revenue (after GST paid)	\$60,404,403		
Costs		\$/dw	
Land Purchase Cost (Opportunity Cost of Land)	\$16,524,000	\$403,024	
Transaction Costs	\$974,495		
Construction Costs (incl. Contingency)	\$23,182,320	\$565,422	
Professional Fees	\$2,525,269		
Statutory Fees	\$642,932		
Land Holding Costs	\$475,875		
Finance Charges	\$175,000		
Interest Expense	\$5,458,567		
Total Costs (net GST)	\$49,958,458	\$1,218,499	
Performance Indicators		\$/dw	
Development Margin	(a)	20.1%	
Project Return	(b)	18.1%	
Residual Land Value (excl. GST)	(c)	\$16,566,128	\$404,052
Analysis of Residual Land Value (RLV)			
Comparison to Opportunity Cost of Land	(d)	\$16,524,000	
Feasible?	yes if (c) > (d)	Yes	

The modelling shows that a 5% Affordable Housing contribution (of the overall 41 dwellings) is viable. This is equivalent to:

- 2 average dwellings in aggregate terms (41 dwellings x 5%).
- 184sqm GFA in aggregate terms (3,683sqm GFA x 5%).
- 6.5% of the 31 'new' dwellings enabled by the rezoning.

Performance indicators achieve the target hurdle rates and the development is considered to be feasible. Atlas highlights that the feasibility testing is undertaken in a zero-escalation model and represents a conservative scenario. Should achievable revenues strengthen relative to construction cost, the feasibility outcomes would be more favourable than shown here.

For a full list of feasibility testing assumptions refer to SCHEDULE 1.

SUMMARY OF FINDINGS

The Study finds that there is an opportunity for the Proposal to contribute to 6.5% Affordable Housing (calculated on 'new' dwellings, i.e. the dwellings enabled by the rezoning) **and** remain viable. In overall dwelling terms, this is equivalent to 5% of total dwellings. This would be in line with the Panel's determination that a 5% Affordable Housing contribution should be made.

The Macroplan study raises concerns about the inclusion of an LEP clause to require Affordable Housing and the consequent inability of a development to respond to changes in project viability over time. Whilst this may be true, the same could be said of the proposed planning amendments (to be made in the LEP). For example, if material and labour shortages were to persist or if economic conditions become more unfavourable, the deterioration of project viability could require additional dwellings to the 41 dwellings sought.

Contribution Rates and Dwellings

Should Council seek dedication of dwellings, dedication of an average of two dwellings (or 184sqm GFA) that are valued at approx. \$3,531,805 (in \$2024 dollars) could be acceptable.

Compared to the contribution of dwellings in-kind, a monetary contribution would have a larger cashflow implication given its requirement earlier in the development, i.e. when s7.12 levies are payable. Notwithstanding, given the relative small scale of the development, the proponent could elect to make a cash contribution, rather than dedicate completed dwellings. The feasibility testing has assumed an aggregate 'average dwelling' which is a blend of 38 apartments and 3 townhouses. The equivalent monetary contribution would be the market value of 184sqm residential GFA.

Table 7 indicates the contribution in equivalent amounts in dollar terms and in completed/ built dwelling terms and when they would be contributed.

Table 7: Affordable Housing Contribution

	Completed Dwellings	Equivalent Monetary Payment
Affordable Housing Contribution	2 average dwellings (184sqm GFA)	\$19,658/sqm GFA (\$23,127/sqm NSA)
Timing of Contribution	End of development	Together with s7.12 Levy

Source: Atlas

We trust this assists DPHI with the setting of an Affordable Housing contribution rate. Please contact the undersigned with queries.

Yours sincerely



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<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/LoadGenWebDoc.ashx?id=HBWUDC3VbgIV0A60ki4OEg%3d%3d>

SCHEDULE 1

Feasibility Testing Assumptions

Project Timing

The Site is assumed to be rezoned, with the cost of the rezoning assumed to be 'sunk' in Month 0 on purchase of the Site.

Pre-sales marketing commences in Month 9. Site preparation commences in Month 15 and construction is 18 months. Sales are completed by Month 36.

Indicative Residential Yield

Development yields are indicative and extracted from the Planning Proposal in **Table S1-1. Table**

S1-1: Indicative Residential Yield

Dwelling Type	Dwellings	GFA (sqm)
1 bedroom unit	12	3,266sqm
2 bedroom unit	20	
3 bedroom unit	6	
Townhouse	3	417sqm

Source: Macroplan

Revenue

Average end sale values are adopted from a review of the Macroplan and Hill PDA studies.

Table S1-2: End Sale Values (\$2024)

Dwelling Type	Dwellings	End Sale Value
1 bedroom unit	12	\$1,028,500
2 bedroom unit	20	\$1,815,000
3 bedroom unit	6	\$2,530,000
Townhouse	3	\$2,860,000
	41	Avg. \$1,765,902

Source: Atlas

Other revenue assumptions:

- GST is included on the residential sales.
- Sales commission at 2% (residential) gross sales.
- Marketing costs of 1% on gross sales and legal cost on sales included at \$1,500 per dwelling.

Costs

- Land purchase cost imputed by the Opportunity Cost of Land (\$16,524,000).
- Legal costs, valuation and due diligence was assumed at 0.5% of land price and stamp duty at NSW statutory rates.
- Construction costs are assumed based on review of Macroplan and Hill PDA studies:
 - Demolition - \$200,000
 - Residential building - \$4,800/sqm GFA
 - Basement parking - \$60,000 per space
- Construction contingency of 5%.

Other cost assumptions include:

- Professional fees at 9% of construction cost.
- Development management at 1% of construction cost.
- Statutory fees:
 - DA and CC fees at Council's fees and charges.
 - s7.12 contributions at 1% of cost of development.
 - Housing and Productivity contributions at \$12,000 per house and \$10,000 per apartment (assumed at 75% from 1 July 2024).
 - Sydney Water DSP charges at \$5,663 per equivalent tenement (assumed at 25% from 1 July 2024).
 - Long service levy at 0.25% of construction cost.
- Land holding costs applied at statutory rates (land tax, Council rates, water rates).
- Finance costs:
 - 100% debt funding at interest capitalised monthly at 8% per annum.
 - Establishment fee at 0.35% of peak debt.

Hurdle Rates

Key performance indicators relied upon are hurdle rates (development margin¹ and project IRR²). Benchmark hurdle rates and their 'feasible' ranges are indicated in **Table S1-**

3. Table S1-3: Benchmark Hurdle Rates

Performance Indicator	Feasible	Marginal to Feasible	Not Feasible
Development Margin	>20%	18%-20%	<18%
Project Return (IRR)	>18%	17%-18%	<17%

Source: Atlas

¹ Development Margin is profit divided by total costs (including selling costs)

² Project IRR is the project return on investment, the discount rate where the cash inflows and cash outflows are equal

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BostonBlythFleming
Town Planners

15 November 2024

The CEO
Northern Beaches Council
Po Box 882
MONA VALE NSW 1660

Attention: Robert Platt - Principal Development Infrastructure Officer

Dear Mr Platt,

Updated Offer to Enter into a Planning Agreement with Northern Beaches Council
VPA2023/0001
Development of Sector 303 including built form and subdivision
Lot 4, DP553816, 16 Macpherson Street, Warriewood

Reference is made to Development Application DA2023/0669 currently before the Land and Environment Court of NSW proposing the construction of 28 dwellings, infrastructure, roadworks, tree removal, landscaping, community title subdivision and the dedication of the inner 25 metre creek line corridor to Council.

This Voluntary Planning Agreement (VPA) offer proposes the delivery of works-in-kind involving the rehabilitation of the creek line corridor and the construction of the shared path connection within Brands Lane being works identified in the Warriewood Valley Contributions Plan and the dedication of the inner creek line corridor to Council.

We note that Narrabeen Creek has undergone substantial artificial re-alignment as a result of the development of the adjoining sites over the past several decades. DP 1072867, which forms a common creek boundary, notes the artificial re-alignment of Narrabeen Creek when defining the northern boundary of the subject allotment. Several registered plans upstream and downstream of the subject plan also come to the same conclusion when defining their respective creek boundary.

The location of the northern boundary, being the former centreline of Narrabeen Creek, has been digitised from DP 5464 and is substantially the same as that shown on DP 331865 and DP 553816. This being the common (and southern) boundary of Lot 6015, DP 1072867 - Public Reserve.

The proposed works-in-kind and land dedication to which this VPA offer relates are as follows:

- Item 23 (Pedestrian and Cycleway Schedule) Shared Path Brands Lane

The location and detail of the Shared Path is depicted in the Civil Works plans, prepared by Craig and Rhodes at **Attachment 1**.

- Item 2.62B (Multi-functional Creek Line Strategy) Rehabilitation works of Narrabeen Creek at Sector 303

The location and detail of the Narrabeen Creek rehabilitation works is depicted in the Narrabeen Creek Rehabilitation Works plans, Revision F prepared by Craig and Rhodes at **Attachment 2**, and Biodiversity Management Plan prepared by AEP at **Attachment 3**

- Clause 5.2.2 - Creek line corridor land dedication at Sector 303.

The inner 25 metre creek line corridor proposed to be dedicated to Council is nominated as proposed Lot 30 on concept Subdivision Plan Lot dedication plan 048-22P L01[14] prepared by Craig & Rhodes **Attachment 4**.

Rationale and origin of the Offer

The Offer relates to works and required creek line corridor land dedication specifically identified in the Warriewood Valley Contributions Plan and which are proposed to be carried out as a component of the subject development application.

Demonstratable Public Benefit of the Offer

The Offer relates to works and required creek line corridor land dedication specifically identified in the Warriewood Valley Contributions Plan and will facilitate the completion of these identified works and creek line corridor land dedication as a component of the subject development application. The Offer facilitates the provision of identified infrastructure and works located on public land (upon dedication of the inner creek line corridor) within Warriewood Valley and accordingly provides Public Benefit.

Valuation of the Offer

2

- Item 23 (Pedestrian and Cycleway Schedule) Shared Path Brands Lane

Cost: \$73,012.00 + GST

- Item 2.62B (Multi-functional Creek Line Strategy) Rehabilitation works of Narrabeen Creek at Sector 303

Cost: \$158,899+ GST

Gross Construction Cost for works-in-kind: \$231,911.00

- Clause 5.2.2 - Creek line corridor land dedication at Sector 303.

The accompanying documentation confirms that 1091m² of creek line corridor (proposed Lot 30) is to be dedicated to Council at a land value of **\$175,696-** in accordance with Council's adopted development contribution plan and indexed to/2024 land value rates

The value of this land will directly offset the total monetary contribution payable for development on the land.

Proposed implementation of the Offer

- Item 23 (Pedestrian and Cycleway Schedule) Shared Path Brands Lane

These works will be carried out prior to issue of any Occupation Certificate relating to DA2023/0669

- Item 2.62B (Multi-functional Creek Line Strategy) Rehabilitation works of Narrabeen Creek at Sector 303

These works will be carried out prior to the dedication of the creek line corridor in accordance with DA2023/0669.

- Clause 5.2.2 - Creek line corridor land dedication at Sector 303.

The land will be dedicated upon registration of the draft plan of subdivision with NSW Land Services.

3

Please do not hesitate to contact me to discuss any aspect of this correspondence.

Yours sincerely

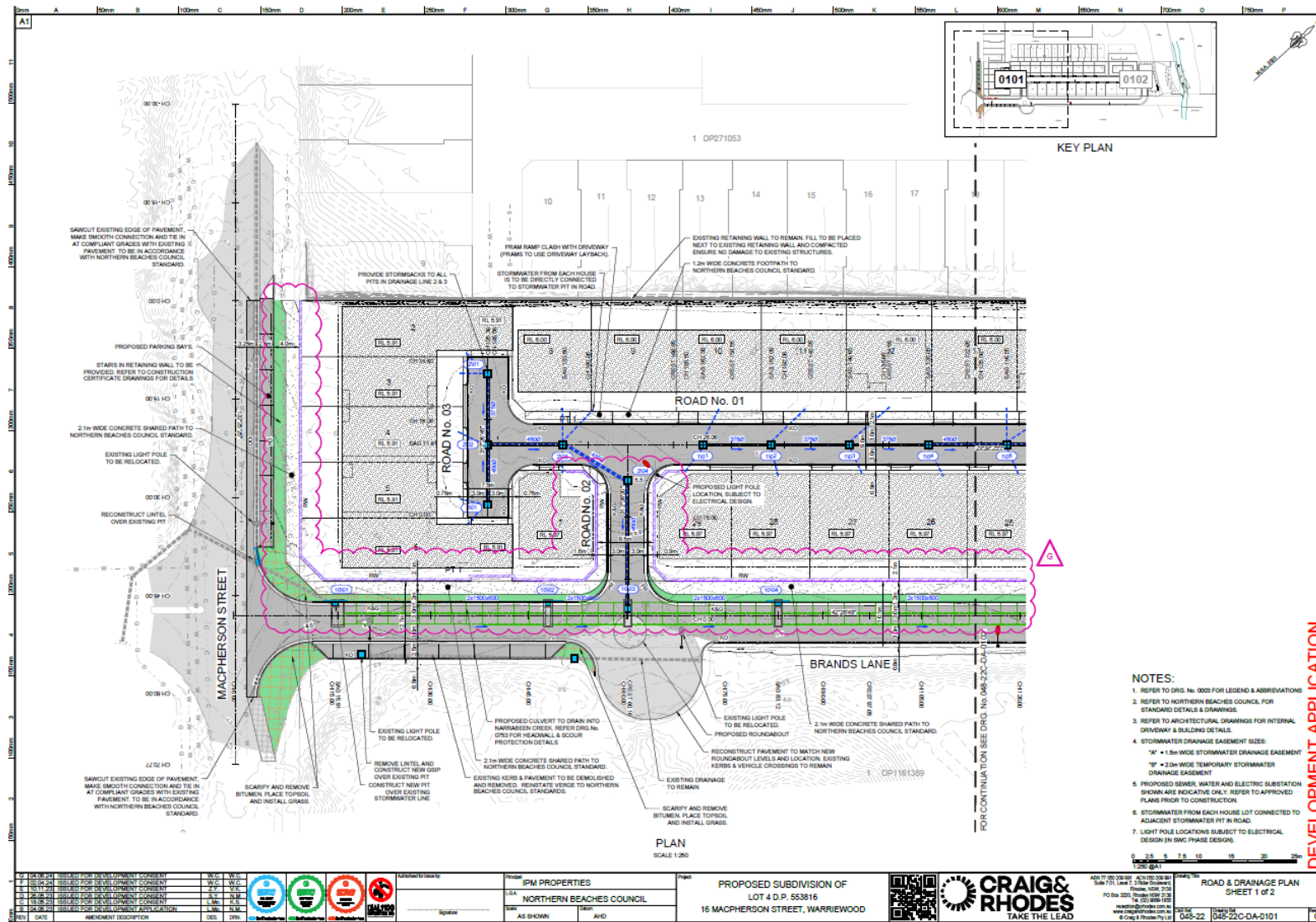
BOSTON BLYTH FLEMING PTY LIMITED



Greg Boston
B Urb & Reg Plan (UNE) MPIA
Director

- | | |
|---------------------|--|
| Attachment 1 | Civil works plans prepared by Craig and Rhodes |
| Attachment 2 | Narrabeen Creek rehabilitation works plans, Revision F, prepared by Craig and Rhodes |
| Attachment 3 | Biodiversity Management Plan prepared by AEP |
| Attachment 4 | Concept Subdivision Plan prepared by Craig & Rhodes |

**ATTACHMENT 1 - CIVIL WORKS PLANS PREPARED BY
CRAIG AND RHODES**





**ATTACHMENT 2 - NARRABEEN CREEK REHABILITATION
WORKS PLANS, REVISION F, PREPARED BY CRAIG AND
RHODES**

A1

PROPOSED SUBDIVISION of LOT 4 D.P. 553816 16 MACPHERSON STREET, WARRIEWOOD

NARRABEEN CREEK REHABILITATION WORKS DEVELOPMENT APPLICATION

D.A. _____

LOCALITY PLAN
(NOT TO SCALE)

(DRAWN: 10/04/2024)

ROCK SCOUR PROTECTION

- ROCK USED IN THE SCOUR PROTECTION SHALL CONSIST OF MATERIAL WHICH COMPLES WITH THESE NOTES AND THE DRAWINGS. THESE REQUIREMENTS APPLY TO BOTH IMPORTED ROCK AND NATURAL ROCK WHICH IS REUSED.
- INDIVIDUAL ROCKS SHALL BE FREE FROM CRACKS, CLEAVAGE PLANES, SEAMS AND DEFECTS WHICH WOULD RESULT IN THE BREAKDOWN OF ROCK IN SERVICE.
- ROCK UNITS SHALL BE EITHER SEDIMENTARY ROCK ONLY OR IGNEOUS ROCK ONLY AND, AS A MINIMUM, SHALL SATISFY THE FOLLOWING CRITERIA:
 - ROCK SHALL BE BOTH ROUGH AND ANGULAR
 - ROCK SHALL HAVE A MINIMUM DRY DENSITY OF 2000 kg/m³
 - IGNEOUS ROCK SHALL NOT HAVE MORE THAN 10% (BY VOLUME) CLAYEY MATERIAL AND SHALL HAVE NO ZONES OF SECONDARY ALTERATION SUCH AS CHLORITISATION
 - SEDIMENTARY ROCK SHALL HAVE A SODIUM SULPHATE SOULDESS WEIGHT LOSS NOT EXCEEDING 28%
- ROCK SHALL HAVE A SATURATED POINT LOAD STRENGTH INDEX (PSI) NO LESS THAN 5.0 MPa FOR IGNEOUS ROCK AND 1.0 MPa FOR SEDIMENTARY ROCK.
- THE RATIO OF THE MAXIMUM DIMENSION TO THE MINIMUM DIMENSION, MEASURED AS RIGHT ANGLES TO THE MAXIMUM DIMENSION, SHALL NOT EXCEED 2.5x.
- THE ROCK UNITS SHALL BE PLACED SUCH THAT THE SPECIFIED REQUIREMENTS FOR SIZE, FINISHED SURFACE SIDE SLOPES, TOP AND TOE LEVELS AND DENSITY REQUIREMENTS ARE SATISFIED. IN ADDITION, ROCKS SHALL BE WEDGED AND LOCKED TOGETHER SUCH THAT THEY ARE NOT FREE TO MOVE. ROCK UNITS SHALL NOT BE ROLLED OR DROPPED IN TO POSITION. THEY SHALL BE PLACED.
- THE METHOD OF ROCK PLACEMENT SHALL BE SUCH AS TO MINIMISE ITS BREAKDOWN ON HANDLING AND THE PRODUCTION OF FINES.
- A NON-WOVEN SHALL BE PLACED UNDERneath AND BEHIND ALL ROCK ARMOUR AND EXTEND 0.3m ABOVE THE EXTENT OF THE WORKS OR AS OTHERWISE SHOWN ON THE DRAWINGS. THE GEOTEXTILE IS TO BE Laid ON A HEAVILY TRIMMED BATTER THAT IS FREE OF HOLLOW OR SHARP OBJECTS.
- GEOTEXTILE LAYERS SHALL EITHER OVERLAP ONE ANOTHER BY 100mm OR BE SEWN TOGETHER (WITH A NON-Biodegradable THREAD) WITH AN OVERLAP OF 100mm.
- ROCK AND SUB-ARMOUR SHALL BE PLACED UPON THE GEOTEXTILE IN A LAYER NO LESS THAN 150mm THICK UNLESS OTHERWISE SHOWN ON DRAWINGS.
- ROCK ARMOUR SHALL BE SELECTIVELY HAND PLACED UPON THE SUB-ARMOUR TO ENSURE A SNUG FIT SUCH THAT INDIVIDUAL ROCKS ARE NOT FREE TO MOVE. THE PLACING OF ANY ARMOUR ROCK SHALL BE COMPLETED IN SUCH A MANNER AS TO MINIMISE THE DISTURBANCE OR DELODGE OF THE SUB-ARMOUR.
- THE ARMOUR ROCK AND SUB-ARMOUR ROCK SHALL BE PLACED TO THE CONSTRUCTION TOLERANCES SHOWN ON THE DRAWINGS.
- AT LEAST FOURTEEN (14) DAYS PRIOR TO THE SUPPLY OF ANY ROCK, THE CONTRACTOR SHALL PROVIDE DOCUMENTATION TO DEMONSTRATE THAT THE ROCK TO BE SUPPLIED COMPLES WITH THE REQUIREMENTS OF THIS SPECIFICATION.

EARTHWORKS

- THE CONTRACTOR SHALL PROVIDE PROPER FENCING, GUARDING & LIGHTING AND OBSERVATION OF ALL EARTHWORKS. TEMPORARY ROADWAYS, FOOTPATHS, GUARDING NECESSARY FOR THE ACCOMMODATION AND PROTECTION OF PEDESTRIANS, VEHICLES, ANIMALS & THE PUBLIC.
- ALL EARTHWORKS SHALL BE CARRIED OUT IN THE LOCATIONS SHOWN AND TO THE LEVELS, WIDTHS AND SLOPE INDICATED ON THE DRAWINGS.

DRAWING No.	DRAWING TITLE	REV.
048-23-C-000	COVER SHEET, LOCALITY PLAN & INDEX	1
048-23-C-001	GENERAL NOTES	1
048-23-C-002	NARRABEEN CREEK PLAN LONGITUDINAL SECTION & TYPICAL CROSS SECTION	1
048-23-C-003	NARRABEEN CREEK CROSS SECTION	1
048-23-C-004	VEGETATION REMOVAL	1
048-23-C-005	SEDIMENT & EROSION CONTROL PLAN	1
048-23-C-006	SEDIMENT & EROSION CONTROL DETAILS	1

EXCAVATIONS

- ALL TOPSOIL TO BE STRIPPED AND STOCKPILED FOR FUTURE USE. STRIPPED SURFACES ARE TO BE ROLLED AND INSPECTED BY A GEOTECHNICAL ENGINEER PRIOR TO CONTINUING WORKS. DEPTH OF TOPSOIL STRIPPING TO BE BETWEEN 100mm AND 200mm TO BE CONFIRMED BY THE SUPERINTENDENT PRIOR TO CONSTRUCTION.
- WHERE ROCK IS EXPOSED DURING EXCAVATION, THE CONTRACTOR SHALL CLEAR EXCAVATION AT THIS LOCATION AND CONTACT THE SUPERINTENDENT WHO WILL THEN ADVISE ON THE LEVEL TO WHICH THE EXCAVATION IS TAKEN.

FILL

- FOUNDATION MATERIAL DESIRED BY THE SUPERINTENDENT AS UNSUITABLE TO BE REMOVED AS DIRECTED BY THE SUPERINTENDENT AND REPLACED WITH APPROVED MATERIAL SATISFYING THE REQUIREMENTS LIST BELOW.
- UNLESS OTHERWISE APPROVED OR SPECIFIED, ALL FILL MATERIAL SHALL BE FROM A SOURCE APPROVED BY THE SUPERINTENDENT AND SHALL COMPLY WITH THE FOLLOWING:
 - FREE FROM ORGANIC & PERISHABLE MATTER
 - MAXIMUM PARTICLE SIZE: 75mm
 - PLASTICITY INDEX BETWEEN 2% AND 20%
 - CBR > 10
- SELECT FILL MATERIAL SHALL BE PLACED IN MAXIMUM 200mm LOOSE THICK LAYERS AND COMPACTED AT OPTIMUM MOISTURE CONTENT (MTC) TO ACHIEVE A DRY DENSITY OF NOT LESS THAN THE STANDARD DRY DENSITY (LATEST EDITION) OF NOT LESS THAN THE STANDARD DRY DENSITY ON ACCORDANCE WITH AUSTRAS 1 LATEST EDITION SHOWN ON THE DRAWING.
- COMPACTION CONTROL TESTING SHALL BE CARRIED OUT BY AT LEAST THE COST OF THE CONTRACTOR TO CONFORM WITH LEVEL 1 AS DEFINED IN AUSTRAS 1 (LATEST EDITION).
- REPLACEMENT SUBGRADE MATERIAL MAY COMPRISE GRANULAR FILL MATERIAL & SHOULD HAVE A CBR OF AT LEAST 10 ON REPLACEMENT. SUBGRADE SHALL BE PLACED ON PROOF ROLLED SUBGRADE IN HORIZONTAL LAYERS OF 200mm TO 300mm MAXIMUM LOOSENESS DEPENDING ON THE SIZE OF EQUIPMENT AND COMPACTED TO A MINIMUM DRY DENSITY OF 95% OF MVD STANDARD AT MOISTURE CONTENT WITHIN 2% OF OPTIMUM MOISTURE CONTENT.
- WHERE EXCAVATED MATERIAL IS TO BE USED FOR FILLING, THE MATERIAL SHALL BE INSPECTED & APPROVED BY THE SUPERINTENDENT PRIOR TO USE.

REV.	DATE	AMENDMENT DESCRIPTION	DES.	CHK.
1	10/04/2024	ISSUED FOR DEVELOPMENT CONSIDERATION	J.S.	J.S.
2	10/04/2024	ISSUED FOR DEVELOPMENT CONSIDERATION	J.S.	J.S.
3	10/04/2024	ISSUED FOR DEVELOPMENT CONSIDERATION	J.S.	J.S.
4	10/04/2024	ISSUED FOR DEVELOPMENT CONSIDERATION	J.S.	J.S.
5	10/04/2024	ISSUED FOR DEVELOPMENT CONSIDERATION	J.S.	J.S.

IPM PROPERTIES

NORTHERN BEACHES COUNCIL

AS SHOWN

PROPOSED SUBDIVISION OF

LOT 4 D.P. 553816

16 MACPHERSON STREET, WARRIEWOOD

CRAIG & RHODES

TAKE THE LEAD

048-23-C-000

COVER SHEET, LOCALITY PLAN & INDEX

048-23-C-001

GENERAL NOTES

LEGEND - CIVIL		
DESCRIPTION	PROPOSED	EXISTING
LIMIT OF CONSTRUCTION		
CIVIL WORKS BOUNDARY		
SITE WORKS BOUNDARY		
DESIGN CONTOUR - MAJOR		
DESIGN CONTOUR - MINOR		
MASSIVITY RETAINING WALL		
ROCK RETAINING WALL		
FENCE		
LOCKABLE GATE		
BOLLARD		
GUIDE POST		
SITE FENCE		
GUARD RAIL		
BATTER (EARTHWORKS)		
BATTER (TICK SITE BATTER)		
CENTRELINE / CHAINAGE		
KERB LINE		
KERB LINE (FUTURE)		
KERB RETURN LABEL		
SURFACE LEVEL		
VEHICULAR CROSSING		
DRIVEWAY		

LEGEND - DRAINAGE				
DESCRIPTION	PROPOSED	EXISTING	FUTURE	TEMPORARY
SUBSOIL DRAINAGE LINE				
SUBSOIL DRAINAGE FLUSHING POINT				
STORMWATER DRAINAGE LINE				
ROBC CULVERT LINE				
FLOW DIRECTION AND PIPE SIZE				
STUB CAP AND BURY FOR FUTURE CONNECTION				
TEMPORARILY BLOCK PIPE				
STRUCTURAL STORMWATER PIT (INTEGRATE VARIABLE)				
STORMWATER PIT - ONGRADE				
STORMWATER PIT - BAG				
STORMWATER PIT - SURFACE INLET				
STORMWATER PIT - JUNCTION PIT				
STORMWATER PIT LABEL (DRAINAGE LINE No. 1 (DRAINAGE PIT No. 1))				
CONCRETE HEADWALL WITH RIPPAP SCOUR PROTECTION				
STACKED ROCK HEADWALL WITH RIPPAP SCOUR PROTECTION				
OVERLAND FLOW PATH				
CATCHMENT DIRECTION				
EARTH BANK (LOW FLOW)				
SWALE				
ROOF WATER OUTLET TO KERB				
ROOF WATER CONNECTION TO REAR OF LINTIL				
BASIN FENCE				
BASIN BIO FILTER				

LEGEND - SERVICES			
DESCRIPTION	PROPOSED	EXISTING	FUTURE
OH ELECTRICAL LINE			
ELECTRICAL LINE			
ELECTRICAL PILLAR			
STREET LIGHT			
POWER POLE			
ELECTRICAL SUBSTATION			
WATER LINE			
WATER HYDRANT			
WATER STOP VALVE			
RECYCLE WATER			
COMMUNICATION LINE			
GAS LINE			
SEWER LINE			
SEWER RISING MAIN			
SEWER LINE CONCRETE ENCASED			
SEWER MAINTENANCE HOLE			
SEWER MGMTS			
NBN LINE			
TELECOMS LINE			
FIBRE OPTIC LINE			
COMBINED SERVICES TRENCH			

LEGEND - PAVEMENT		
DESCRIPTION	PROPOSED	EXISTING
ROAD		
TEMPORARY		
FOOTPATH		
TURF LINING IN ROAD VERGE		

LEGEND - SURVEY		
DESCRIPTION	PROPOSED	EXISTING
TREES		
EXISTING TREES TO BE REMOVED (MUST BE CONCORDANT WITH ARBORIST REPORT)		

ABBREVIATIONS		
RKG	ROLL KERB AND GUTTER	
KAG	KERB AND GUTTER	
KD	KERB ONLY	
ES	EDGE STRIP	
DD	DISH DRAIN	
PR	PIER RAMP	
VC	VEHICULAR CROSSING	
RW	RETAINING WALL	
S.G.S.P.	STANDARD GRATED GULLY PIT	
G.S.I.P.	GRATED SURFACE INLET PIT	
JP	JUNCTION PIT	
HW	HEADWALL	
GPT	GROSS POLLUTANT TRAP	
TOW	TOP OF WALL	
BOW	BOTTOM OF WALL	
TFSL	TOP FINISHED SURFACE LEVEL	
BFSL	BOTTOM FINISHED SURFACE LEVEL	
RCP	STEEL REINFORCED CONCRETE PIPE	
RJ	RUBBER RING JOINT	
CT or C2	PIPE CLASS	
MH	MAINTENANCE HOLE	
MS	MAINTENANCE SHAFT	
TMS	TERMINAL MAINTENANCE SHAFT	
RP	RODDING POINT	
HYD	HYDRANT	
SV	STOP VALVE	
SAG	LOW POINT	
CREST	HIGH POINT	
PP	POWER POLE	

1. 10/1/2024	ISSUED FOR DEVELOPMENT CONSENT	17	A/C
2. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
3. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
4. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
5. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
6. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
7. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
8. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
9. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
10. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
11. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
12. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
13. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
14. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
15. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
16. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
17. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
18. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
19. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
20. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
21. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
22. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
23. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
24. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
25. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
26. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
27. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
28. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
29. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
30. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
31. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
32. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
33. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
34. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
35. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
36. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
37. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
38. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
39. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
40. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
41. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
42. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
43. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
44. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
45. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
46. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
47. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
48. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
49. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
50. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
51. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
52. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
53. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
54. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
55. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
56. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
57. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
58. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
59. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
60. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
61. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
62. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
63. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
64. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
65. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
66. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
67. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
68. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
69. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
70. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
71. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
72. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
73. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
74. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
75. 15/1/2024	ISSUED FOR DEVELOPMENT CONSENT	22	A/C
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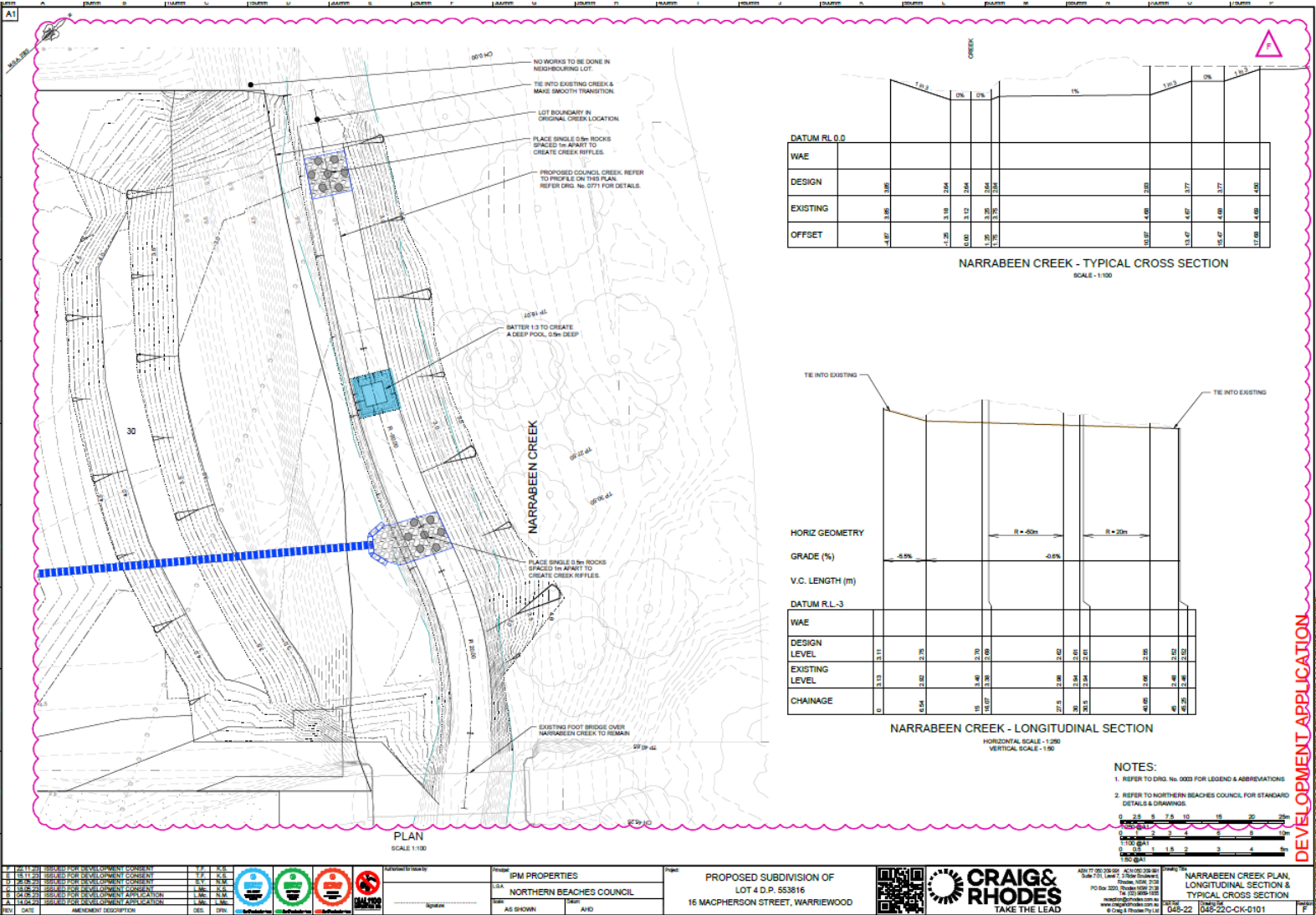
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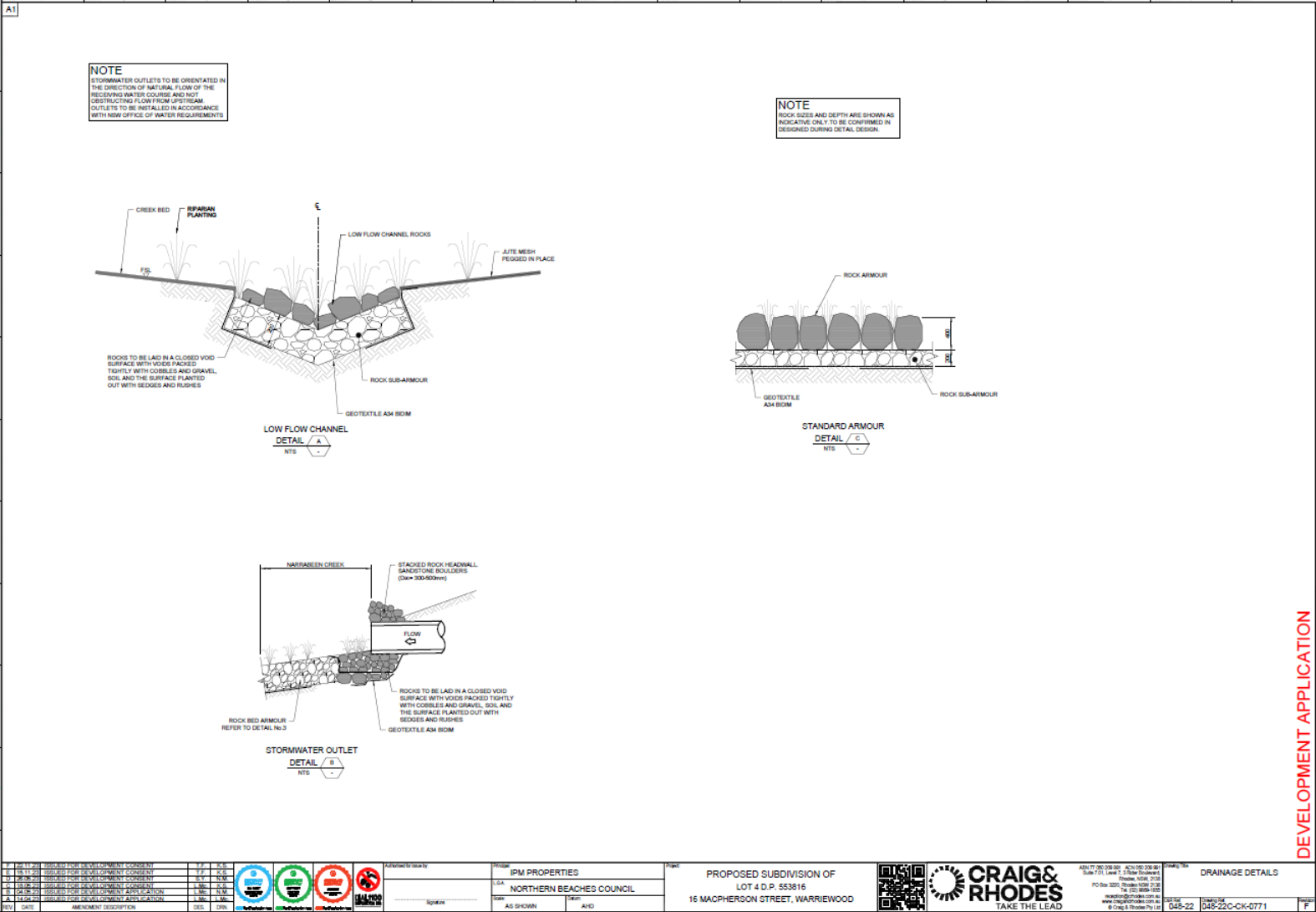
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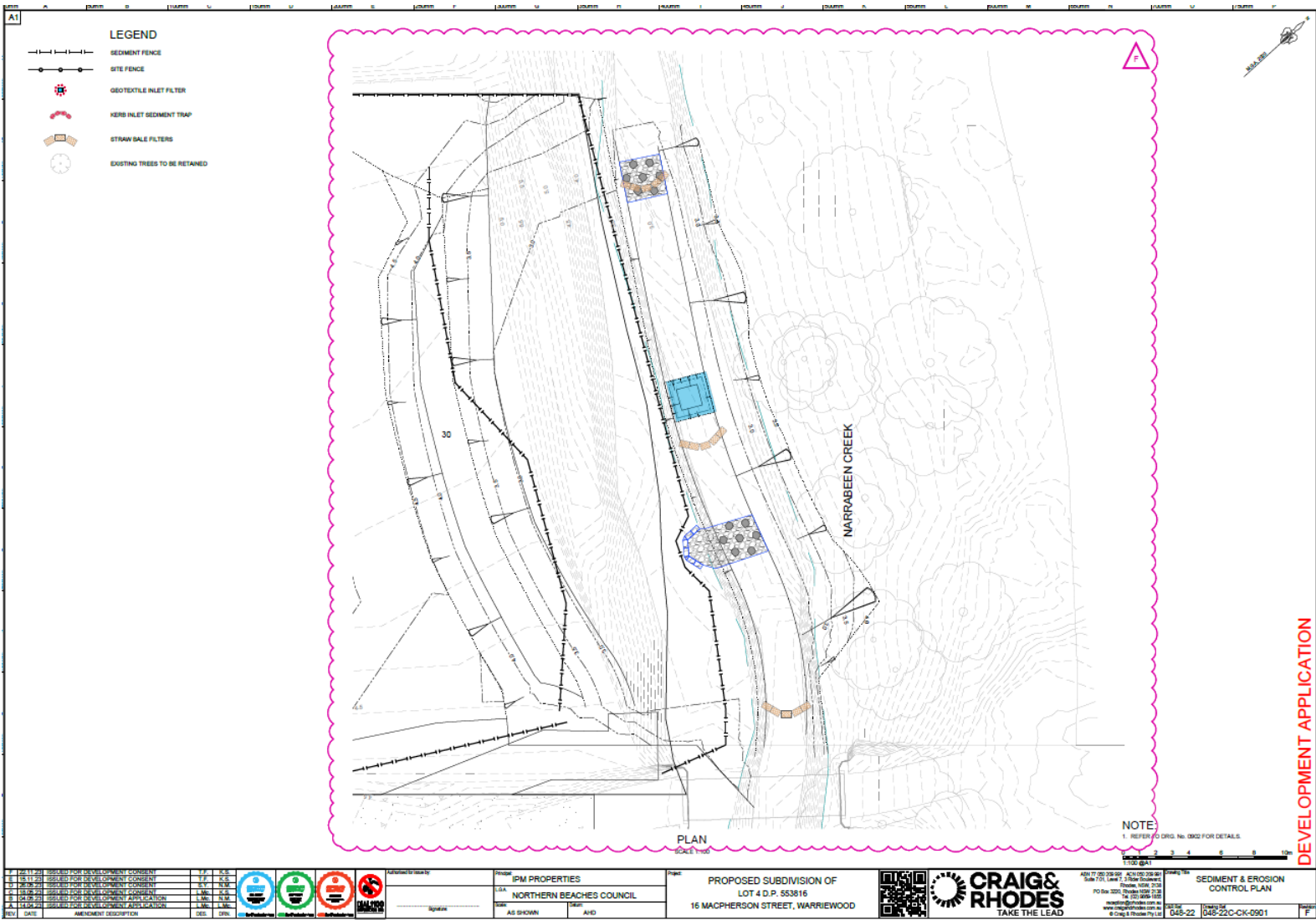
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DEVELOPMENT APPLICATION







**ATTACHMENT 3 - BIODIVERSITY MANAGEMENT PLAN
PREPARED BY AEP**



Biodiversity Management Plan – 16 Macpherson St, Warriewood NSW

Prepared For: Warrimac Pty Ltd


Prepared By: Anderson Environment and Planning

Date: October 2023

AEP Reference: 2564.01

Revision: 04



		
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2564.01 Warriewood BMP		October 2023

1.0 Introduction

At the request of Warrimac Pty Ltd (the client), Anderson Environment & Planning (AEP) have undertaken the necessary investigations to inform the production of a Biodiversity Management Plan (BMP) to schedule reconstruction measures associated with a proposed residential subdivision and dwelling construction at 16 Macpherson Street, Warriewood, NSW (Subject Site).

The BMP schedules reconstruction works for the creekline corridor located within the proposed development. The varying stages of regeneration are applicable to ensure minimal construction impacts on the regeneration during construction.

1.1 Biodiversity Management Plan Objectives

The purpose of this plan is to;

- Reinstatement a standard creek profile creating both ecological and hydraulic function within Narrabeen Creek.
- To provide a suitable location for the translocation of *Syzygium paniculatum* (Magenta Lilly Pilly) trees located within the existing riparian corridor.
- Regeneration vegetation in the north east of the Subject Site.

The BMP requires action to regenerate riparian lands while creating safe space within the proposed subdivision, incorporating best practice management of vegetation and fauna within the BMP Lands.

The overall BMP objectives are to provide:

- Education of the Plant Community Type (PCT) within the Subject Site;
- Reconstruction using council's standard creek design;
- Improving water quality and aquatic habitat;
- To assess and adjust weeding and planting regimes across the BMP;
- Areas of habitat for native flora and fauna, including locally occurring threatened species; and
- A long-term environmental conservation area, in a state of Natural Regeneration requiring nominal ongoing maintenance.

1.1.1 Proposal

The proposed development involves a residential subdivision covering the entirety of the Lot. The land clearing required for the proposed development involves the removal of 0.21ha native vegetation from the Subject Site.

The proposal contains 28 residential lots and 2 lots containing an internal road, the reconstruction of Narrabeen Creek and the riparian corridor.

Figure 1 and 2 shows the site location and ground-truthed vegetation respectively and Appendix A shows the proposed development.

1.1.2 Supporting Reports

The BMP must be read and implemented in conjunction with the following reports:

- AEP (2023) *Ecological Assessment Report for a Proposed Residential Subdivision at 16 Macpherson Street, Warriewood, NSW*;

1.2 BMP Lands

The BMP lands comprise 0.14ha and contain;

- The existing severely modified and highly degraded Narrabeen Creek; and
- A portion of the Subject Site that is proposed for riparian corridor reconstruction works.

Within both sections there are scattered patches of highly degraded PCT 1795, exotic pastures and cleared land.

The section of Narrabeen Creek proposed to be managed under the BMP is highly disturbed and will require plantings and erosion and sediment controls to ensure the banks of the creek remain stable and natural flow and ecological function are maintained. The creek present within the BMP Lands has limited watercourse features as identified in Department of Planning, Industry and Environment (2020), *Natural Resources Access Regulator Waterfront Land Tool*, such as pools, riffles, meanders and aquatic vegetation.

The BMP will utilise the principles within Northern Beaches Creek profiles, to reinstate natural features within the proposed management zones while regenerating the aquatic and riparian ecosystems. It is proposed that the standard creek profile will be regenerated with aquatic species within the creek line to toe of bank and PCTs 1795 for remaining BMP lands.

The main aim of the BMP lands is to educate the community and promote community awareness and knowledge of both flora and fauna in the area. This has been shown to develop community ownership of environmental zones and protection. Community ownership and knowledge reduces vandalism and garden and other waste dumping as the community feels a sense of ownership.

The BMP lands are proposed to be managed under a 5-year Biodiversity Management Plan, including standard creek design, plantings, translocation of threatened species, weed management, pest and disease management, installation of habitat, educational signs, footpaths, viewing area and frog ponds.

To ensure protection of the downstream riparian area, measures such as erosion and sedimentation controls are to be installed prior to construction commencing, and regularly inspected and maintained (weekly or after rain events) during construction works.

The Water Sensitive Urban Design (WSUD) measures are incorporated within the detailed design of each stage to ensure Narrabeen Lagoon Catchment receptor is maintained and enhanced for both quality and quantity.



In accordance with Section 201 of the *Fisheries Management Act 1994* (FM ACT), a permit is required to undertake the proposed works within the second order stream to reconfigure (dredge and reclaim) the creek profile and divert (block fish passage) during construction works.

There are no Asset Protection Zones (APZs) located within the BMP lands.

1.3 Existing Site Conditions

The Subject Site was inspected and floristic surveys were undertaken by AEP in June 2022. These inspections included general site reconnaissance and traversal to verify previously mapped vegetation communities and determine vegetation / flora / fauna assessment, location of modified channel, erosion and deposition of the BMP lands as well as the broader site.

Figure 2 shows ground-truthed vegetation boundaries. Figure 3 outlines the proposed management zones and areas impacted by the development.

2.0 Regeneration Approach

The BMP schedules differing ecological approaches to the regeneration of the BMP Lands by implementing the principles of the Society for Ecological Restoration Australasia *National standards for the practice of ecological restoration in Australia* (SERA 2021, ed. 2.2). This approach utilises three integrated restoration techniques to achieve the end goal of Natural Regeneration. Approaches have been assigned to BMP Land areas based on their history of disturbance:

1. Reconstruction Approach – this approach is where a site is highly degraded and has limited to no ability to regenerate naturally.
2. Facilitated Regeneration Approach – this approach is when a site is in moderate condition, and will naturally regenerate with minimal plantings and weed management.
3. Natural Regeneration - this approach is where damage is relatively low, and pre-existing biota should be able to recover after cessation of degrading practices. It requires limited to no intervention, with weeding being the only task undertaken to encourage continual natural regeneration.

The aim for the entirety of the BMP lands is to achieve Natural Regeneration within five (5) years.

This is based on general condition at the point of assessment, where the Ecologist determines the most appropriate level of regeneration based on the Biodiversity Assessment and random meander of the Subject Site.

The National Guidelines also require that at commencement of approved regeneration works the first step is to gather baseline data. It is undertaken at the commencement of the BMP to ensure the most appropriate measure are used to ensure regeneration can occur. Natural events such as drought high rainfall, fire, floods, etc can all have significant impact on the condition of vegetation within a site. Hence the guidelines require regeneration areas be broken into the three categories and detailed baseline data be collected at commencement.

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As stated, the Reconstruction Approach requires active interventions, the tasks of which will be determined by the Bush Regeneration Contractor (BRC) and may involve the following tasks:

- Planting;
- Installation of habitat;
- Weeding;
- Watering;
- Mulching (if required); and
- Replacement of dead plants (1:1).

The BMP aims to move into Natural Regeneration Approach by the end of Year 5.

5.0 Regeneration Targets

The Reconstruction Approach will be used across the entire BMP Lands and the following targets have been designed to be measurable, providing both quantitative and qualitative data on species abundance and cover for the vegetation communities within the BMP Lands.

Weeds have a significant impact on structural integrity of vegetation communities. Flora surveys identified 27 exotic species, with the following list being the most prevalent within the vegetation communities on site;

Lantana (*Lantana camara*), Small-leaved privet (*Ligustrum sinense*), Black Cobbler's Peg (*Bidens pilosa*) and Asparagus Fern (*Asparagus aethiophiticus*).

Exotic grasses comprise *Paspalum dilatatum* and *Ehrharta erecta* (Panic Veldgrass)

Some of these species are identified as priority weeds for Greater Sydney. Predominantly exotic grasses and other herbaceous weeds will be the focus of weed management activities.

To achieve a Natural Regeneration throughout the entire BMP lands within five (5) years targets have been set within Table 1. Tables 3 to 7 also summaries the works schedule required to achieve the targets.

Table 1 – Summary of Regeneration Targets for Stage 1

Year	Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
1	30	30	<70	<70
2	40	45	<45	<40
3	55	55	<30	<25
4	60	65	<20	<15
5	70	80	<10	<10

6.0 Translocation of *Syzygium paniculatum*

Syzygium paniculatum is an Endangered species due to numerous threats including low genetic diversity, small and isolated populations, habitat clearing, competition with weeds. Translocation of this species will minimise impacts to this species on site and will assist in maintain the local population on site.

6.1 Aims Treatment / Monitoring Plan

6.1.1 Translocation Plan

The individual species of *Syzygium paniculatum*, identified within the Subject Site are proposed to be translocated.

Translocation is proposed to follow the below program:

- Trees will be tagged and health assessment undertaken;
- Civil contractor teams with supervision from the Project Arborists will dig out root balls of viable plants and they will be temporarily stored on site during reconstruction period before being translocated to MZ 2; and
- The trees will be watered, mulched and left for three-month establishment period.

6.1.2 Monitoring Program

Annual reports will be provided to Council reporting on the progress of the treatment plan address:

- Health of trees;
- Percentage of new foliage; and
- Growth.

7.0 Regeneration Management

7.1 Baseline Data

Indicative monitoring points have been identified within the BMP Lands (refer Figure 4). The final location of the monitoring points is to be determined at commencement of the BMP.

Baseline data is to be collected at monitoring points at commencement. This data is collected at commencement to ensure the data is reflective of the conditions at commencement. Vegetation health, structure and composition can change over time, environmental impacts such as fire, drought or flood can have a significant impact on the communities and hence baseline data must be collected at commencement to ensure proposed methods and targets are achievable.

Baseline data consists of:

- Species diversity (both native and exotic);
- Species Abundance (both native and exotic);



- Overall health of the BMP Lands;
- Photos in north, east, south and west aspects;
- Record incidental fauna; and
- Required changes in methodology for regeneration.

The Monitoring Points established for the baseline surveys will then be monitored on a biannual basis, as per 8.1 Monitoring.

7.2 Site Preparation

Prior to the commencement of regeneration, the BMP Lands must be prepared. The following works have been recommended to assist in site preparation:

- Establishment of pathogens and diseases controls. Diseases which could affect the site include Myrtle rust (*Puccinia psidii*), affecting Myrtaceous plants, including *Melaleuca* species, and Amphibian Chytrid fungus disease, Chytridiomycosis, caused by Chytrid fungus (*Batrachochytrium dendrobatidis*). Appropriate hygiene controls are to be employed to minimise the chances of any such introduction occurring. This may include a hygiene station equipped with sterilizing agents and cleaning equipment to clean boots, tools and machinery. Response plans are needed to be designed and implemented to mitigate impacts in the event of disease or pathogen outbreaks;
- All extant rubbish/waste is to be removed from BMP lands including farm fencing and structures. The need to remove such material should be assessed on a case-by-case basis as in some instances the material is inert, such as concrete, rocks and timber posts, etc. Such material may inadvertently provide geomorphic stability;
- Clearly mark native vegetation for retention and approved removal;
- Install temporary fence around the BMP Lands, and clearly mark as a "No Go Area" prior to commencement of civil works;
- Fencing should have clearly visible signage erected at key entry points to BMP;
- Implement erosion and sediment control measures in accordance with specifications set out in the latest edition of the Landcom publication "Soils and Constructions – Volume 1" (The Blue Book);
- Construction of the council's standard creek profile;
- Vegetation clearing;
- Establish monitoring and photo points;
- Collection of baseline data;
- Primary weed removal;
- Installation of ground habitat (logs and rocks);
- Planting of Vegetation (see Appendix B for a detailed species list). All plant stock must be provenance specific seed/ material collected from locally endemic species, grown by suitably experienced and qualified nurseries, and hardened-off before planting. This will ensure the


structure and composition of these communities will meet the targets set; and

- Mulching and watering.

7.3 Vegetation Clearing

For the clearing phase, retained vegetation will be delineated by safety bunting flags, fencing and signage indicating environmental protection zone, which will still allow fauna to egress the development area as needed. Following the completion of clearing works, permanent delineation features such as logs should be installed to protect the retained vegetation during operational phase of the development;

- Vegetation clearing should be timed to avoid cold weather periods where overnight temperatures are forecast to be less than 12°C. Cold weather is likely to make it difficult for resident hollow dependent fauna to successfully relocate. This is particularly relevant for low body-weight species;
- A staged approach to clearing is to be undertaken to provide fauna the opportunity to disperse outside the area of impact. Staging to include Phase 1 Clearing: Underscrubbing, Phase 2 Clearing: Removal of non-habitat trees, and Phase 3 Clearing: Removal of habitat and connecting trees;
- All clearing works (phase 1-3) to be undertaken under the supervision of the Project Ecologist;
- Clearing should occur in a direction from previously disturbed lands towards retained lands;
- Implement clearing protocols, including pre-clearance surveys to identify habitat and vegetation to be retained;
- All clearing works to be attended by a suitable equipped and experienced ecologist to deal appropriately with any displaced fauna species;
- All hollow bearing features will be sectionally lowered by tree climbers (where safe to do so);
- Any fauna rescued during vegetation clearing is to be assessed for injuries, and subsequently released to a suitable nearby location; this may require holding fauna until dusk for release in accordance with relevant animal ethics licencing and standards;
- If any fauna is injured during vegetation clearing, they are to be taken promptly to a nearby veterinarian or suitable wildlife carer contact;
- In addition, prior to clearing of any vegetation, an ecologist is to inspect the area for any signs of resident fauna requiring attention, and in particular nesting birds. Where such is identified, appropriate strategies are to be developed and instigated to minimise impacts.
- Pre-clearance surveys to include diurnal surveys, stagwatching and nocturnal surveys;
- Civil Construction staff to be inducted into pre-clearing and clearing protocols, and to identify environmental features for protection;



Incidental fauna records are to be undertaken during monitoring surveys and reported.

8.0 Project Management

Establishment of monitoring points and compliance checking of other aspects within this BMP will be the responsibility of the Project Ecologist working with the Civil Contractor.

The client will be responsible for the engagement of a suitably qualified Bush Regeneration Contractor to undertake weed control and planting works outlined in this BMP.

Bush Regenerator(s) or company(s) shall have the following qualifications;

- Australian Association of Bush Regenerators (AABR) Accreditation. The Bush Regenerators shall hold a current AQF3 qualification.
- Site Supervisor must have demonstrated minimum of 2 years' experience in the bush regeneration or related field and must have experience at a supervisory level in providing training, supervision and technical advice to staff, clients, volunteers and members of the public.
- The Site Supervisor must hold a current AQF 3 qualification or higher and must have completed the Bush Regeneration Level IV Certificate or have a diploma or degree in a field related to natural resource management.

The Project Ecologist will be responsible for the establishment of monitoring points within the BMP lands along with collection of baseline data that will be monitored against this over the three-year period of this BMP with the overall targets. The Project Ecologist will be responsible for monitoring and reporting on weed management, and Regeneration Approach success.

8.1 Monitoring

Monitoring will occur at commencement and biannual basis at the proposed monitoring points (refer Figure 3).

8.1.1 Baseline Data

Baseline data is collected and report prepared for submission to Council at commencement of the BMP.

8.1.2 Biannual Monitoring

This is to occur every 6months from commencements up to three years or reaching of targets (which every is the latter);

- Native species, abundance and coverage;
- Weed species and coverage;
- Photo records at monitoring points at each aspect (North, east, south, west);
- General health of each Management Zone;
- Incidental fauna use of site; and
- Evaluation of methodology and management effectiveness.

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8.2 Reporting

A baseline report is prepared at commencement of the BMP and submitted to Council.

A report is to be prepared annually and delivered to the consent authority for the life of the BMP with a final report prepared at the end of the BMP outlining how the conditions of the BMP have been met.

Biannual monitoring will inform the evaluation of management effectiveness, until the Regeneration Benchmark Targets are met.

As part of adaptive management, the reports will include evaluations and recommendations relating to all areas covered in the monitoring schedule and also address any other problems or deficiencies found during monitoring. If required the report should also outline any changes that are required to planned works to ensure better ecological outcomes.

Regeneration of the BMP Lands will be undertaken over a period of five (5) years or until the Year five (5) overall targets are reached.

8.3 Future Management of BMP Lands

Regeneration of the BMP Lands will be undertaken over a period of five (5) years or until the Year five (5) overall targets are reached. As the BMP lands will then be in a state of Natural Regeneration, management of the site after targets have been achieved will be undertaken in accordance with the *Biosecurity Act 2015* & *Biosecurity Regulations 2017*.

Table 2 - Weed Control Activities

Activity	Minimum Requirement
Pre-works	Undertake baseline surveys to identify priority weeds present on site to be the focus of weed management activities. Priority weeds based on listings under the <i>Biosecurity Act 2015</i> , and notably any problematic weeds on site that have been identified.
Primary Works	Effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area. Include high disturbance activities that could negatively impact later regeneration such as high-volume herbicide application, and physical removal of large trees which would pose safety hazards to the public or others if left to perish <i>in-situ</i> .
Secondary Works	Treat any regrowth from primary weed control and expand on control measures by targeting Priority species and expanding the primary control boundaries where desirable. Thin retained weeds to increase light penetration where appropriate. Generally, expand on and solidify primary work.
Maintenance Works	Maintain exclusion of weeds controlled during Primary and Secondary works. Prevent reinfestation of weeds progressively, and others as time permits.
Woody Trees & Shrubs	Where appropriate, remove trees via mechanical means (i.e., chainsaw or handsaw) and apply chemical to the cut stump. Material may be retained on-site or disposed of appropriately off-site. Retained material should be situated to provide additional ground habitat and slope stability but should not be left in such a way that would hamper natural regeneration or existing native plants. Care should be taken with species which have the capacity to regrow vegetatively such as <i>Erythrina x sykesii</i> (Coral Tree). Alternatively, trees and shrubs may be treated via frill or drill application of herbicide and left to perish <i>in-situ</i> as habitat.
Woody Thickets	Treat via cut or scrape and paint or high-concentration low-volume foliar herbicide control (i.e., splatter application). Material may be left <i>in-situ</i> (particularly after spraying) or broken up and rafted off the ground to perish (taking care to remove from expected high flow areas of the creek). Do not manually remove root stock in a manner that will encourage soil instability or erosion. Once dead, standing material may be broken down and left on the ground as mulch. Mechanical removal (i.e., brush cutter equipped with mulching blade or similar) may be used where practical and regrowth treated with foliar application of herbicide.
Vines and Creepers	Skirt from trees and vegetation to prevent smothering and leave material to perish <i>in-situ</i> . Cut or scrape and paint stems or runners. Foliar herbicide control where appropriate. Do not unduly expose soil via manual removal of plants where they may be providing soil stabilisation. Isolated manual removal as appropriate.
Ground Cover	Retain exotic species where they are providing ground stabilisation or habitat until such time as they hinder native species establishment or are no longer necessary. Relevant examples include retaining <i>Tradescantia fluminensis</i> (Trad) along drainage lines where removal would expose bare soil to erosion. Weed control is to focus on the patch removal of such weeds from around native regeneration or planting, with progressive removal of larger patches over time.



Prior to commencement of the BMP the following must have been undertaken:

- Construction Plans prepared and approved for the standard creek design;
- Construction of the standard creek profile;

It should be noted that the Treatment and Monitoring Plan Schedule of works will be provided to Council with the Baseline Data Report.

Table 3 – Year 1 Targets and Schedule of Works

Table 3 – Year 1 Targets and Schedule of Works										
Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 1	Installation of No-Go Zones, fencing and signs					Civil Contractor	30	30	<70	<70
	Installation of Monitoring Points					Project Ecologist				
	Collection of baseline data					Project Ecologist				
	Installation of sediment and erosion controls					Civil Contractor				
	Translocation of <i>Syzygium paniculatum</i>					Bush Regeneration Contractor				
	Installation of Ground habitat					Civil Contractor / Project Ecologist				
	Preparation of Baseline Data Report					Project Ecologist				
	Primary Weeding (Effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area. Include high disturbance activities that could negatively impact later regeneration such as high-volume herbicide application, and physical removal of large trees which would pose safety hazards to the public or others if left to perish <i>in-situ</i>) of all zones – focus is on Biosecurity Weeds (refer Appendix C for Department of Primary Industries Priority Weeds for Greater Sydney)					Bush Regeneration Contractor				
	Mass planting of trees and shrubs within reconstruction zones (refer to Appendix B for suitable plants in each PCT)					Bush Regeneration Contractor				
	Installation of tree guards for pest control if required					Bush Regeneration Contractor				
	Secondary Weeding- focus is on Biosecurity Weeds (refer Appendix C for Department of Primary Industries Priority Weeds for the Central Coast)					Bush Regeneration Contractor				
	Replacement dead / dying plantings					Bush Regeneration Contractor				
	Biannual monitoring					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of first year the entire BMP Land will be a state of Reconstruction Regeneration in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										



Table 4 – Year 2 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 2	Annual inspection of No-Go Zones, fencing and signs					Civil Contractor / Bush Regeneration Contractor	40	45	<45	<40
	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor				
	Annual inspection of ground habitat					Project Ecologist				
	Replacing dead / dying plantings					Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Biannual inspection or installation of tree guards for pest control if required					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Facilitated Regeneration in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										

Table 5 – Year 3 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 3	Annual inspection of no-go Zones, fencing and signs					Civil Contractor / Bush Regeneration Contractor	55	55	<30	<25
	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor				
	Annual inspection of ground habitat					Project Ecologist				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Replacement of dead or dying plants					Bush Regeneration Contractor				
	Direct seeding of groundcover species in all Zones if required					Bush Regeneration Contractor				
	Biannual inspection or installation of tree guards for pest control if required					Project Ecologist				
	Review of BMP success and failures and update where appropriate for submission with Annual Report to CCC					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of third year the entire BMP Land will be a state of Facilitated Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) <i>National standards for the practice of ecological restoration in Australia.</i>										



Table 6 – Year 4 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 4	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor	60	65	<20	<15
	Annual inspection of ground habitat					Civil Contractor / Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Natural Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										

Table 7 – Year 5 Targets and Schedule of Works

Table 7 – Year 5 Targets and Schedule of Works										
Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 5	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor	70	80	<10	<10
	Annual inspection of ground habitat					Civil Contractor / Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Final Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Natural Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										

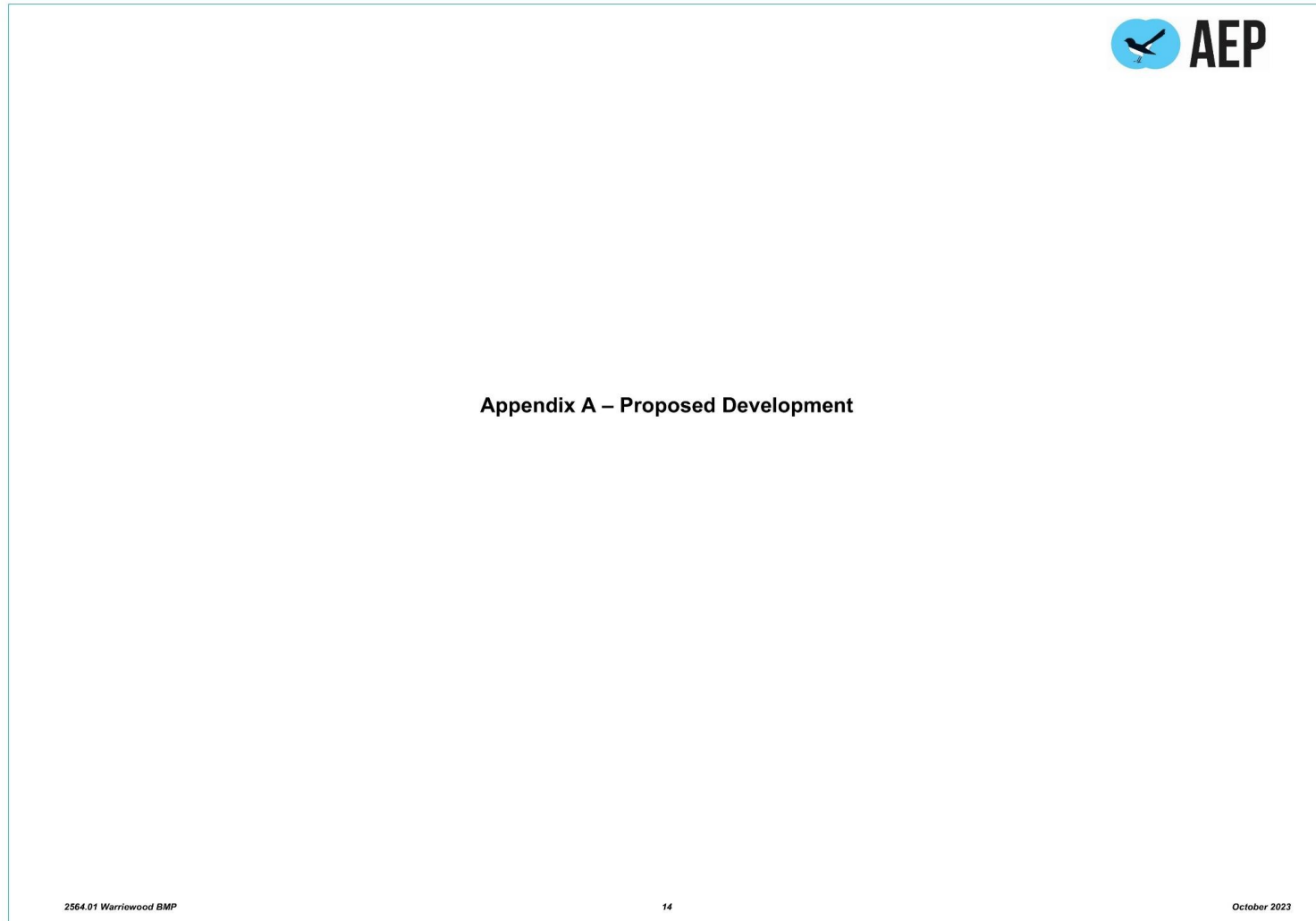






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Appendix B – Regeneration Species List

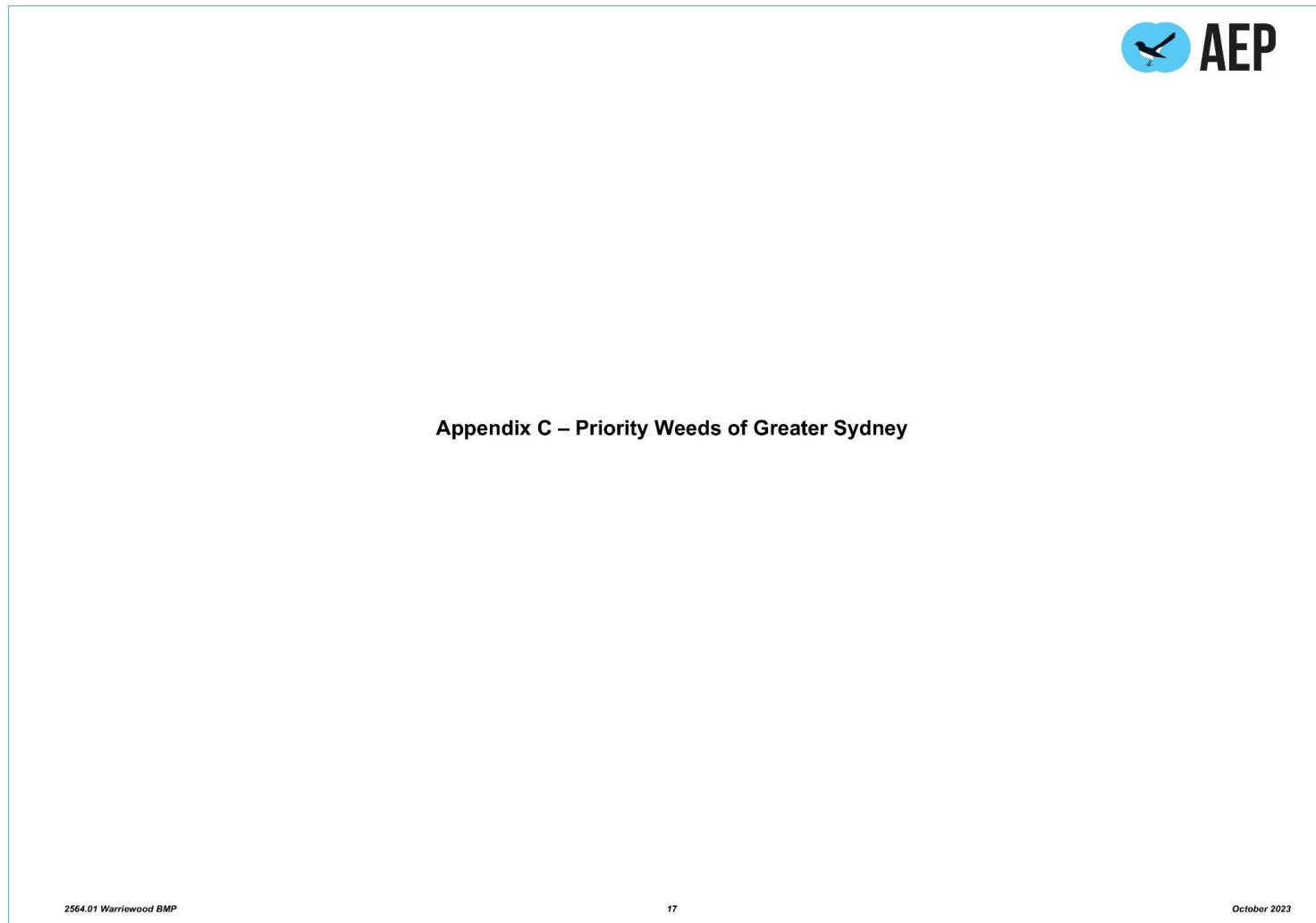


Species List – Approximate densities and species for regeneration.


It should be noted that not all of the listed species above are easily obtainable, substitutions to be made on the advice of bush regeneration contractor or Project Ecologist.

Canopy	Density	Shrubs	Density	Ground Cover	Density
Aquatic Species – Low Flow Channel to Upper Toe					
Not Applicable in this Management Zone	N/A	Not Applicable in this Management Zone	N/A	Baumea articulata	6 to 8/1m ²
				Baumea juncea	
				Juncus usitatus	
				Triglochin procera	
				Phildrum linguosum	
				Lomandra longifolia	
Gahnia clarkei					
PCT 1795 - Coastal flats Swamp Mahogany Forest					
Extensive stands of Casuarina glauca, and groves of Eucalyptus robusta with other native feature trees (listed below)	Must comprise of a minimum of 75% of the total creekline corridor area	Glochidion ferdinandi	1/10m2	Entolasia marginata	5/m ² or Direct Seeding
Eucalyptus robusta	1/30 m ²	Casuarina glauca		Hypolepis muelleri	
Banksia integrifolia		Livistona australis		Commelina cyanea	
		Melaleuca linarifolia		Gahnia cyanea	
Acmena smithii		Elaeocarpus reticulatus		Viola hederacea	
		Grevillea sericea		Hydrocotyle peduncularis	
		Melaleuca styphelioides		Pteridium esculentum	
Ceratopetalum apetalum		Homalanthus populifolius		Alternanthera denticulate	
		Acacia longifolia		Calochlaena dubia	
Cyathea australis		Dodonaea triquetra		Oplismenus aemulus	
				Oplismenus imbecillis	
				Phragmites australis	
				Blechnum camfieldii	
				Centella asiatica	

ANGOPHORA COSTATA ANGOPHORA FLORIBUNDA EUCALYPTUS PUNCTATA LOPHOSTEMON CONFERTUS SYNCARPIA GLOMULIFERA SYZYGIUM PANICULATUM WATERHOUSIA FLORIBUNDA




**ATTACHMENT 1 : OFFER TO ENTER INTO A PLANNING AGREEMENT WITH NORTHERN BEACHES COUNCIL DATED NOVEMBER 2024 - ITEM 12.2 - NORTHERN BEACHES
COUNCIL MEETING - 18 FEBRUARY 2025**



Priority Weeds of Greater Sydney	
<p>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</p>	
Weed	Duty
All plants	<p>General Biosecurity Duty</p> <p>All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.</p>
Aaron's beard prickly pear <i>Opuntia leucotricha</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
African boxthorn <i>Lycium ferocissimum</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
African olive <i>Olea europaea subsp. cuspidata</i>	<p>Regional Recommended Measure</p> <p>Land managers mitigate the risk of the plant being introduced to their land. Land managers reduce impacts from the plant on priority assets. Land managers prevent spread from their land where feasible. The plant or parts of the plant are not traded, carried, grown or released into the environment</p>
Alligator weed <i>Alternanthera philoxeroides</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p> <p>Biosecurity Zone</p> <p>The Alligator Weed Biosecurity Zone is established for all land within the state except land in the following regions: Greater Sydney; Hunter (but only in the local government areas of City of Lake Macquarie, City of Maitland, City of Newcastle or Port Stephens).</p> <p>Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone</p>
Anchored water hyacinth <i>Eichornia azurea</i>	<p>Prohibited Matter</p> <p>A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
Arrowhead <i>Sagittaria calycina</i> var. <i>calycina</i>	<p>Regional Recommended Measure</p> <p>Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.</p>
Asparagus fern <i>Asparagus virgatus</i>	<p>Regional Recommended Measure</p> <p>Exclusion zone: whole of region except Newcastle and Lake Macquarie. Core infestation area: Newcastle and Lake Macquarie.</p> <p>Whole of region: Land managers should mitigate the risk of new weeds being introduced to their land. Plant should not be bought, sold, grown, carried or released into the environment. Within exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Notify the Local Control Authority if found. Land managers should mitigate spread from their land. Within Core infestation: Land managers to reduce impacts from the plant on priority assets.</p>
Athel pine <i>Tamarix aphylla</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
Bellyache bush <i>Jatropha gossypifolia</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
Bitou bush <i>Chrysanthemoides monilifera</i> subsp. <i>rotundata</i>	<p>Prohibition on certain dealings</p> <p>Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p> <p>Biosecurity Zone</p> <p>The Bitou Bush Biosecurity Zone is established for all land within the State except land within 10 kilometres of the mean high water mark of the Pacific Ocean between Cape Byron in the north and Point Perpendicular in the south.</p> <p>Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone</p>


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Priority Weeds of Greater Sydney	
<p>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Wollahra.</p>	
Weed	Duty
Black knapweed <i>Centaurea x moncktonii</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Black willow <i>Salix nigra</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure The plant is eradicated from the land and the land is kept free of the plant. Local Control Authority is notified if the plant is found on the land.
Blackberry <i>Rubus fruticosus</i> species aggregate	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Rubus fruticosus</i> species aggregate have this requirement, except for the varieties Black Satin, Chehalem, Chester Thornless, Dirksen Thornless, Loch Ness, Murrindindi, Silvan, Smooth Stem, and Thornfree
Blind cactus <i>Opuntia rufida</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Boneseed <i>Chrysanthemoides monilifera</i> subsp. <i>monilifera</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Control Order Boneseed Control Zone: Whole of NSW Boneseed Control Zone (Whole of NSW): Owners and occupiers of land on which there is boneseed must notify the local control authority of new infestations; immediately destroy the plants; ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of boneseed must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant.
Boxing glove cactus <i>Cylindropuntia fulgida</i> var. <i>mamillata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Bridal creeper <i>Asparagus asparagoides</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. *this requirement also applies to the Western Cape form of bridal creeper
Bridal veil creeper <i>Asparagus declinatus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Broomrapes <i>Orobancha</i> sp.	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Orobancha</i> are Prohibited Matter in NSW, except Clover broomrape, <i>Orobancha</i> minor and Australian broomrape, <i>Orobancha cernua</i> var. <i>australiana</i> .
Bunny ears cactus <i>Opuntia microdasys</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cabomba <i>Cabomba caroliniana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.

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**ATTACHMENT 1 : OFFER TO ENTER INTO A PLANNING AGREEMENT WITH NORTHERN BEACHES COUNCIL DATED NOVEMBER 2024 - ITEM 12.2 - NORTHERN BEACHES
COUNCIL MEETING - 18 FEBRUARY 2025**


<div>  </div>	
Priority Weeds of Greater Sydney	
<small>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</small>	
Weed	Duty
Cane cactus <i>Austrocylindropuntia cylindrica</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocylindropuntia</i> genus have this requirement
Cape broom <i>Genista monspessulana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cat's claw creeper <i>Dolichandra unguis-cati</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure The plant should not be bought, sold, grown, carried or released into the environment. Land managers should mitigate the risk of the plant being introduced to their land. Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Chicken dance cactus <i>Opuntia schickendantzii</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Chilean needle grass <i>Nassella neesiana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Chinese knotweed <i>Persicaria chinensis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Chinese violet <i>Asystasia gangetica</i> subsp. <i>micrantha</i>	Control Order Owners and occupiers of land on which there is Chinese violet must notify the local control authority for the area if the Chinese violet is part of a new infestation on the land, destroy all Chinese violet on the land ensuring that subsequent generations of Chinese violet are destroyed; and keep the land free of Chinese violet. A person who deals with a carrier of Chinese violet must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant on the land, or on or in a carrier.
Climbing asparagus <i>Asparagus africanus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found. Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Common pear <i>Opuntia stricta</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cora Creeper <i>Barleria repens</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
East Indian hygrophila <i>Hygrophila polysperma</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Eurasian water milfoil <i>Myriophyllum spicatum</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries

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Priority Weeds of Greater Sydney Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Wollahra.	
Weed	Duty
Eve's needle cactus <i>Austrocylindropuntia subulata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocylindropuntia</i> genus have this requirement
Fireweed <i>Senecio madagascariensis</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Flax-leaf broom <i>Genista linifolia</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Foxtail fern <i>Asparagus densiflorus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Frogbit <i>Limnium laevigatum</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Limnium</i> are Prohibited Matter
Gamba grass <i>Andropogon gayanus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Giant devil's fig <i>Solanum chrysotrichum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Giant Reed <i>Arundo donax</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should not be bought, sold, grown, carried or released into the environment.
Giant rat's tail grass <i>Sporobolus pyramidalis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Glory lily <i>Gloriosa superba</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Gorse <i>Ulex europaeus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Exclusion zone: Blue Mountains City Council area. Core infestation area: rest of region Whole region: Land managers should mitigate the risk of new weeds being introduced to their land. The plant or parts of the plant should not be traded, carried, grown or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Core infestation area: Land managers should mitigate spread from their land.
Green cestrum <i>Cestrum parqui</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.



Priority Weeds of Greater Sydney	
<p>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</p>	
Weed	Duty
Grey sallow <i>Salix cinerea</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Ground asparagus <i>Asparagus aethiopicus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Groundsel bush <i>Baccharis halimifolia</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Hawkweeds <i>Pilosella species</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the genera <i>Pilosella</i> and <i>Hieracium</i> are Prohibited Matter except for <i>Hieracium murorum</i> .
Holly leaved senecio <i>Senecio glastifolius</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of the Royal National Park. Whole region: Land managers mitigate the risk of the plant being introduced to their land. The plant or parts of the plant are not traded, carried, grown or released into the environment. The Local Control Authority should be notified if the plant is found. Exclusion zone: The plant is eradicated and the land kept free of the plant. Core infestation area: Land managers prevent spread from their land where feasible. Land managers reduce impacts from the plant on priority assets.
Horsetails <i>Equisetum species</i>	Regional Recommended Measure Exclusion zone: whole of region except Northern Beaches local government area. The Northern Beaches local government area is the core area. Whole region: Land managers mitigate the risk of the plant being introduced to their land. Local Control Authority is notified if the plant is found on the land. The plant or parts of the plant are not traded, carried, grown or released into the environment. Exclusion zone: The plant is eradicated from the land and the land is kept free of the plant. Core area: Land managers prevent spread from their land where feasible.
Hudson pear <i>Cylindropuntia pallida</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Hydrocotyl <i>Hydrocotyle ranunculoides</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Hygrophila <i>Hygrophila costata</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Hymenachne <i>Hymenachne amplexicaulis</i> and hybrids	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Hymenachne <i>Hymenachne amplexicaulis</i> and hybrids	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Karoo acacia <i>Vachellia karroo</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Kidney-leaf mud plantain <i>Heteranthera reniformis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.


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Priority Weeds of Greater Sydney	
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Weed	Duty
<p>Kochia <i>Bassia scoparia</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries Excluding the subspecies <i>trichophylla</i></p>
<p>Koster's curse <i>Clidemia hirta</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Kudzu <i>Pueraria lobata</i></p>	<p>Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.</p>
<p>Lagarosiphon <i>Lagarosiphon major</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Lantana <i>Lantana camara</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
<p>Leaf cactus <i>Pereskia aculeata</i></p>	<p>Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.</p>
<p>Ludwigia <i>Ludwigia peruviana</i></p>	<p>Regional Recommended Measure Land managers mitigate the risk of the plant being introduced to their land. Land managers prevent spread from their land where feasible. Land managers reduce the impact on priority assets. The plant should not be bought, sold, grown, carried or released into the environment. Local Control Authority is notified if the plant is found on the land.</p>
<p>Madeira vine <i>Anredera cordifolia</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
<p>Mesquite <i>Prosopis</i> species</p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the genus <i>Prosopis</i> have this requirement.</p>
<p>Mexican feather grass <i>Nassella tenuissima</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Miconia <i>Miconia</i> species</p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Miconia</i> are Prohibited Matter in NSW</p>
<p>Mikania vine <i>Mikania micrantha</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries *all species in the genus <i>Mikania</i> are Prohibited Matter in NSW</p>

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**ATTACHMENT 1 : OFFER TO ENTER INTO A PLANNING AGREEMENT WITH NORTHERN BEACHES COUNCIL DATED NOVEMBER 2024 - ITEM 12.2 - NORTHERN BEACHES
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Priority Weeds of Greater Sydney	
<small>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</small>	
Weed	Duty
Mimosa <i>Mimosa pigra</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Ming asparagus fern <i>Asparagus macowanii</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found..
Mysore thorn <i>Caesalpinia decapetala</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment.
Nodding thistle <i>Carduus nutans</i> subsp. <i>nutans</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Pampas grass <i>Cortaderia</i> species	Regional Recommended Measure Exclusion zone: Upper Hunter local government area. Core infestation area: Port Stephens, Maitland, Cessnock, Lack Macquarie, Newcastle and MidCoast local government areas. Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Parkinsonia <i>Parkinsonia aculeata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Parkinsonia <i>Parkinsonia aculeata</i>	Control Order Parkinsonia Control Zone: Whole of NSW Parkinsonia Control Zone (Whole of NSW): Owners and occupiers of land on which there is parkinsonia must notify the local control authority of new infestations; immediately destroy the plants; ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of parkinsonia must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant.
Parthenium weed <i>Parthenium hysterophorus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Parthenium weed <i>Parthenium hysterophorus</i>	Prohibition on certain dealings The following equipment must not be imported into NSW from Queensland: grain harvesters (including the comb or front), comb trailers (including the comb or front), bins used for holding grain during harvest operations, augers or similar for moving grain, vehicles used to transport grain harvesters, support vehicles driven in paddocks during harvest operations, mineral exploration drilling rigs and vehicles used to transport those rigs, unless set out as an exception in Division 5, Part 2 of the Biosecurity Order (Permitted Activities) 2017
Paterson's curse <i>Echium plantagineum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.



Priority Weeds of Greater Sydney	
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Weed	Duty
<p>Pond apple <i>Annona glabra</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Prickly acacia <i>Vachellia nilotica</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Prickly pears - <i>Austrocylindropuntias</i> <i>Austrocylindropuntia</i> species</p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocylindropuntia</i> genus have this requirement</p>
<p>Prickly pears - <i>Cylindropuntias</i> <i>Cylindropuntia</i> species</p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Cylindropuntia</i> genus have this requirement</p>
<p>Prickly pears - <i>Opuntias</i> <i>Opuntia</i> species</p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. For all <i>Opuntia</i> species except for <i>Opuntia ficus-indica</i> (Indian fig).</p>
<p>Rattlepod <i>Crotalaria beddomeana</i></p>	<p>Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.</p>
<p>Rope pear <i>Cylindropuntia imbricata</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Cylindropuntia</i> genus have this requirement</p>
<p>Rubber vine <i>Cryptostegia grandiflora</i></p>	<p>Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries</p>
<p>Sagittaria <i>Sagittaria platyphylla</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
<p>Sagittaria <i>Sagittaria platyphylla</i></p>	<p>Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.</p>
<p>Salvinia <i>Salvinia molesta</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>
<p>Salvinia <i>Salvinia molesta</i></p>	<p>Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets. This Regional Recommended Measure applies to <i>Salvinia molesta</i> and <i>Salvinia minima</i></p>
<p>Scotch broom <i>Cytisus scoparius</i> subsp. <i>scoparius</i></p>	<p>Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.</p>

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**ATTACHMENT 1 : OFFER TO ENTER INTO A PLANNING AGREEMENT WITH NORTHERN BEACHES COUNCIL DATED NOVEMBER 2024 - ITEM 12.2 - NORTHERN BEACHES
COUNCIL MEETING - 18 FEBRUARY 2025**



Priority Weeds of Greater Sydney	
<small>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</small>	
Weed	Duty
Scotch broom <i>Cytisus scoparius subsp. scoparius</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of the Upper Hunter (Barrington Tops) Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers to reduce impacts from the plant on priority assets.
Sea spurge <i>Euphorbia paralias</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of Yaccaba Peninsula, Hawks Nest. Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Senegal tea plant <i>Gymnocoronis spilanthoides</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Serrated tussock <i>Nassella trichotoma</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Serrated tussock <i>Nassella trichotoma</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Siam weed <i>Chromolaena odorata</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Sicilian sea lavender <i>Limonium hyblaenum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Sicklethorn <i>Asparagus falcatus</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Silverleaf nightshade <i>Solanum elaeagnifolium</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Silverleaf nightshade <i>Solanum elaeagnifolium</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Smooth tree pear <i>Opuntia monacantha</i>	Prohibition on certain dealings
Smooth tree pear <i>Opuntia monacantha</i>	Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Snakefeather <i>Asparagus scandens</i>	Prohibition on certain dealings
Snakefeather	Must not be imported into the state, sold, bartered, exchanged or offered for sale.


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Priority Weeds of Greater Sydney	
<p>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Wollahra.</p>	
Weed	Duty
<i>Asparagus scandens</i> Snakefeather <i>Asparagus scandens</i>	Regional Recommended Measure Exclusion zone: Hunter region except Cessnock and Lake Macquarie. Core infestation area: Cessnock and Lake Macquarie Whole of region: Land managers should mitigate the risk of new weeds being introduced to their land. The plant should not be bought, sold, grown, carried or released into the environment. Exclusion Zone: The plant should be eradicated from the land and the land kept free of the plant. Notify the Local Control Authority if found. Within Core infestation: Land managers to reduce impacts from the plant on priority assets.
Spongeplant <i>Limnobium spongia</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Limnobium</i> are Prohibited Matter
Spotted knapweed <i>Centaurea stoebe subsp. micranthos</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Tiger pear <i>Opuntia aurantiaca</i>	Prohibition on certain dealings
Tiger pear <i>Opuntia aurantiaca</i> Tiger pear <i>Opuntia aurantiaca</i>	Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.
Tropical soda apple <i>Solanum viarum</i>	Control Order Tropical Soda Apple Control Zone: Whole of NSW Tropical Soda Apple Control Zone (Whole of NSW): Owners and occupiers of land on which there is tropical soda apple must notify the local control authority of new infestations; destroy the plants including the fruit, ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of tropical soda apple must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant on the land, or on or in a carrier.
Velvety tree pear <i>Opuntia tomentosa</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Water caltrop <i>Trapa</i> species	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the <i>Trapa</i> genus are Prohibited Matter in NSW
Water hyacinth <i>Eichhornia crassipes</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Water hyacinth <i>Eichhornia crassipes</i>	Biosecurity Zone The Water Hyacinth Biosecurity Zone applies to all land within the State, except for the following regions: Greater Sydney or North Coast, North West (but only the local government area of Moree Plains), Hunter (but only in the local government areas of City of Cessnock, City of Lake Macquarie, MidCoast, City of Maitland, City of Newcastle or Port Stephens), South East (but only in the local government areas of Eurobodalla, Kiama, City of Shellharbour, City of Shoalhaven or City of Wollongong).

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<p>Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.</p>	
Weed	Duty
	Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone
Water lettuce <i>Pistia stratiotes</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Water soldier <i>Stratiotes aloides</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Water star grass <i>Heteranthera zosterifolia</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Wheel cactus <i>Opuntia robusta</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
White blackberry <i>Rubus niveus</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Willows <i>Salix</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Salix</i> genus have this requirement, except <i>Salix babylonica</i> (weeping willows), <i>Salix x calodendron</i> (pussy willow) and <i>Salix x reichardtii</i> (sterile pussy willow)
Witchweeds <i>Striga</i> species	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the <i>Striga</i> genus are Prohibited Matter in NSW, except the native <i>Striga parviflora</i>
Yellow burrhead <i>Limncharis flava</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries

2564.01 Warriewood BMP
28
October 2023



NO UNAUTHORISED ENTRY

**This is a Vegetation
Rehabilitation Area**

- **NO DUMPING or WASTE DISPOSAL**
- **NO ANIMALS, VEHICLES or MACHINERY**

For information – contact Site Manager

AEP VMP SIGNAGE permanent sign, minimum size 600mm x 400mm erected and maintained at key access points to VMP lands for the life of the project



Appendix E – CV

Staff	Title/Qualification	Tasks
Natalie Black	Senior Environmental Manager BSc (Hons), Master Planning, Cert IV (TA) BAAS: 19076	Report Review
Jeremy Burrill	Ecologist B.Env.Sc (MS)	Field Surveys, Report Author
Catherine Stanislaus	Ecologist B.Com Env Sc - under study	Field Surveys

CATHERINE STANISLAUS

Curriculum Vitae

Frances is a Senior Ecologist and Lead Botanist with Anderson Environment and Planning, being an Accredited Assessor with over 12 years-experience in environmental impact assessment, environmental education, conservation land management, bush regeneration, wildlife rescue and rehabilitation, environmental sustainability, and environmental law.

Qualifications

- Bachelor of Commerce and Science (majoring in Ecology), UNSW, 2022

Further Education & Training

- NSW Class C Driver's Licence
- Graduated with Distinction in Ecology

Fields of Competence

- Terrestrial Ecology field survey, covering terrestrial flora and fauna

Relevant Employment History

2022 – Present	Ecologist Anderson Environment & Planning, Newcastle
2021	ENVIRONMENTAL LABORATORY RESEARCH INTERNSHIP UNSW Oyster Research Project

Relevant Volunteer Experience

2021	LAKE ILLAWARRA, ENVIRONMENTAL CONSULTANCY PROJECT UNSW
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Jeremy Burrill

Curriculum Vitae

Jeremy works with AEP in the role of Ecologist. He is a graduate of environmental science and management, and has experience in voluntary roles in environmental fields, involving fauna and flora surveying, consultancy projects and natural resource management. His background in environmental fields with his growing ecological knowledge is utilised in a diverse array of applications in his current role.

Qualifications

- Bachelor of Environmental Science (Environmental Management and Sustainability)
Deakin University (2020)

Further Education & Training

- Apply First Aid
- Victorian Driver's License
- Work Health & Safety General Construction Induction
- Work Safely at Heights

Fields of Competence

- Ecological field surveys
- Fauna surveys and trapping
- Natural resource management

Relevant Employment History

2020 – Present

Ecologist

Anderson Environment & Planning, Newcastle

Currently employed by Anderson Environment & Planning to assist in the provision of consulting services to land, property, legal and government sectors. Covering ecological, project management, environmental, bushfire, planning services, advices, strategy and representation.

Volunteer Experience

- Overseas University Volunteer Placement (New Zealand, 2018)
- Industry Placement (Parks Victoria, 2019)

Natalie Black

Curriculum Vitae

Natalie works with AEP in the role of Senior Environmental Manager. She has extensive knowledge in environmental management, environmental planning, and report writing and assessment. With a detail understanding of planning, catchment management, coastal management and rehabilitation. Natalie has had a successful career with both state and local government in conservation, planning and field investigation roles. Natalie has also gained extensive communication skills and project management through her previous career in lecturing. Her background and experience in the ecological and planning fields is utilised in a diverse array of application in her current role.

Qualifications

- B.Sc (Hons), University of Newcastle, 2002 Sustainable Resource Management and Marine Science.
- Master Planning, University of Technology Sydney 2007.
- Certificate IV Training and Assessment at NSW TAFE 2012.
- BAM Assessor; accreditation number: BAAS19076.

Further Education & Training

- Evidence Gathering and Legal Process (Australian Institute of Environmental Health).
- Conflict Resolution Course (LGSA).
- Report Writing Course (LGSA).
- Powerful Presentation (LGSA).
- NSW Rural Fire Services Bush Fire Assessment
- Relocation of Threatened Species (Botanical Gardens Sydney).
- Sustainable Home Assessment Reduction Revolution.
- Flora and Fauna Survey Assessments Niche Environment and Heritage.
- First Aid TAFE.

Fields of Competence

- Environmental Planning
- Environmental Management and rehabilitation of catchments coastal waterways. Statement of Environmental Effects (preparation and assessing).
- Fish Passage
- Marine ecosystems including; mangroves, seagrasses, algae, Fauna and habitat assessment.
- vegetation.
- Communicating with a wide range of stakeholders.
- Development Application.
- Education in both Environmental and Planning industries.
- Koala Plans of Management.
- Policy Development.

Relevant Employment History

2019 – Present	Senior Environmental Manager Anderson Environment & Planning, Newcastle
2010 - 2019	Principal Environmental Planner Black Earth
2003-2010	Natural Resource Manager and Development Assessment Officer Lismore City
2002- 2003	Jervis Bay Indigenous Fishing Strategy

**ATTACHMENT 4 - CONCEPT SUBDIVISION PLAN PREPARED
BY CRAIG & RHODES**





Planning Agreement

PARTIES

Northern Beaches Council of 725 Pittwater Road, Dee Why, New South Wales (Council)

And

Warrimac Pty Ltd (ACN 657 593 194) ATF Warrimac Trust (ABN 82 310 238 395) of 17 CASTLEREAGH STREET SYDNEY 2000, (Developer)

BACKGROUND

- A. On 31 May 2023, the Developer made a Development Application (DA2023/0669) to Council for Development Consent to carry out the Development on the Land.
- B. That Development Application was accompanied by an offer by the Developer to enter into a planning agreement to carry out Contribution Works and deliver the Contribution Land if Development consent was granted. The Developer subsequently updated its offer to enter into this agreement and its latest offer is dated 15 November 2024. This Agreement is consistent with the Developer's offer.
- C. The Land to which this agreement relates is located within the Warriewood Valley Release Area.
- D. On 28 June 2022, Council adopted the Warriewood Valley Development Contributions Plan (Amendment 16, Revision 4). The life of the Plan is from 2021/22 to 2030/31 inclusive.
- E. The Contributions Plan requires that any future development on land identified under the Plan is to be subject to a requirement for the provision of a monetary, and/or works contribution, and/or the dedication of land.
- F. The Land to which the Development Application relates is identified under the Plan for land dedication and associated works for public infrastructure and benefit, including the delivery of a shared pedestrian and bike path within the public road verge of Macpherson Street/Brands Lane, as well as the rehabilitation, and thereafter dedication, of an inner creek line corridor.
- G. Development Consent (NSW LEC Proceedings No.2023/00250329) was issued by the Land and Environment Court on 28 November 2024.

OPERATIVE PROVISIONS

1. Planning agreement under the Act

The Parties agree that this Agreement is a planning agreement governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

2. Application of this Agreement

This Agreement applies to the Land more particularly described as Lot 4 in DP 553816 and known as 16 Macpherson Street, Warriewood and to the Development proposed in the Development Consent.

3. Operation of this Agreement

The Parties agree that this Agreement operates as a planning agreement in accordance with s 7.4 of the *Environmental Planning and Assessment Act 1979*.



The parties agree that this Agreement operates from the date of this Agreement.

4. Definitions and interpretation

4.1 In this Agreement the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979*.

Agreement means this Planning Agreement.

Bank Guarantee means an irrevocable and unconditional undertaking by a trading bank approved by the Council as security for the delivery of the Contribution Works in the sum of \$407,607.00.

Construction Certificate has the same meaning as in the Act and in the context of this Agreement is any construction certificate issued in respect to the Development Consent.

Contributions Plan means the Warriewood Valley Plan (Amendment 16, Revision 4) 2022.

Contribution Land means that part of the Land to be dedicated under this Agreement, being the 1091m² parcel of land identified as the "Inner Creek Line Corridor" and proposed Lot 30 shown in Schedule 4.

Contribution Works means the construction of the Shared Path Brands Lane Pedestrian and Cycleway Connection and the rehabilitation of the Inner Creek Line Corridor - Contribution Land by way of Rehabilitation Works (Stage 1) and Rehabilitation Works (Stage 2) (with such Inner Creek Line Corridor to be dedicated to Council under this Agreement) as referred to in clause 5 of this Agreement.

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Defect means anything inherent in the Contribution Works at the time of their completion which adversely affects or is likely to adversely affect the appearance, integrity, functionality, use or enjoyment of the Contribution Work or any part of the Contribution Work.

Defect Liability Period means a period of 12 months following completion of/delivery to Council of Contribution Work in accordance with this Agreement.

Development means the works proposed under DA2023/0669, for demolition of existing structures, construction of 28 dwellings including community title subdivision, construction of a shared path connection, dedication and rehabilitation of the inner creek line corridor to council; and associated infrastructure, roadworks, tree removal and landscaping at 16 Macpherson Street, Warriewood.

Development Application has the same meaning as in the Act and in the context of this Agreement is the application referred to in Background A to this Agreement.

Development Consent has the same meaning as in the Act and in the context of this Agreement is the consent referred to in Background G to this Agreement, and any modified version of it.

Development Contributions means the carrying out of the Contribution Works at no cost to Council and in accordance with the provisions of this Agreement and the dedication of the Contribution Land free of all encumbrances at nil consideration, at no cost to Council and in accordance with the provisions of this Agreement.



GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or Regulation relating to the imposition or administration of the GST.

Inner Creek Line Corridor means proposed Lot 30 of the concept subdivision shown at Schedule 4 to this Agreement.

Land means Lot 4 in DP 553816 known as 16 Macpherson Street, Warriewood.

Maintenance means keep in a good state of repair and working order and includes repair of any damage to the Contribution Works.

Maintenance Period means in respect to Rehabilitation Works, a period from commencement of Rehabilitation Works (Stage 1) and to completion of Rehabilitation Works (Stage 2) and for other Contribution Works, during construction of and up to 12 months following delivery/dedication to Council.

Occupation Certificate has the same meaning as in the Act and in the context of this Agreement is any occupation certificate issued in respect to the Development Consent.

Party means a party to this agreement, including their successors and assigns.

Plan of Subdivision has the same meaning as the in the Act and in the context of this Agreement means any plan of subdivision in relation to the Development Consent.

Public Purpose for the purposes of this Agreement means the provision of public infrastructure, amenities and connectivity and conservation and enhancement of the natural environment within Warriewood Valley.

Rehabilitation Works (Stage 1) means all items nominated as "works to be undertaken" under Table 3 ("Year 1 Targets and Schedule of Works") of page 7 in the Biodiversity Management Plan prepared by AEP dated October 2023 – Schedule 7 of this Agreement.

Rehabilitation Works (Stage 2) means all items nominated as "works to be undertaken" under Tables 4, 5, 6 and 7 (Year 2-5 Targets and Schedule of Works") of pages 8-9 in the Biodiversity Management Plan prepared by AEP dated October 2023 – Schedule 7 of this Agreement.

Shared Path Brands Lane Pedestrian and Cycleway Connection means that part of the Development Contributions referred to in Clause 5.2 item 1 of this Agreement.

Subdivision Certificate has the same meaning as the in the Act and in the context of this Agreement means any subdivision certificate issued in respect to the Development Consent.

Regulation means the *Environmental Planning and Assessment Regulation 2021*.

- 4.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:
- a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement.
 - b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.



- c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- k) References to the word 'include' or 'including' are to be construed without limitation.
- l) A reference to this Agreement includes the agreement recorded in this Agreement.
- m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- n) Any schedules and attachments form part of this Agreement.

5. Development contributions to be made under this Agreement

- 5.1 The Developer agrees to deliver the Development Contributions in the time specified under this Agreement and in accordance with the terms of this Agreement.
- 5.2 The Developer is to make the Development Contributions set out in Schedule 1 of this Agreement at the time specified in clause 6 and Schedule 2 of this Agreement.

6. Timing of delivery of Development Contributions and application of the development contributions

- 6.1 The Council will take delivery of and apply the Development Contributions towards the Public Purpose.
- 6.2 The Developer is to make the Development Contributions identified in clause 5 and Schedule 1 of this Agreement by the times identified in the "Development Stage" column Schedule 2 of this Agreement.
- 6.3 Council shall be entitled to all necessary inspections (including at the final stage of the Development) of all Contribution Works leading up to the Final Inspection Stage set out in Schedule 2.
- 6.4 The Developer will carry out Maintenance of the Contribution Works for the Maintenance Period. At any time during the Maintenance Period or Defect Liability Period, the Council may inspect the Contribution Works for the purpose of ascertaining



the state of the works and any deficiency, repairs, omissions or Defects required to be made good by the Developer. Council may at any time issue a rectification notice identifying the rectification works required during the Maintenance or Defect Period and allowing the Developer a reasonable period to complete the works. The Developer must attend to any such rectification works to the satisfaction of Council.

- 6.5 All Contribution Works are to be delivered in accordance with this Agreement, the Development Consent and to the satisfaction of Council.

7. Application of section 7.11 and section 7.12, and section 7.24 of the Act to the development

- 7.1 This Agreement does not exclude the application of s 7.11, 7.12 or 7.24 of the Act.
- 7.2 The Development Contributions provided by the Developer under this Agreement will be taken into account towards the Developer's obligations to make contributions towards the Contributions Plan in accordance with the Development Consent and this Agreement.
- 7.3 Schedule 3 – Development Contribution Calculations identifies the Development Contributions payable by the Developer calculated in accordance with the Contributions Plan – payable pursuant to the Development Consent and not under this Agreement
- 7.4 Development Contributions based on 27 additional dwellings approved under consent DA, based on the rate of \$75,305 per dwelling. The total contribution amount for the approved total 28 dwellings as stated in the consent is 2,033,235 (subject to indexation where indicated in this Agreement or in the Development Consent to be offset in accordance with Schedule 3.

8. Registration of this Agreement

The Developer warrants that they have done all things necessary to enable this Agreement to be registered on the Title of the land as provided for in section 7.6 of the Act. Evidence of registration must be provided to Council as soon as possible after execution of this Agreement and prior to the Development Consent becoming operational. Notwithstanding any other provision herein, this Agreement shall remain registered against the Land, in whole and in part, until the Developer has complied with all of its obligations under this Agreement.

9. Bank Guarantee

9.1 Provision of Bank Guarantee

- (a) Upon entering into this Agreement the Developer must deliver to the Council a Bank Guarantee, which must be:
- (i) in a form and from an institution approved by the Council;
 - (ii) irrevocable and unconditional;
 - (iii) with no expiry date;
 - (iv) issued in favour of the Council;
 - (v) in the amount of \$407,607.00;
 - (vi) drafted to cover the Developer's obligations under this Agreement in respect to the Contribution Works ; and
 - (vii) on the terms otherwise satisfactory to the Council.



- (b) The Developer acknowledges that the Council enters into this Agreement in consideration of the Developer's obligations herein to provide the Bank Guarantee as a security for the performance of the Developer's obligations under this Agreement, in respect to the delivery of the Contribution Works.

9.2 Calling on Bank Guarantee

- (a) The Council may call on the Bank Guarantee in the event that the Developer:
 - (i) fails to deliver any part of the Contribution Works in accordance with this Agreement , and
 - (ii) fails to remedy the relevant failure or breach within 7 days after the Council's notice.
- (b) If the Council calls on the Bank Guarantee as a result of the Developer's failure referred to in clause 9.2 (a), then the Council will be entitled to apply the amount received pursuant to its claim on the Bank Guarantee towards the Developer's obligations under this Agreement in respect to the delivery of the Contribution Works to Council.

9.3 Return of Bank Guarantee

Subject to clause 9.2, provided that the Developer has complied with its obligations under this Agreement, the Council will return the Bank Guarantee to the Developer.

10. Review of this Agreement

This Agreement may be reviewed with agreement from both parties and in accordance with all legislative requirements.

11. Dispute resolution

11.1 Notice of Dispute

If a party claims that a dispute has arisen under this Agreement (Claimant), it must give written notice to the other party (Respondent) stating the matters in dispute and designating as its representative a person to negotiate the dispute (Claim Notice). No party may start court proceedings (except for proceedings seeking interlocutory relief) in respect of a dispute unless it has first complied with this clause 10.

11.2 Response to Notice

Within ten (10) business days of receiving the Claim Notice, the Respondent must notify the Claimant of its representative to negotiate the dispute.

11.3 Negotiation

The nominated representative must:

- (a) meet to discuss the matter in good faith within five (5) business days after service by the Respondent of notice of its representative;
- (b) use reasonable endeavours to settle or resolve the dispute within 15 business days after they have met.

11.4 Further Notice if Not Settled

If the dispute is not resolved within 15 business days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (Dispute Notice) by mediation under clause 10.5 or by expert determination under clause 10.6.

11.5 Mediation



If a party gives a Dispute Notice calling for the dispute to be mediated:

- a) the parties must agree to the terms of reference of the mediation within five (5) business days of the receipt of the Dispute Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- b) the Mediator will be agreed between the parties, or failing agreement within five (5) business days of receipt of the Dispute Notice, either party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- c) the Mediator appointed pursuant to this clause 10.5 must:
 - i. have reasonable qualifications and practical experience in the area of the dispute; and
 - ii. have no interest or duty which conflicts or may conflict with his function as mediator, he being required to fully disclose any such interest or duty before his appointment;
- d) the Mediator shall be required to undertake to keep confidential all matters coming to his knowledge by reason of his appointment and performance of his duties;
- e) the parties must within five (5) business days of receipt of the Dispute Notice notify each other of their representatives who will be involved in the mediation;
- f) the parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement;
- g) in relation to costs and expenses:
 - i. each party will bear their own professional and expert costs incurred in connection with the mediation; and
 - ii. the costs of the Mediator will be shared equally by the parties unless the Mediator determines a party has engaged in vexatious or unconscionable behaviour in which case the Mediator may require the full costs of the mediation to be borne by that party.

11.6 Expert Determination

If the dispute is not resolved under clause 10.3 or 10.5, the dispute may, by agreement between the parties, both acting reasonably having regard to the nature of the dispute, be resolved by expert determination, in which event:

- a) The dispute must be determined by an independent expert in the relevant field:
 - i. agreed upon and appointed jointly by Council and the Developer; or
 - ii. in the event that no agreement is reached or appointment made within 30 business days, appointed on application of a party by the then current President of the Law Society of New South Wales;



- b) the expert must be appointed in writing and the terms of appointment must not be inconsistent with this clause;
- c) the determination of the dispute by such expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- d) the expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- e) each party will bear its own costs in connection with the process and the determination by the expert together with an equal proportion of the expert's fees and costs; and
- f) any determination made by an expert pursuant to this clause is final and binding upon the parties except where the determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal and any party may commence litigation in relation to the dispute if it has not been resolved within 20 business days of the expert giving his or her decision.

11.7 Litigation

If the dispute is not finally resolved in accordance with this clause 10, either party is at liberty to litigate the dispute.

11.8 Continue to perform obligations

Each party must continue to perform its obligations under this Agreement, notwithstanding the existence of a dispute.

12. Enforcement

12.1 Nothing in this Agreement prevents Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement (including the breach of this Agreement by the Developer) or any matter to which this Agreement relates.

12.2 Until such time as the development contribution has been paid in full the Developer must:

- a) Notify Council in writing of the name and contact details of any Certifying Authority to which it has applied for a Construction Certificate at the same time that such application is made;
- b) At the time it lodges any application for a construction certificate notify the Certifying Authority in writing of the existence and terms of this Agreement;
- c) Procure and provide to Council a written acknowledgement from the Certifying Authority addressed to Council confirming that the Certifying Authority will not issue a Construction Certificate until Council provides written confirmation that the development contribution has been paid.

12.3 The Developer acknowledges and agrees that Council has a caveatable interest in the Land from the date of Development Consent and shall be entitled to lodge and maintain a caveat on the title to the Land notifying Council's interest created by this Agreement.



- 12.4 The Developer will upon execution of this Agreement deliver to Council a caveat in registrable form with the consent to caveat signed by the Developer notifying Council's interest created by this Agreement together with a cheque in favour of NSW Land Registry Services for the registration fee on the caveat.
- 12.5 Council will provide such written consents and registrable documents to the Developer to enable the Land to be mortgaged provided that the mortgagee acknowledges Council's interest in the Land under this Agreement and agrees to the registration of this Agreement in accordance with its terms.
- 12.6 Upon registration of the Agreement on the title to the Land in accordance with clause 8 or payment of the development contribution to Council or surrender of the Development Consent, the Developer will be entitled to withdrawal of the caveat.

13. Notices

- 13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
 - a) Delivered or posted to that Party at its address set out below.
 - b) Faxed to that Party at its fax number set out below.
 - c) Emailed to that Party at its email address set out below.

Council

Attention: CEO, Northern Beaches Council

Address: PO Box 82 Manly, NSW, 1655

Fax Number: 02 9971 4522

Email: council@northernbeaches.nsw.gov.au

Developer

Attention: Chris Webster

Address: Level 3, 17 Castlereagh Street, Sydney NSW 2000

Fax Number: N/A

Email: cwebster@ipmproperty.com.au

- 13.2 If a Party gives the other Party three (3) business days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 13.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
 - a) If it is delivered, when it is left at the relevant address.
 - b) If it is sent by post, two (2) business days after it is posted.
 - c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.



- 13.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

14. Approvals and consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

15. Assignment and dealings

Until this Agreement is registered on the title of the Land, and the Contribution Land is dedicated to Council in accordance with this Agreement, the Developer cannot sell, transfer, assign, novate, charge, encumber or otherwise deal with the Land or attempt or purport to do so unless the Developer:

- 15.1 Gives Council no less than twenty (20) business days' notice in writing of the proposed sale, transfer, assignment, novation, charge, encumbrance or other dealing with its rights in respect of the Land;
- 15.2 Procures that any buyer, transferee, assignee or novatee promptly executes an Agreement in favour of Council whereby the buyer, transferee, assignee or novatee becomes contractually bound with Council to perform the Developer's obligations under this Agreement;
- 15.3 In the event of a proposed sale or transfer of the Land, or other dealing which the Council in its discretion considers may adversely impact security for delivery of any of the Development Contributions herein, the Developer must procure an additional unconditional bank guarantee (in addition to the Bank Guarantee) unlimited in time and on terms acceptable to Council for the amount/value of any Development Contributions yet to be delivered to Council in accordance with this Agreement.

16. Costs

Council's costs of and incidental to the preparation and execution of this Agreement and any related documents and registration of same shall be borne by the Developer.

17. Entire Agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

18. Further acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

19. Governing law and jurisdiction



This Agreement is governed by the law of New South Wales. The Parties submit to the nonexclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

20. Joint and individual liability and benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

21. No fetter

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

22. Representations and warranties

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

23. Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

24. Modification

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

25. Waiver

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

26. GST

26.1 Unless otherwise indicated, all amounts payable by one party to the other party in relation to a supply under this Agreement have been calculated exclusive of any GST which may be imposed on the supply.

26.2 If any supply made under this Agreement is, or becomes, subject to GST, the party to whom the supply is made ("**Recipient**") must pay to the party making the supply ("**Supplier**"), as consideration, in addition to any consideration payable or to be provided elsewhere in this Agreement, subject to issuing a Valid Tax Invoice, an additional amount on account of GST, such amount to be calculated by multiplying the consideration by the applicable rate of GST.



- 26.3 Any amount in respect of GST payable under clause 25.2 must be paid to the Supplier immediately on receipt of the Valid Tax Invoice.
- 26.4 If any party is required to reimburse or indemnify the other party for a cost or expense ("**Cost**") incurred by the other party, the amount of that Cost for the purpose of this Agreement is the amount of the Cost incurred, less the amount of any credit for, or refund of, GST, which the party incurring the Cost is entitled to claim in respect of the Cost.
- 26.5 If GST is linked with the abolition or reduction of other taxes and charges, all amounts payable by the Recipient to the Supplier under this Agreement (excluding GST) must be reduced by the same proportion as the actual total costs of the Supplier (excluding GST) are reduced either directly as a result of the abolition or reduction of other taxes and charges payable by the Supplier or indirectly by way of any reduction in prices (excluding GST) charged to the Supplier. Both parties must also comply with relevant provisions of the *Trade Practices Act 1974* (Cth).

27. Termination, Recission or Determination

- 27.1 This document terminates in the following events:
 - 27.1.1 The parties agree in writing to terminate the operation of this Agreement at any time.
 - 27.1.2 The Development Consent lapses or is surrendered.
- 27.2 Upon termination of this Agreement under clause 27.1:
 - 27.2.1 all future rights and obligations of the parties are discharged; and
 - 27.2.2 all pre-existing rights and obligations of the parties continue to subsist.
- 27.3 This document will terminate upon the Developer satisfying all of the obligations imposed on it under this Agreement in full.
- 27.4 The Council will sign any documents necessary to remove the registration of this Agreement from the title of the land upon termination or determination of this Agreement in accordance with this clause 27 at the written request of the Developer and at the Developer's cost.

Execution

Dated:

Executed as an Agreement:

Note: this explanatory note providing details on this Agreement may not be used to assist in construing this Agreement.



SCHEDULE 1 – DEVELOPMENT CONTRIBUTIONS

Item	Name	Description
1	Shared Path – Brands Lane Cycleway and Pedestrian Connection	Construction of a 2.1m wide shared pedestrian and bicycle path in accordance with the Road & Drainage Plans prepared by Craig & Rhodes (shown in Schedule 5 to this Agreement) and in accordance with the Development Consent and to the satisfaction of Council
2	Rehabilitation Works (Stage 1)	Civil and Rehabilitation Works (Stage 1) within the Inner Creek Line Corridor as set out in the Creek Works Plan and Biodiversity Management Plan (Set out in Schedules 6 and 7 to this Agreement) and in accordance with the Development Consent and to the satisfaction of Council
3	Dedication of Contribution Land – Proposed Lot 30	Dedication of 1091m ² of Inner Creek Line -Corridor (proposed Lot 30 as shown in Schedule 4) for nil consideration, at no cost to Council and free of all encumbrances
4	Rehabilitation Works (Stage 2)	Rehabilitation Works (Stage 2) within the Inner Creek Line Corridor shown in the Creek Works Plan and Biodiversity Management Plan (set out in Schedules 6 and 7 to this Agreement) and in accordance with the Development Consent and to the satisfaction of Council



**SCHEDULE 2 – DEVELOPER’S CONTRIBUTION WORKS AND CONTRIBUTION LAND
DEDICATION**

Item of Work	Development Contribution	Development Stage for delivery	Final Inspection Stage	Relevant Reference Schedule
1	Shared Paths – Brands Lane Cycleway and Pedestrian Connection	Prior to dedication of the Contribution Land and the issue of any Occupation Certificate for DA2023/0669 and constructed in accordance with Condition 93 of the Development Consent DA2023/0669	Prior to issue of any Occupation Certificate	Schedule 5 to this Agreement
2	Rehabilitation Works – Stage 1 (Year 1)	Prior to dedication of the Contribution Land and prior to issue of any Occupation Certificate under the Development Consent DA2023/0669	Following the rehabilitation of the Inner Creek Line Corridor and construction of water management facilities and appropriate inspections/signoff by Council and prior to issue of any Occupation Certificate	Schedules 6 and 7 to this Agreement
3	Dedication of Contribution Land Proposed Lot 30	Subject to Northern Beaches Council as certifier issuing a Subdivision Certificate and Rehabilitation Works Stage 1 being complete in accordance with this Agreement and the Final Inspection Stage inspection having occurred to the satisfaction of Council. Upon registration of the final plan of subdivision with NSW Land Registry Services.	The timing of dedication is to occur following all inspections required for final signoff by Council of the Rehabilitation Works (Stage 1) on the Inner Creek Line Corridor.	Schedule 4 to this Agreement
4	Rehabilitation Works – Stage 2 (Years 2-5)	Following completion of Rehabilitation Works (Stage 1) for Years 2-5 of the works relating to rehabilitation to be	Prior to the release of the maintenance bond in accordance with Condition 9 under the	Schedule 6 and 7 to this Agreement



Item of Work	Development Contribution	Development Stage for delivery	Final Inspection Stage	Relevant Reference Schedule
		carried out by the Developer.	Development Consent.	



SCHEDULE 3 – DEVELOPMENT CONTRIBUTION CALCULATIONS

Contributions	Total development cost (in FY2024/25 dollars)*	Levy rate	Method of delivery to Council
Item 1	\$73,012	Value offset	Works to be delivered by Applicant in accordance with this Agreement
Items 2 and 4	\$158,899	Value offset	Works to be delivered by Applicant in accordance with this Agreement
Item 3	\$175,696	Value already accounted for in condition of DA consent	Works to be delivered by Applicant
Reduced Total Contributions payable to Council under DA2023/0669:			
\$1,625,627*			

* Amount (in 24/25 dollars) as stated in Condition 8 of development consent DA2023/0669

* Cash contribution payable to Council will be indexed at time of payment in accordance with Condition 8 of development consent DA2023/0669

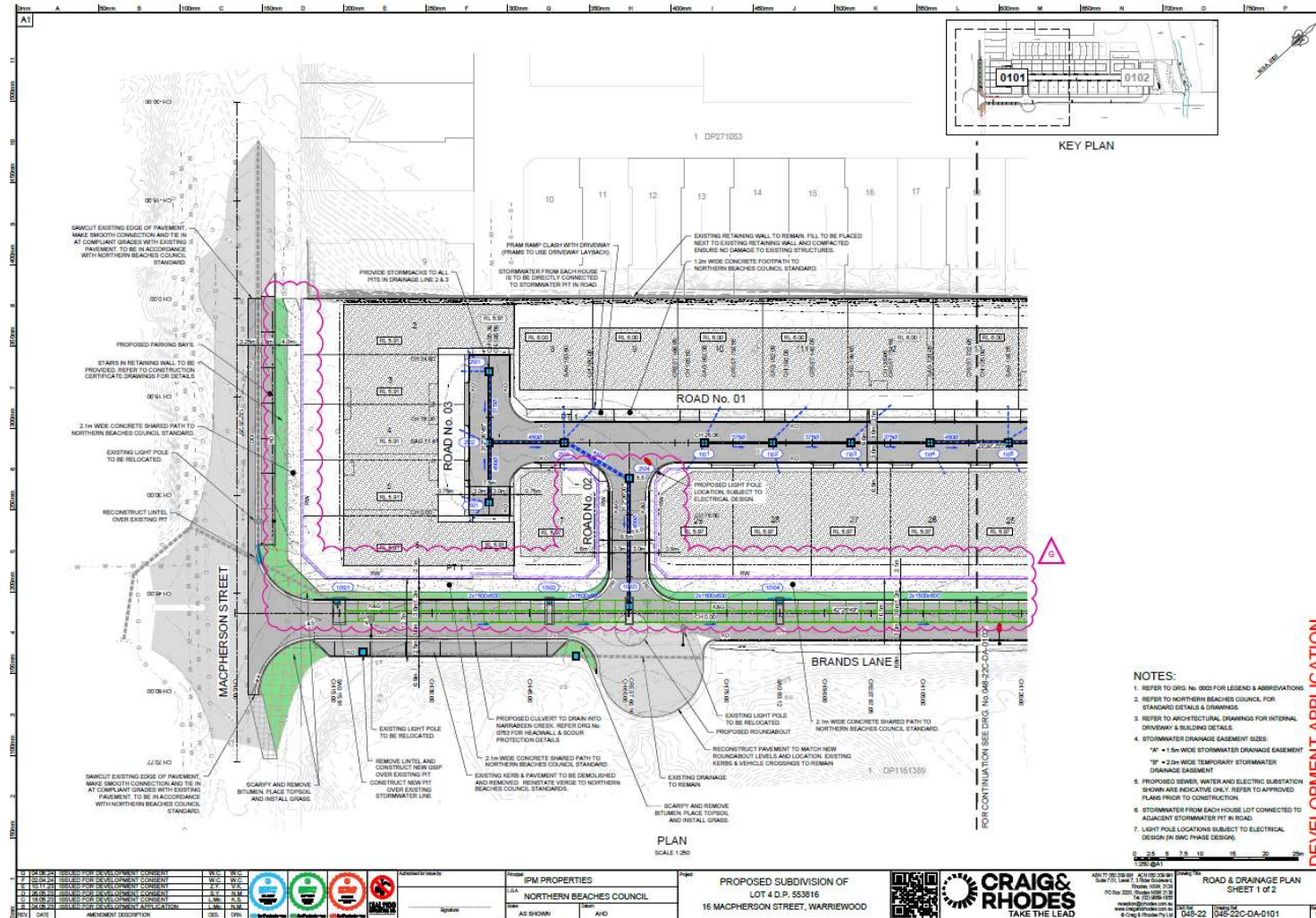


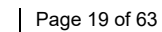
SCHEDULE 4 – CONCEPT SUBDIVISION PLAN – RIPARIAN CORRIDOR





SCHEDULE 5 – ROAD AND DRAINAGE PLAN – 2.1M SHARED PEDESTRIAN/BICYCLE PATH






SCHEDULE 6 – CREEK WORKS PLAN

D.A. _____

PROPOSED SUBDIVISION of LOT 4 D.P. 553816 16 MACPHERSON STREET, WARRIEWOOD

NARRABEEN CREEK REHABILITATION WORKS DEVELOPMENT APPLICATION



LOCALITY PLAN
NOT TO SCALE

(SOURCE: NEARMAP MARCH 2021)

ROCK SCOUR PROTECTION

- ROCK LINER IN THE SCOUR PROTECTION SHALL CONSIST OF MATERIAL WHICH COMPLIES WITH THESE NOTES AND THE DRAWINGS. THESE REQUIREMENTS APPLY TO BOTH IMPORTED ROCK AND IN-SITU ROCK WHICH IS REUSED.
- INDIVIDUAL ROCKS SHALL BE FREE FROM CRACKS, CLEAVAGE PLANES, SEAMS AND DEFECTS WHICH WOULD RESULT IN THE BREAKDOWN OF ROCK IN SERVICE.
- ROCK UNITS SHALL BE EITHER SEDIMENTARY ROCK ONLY OR IGNEOUS ROCK ONLY AND, AS A MINIMUM, SHALL SATISFY THE FOLLOWING CRITERIA:
 - ROCK SHALL BE BOTH ROUGH AND ANGULAR.
 - ROCK SHALL HAVE A MINIMUM DRY DENSITY OF 2200kg/m³.
 - IGNEOUS ROCK SHALL NOT HAVE MORE THAN 10% (BY VOLUME) CLIVING MATERIAL AND SHALL EXHIBIT NO ZONES OF SECONDARY ALTERATION SUCH AS CHLORITISED ROCK.
 - SEDIMENTARY ROCK SHALL HAVE A SECUM SULPHATE SOUNDNESS WEIGHT LOSS NOT EXCEEDING 28%.
- ROCK SHALL HAVE A SATURATED POINT LOAD STRENGTH INDEX (PSOI) NO LESS THAN 5.0MPa FOR IGNEOUS ROCK AND 1.5MPa FOR SEDIMENTARY ROCK.
- THE RATIO OF THE MAXIMUM DIMENSION TO THE MINIMUM DIMENSION, MEASURED AT RIGHT ANGLES TO THE MAXIMUM DIMENSION, SHALL NOT EXCEED 2.5.
- THE ROCK UNITS SHALL BE PLACED SUCH THAT THE SPECIFIED REQUIREMENTS FOR SIZE, FINISHED SURFACE SIDE SLOPES, TOP AND TOE LEVELS AND DENSITY REQUIREMENTS ARE SATISFIED. IN ADDITION, ROCKS SHALL BE WEDGED AND LOCKED TOGETHER SUCH THAT THEY ARE NOT FREE TO MOVE. ROCK UNITS SHALL NOT BE ROLLED OR DROPPED IN TO POSITION, THEY SHALL BE PLACED.
- THE METHOD OF ROCK PLACEMENT SHALL BE SUCH AS TO MINIMISE ITS BREAKDOWN ON HANDLING AND THE PRODUCTION OF FINES.
- A NON-WOVEN SHALL BE PLACED UNDERNEATH AND BEHIND ALL ROCK ARMOUR AND EXTENDING ABOVE THE EXTENT OF THE WORKS, OR AS OTHERWISE SHOWN ON THE DRAWINGS. THE GEOTEXTILE IS TO BE Laid ON A NEARLY TRIMMED MATTER THAT IS FREE OF HOLLOWES OR BRUSH OBJECTS.
- GEOTEXTILE LAYERS SHALL EITHER OVERLAP ONE ANOTHER BY 100mm OR BE SEWN TOGETHER WITH A NON-Biodegradable THREADED WITH AN OVERLAP OF 100mm.
- ROCK AND SUB-ARMOUR SHALL BE PLACED UPON THE GEOTEXTILE IN A LAYER NO LESS THAN 100mm THICK UNLESS OTHERWISE SHOWN ON THE DRAWINGS.
- ROCK ARMOUR SHALL BE SELECTIVELY HAND PLACED UPON THE SUB-ARMOUR TO ENSURE A BRUSH FREE SURFACE THAT INDIVIDUAL ROCKS ARE NOT FREE TO MOVE. THE PLACING OF ANY ARMOUR ROCK SHALL BE COMPLETED IN SUCH A MANNER AS TO MINIMISE THE DISTURBANCE OR DISLODGE OF THE SUB-ARMOUR.
- THE ARMOUR ROCK AND SUB-ARMOUR ROCK SHALL BE PLACED TO THE CONSTRUCTION TOLERANCES SHOWN ON THE DRAWINGS.
- AT LEAST FOURTEEN (14) DAYS PRIOR TO THE SUPPLY OF ANY ROCK, THE CONTRACTOR SHALL PROVIDE DOCUMENTATION TO DEMONSTRATE THAT THE ROCK TO BE SUPPLIED COMPLIES WITH THE REQUIREMENTS OF THIS SPECIFICATION.

EARTH WORKS

- THE CONTRACTOR SHALL PROVIDE PROPER FENCING, GUARDING & LIGHTING AND OBSERVATION OF ALL EXCAVATIONS, TEMPORARY ROADWAYS, FOOTPATHS, GUARDS & FENCES AS MAY BE REQUIRED NECESSARY FOR THE ACCOMMODATION AND PROTECTION OF PEDESTRIANS, VEHICLES, ANIMALS & THE PUBLIC.
- ALL EARTHWORKS SHALL BE CARRIED OUT IN THE LOCATIONS SHOWN AND TO THE LEVELS, WIDTHS AND SLOPES INDICATED ON THE DRAWINGS.
- EXCAVATED MATERIAL NOT MEETING THE SPECIFICATIONS FOR FILL MATERIAL SHALL BE DISPOSED OFF SITE IN AN APPROPRIATE MANNER.
- WHERE EARTHWORKS ARE REQUIRED IN THE VICINITY OF EXISTING SERVICES, THE CONTRACTOR SHALL SUPPORT ALL SERVICES DURING THE WORKS.
- THE CONTRACTOR SHALL, AT ITS OWN EXPENSE, DO ALL THINGS NECESSARY TO PREVENT ANY WATER INTERFERING WITH THE PROCESS OF WORKS. KEEP THE EXCAVATIONS AND TRENCHES FREE FROM WATER WHILE THE WORKS ARE IN PROGRESS AND PREVENT ANY DAMAGE TO THE WORKS BY WATER DUE TO FLOODS OR OTHER CAUSES. THE CONTRACTOR SHALL HAVE PUMPING EQUIPMENT FOR KEEPING THE EXCAVATION OR TRENCHES CONSTANTLY DRAINAGED DURING THE TIMES THE WORKS ARE IN PROGRESS. ANY WORK OR MATERIAL DAMAGED BY WATER SHALL BE MADE GOOD BY THE CONTRACTOR.
- WHERE DIRECTED BY THE SUPERINTENDENT THE BOTTOM OF TRENCHES OR EXCAVATIONS SHALL BE COMPACTED PRIOR TO THE PLACING OF ANY BEDDING OR CONCRETE MATERIALS. SHOULD, IN THE OPINION OF THE SUPERINTENDENT, THE FOUNDATION MATERIAL BE INCAPABLE OF EFFECTIVE COMPACTION, THE MATERIAL SHALL BE REMOVED AND REPLACED WITH APPROPRIATE MATERIAL.


EXCAVATIONS

- ALL TOPSOIL TO BE STRIPPED AND STOCKPILED FOR FUTURE USE. STRIPPED SURFACES ARE TO BE ROLLED AND INSPECTED BY A GEOTECHNICAL ENGINEER PRIOR TO CONTINUING WORKS. DEPTH OF TOPSOIL STRIPPING TO BE BETWEEN 100mm AND 200mm (TO BE CONFIRMED BY THE SUPERINTENDENT PRIOR TO CONSTRUCTION).
- WHERE ROCK IS EXPOSED DURING EXCAVATION, THE CONTRACTOR SHALL CEASE EXCAVATION AT THIS LOCATION AND CONSULT THE SUPERINTENDENT WHO WILL THEN ADVISE ON THE LEVEL TO WHICH THE EXCAVATION IS TAKEN.


FILL

- FOUNDATION MATERIAL, DEEMED BY THE SUPERINTENDENT AS UNSUITABLE TO BE REMOVED AS DIRECTED BY THE SUPERINTENDENT AND REPLACED WITH APPROVED MATERIAL, SATOPING THE REQUIREMENTS LIST BELOW.
- UNLESS OTHERWISE APPROVED OR SPECIFIED, ALL FILL MATERIAL SHALL BE FROM A SOURCE APPROVED BY THE SUPERINTENDENT AND SHALL COMPLY WITH THE FOLLOWING:
 - FREE FROM ORGANIC & PERISHABLE MATTER
 - MAXIMUM PARTICLE SIZE, 75mm
 - PLASTICITY INDEX BETWEEN 2% AND 20%
 - CBR - 10
- SELECT FILL MATERIAL SHALL BE PLACED IN MAXIMUM 200mm THICK LAYERS AND COMPACTED AT OPTIMUM MOISTURE CONTENT (OPT) TO ACHIEVE A DRY DENSITY DETERMINED IN ACCORDANCE WITH A MINIMUM 1 LATEST EDITION OF NOT LESS THAN THE STANDARD DRY DENSITY ON ACCORDANCE WITH A MINIMUM 1 LATEST EDITION SHOWN ON THE DRAWING.
- COMPACTION CONTROL TESTING SHALL BE CARRIED OUT BY & AT THE COST OF THE CONTRACTOR TO CONFORM WITH LEVEL 1 AS DEFINED IN AS3099 (LATEST EDITION).
- REPLACEMENT SUBGRADE MATERIAL MAY COMPRISE GRANULAR FILL MATERIAL & SHOULD HAVE A CBR OF AT LEAST 10% REPLACEMENT SUBGRADE SHALL BE PLACED ON PROOF ROLLED SUBGRADE IN HORIZONTAL LAYERS OF 200mm TO 250mm MAXIMUM LOOSE THICKNESS DEPENDING ON THE SIZE OF EQUIPMENT AND COMPACTED TO A MINIMUM DRY DENSITY OF 95% OF 95% STANDARD AT MOISTURE CONTENT WITHIN 2% OF OPTIMUM MOISTURE CONTENT.
- WHERE EXCAVATED MATERIAL IS TO BE USED FOR FILLING, THE MATERIAL SHALL BE INSPECTED & APPROVED BY THE SUPERINTENDENT PRIOR TO USE.

DRAWING No.	DRAWING TITLE	REV.
04S-22-CK-000	COVER SHEET, LOCALITY PLAN & INDEX	1
04S-22-CK-001	ROCK SCOUR PROTECTION	1
04S-22-CK-002	NARRABEEN CREEK PLAN (LONGITUDINAL SECTION & TYPICAL CROSS SECTION)	1
04S-22-CK-003	NARRABEEN CREEK CROSS SECTION	1
04S-22-CK-004	ROCK SCOUR PROTECTION	1
04S-22-CK-005	SEGMENT & EROSION CONTROL PLAN	1
04S-22-CK-006	SEGMENT & EROSION CONTROL DETAILS	1



PROPOSED SUBDIVISION OF
LOT 4 D.P. 553816
16 MACPHERSON STREET, WARRIEWOOD



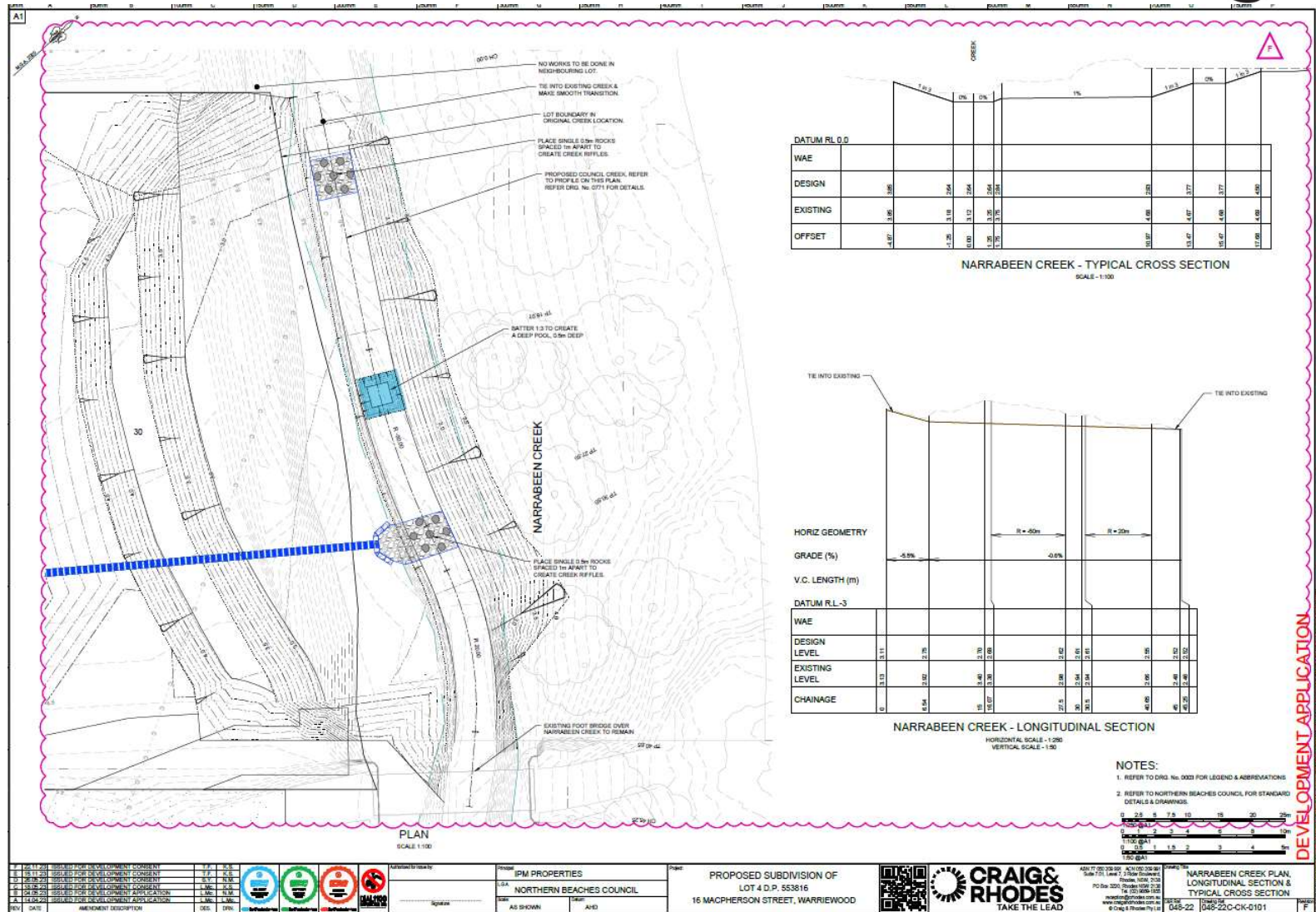
COVER SHEET,
LOCALITY PLAN
& INDEX

04S-22-CK-000-001

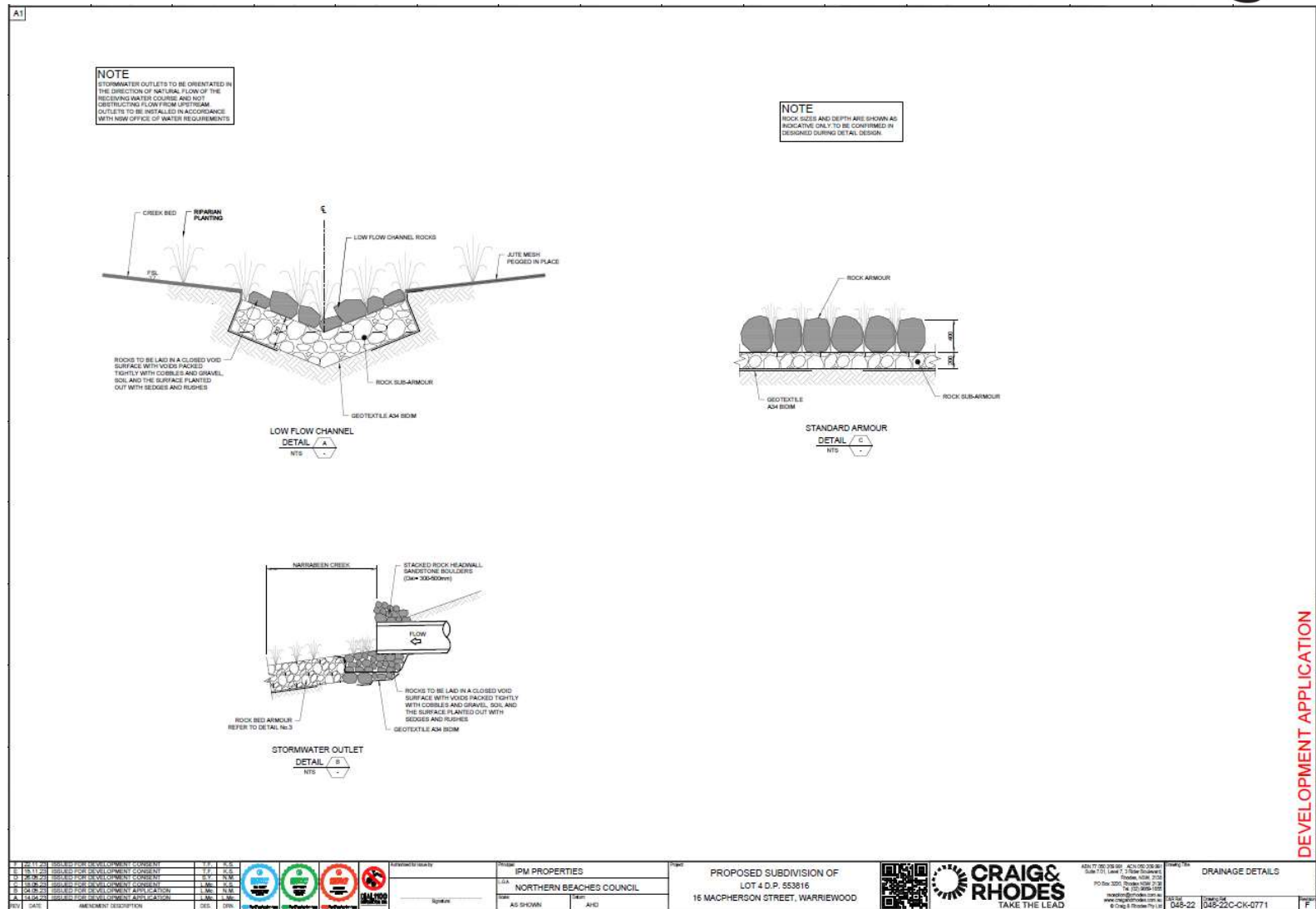
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DEVELOPMENT APPLICATION









STABILISED SITE ACCESS	
1. COVER THE EXISTING SANDSTONE SUBGRADE AREA WITH NEEDLE-PUNCHED GEOTEXTILE.	
2. CONSTRUCT A 200mm THICK PAD OVER THE GEOTEXTILE USING ROAD BASE OR 30mm AGGREGATE.	
3. ENSURE THE STRUCTURE IS AT LEAST 15 METERS LONG OR TO BUILDING ALIGNMENT AND AT LEAST 3 METERS WIDE.	
4. WHERE A SEGMENT FENCE JOINS ONTO THE STABILISED ACCESS, CONSTRUCT A RAMP IN THE STABILISED ACCESS TO DIVERT WATER TO THE SEDIMENT FENCE.	

SEDIMENT FENCE	
1. CONSTRUCT SEDIMENT FENCES AS CLOSE AS POSSIBLE TO BE PARALLEL TO THE CONTOURS OF THE SITE, BUT WITH SMALL RETURNING AS SHOWN IN THE DRAWING, TO LIMIT THE CATCHMENT AREA OF ANY ONE SECTION. THE CATCHMENT AREA SHOULD BE SMALL ENOUGH TO LIMIT WATER FLOW IF CONCENTRATED AT ONE POINT TO 80 LITRES/SEC IN THE DESIGN STORM EVENT, USUALLY THE 10 YEAR EVENT.	
2. CUT A 100mm DEEP TRENCH ALONG THE UPSLOPE LINE OF THE FENCE FOR THE BOTTOM OF THE FABRIC TO BE ENTRENCHED.	
3. DRIVE 1.8 METERS LONG STAR PICKETS INTO GROUND AT 2.5 METER INTERVALS (MAX) AT THE DOWNSLOPE EDGE OF THE TRENCH. ENSURE ANY STAR PICKETS ARE FITTED WITH SAFETY CAPS.	
4. FIX SELF-SUPPORTING GEOTEXTILE TO THE UPSLOPE SIDE OF THE PICKETS, ENSURING IT GOES TO THE BASE OF THE TRENCH FOR THE GEOTEXTILE WITH WIRE TIE OR AS RECOMMENDED BY THE MANUFACTURER. ONLY USE GEOTEXTILE SPECIFICALLY PRODUCED FOR SEDIMENT FENCING. THE USE OF SHADE CLOTH FOR THIS PURPOSE IS NOT SATISFACTORY.	
5. JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 100mm OVERLAP.	
6. BACKFILL THE TRENCH OVER THE BASE OF THE FABRIC AND COMPACT IT THOROUGHLY OVER THE GEOTEXTILE.	

KERB INLET SEDIMENT FILTER	
1. REFER TO APPROVED PLANS FOR LOCATION AND INSTALLATION DETAILS. IF THERE ARE QUESTIONS OR PROBLEMS WITH THE LOCATION, DIMENSIONS, OR METHOD OF INSTALLATION, CONTACT THE ENGINEER OR RESPONSIBLE ON-SITE OFFICER FOR ASSISTANCE.	
2. ENSURE THAT THE INSTALLATION OF THE SEDIMENT TRAP WILL NOT CAUSE UNDESIRABLE SAFETY OR FLOODING ISSUES.	
3. INSTALL SEDIMENT TRAP IN ACCORDANCE WITH STANDARD DRAWING SUPPLIED WITH THE APPROVED PLAN, OR AS DIRECTED BY THE SITE SUPERVISOR.	
4. ENSURE THE SEDIMENT TRAP IS CONSTRUCTED UPSLOPE OF AN ON-GRADE KERB INLET. THE SEDIMENT TRAP MUST NOT SURROUND THE KERB INLET UNLESS SPECIFICALLY DIRECTED BY THE SITE SUPERVISOR.	
5. ENSURE THE SEDIMENT TRAP FULLY ENCLOSES THE KERB INLET. USE APPROPRIATE SPACERS TO ENSURE THE SEDIMENT TRAP DOES NOT BLOCK THE SIDEWALK INLET.	
6. TAKE ALL NECESSARY MEASURE TO MINIMISE THE SAFETY RISK CAUSED BY THE STRUCTURE.	

DROP INLET FILTERS	
1. FABRICATE A SEDIMENT BARRIER MADE FROM GEOTEXTILE OF STRAW BALES.	
2. FOLLOW STANDARD DRAWINGS OF STRAW BALE FILTERS AND SEDIMENT FENCES FOR INSTALLATION PROCEDURES FOR THE STRAWBALES OR GEOTEXTILE. REDUCE THE PICKET SPACING TO 1m CENTRES.	
3. IN WATERWAYS, ARTIFICIAL SAG POINTS CAN BE CREATED WITH SANDBAGS OR EARTH BANKS AS SHOWN IN THE DRAWING.	
4. DO NOT COVER THE INLET WITH GEOTEXTILE UNLESS THE DESIGN IS AGGREGATE TO ALLOW FOR ALL WATERS TO BYPASS IT.	

EARTHBANK (LOW FLOW)	
1. BUILD WITH GRADIENTS BETWEEN 1% AND 5%.	
2. AVOID REMOVING TREES AND SHRUBS IF POSSIBLE - WORK AROUND THEM.	
3. ENSURE THE STRUCTURES ARE FREE OF PROJECTIONS OR OTHER IRREGULARITIES THAT COULD IMPED WATER FLOW.	
4. BUILD THE DRAINS WITH CIRCULAR, PARABOLIC OR TRAPEZOIDAL CROSS SECTIONS, NOT V-SHAPED.	
5. ENSURE BANKS ARE PROPERLY COMPACTED TO PREVENT FAILURE.	
6. COMPLETE PERMANENT OR TEMPORARY STABILISATION WITHIN 10 DAYS OF CONSTRUCTION.	

STRAW BALE FILTERS	
1. CONSTRUCT THE STRAW BALE FILTER AS CLOSE AS POSSIBLE TO BEING PARALLEL TO THE CONTOURS OF THE SITE, BUT WITH SMALL RETURNING AS SHOWN IN THE DIAGRAM TO LIMIT THE CATCHMENT AREA OF ANY ONE SECTION.	
2. PLACE BALES LENGTHWISE IN A ROW WITH ENDS TIGHTLY ABUTTING. USE STRAW TO FILL ANY GAPS BETWEEN THE BALES. THE STRAW IN EACH BALE IS TO BE ALIGNED PARALLEL TO THE GROUND.	
3. ENSURE THAT THE MAXIMUM HEIGHT OF THE FILTER IS ONE BALE.	
4. EMBED EACH BALE IN THE GROUND 75mm TO 100mm AND ANCHOR WITH 1.2m STAR PICKETS OR STAKES. ANGLE THE FIRST STAR PICKET OR STAKE IN EACH BALE TOWARDS THE PREVIOUSLY Laid BALE. DRIVE THEM 600mm INTO THE GROUND AND, IF POSSIBLE, FLUSH WITH THE TOP OF THE BALES. WHERE STAR PICKETS ARE USED AND THEY PROTRUDE ABOVE THE BALES, ENSURE THEY ARE FITTED WITH SAFETY CAPS.	
5. WHERE A STRAW BALE FILTER IS CONSTRUCTED DOWNSLOPE FROM A DISTURBED BATTER, ENSURE BALES ARE PLACED 1m TO 2m DOWNSLOPE FROM THE TOE.	
6. ESTABLISH A MAINTENANCE PROGRAM THAT ENSURES THE INTEGRITY OF THE BALES IS RETAINED - THEY COULD REQUIRE REPLACEMENT EACH TWO TO FOUR MONTHS.	

STOCKPILE	
1. MAINTAIN THE TRENCH FREE OF WATER AND RECOMPACT THE MATERIALS WITH EQUIPMENT AS SPECIFIED IN THE SWAMP TO 80% STANDARD PROCTOR DENSITY.	
2. SELECT FILL FOLLOWING THE SWAMP THAT IS FREE OF ROOTS, WOOD, ROCK, LARGE STONE OR FOREIGN MATERIAL.	
3. SPREAD THE FILL IN 100mm TO 150mm LAYERS AND COMPACT IT AT OPTIMUM MOISTURE CONTENT FOLLOWING THE SWAMP.	

KERBSIDE TURF STRIP	
1. INSTALL A 400mm MINIMUM WIDE ROLL OF TURF ON THE FOOTPATH NEXT TO THE KERB AND AT THE SAME LEVEL AS THE TOP OF THE KERB.	
2. LAY 1.4m LONG TURF STRIPS NORMAL TO THE KERB EVERY 10m.	
3. REHABILITATE DISTURBED SOIL BEHIND THE TURF STRIP FOLLOWING THE ESCP/SWAMP.	

KERB INLET SEDIMENT FILTER (ON GRADE)	
1. SANDBAG OVERLAP ONTO KERB	
2. GAP BETWEEN BAGS ACT AS SILLWAY	
3. RUNOFF DIRECTED TO SEDIMENT TRAP	
4. GEOTEXTILE FABRIC DESIGNED TO PREVENT INTERMINGING OF SUBGRADE AND BAG MATERIALS AND TO MAINTAIN GOOD PROPERTIES OF THE SUBGRADE LAYERS	
5. DOWNSLOPE ROAD BASE OR 30mm AGGREGATE	
6. EXISTING ROAD BASE	
7. PROPERTY BOUNDARY	
8. MIN. WIDTH 1.5 METERS	
9. MIN. LENGTH 15 METERS	
10. 5m LONG (MIN)	
11. 200mm MIN.	
12. 300mm MIN.	
13. 400mm MIN.	
14. 500mm MIN.	
15. 600mm MIN.	
16. 700mm MIN.	
17. 800mm MIN.	
18. 900mm MIN.	
19. 1000mm MIN.	
20. 1100mm MIN.	
21. 1200mm MIN.	
22. 1300mm MIN.	
23. 1400mm MIN.	
24. 1500mm MIN.	
25. 1600mm MIN.	
26. 1700mm MIN.	
27. 1800mm MIN.	
28. 1900mm MIN.	
29. 2000mm MIN.	
30. 2100mm MIN.	
31. 2200mm MIN.	
32. 2300mm MIN.	
33. 2400mm MIN.	
34. 2500mm MIN.	
35. 2600mm MIN.	
36. 2700mm MIN.	
37. 2800mm MIN.	
38. 2900mm MIN.	
39. 3000mm MIN.	
40. 3100mm MIN.	
41. 3200mm MIN.	
42. 3300mm MIN.	
43. 3400mm MIN.	
44. 3500mm MIN.	
45. 3600mm MIN.	
46. 3700mm MIN.	
47. 3800mm MIN.	
48. 3900mm MIN.	
49. 4000mm MIN.	
50. 4100mm MIN.	
51. 4200mm MIN.	
52. 4300mm MIN.	
53. 4400mm MIN.	
54. 4500mm MIN.	
55. 4600mm MIN.	
56. 4700mm MIN.	
57. 4800mm MIN.	
58. 4900mm MIN.	
59. 5000mm MIN.	
60. 5100mm MIN.	
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62. 5300mm MIN.	
63. 5400mm MIN.	
64. 5500mm MIN.	
65. 5600mm MIN.	
66. 5700mm MIN.	
67. 5800mm MIN.	
68. 5900mm MIN.	
69. 6000mm MIN.	
70. 6100mm MIN.	
71. 6200mm MIN.	
72. 6300mm MIN.	
73. 6400mm MIN.	
74. 6500mm MIN.	
75. 6600mm MIN.	
76. 6700mm MIN.	
77. 6800mm MIN.	
78. 6900mm MIN.	
79. 7000mm MIN.	
80. 7100mm MIN.	
81. 7200mm MIN.	
82. 7300mm MIN.	
83. 7400mm MIN.	
84. 7500mm MIN.	
85. 7600mm MIN.	
86. 7700mm MIN.	
87. 7800mm MIN.	
88. 7900mm MIN.	
89. 8000mm MIN.	
90. 8100mm MIN.	
91. 8200mm MIN.	
92. 8300mm MIN.	
93. 8400mm MIN.	
94. 8500mm MIN.	
95. 8600mm MIN.	
96. 8700mm MIN.	
97. 8800mm MIN.	
98. 8900mm MIN.	
99. 9000mm MIN.	
100. 9100mm MIN.	
101. 9200mm MIN.	
102. 9300mm MIN.	
103. 9400mm MIN.	
104. 9500mm MIN.	
105. 9600mm MIN.	
106. 9700mm MIN.	
107. 9800mm MIN.	
108. 9900mm MIN.	
109. 10000mm MIN.	
110. 10100mm MIN.	
111. 10200mm MIN.	
112. 10300mm MIN.	
113. 10400mm MIN.	
114. 10500mm MIN.	
115. 10600mm MIN.	
116. 10700mm MIN.	
117. 10800mm MIN.	
118. 10900mm MIN.	
119. 11000mm MIN.	
120. 11100mm MIN.	
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128. 11900mm MIN.	
129. 12000mm MIN.	
130. 12100mm MIN.	
131. 12200mm MIN.	
132. 12300mm MIN.	
133. 12400mm MIN.	
134. 12500mm MIN.	
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SCHEDULE 7 – BIODIVERSITY MANAGEMENT PLAN



Biodiversity Management Plan – 16 Macpherson St, Warriewood NSW

Prepared For: Warrimac Pty Ltd

Prepared By: Anderson Environment and Planning

Date: October 2023

AEP Reference: 2564.01

Revision: 04





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1.0 Introduction

At the request of Warrimac Pty Ltd (the client), Anderson Environment & Planning (AEP) have undertaken the necessary investigations to inform the production of a Biodiversity Management Plan (BMP) to schedule reconstruction measures associated with a proposed residential subdivision and dwelling construction at 16 Macpherson Street, Warriewood, NSW (Subject Site).

The BMP schedules reconstruction works for the creekline corridor located within the proposed development. The varying stages of regeneration are applicable to ensure minimal construction impacts on the regeneration during construction.

1.1 Biodiversity Management Plan Objectives

The purpose of this plan is to;

- Reinstatement of a standard creek profile creating both ecological and hydraulic function within Narrabeen Creek.
- To provide a suitable location for the translocation of *Syzygium paniculatum* (Magenta Lilly Pilly) trees located within the existing riparian corridor.
- Regeneration vegetation in the north east of the Subject Site.

The BMP requires action to regenerate riparian lands while creating safe space within the proposed subdivision, incorporating best practice management of vegetation and fauna within the BMP Lands.

The overall BMP objectives are to provide:

- Education of the Plant Community Type (PCT) within the Subject Site;
- Reconstruction using council's standard creek design;
- Improving water quality and aquatic habitat;
- To assess and adjust weeding and planting regimes across the BMP;
- Areas of habitat for native flora and fauna, including locally occurring threatened species; and
- A long-term environmental conservation area, in a state of Natural Regeneration requiring nominal ongoing maintenance.

1.1.1 Proposal

The proposed development involves a residential subdivision covering the entirety of the Lot. The land clearing required for the proposed development involves the removal of 0.21ha native vegetation from the Subject Site.

The proposal contains 28 residential lots and 2 lots containing an internal road, the reconstruction of Narrabeen Creek and the riparian corridor.

Figure 1 and 2 shows the site location and ground-truthed vegetation respectively and Appendix A shows the proposed development.

1.1.2 Supporting Reports

The BMP must be read and implemented in conjunction with the following reports:

- AEP (2023) *Ecological Assessment Report for a Proposed Residential Subdivision at 16 Macpherson Street, Warriewood, NSW*;

1.2 BMP Lands

The BMP lands comprise 0.14ha and contain;

- The existing severely modified and highly degraded Narrabeen Creek; and
- A portion of the Subject Site that is proposed for riparian corridor reconstruction works.

Within both sections there are scattered patches of highly degraded PCT 1795, exotic pastures and cleared land.

The section of Narrabeen Creek proposed to be managed under the BMP is highly disturbed and will require plantings and erosion and sediment controls to ensure the banks of the creek remain stable and natural flow and ecological function are maintained. The creek present within the BMP Lands has limited watercourse features as identified in Department of Planning, Industry and Environment (2020), *Natural Resources Access Regulator Waterfront Land Tool*, such as pools, riffles, meanders and aquatic vegetation.

The BMP will utilise the principles within Northern Beaches Creek profiles, to reinstate natural features within the proposed management zones while regenerating the aquatic and riparian ecosystems. It is proposed that the standard creek profile will be regenerated with aquatic species within the creek line to toe of bank and PCTs 1795 for remaining BMP lands.

The main aim of the BMP lands is to educate the community and promote community awareness and knowledge of both flora and fauna in the area. This has been shown to develop community ownership of environmental zones and protection. Community ownership and knowledge reduces vandalism and garden and other waste dumping as the community feels a sense of ownership.

The BMP lands are proposed to be managed under a 5-year Biodiversity Management Plan, including standard creek design, plantings, translocation of threatened species, weed management, pest and disease management, installation of habitat, educational signs, footpaths, viewing area and frog ponds.

To ensure protection of the downstream riparian area, measures such as erosion and sedimentation controls are to be installed prior to construction commencing, and regularly inspected and maintained (weekly or after rain events) during construction works.

The Water Sensitive Urban Design (WSUD) measures are incorporated within the detailed design of each stage to ensure Narrabeen Lagoon Catchment receptor is maintained and enhanced for both quality and quantity.



In accordance with Section 201 of the *Fisheries Management Act 1994* (FM ACT), a permit is required to undertake the proposed works within the second order stream to reconfigure (dredge and reclaim) the creek profile and divert (block fish passage) during construction works.

There are no Asset Protection Zones (APZs) located within the BMP lands.

1.3 Existing Site Conditions

The Subject Site was inspected and floristic surveys were undertaken by AEP in June 2022. These inspections included general site reconnaissance and traversal to verify previously mapped vegetation communities and determine vegetation / flora / fauna assessment, location of modified channel, erosion and deposition of the BMP lands as well as the broader site.

Figure 2 shows ground-truthed vegetation boundaries. Figure 3 outlines the proposed management zones and areas impacted by the development.

2.0 Regeneration Approach

The BMP schedules differing ecological approaches to the regeneration of the BMP Lands by implementing the principles of the Society for Ecological Restoration Australasia *National standards for the practice of ecological restoration in Australia* (SERA 2021, ed. 2.2). This approach utilises three integrated restoration techniques to achieve the end goal of Natural Regeneration. Approaches have been assigned to BMP Land areas based on their history of disturbance:

1. Reconstruction Approach – this approach is where a site is highly degraded and has limited to no ability to regenerate naturally.
2. Facilitated Regeneration Approach – this approach is when a site is in moderate condition, and will naturally regenerate with minimal plantings and weed management.
3. Natural Regeneration - this approach is where damage is relatively low, and pre-existing biota should be able to recover after cessation of degrading practices. It requires limited to no intervention, with weeding being the only task undertaken to encourage continual natural regeneration.

The aim for the entirety of the BMP lands is to achieve Natural Regeneration within five (5) years.

This is based on general condition at the point of assessment, where the Ecologist determines the most appropriate level of regeneration based on the Biodiversity Assessment and random meander of the Subject Site.

The National Guidelines also require that at commencement of approved regeneration works the first step is to gather baseline data. It is undertaken at the commencement of the BMP to ensure the most appropriate measure are used to ensure regeneration can occur. Natural events such as drought high rainfall, fire, floods, etc can all have significant impact on the condition of vegetation within a site. Hence the guidelines require regeneration areas be broken into the three categories and detailed baseline data be collected at commencement.



3.0 Council Standard Creek Design and Vegetated Riparian Zone

Narrabeen Creek within the BMP lands has been ground-truthed to be a Stream Order two. The creek is highly degraded, eroded and modified by past and present uses. The Department of Planning and Environment (Water) (DPE - Water) (formerly known as Natural Resources Access Regulator) requires a 20m Vegetated Riparian Zone (VRZ) on a Stream Order 2.

To provide the VRZ on the stream in its current state, it is highly unlikely to provide suitable aquatic habitat or water quality to the Narrabeen Lagoon Catchment. The creek does not show many of the key features of a healthy river system:

- Defined bed and bank;
- Meanders;
- Pools;
- Riffles; and
- Aquatic vegetation.

As such it is proposed that Narrabeen Creek within the RE1 zone land is reinstated with Northern Beaches Council standard creek profile and vegetated riparian zone that will provide suitable aquatic habitat and improve water quality to the Narrabeen Lagoon Catchment.

Plate 1 shows a cross section of watercourse to assist with the location of each zone.

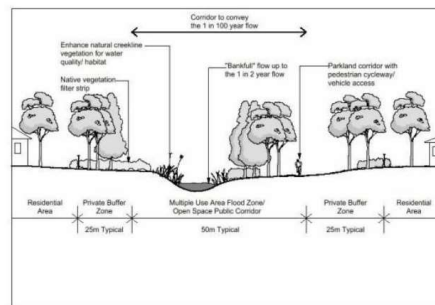


Plate 1 - Cross Section of Creekline Corridor (Lawson & Treloar, 2001)

A review of the current literature showed that reinstated a standard creek profile within the Narrabeen Creek would ensure the above key features are present within the creek, and as a result improved water quality and

habitat for both terrestrial and aquatic organisms will be provided. Plates 2 - 4 show photos of standard creek design examples.

This BMP provides the concept plan for the channel design, detailed engineering plans will be prepared prior to Construction Certificate.



Plate 2 - Low Flow Channel and Pool (Brisbane City Council, 2003)



Plate 3 - Low Flow Channel (Australian Wetland Consulting, 2018)



Plate 4 - Bundamba Creek Restoration works (Australian Wetland Consulting, 2018)

4.0 Management Zones

The BMP lands will be managed in two (2) Management Zones (MZs) to clearly identify objectives and targets. Figure 3 shows the MZs.

4.1.1 Zone 1: Reconstruction - Aquatic Zone

This zone is located in the low flow channel to top of toe, consisting of a width of 1m – 2m; it will include the reinstating of aquatic vegetation and habitat such as snags.

The Reconstruction Approach is being utilised in MZ1. Planting of native species will assist with meeting the Targets outlines in Section 5.

Weeding as defined in Table 2, will effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area.

All works should be undertaken to ensure bed and bank stability, provisions of aquatic habitat for both flora and fauna.

As stated, the Reconstruction Approach requires active interventions, the tasks of which will be determined by the Bush Regeneration Contractor (BRC) and may involve the following tasks:

- Planting;
- Installation of snags;
- Weeding;
- Watering;
- Mulching (if required); and
- Replacement of dead plants (1:1).

The BMP aims to move into Natural Regeneration Approach by the end of Year 5.

4.1.2 Zone 2: Reconstruction – PCT 1795 Coastal flats Swamp Mahogany Forest

MZ2 is located from the top of toe to the end of the riparian zone. MZ2 will be planted out with PCT 1795 - Coastal flats Swamp Mahogany Forest.

The Reconstruction Approach is being utilised in this section and the planting of native species from PCT 1795 will assist with meeting the Targets outlines in Section 5.

Weeding as defined in Table 2 (effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area).

All works should be undertaken to ensure bed and bank stability, provisions of terrestrial habitat for both flora and fauna.

Signage is to be installed along the high bank providing information on the community and fauna species likely to use the banks and aquatic vegetation.



As stated, the Reconstruction Approach requires active interventions, the tasks of which will be determined by the Bush Regeneration Contractor (BRC) and may involve the following tasks:

- Planting;
- Installation of habitat;
- Weeding;
- Watering;
- Mulching (if required); and
- Replacement of dead plants (1:1).

The BMP aims to move into Natural Regeneration Approach by the end of Year 5.

5.0 Regeneration Targets

The Reconstruction Approach will be used across the entire BMP Lands and the following targets have been designed to be measurable, providing both quantitative and qualitative data on species abundance and cover for the vegetation communities within the BMP Lands.

Weeds have a significant impact on structural integrity of vegetation communities. Flora surveys identified 27 exotic species, with the following list being the most prevalent within the vegetation communities on site;

Lantana (*Lantana camara*), Small-leaved privet (*Ligustrum sinense*), Black Cobbler's Peg (*Bidens pilosa*) and Asparagus Fern (*Asparagus aethiophiticus*).

Exotic grasses comprise *Paspalum dilatatum* and *Ehrharta erecta* (Panic Veldtgrass)

Some of these species are identified as priority weeds for Greater Sydney. Predominantly exotic grasses and other herbaceous weeds will be the focus of weed management activities.

To achieve a Natural Regeneration throughout the entire BMP lands within five (5) years targets have been set within **Table 1**. **Tables 3 to 7** also summaries the works schedule required to achieve the targets.

Table 1 – Summary of Regeneration Targets for Stage 1

Year	Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
1	30	30	<70	<70
2	40	45	<45	<40
3	55	55	<30	<25
4	60	65	<20	<15
5	70	80	<10	<10

6.0 Translocation of *Syzygium paniculatum*

Syzygium paniculatum is an Endangered species due to numerous threats including low genetic diversity, small and isolated populations, habitat clearing, competition with weeds. Translocation of this species will minimise impacts to this species on site and will assist in maintain the local population on site.

6.1 Aims Treatment / Monitoring Plan

6.1.1 Translocation Plan

The individual species of *Syzygium paniculatum*, identified within the Subject Site are proposed to be translocated.

Translocation is proposed to follow the below program:

- Trees will be tagged and health assessment undertaken;
- Civil contractor teams with supervision from the Project Arborists will dig out root balls of viable plants and they will be temporarily stored on site during reconstruction period before being translocated to MZ 2; and
- The trees will be watered, mulched and left for three-month establishment period.

6.1.2 Monitoring Program

Annual reports will be provided to Council reporting on the progress of the treatment plan address:

- Health of trees;
- Percentage of new foliage; and
- Growth.

7.0 Regeneration Management

7.1 Baseline Data

Indicative monitoring points have been identified within the BMP Lands (refer **Figure 4**). The final location of the monitoring points is to be determined at commencement of the BMP.

Baseline data is to be collected at monitoring points at commencement. This data is collected at commencement to ensure the data is reflective of the conditions at commencement. Vegetation health, structure and composition can change over time, environmental impacts such as fire, drought or flood can have a significant impact on the communities and hence baseline data must be collected at commencement to ensure proposed methods and targets are achievable.

Baseline data consists of:

- Species diversity (both native and exotic);
- Species Abundance (both native and exotic);

- Overall health of the BMP Lands;
- Photos in north, east, south and west aspects;
- Record incidental fauna; and
- Required changes in methodology for regeneration.

The Monitoring Points established for the baseline surveys will then be monitored on a biannual basis, as per **8.1 Monitoring**.

7.2 Site Preparation

Prior to the commencement of regeneration, the BMP Lands must be prepared. The following works have been recommended to assist in site preparation:

- Establishment of pathogens and diseases controls. Diseases which could affect the site include Myrtle rust (*Puccinia psidii*), affecting Myrtaceous plants, including *Melaleuca* species, and Amphibian Chytrid fungus disease, Chytridiomycosis, caused by Chytrid fungus (*Batrachochytrium dendrobatidis*). Appropriate hygiene controls are to be employed to minimise the chances of any such introduction occurring. This may include a hygiene station equipped with sterilizing agents and cleaning equipment to clean boots, tools and machinery. Response plans are needed to be designed and implemented to mitigate impacts in the event of disease or pathogen outbreaks;
- All extant rubbish/waste is to be removed from BMP lands including farm fencing and structures. The need to remove such material should be assessed on a case-by-case basis as in some instances the material is inert, such as concrete, rocks and timber posts, etc. Such material may inadvertently provide geomorphic stability;
- Clearly mark native vegetation for retention and approved removal;
- Install temporary fence around the BMP Lands, and clearly mark as a "No Go Area" prior to commencement of civil works;
- Fencing should have clearly visible signage erected at key entry points to BMP;
- Implement erosion and sediment control measures in accordance with specifications set out in the latest edition of the Landcom publication "Soils and Constructions – Volume 1" (The Blue Book);
- Construction of the council's standard creek profile;
- Vegetation clearing;
- Establish monitoring and photo points;
- Collection of baseline data;
- Primary weed removal;
- Installation of ground habitat (logs and rocks);
- Planting of Vegetation (see **Appendix B** for a detailed species list). All plant stock must be provenance specific seed/material collected from locally endemic species, grown by suitably experienced and qualified nurseries, and hardened-off before planting. This will ensure the



structure and composition of these communities will meet the targets set; and

- Mulching and watering.

7.3 Vegetation Clearing

For the clearing phase, retained vegetation will be delineated by safety bunting flags, fencing and signage indicating environmental protection zone, which will still allow fauna to egress the development area as needed. Following the completion of clearing works, permanent delineation features such as logs should be installed to protect the retained vegetation during operational phase of the development;

- Vegetation clearing should be timed to avoid cold weather periods where overnight temperatures are forecast to be less than 12°C. Cold weather is likely to make it difficult for resident hollow dependent fauna to successfully relocate. This is particularly relevant for low body-weight species;
- A staged approach to clearing is to be undertaken to provide fauna the opportunity to disperse outside the area of impact. Staging to include Phase 1 Clearing: Underscrubbing, Phase 2 Clearing: Removal of non-habitat trees, and Phase 3 Clearing: Removal of habitat and connecting trees;
- All clearing works (phase 1-3) to be undertaken under the supervision of the Project Ecologist;
- Clearing should occur in a direction from previously disturbed lands towards retained lands;
- Implement clearing protocols, including pre-clearance surveys to identify habitat and vegetation to be retained;
- All clearing works to be attended by a suitable equipped and experienced ecologist to deal appropriately with any displaced fauna species;
- All hollow bearing features will be sectionally lowered by tree climbers (where safe to do so);
- Any fauna rescued during vegetation clearing is to be assessed for injuries, and subsequently released to a suitable nearby location; this may require holding fauna until dusk for release in accordance with relevant animal ethics licencing and standards;
- If any fauna is injured during vegetation clearing, they are to be taken promptly to a nearby veterinarian or suitable wildlife carer contact;
- In addition, prior to clearing of any vegetation, an ecologist is to inspect the area for any signs of resident fauna requiring attention, and in particular nesting birds. Where such is identified, appropriate strategies are to be developed and instigated to minimise impacts.
- Pre-clearance surveys to include diurnal surveys, stagwatching and nocturnal surveys;
- Civil Construction staff to be inducted into pre-clearing and clearing protocols, and to identify environmental features for protection;

- Any suitable hollows recovered during clearing works should be reconditioned into suitable hollows and installed in retained lands in addition to the manufactured nest boxes; and
- All cleared vegetation is to be mulched on site and spread to help stabilise any exposed soil and minimise offsite movement of biomass. Fallen timber and hollow logs identified to be retained to be relocated into the retained lands;

7.4 Weed Management

Weed Control works within each Management Zone are to be undertaken by a qualified bushland regeneration team using industry standards (summary provided in **Table 2**).

Any reproductive material of weeds, including weeds that can spread vegetatively or seeds, must be taken off site to be disposed of at an appropriate local waste collection service. No weed material with the potential of spreading may be stockpiled within the Subject Site, or the BMP Lands.

The *Biosecurity Act 2015* outlines several 'duties'; the general biosecurity duty, and additional duties under mandatory measures, regional measures, prohibited matter or biosecurity zone. Specific actions for these measures may be required. Weed control is required to occur in the following sequence:

1. **Primary Weeding** – this is where weeds are removed from Management Zones.
2. **Consolidation** – over the next few months, the weed control zones will require monthly visits to remove weeds that are regenerating and/or have grown in response to the disturbance and are competing with planted and regenerating native plants. These visits are essential, otherwise the weeds will recolonise, dominate and inhibit the regeneration of native species.
3. **Maintenance Weeding** – After the sixth-month and will continue on a monthly basis, due to woody weeds, and other annual weeds being problematic within the locality.

This interval will be evaluated based onsite condition during each monitoring period. Weed control works across the site are to be undertaken over the maintenance period of five (5) years, however given the adaptive management approach, this time-frame is flexible, and may need to be extended based on changing site conditions and results indicating management zones have reached targets set out in this BMP.

7.5 Fauna Management

Macropods and possums are known as occurring in the local area. Therefore, protection guards should be placed around plantings so that revegetation efforts within BMP lands are not compromised by grazing. If monitoring within management zones indicates pest species pose notable impediments to achieving the aims of the BMP (i.e., through excessive browsing, etc.), then management actions will be reviewed to address these issues.

Incidental fauna records are to be undertaken during monitoring surveys and reported.

8.0 Project Management

Establishment of monitoring points and compliance checking of other aspects within this BMP will be the responsibility of the Project Ecologist working with the Civil Contractor.

The client will be responsible for the engagement of a suitably qualified Bush Regeneration Contractor to undertake weed control and planting works outlined in this BMP.

Bush Regenerator(s) or company(s) shall have the following qualifications;

- Australian Association of Bush Regenerators (AABR) Accreditation. The Bush Regenerators shall hold a current AQF3 qualification.
- Site Supervisor must have demonstrated minimum of 2 years' experience in the bush regeneration or related field and must have experience at a supervisory level in providing training, supervision and technical advice to staff, clients, volunteers and members of the public.
- The Site Supervisor must hold a current AQF 3 qualification or higher and must have completed the Bush Regeneration Level IV Certificate or have a diploma or degree in a field related to natural resource management.

The Project Ecologist will be responsible for the establishment of monitoring points within the BMP lands along with collection of baseline data that will be monitored against this over the three-year period of this BMP with the overall targets. The Project Ecologist will be responsible for monitoring and reporting on weed management, and Regeneration Approach success.

8.1 Monitoring

Monitoring will occur at commencement and biannual basis at the proposed monitoring points (refer **Figure 3**).

8.1.1 Baseline Data

Baseline data is collected and report prepared for submission to Council at commencement of the BMP.

8.1.2 Biannual Monitoring

This is to occur every 6months from commencements up to three years or reaching of targets (which every is the latter);

- Native species, abundance and coverage;
- Weed species and coverage;
- Photo records at monitoring points at each aspect (North, east, south, west);
- General health of each Management Zone;
- Incidental fauna use of site; and
- Evaluation of methodology and management effectiveness.



8.2 Reporting

A baseline report is prepared at commencement of the BMP and submitted to Council.

A report is to be prepared annually and delivered to the consent authority for the life of the BMP with a final report prepared at the end of the BMP outlining how the conditions of the BMP have been met.

Biannual monitoring will inform the evaluation of management effectiveness, until the Regeneration Benchmark Targets are met.

As part of adaptive management, the reports will include evaluations and recommendations relating to all areas covered in the monitoring schedule and also address any other problems or deficiencies found during monitoring. If required the report should also outline any changes that are required to planned works to ensure better ecological outcomes.

Regeneration of the BMP Lands will be undertaken over a period of five (5) years or until the Year five (5) overall targets are reached.

8.3 Future Management of BMP Lands

Regeneration of the BMP Lands will be undertaken over a period of five (5) years or until the Year five (5) overall targets are reached. As the BMP lands will then be in a state of Natural Regeneration, management of the site after targets have been achieved will be undertaken in accordance with the *Biosecurity Act 2015* & *Biosecurity Regulations 2017*.

Table 2 - Weed Control Activities

Activity	Minimum Requirement
Pre-works	Undertake baseline surveys to identify priority weeds present on site to be the focus of weed management activities. Priority weeds based on listings under the <i>Biosecurity Act 2015</i> , and notably any problematic weeds on site that have been identified.
Primary Works	Effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area. Include high disturbance activities that could negatively impact later regeneration such as high-volume herbicide application, and physical removal of large trees which would pose safety hazards to the public or others if left to perish <i>in-situ</i> .
Secondary Works	Treat any regrowth from primary weed control and expand on control measures by targeting Priority species and expanding the primary control boundaries where desirable. Thin retained weeds to increase light penetration where appropriate. Generally, expand on and solidify primary work.
Maintenance Works	Maintain exclusion of weeds controlled during Primary and Secondary works. Prevent reinfestation of weeds progressively, and others as time permits.
Woody Trees & Shrubs	Where appropriate, remove trees via mechanical means (i.e., chainsaw or handsaw) and apply chemical to the cut stump. Material may be retained on-site or disposed of appropriately off-site. Retained material should be situated to provide additional ground habitat and slope stability but should not be left in such a way that would hamper natural regeneration or existing native plants. Care should be taken with species which have the capacity to regrow vegetatively such as <i>Erythrina x sykesii</i> (Coral Tree). Alternatively, trees and shrubs may be treated via frill or drill application of herbicide and left to perish <i>in-situ</i> as habitat.
Woody Thickets	Treat via cut or scrape and paint or high-concentration low-volume foliar herbicide control (i.e., splatter application). Material may be left <i>in-situ</i> (particularly after spraying) or broken up and rafted off the ground to perish (taking care to remove from expected high flow areas of the creek). Do not manually remove root stock in a manner that will encourage soil instability or erosion. Once dead, standing material may be broken down and left on the ground as mulch. Mechanical removal (i.e., brush cutter equipped with mulching blade or similar) may be used where practical and regrowth treated with foliar application of herbicide.
Vines and Creepers	Skirt from trees and vegetation to prevent smothering and leave material to perish <i>in-situ</i> . Cut or scrape and paint stems or runners. Foliar herbicide control where appropriate. Do not unduly expose soil via manual removal of plants where they may be providing soil stabilisation. Isolated manual removal as appropriate.
Ground Cover	Retain exotic species where they are providing ground stabilisation or habitat until such time as they hinder native species establishment or are no longer necessary. Relevant examples include retaining <i>Tradescantia fluminensis</i> (Trad) along drainage lines where removal would expose bare soil to erosion. Weed control is to focus on the patch removal of such weeds from around native regeneration or planting, with progressive removal of larger patches over time.



Prior to commencement of the BMP the following must have been undertaken:

- Construction Plans prepared and approved for the standard creek design;
- Construction of the standard creek profile;

It should be noted that the Treatment and Monitoring Plan Schedule of works will be provided to Council with the Baseline Data Report.

Table 3 – Year 1 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 1	Installation of No-Go Zones, fencing and signs					Civil Contractor				
	Installation of Monitoring Points					Project Ecologist				
	Collection of baseline data					Project Ecologist				
	Installation of sediment and erosion controls					Civil Contractor				
	Translocation of <i>Syzygium paniculatum</i>					Bush Regeneration Contractor				
	Installation of Ground habitat					Civil Contractor / Project Ecologist				
	Preparation of Baseline Data Report					Project Ecologist				
	Primary Weeding (Effectively control priority species and areas through appropriate methods to eliminate highly competitive weeds from an area. Include high disturbance activities that could negatively impact later regeneration such as high-volume herbicide application, and physical removal of large trees which would pose safety hazards to the public or others if left to perish <i>in-situ</i>) of all zones – focus is on Biosecurity Weeds (refer Appendix C for Department of Primary Industries Priority Weeds for Greater Sydney)					Bush Regeneration Contractor	30	30	<70	<70
	Mass planting of trees and shrubs within reconstruction zones (refer to Appendix B for suitable plants in each PCT)					Bush Regeneration Contractor				
	Installation of tree guards for pest control if required					Bush Regeneration Contractor				
	Secondary Weeding- focus is on Biosecurity Weeds (refer Appendix C for Department of Primary Industries Priority Weeds for the Central Coast)					Bush Regeneration Contractor				
	Replacement dead / dying plantings					Bush Regeneration Contractor				
	Biannual monitoring					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of first year the entire BMP Land will be a state of Reconstruction Regeneration in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										



Table 4 – Year 2 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 2	Annual inspection of No-Go Zones, fencing and signs					Civil Contractor / Bush Regeneration Contractor	40	45	<45	<40
	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor				
	Annual inspection of ground habitat					Project Ecologist				
	Replacing dead / dying plantings					Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Biannual inspection or installation of tree guards for pest control if required					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Facilitated Regeneration in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										

Table 5 – Year 3 Targets and Schedule of Works

Table 5 – Year 3 Targets and Schedule of Works										
Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 3	Annual inspection of no-go Zones, fencing and signs					Civil Contractor / Bush Regeneration Contractor	55	55	<30	<25
	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor				
	Annual inspection of ground habitat					Project Ecologist				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Replacement of dead or dying plants					Bush Regeneration Contractor				
	Direct seeding of groundcover species in all Zones if required					Bush Regeneration Contractor				
	Biannual inspection or Installation of tree guards for pest control if required					Project Ecologist				
	Review of BMP success and failures and update where appropriate for submission with Annual Report to CCC					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of third year the entire BMP Land will be a state of Facilitated Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										



Table 6 – Year 4 Targets and Schedule of Works

Timeframe	Works to be Undertaken	1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 4	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor	60	65	<20	<15
	Annual inspection of ground habitat					Civil Contractor / Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Annual Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Natural Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										

Table 7 – Year 5 Targets and Schedule of Works

Timeframe		1 st Quarter of Year	2 nd Quarter of Year	3 rd Quarter of Year	4 th Quarter of Year	Roles and Responsibilities	Targets to be reached at end of 4 th Quarter			
Works to be Undertaken							Abundance of Natives (%)	Cover of Native (%)	Cover of Biosecurity Weeds (%)	Cover of Other Priority Weeds (%)
Year 5	Annual inspection of sediment and erosion controls (or after rainfall events)					Civil Contractor / Bush Regeneration Contractor	70	80	<10	<10
	Annual inspection of ground habitat					Civil Contractor / Bush Regeneration Contractor				
	Weed management as required to achieve annual targets					Bush Regeneration Contractor				
	Biannual monitoring of both terrestrial and aquatic environments including water quality data					Project Ecologist				
	Final Reporting to NBC					Project Ecologist				
At end of second year the entire BMP Land will be a state of Natural Regeneration Approach in accordance with Society for Ecological Restoration Australasia (2018) National standards for the practice of ecological restoration in Australia.										



Title: Figure 1 - Site Location

Date: May 2023

Location: 16 Macpherson Road, Warriewood

Client: Warrimac Pty Ltd

AEP ref: 2564.01



Title: Figure 2 - Ground-truthed Vegetation


Date: May 2023

Location: 16 Macpherson Road, Warriewood

Client: Warrimac Pty Ltd

AEP ref: 2564.01



**AEP**

Title: Figure 3 - Management Zones & Indicative Points Date: May 2023

Location: 16 Macpherson Road, Warriewood

Client: Warrimac Pty Ltd AEP ref: 2564.01



9.0 References

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Appendix A – Proposed Development





Appendix B – Regeneration Species List

**Species List – Approximate densities and species for regeneration.**

It should be noted that not all of the listed species above are easily obtainable, substitutions to be made on the advice of bush regeneration contractor or Project Ecologist.

Canopy	Density	Shrubs	Density	Ground Cover	Density
Aquatic Species – Low Flow Channel to Upper Toe					
Not Applicable in this Management Zone	N/A	Not Applicable in this Management Zone	N/A	Baumea articulata	6 to 8/1m ²
				Baumea juncea	
				Juncus usitatus	
				Triglochin procera,	
				Phildrum linguosum	
				Lomandra longifolia	
				Gahnia clarkei	
PCT 1795 - Coastal flats Swamp Mahogany Forest					
Extensive stands of Casuarina glauca, and groves of Eucalyptus robusta with other native feature trees (listed below)	Must comprise of a minimum of 75% of the total creekline corridor area	Glochidion ferdinandi	1/10m2	Entolasia marginata	5/m ² or Direct Seeding
Eucalyptus robusta	1/30 m ²	Casuarina glauca		Hypolepis muelleri	
		Livistona australis		Commelina cyanea	
Banksia integrifolia		Melaleuca linarifolia		Gahnia cyanea	
		Elaeocarpus reticulatus		Viola hederacea	
Acmena smithii		Grevillea sericea		Hydrocotyle peduncularis	
		Melaleuca styphelioides		Pteridium esculentum	
Ceratopetalum apetalum		Homalanthus populifolius		Alternanthera denticulate	
		Acacia longifolia		Calochlaena dubia	
				Opismenus aemulus	
				Opismenus imbecillis	
				Phragmites australis	
				Blechnum camfieldii	
Cyathea australis				Dodonaea triquetra	

ANGOPHORA COSTATA ANGOPHORA FLORIBUNDA EUCALYPTUS PUNCTATA LOPHOSTEMON CONFERTUS SYNCARPIA GLOMULIFERA SYZYGIUM PANICULATUM WATERHOUSIA FLORIBUNDA



Appendix C – Priority Weeds of Greater Sydney



Priority Weeds of Greater Sydney	
Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Woollahra.	
Weed	Duty
All plants	General Biosecurity Duty All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.
Aaron's beard prickly pear <i>Opuntia leucotricha</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
African boxthorn <i>Lycium ferocissimum</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
African olive <i>Olea europaea subsp. cuspidata</i>	Regional Recommended Measure Land managers mitigate the risk of the plant being introduced to their land. Land managers reduce impacts from the plant on priority assets. Land managers prevent spread from their land where feasible. The plant or parts of the plant are not traded, carried, grown or released into the environment.
Alligator weed <i>Alternanthera philoxeroides</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Biosecurity Zone The Alligator Weed Biosecurity Zone is established for all land within the state except land in the following regions: Greater Sydney; Hunter (but only in the local government areas of City of Lake Macquarie, City of Maitland, City of Newcastle or Port Stephens). Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone.
Anchored water hyacinth <i>Eichhornia azurea</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries.
Arrowhead <i>Sagittaria calycina</i> var. <i>calycina</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Asparagus fern <i>Asparagus virgatus</i>	Regional Recommended Measure Exclusion zone: whole of region except Newcastle and Lake Macquarie. Core infestation area: Newcastle and Lake Macquarie. Whole of region: Land managers should mitigate the risk of new weeds being introduced to their land. Plant should not be bought, sold, grown, carried or released into the environment. Within exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Notify the Local Control Authority if found. Land managers should mitigate spread from their land. Within Core infestation: Land managers to reduce impacts from the plant on priority assets.
Athel pine <i>Tamarix aphylla</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Bellyache bush <i>Jatropha gossypifolia</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Bitou bush <i>Chrysanthemoides monilifera subsp. rotundata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Biosecurity Zone The Bitou Bush Biosecurity Zone is established for all land within the State except land within 10 kilometres of the mean high water mark of the Pacific Ocean between Cape Byron in the north and Point Perpendicular in the south. Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone.



Priority Weeds of Greater Sydney	
Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Woollahra.	
Weed	Duty
Black knapweed <i>Centaurea x moncktonii</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Black willow <i>Salix nigra</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure The plant is eradicated from the land and the land is kept free of the plant. Local Control Authority is notified if the plant is found on the land.
Blackberry <i>Rubus fruticosus species aggregate</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Rubus fruticosus</i> species aggregate have this requirement, except for the varieties Black Satin, Chehalem, Chester Thornless, Dirksen Thornless, Loch Ness, Murrindindi, Silvan, Smooth Stem, and Thornfree
Blind cactus <i>Opuntia rufida</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Boneseed <i>Chrysanthemoides monilifera subsp. monilifera</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Control Order Boneseed Control Zone: Whole of NSW Boneseed Control Zone (Whole of NSW): Owners and occupiers of land on which there is boneseed must notify the local control authority of new infestations; immediately destroy the plants; ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of boneseed must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant.
Boxing glove cactus <i>Cylindropuntia fulgida var. mamillata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Bridal creeper <i>Asparagus asparagoides</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. *this requirement also applies to the Western Cape form of bridal creeper
Bridal veil creeper <i>Asparagus declinatus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Broomrapes <i>Orobancha sp.</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of Orobancha are Prohibited Matter in NSW, except Clover broomrape, Orobancha minor and Australian broomrape, Orobancha cernua var. australiana.
Bunny ears cactus <i>Opuntia microdasys</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cabomba <i>Cabomba caroliniana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.



Priority Weeds of Greater Sydney	
Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills , Waverley, Willoughby, Wollondilly and Wollahra.	
Weed	Duty
Cane cactus <i>Austrocylindropuntia cylindrica</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocylindropuntia</i> genus have this requirement
Cape broom <i>Genista monspessulana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cat's claw creeper <i>Dolichandra unguis-cati</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure The plant should not be bought, sold, grown, carried or released into the environment. Land managers should mitigate the risk of the plant being introduced to their land. Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Chicken dance cactus <i>Opuntia schickendantzii</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Chilean needle grass <i>Nassella neesiana</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Chinese knotweed <i>Persicaria chinensis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Chinese violet <i>Asystasia gangetica</i> subsp. <i>micrantha</i>	Control Order Owners and occupiers of land on which there is Chinese violet must notify the local control authority for the area if the Chinese violet is part of a new infestation on the land, destroy all Chinese violet on the land ensuring that subsequent generations of Chinese violet are destroyed; and keep the land free of Chinese violet. A person who deals with a carrier of Chinese violet must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant on the land, or on or in a carrier.
Climbing asparagus <i>Asparagus africanus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found. Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Common pear <i>Opuntia stricta</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Cora Creeper <i>Barleria repens</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
East Indian hygrophila <i>Hygrophila polysperma</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Eurasian water milfoil <i>Myriophyllum spicatum</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries



Priority Weeds of Greater Sydney	
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Weed	Duty
Eve's needle cactus <i>Austrocyndropuntia subulata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocyndropuntia</i> genus have this requirement
Fireweed <i>Senecio madagascariensis</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Flax-leaf broom <i>Genista linifolia</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Foxtail fern <i>Asparagus densiflorus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Frogbit <i>Limnobiium laevigatum</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Limnobiium</i> are Prohibited Matter
Gamba grass <i>Andropogon gayanus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Giant devil's fig <i>Solanum chrysotrichum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Giant Reed <i>Arundo donax</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should not be bought, sold, grown, carried or released into the environment.
Giant rat's tail grass <i>Sporobolus pyramidalis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Glory lily <i>Gloriosa superba</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Gorse <i>Ulex europaeus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
	Regional Recommended Measure Exclusion zone: Blue Mountains City Council area. Core infestation area: rest of region Whole region: Land managers should mitigate the risk of new weeds being introduced to their land. The plant or parts of the plant should not be traded, carried, grown or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Core infestation area: Land managers should mitigate spread from their land.
Green cestrum <i>Cestrum parqui</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.



Priority Weeds of Greater Sydney	
Note: this region includes the local council areas of Bayside Council, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, City of Parramatta, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby Shire Council, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Penrith, Randwick, Ryde, Strathfield, Sutherland, Sydney, The Hills, Waverley, Willoughby, Wollondilly and Woollahra.	
Weed	Duty
Grey willow <i>Salix cinerea</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Ground asparagus <i>Asparagus aethiopicus</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Groundsel bush <i>Baccharis halimifolia</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Hawkweeds <i>Pilosella species</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the genera <i>Pilosella</i> and <i>Hieracium</i> are Prohibited Matter except for <i>Hieracium murorum</i> .
Holly leaved senecio <i>Senecio glastifolius</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of the Royal National Park. Whole region: Land managers mitigate the risk of the plant being introduced to their land. The plant or parts of the plant are not traded, carried, grown or released into the environment. The Local Control Authority should be notified if the plant is found. Exclusion zone: The plant is eradicated and the land kept free of the plant. Core infestation area: Land managers prevent spread from their land where feasible. Land managers reduce impacts from the plant on priority assets.
Horsetails <i>Equisetum species</i>	Regional Recommended Measure Exclusion zone: whole of region except Northern Beaches local government area. The Northern Beaches local government area is the core area. Whole region: Land managers mitigate the risk of the plant being introduced to their land. Local Control Authority is notified if the plant is found on the land. The plant or parts of the plant are not traded, carried, grown or released into the environment. Exclusion zone: The plant is eradicated from the land and the land is kept free of the plant. Core area: Land managers prevent spread from their land where feasible.
Hudson pear <i>Cylindropuntia pallida</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Hydrocotyl <i>Hydrocotyle ranunculoides</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Hygrophila <i>Hygrophila costata</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Hymenachne <i>Hymenachne amplexicaulis</i> and hybrids	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Hymenachne <i>Hymenachne amplexicaulis</i> and hybrids	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Karoo acacia <i>Vachellia karroo</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Kidney-leaf mud plantain <i>Heteranthera reniformis</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.



Priority Weeds of Greater Sydney	
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Weed	Duty
Kochia <i>Bassia scoparia</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries Excluding the subspecies <i>trichophylla</i>
Koster's curse <i>Clidemia hirta</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Kudzu <i>Pueraria lobata</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Lagarosiphon <i>Lagarosiphon major</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Lantana <i>Lantana camara</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Leaf cactus <i>Pereskia aculeata</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Ludwigia <i>Ludwigia peruviana</i>	Regional Recommended Measure Land managers mitigate the risk of the plant being introduced to their land. Land managers prevent spread from their land where feasible. Land managers reduce the impact on priority assets. The plant should not be bought, sold, grown, carried or released into the environment. Local Control Authority is notified if the plant is found on the land.
Madeira vine <i>Anredera cordifolia</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Mesquite <i>Prosopis</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the genus <i>Prosopis</i> have this requirement
Mexican feather grass <i>Nassella tenuissima</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Miconia <i>Miconia</i> species	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of <i>Miconia</i> are Prohibited Matter in NSW
Mikania vine <i>Mikania micrantha</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries *all species in the genus <i>Mikania</i> are Prohibited Matter in NSW



Priority Weeds of Greater Sydney	
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Weed	Duty
Mimosa <i>Mimosa pigra</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Ming asparagus fern <i>Asparagus macowanii</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found..
Mysore thorn <i>Caesalpinia decapetala</i>	Regional Recommended Measure The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment.
Nodding thistle <i>Carduus nutans</i> subsp. <i>nutans</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Pampas grass <i>Cortaderia</i> species	Regional Recommended Measure Exclusion zone: Upper Hunter local government area. Core infestation area: Port Stephens, Maitland, Cessnock, Lack Macquarie, Newcastle and MidCoast local government areas. Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Parkinsonia <i>Parkinsonia aculeata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Parkinsonia <i>Parkinsonia aculeata</i>	Control Order Parkinsonia Control Zone: Whole of NSW Parkinsonia Control Zone (Whole of NSW): Owners and occupiers of land on which there is parkinsonia must notify the local control authority of new infestations; immediately destroy the plants; ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of parkinsonia must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant.
Parthenium weed <i>Parthenium hysterophorus</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Parthenium weed <i>Parthenium hysterophorus</i>	Prohibition on certain dealings The following equipment must not be imported into NSW from Queensland: grain harvesters (including the comb or front), comb trailers (including the comb or front), bins used for holding grain during harvest operations, augers or similar for moving grain, vehicles used to transport grain harvesters, support vehicles driven in paddocks during harvest operations, mineral exploration drilling rigs and vehicles used to transport those rigs, unless set out as an exception in Division 5, Part 2 of the Biosecurity Order (Permitted Activities) 2017
Paterson's curse <i>Echium plantagineum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.



Priority Weeds of Greater Sydney	
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Weed	Duty
Pond apple <i>Annona glabra</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Prickly acacia <i>Vachellia nilotica</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Prickly pears - <i>Austrocylindropuntias</i> <i>Austrocylindropuntia</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Austrocylindropuntia</i> genus have this requirement
Prickly pears - <i>Cylindropuntias</i> <i>Cylindropuntia</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Cylindropuntia</i> genus have this requirement
Prickly pears - <i>Opuntias</i> <i>Opuntia</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. For all <i>Opuntia</i> species except for <i>Opuntia ficus-indica</i> (Indian fig).
Rattlepod <i>Crotalaria beddomeana</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.
Rope pear <i>Cylindropuntia imbricata</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Cylindropuntia</i> genus have this requirement
Rubber vine <i>Cryptostegia grandiflora</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Sagittaria <i>Sagittaria platyphylla</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Sagittaria <i>Sagittaria platyphylla</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.
Salvinia <i>Salvinia molesta</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Salvinia <i>Salvinia molesta</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets. This Regional Recommended Measure applies to <i>Salvinia molesta</i> and <i>Salvinia minima</i>
Scotch broom <i>Cytisus scoparius</i> subsp. <i>scoparius</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.



Priority Weeds of Greater Sydney	
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Weed	Duty
Scotch broom <i>Cytisus scoparius</i> subsp. <i>scoparius</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of the Upper Hunter (Barrington Tops) Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers to reduce impacts from the plant on priority assets.
Sea spurge <i>Euphorbia paralias</i>	Regional Recommended Measure Exclusion zone: whole region except for the core infestation area of Yaccaba Peninsula, Hawks Nest. Whole region: The plant should not be bought, sold, grown, carried or released into the environment. Exclusion zone: The plant should be eradicated from the land and the land kept free of the plant. Land managers should mitigate the risk of the plant being introduced to their land. Core infestation area: Land managers should mitigate spread from their land. Land managers to reduce impacts from the plant on priority assets.
Senegal tea plant <i>Gymnocoronis spilanthoides</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Serrated tussock <i>Nassella trichotoma</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Serrated tussock <i>Nassella trichotoma</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Siam weed <i>Chromolaena odorata</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Sicilian sea lavender <i>Limonium hyblaum</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Sicklethorn <i>Asparagus falcatus</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Silverleaf nightshade <i>Solanum elaeagnifolium</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Silverleaf nightshade <i>Solanum elaeagnifolium</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Smooth tree pear <i>Opuntia monacantha</i>	Prohibition on certain dealings
Smooth tree pear <i>Opuntia monacantha</i>	Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Snakefeather <i>Asparagus scandens</i>	Prohibition on certain dealings
Snakefeather	Must not be imported into the state, sold, bartered, exchanged or offered for sale.



Priority Weeds of Greater Sydney	
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Weed	Duty
<i>Asparagus scandens</i> Snakefeather <i>Asparagus scandens</i>	Regional Recommended Measure Exclusion zone: Hunter region except Cessnock and Lake Macquarie. Core infestation area: Cessnock and Lake Macquarie Whole of region: Land managers should mitigate the risk of new weeds being introduced to their land. The plant should not be bought, sold, grown, carried or released into the environment. Exclusion Zone: The plant should be eradicated from the land and the land kept free of the plant. Notify the Local Control Authority if found. Within Core infestation: Land managers to reduce impacts from the plant on priority assets.
Spongeplant <i>Limnobium spongia</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species of Limnobium are Prohibited Matter
Spotted knapweed <i>Centaurea stoebe subsp. micranthos</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Tiger pear <i>Opuntia aurantiaca</i>	Prohibition on certain dealings
Tiger pear <i>Opuntia aurantiaca</i>	Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Tiger pear <i>Opuntia aurantiaca</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. Land managers should mitigate spread from their land. The plant should not be bought, sold, grown, carried or released into the environment. Land managers reduce impacts from the plant on priority assets.
Tropical soda apple <i>Solanum viarum</i>	Control Order Tropical Soda Apple Control Zone: Whole of NSW Tropical Soda Apple Control Zone (Whole of NSW): Owners and occupiers of land on which there is tropical soda apple must notify the local control authority of new infestations; destroy the plants including the fruit; ensure subsequent generations are destroyed; and ensure the land is kept free of the plant. A person who deals with a carrier of tropical soda apple must ensure the plant (and any seed and propagules) is not moved from the land; and immediately notify the local control authority of the presence of the plant on the land, or on or in a carrier.
Velvety tree pear <i>Opuntia tomentosa</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Water caltrop <i>Trapa species</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the Trapa genus are Prohibited Matter in NSW
Water hyacinth <i>Eichhornia crassipes</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
Water hyacinth <i>Eichhornia crassipes</i>	Biosecurity Zone The Water Hyacinth Biosecurity Zone applies to all land within the State, except for the following regions: Greater Sydney or North Coast, North West (but only the local government area of Moree Plains), Hunter (but only in the local government areas of City of Cessnock, City of Lake Macquarie, MidCoast, City of Maitland, City of Newcastle or Port Stephens), South East (but only in the local government areas of Eurobodalla, Kiama, City of Shellharbour, City of Shoalhaven or City of Wollongong).



Priority Weeds of Greater Sydney	
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Weed	Duty
	Within the Biosecurity Zone this weed must be eradicated where practicable, or as much of the weed destroyed as practicable, and any remaining weed suppressed. The local control authority must be notified of any new infestations of this weed within the Biosecurity Zone
Water lettuce <i>Pistia stratiotes</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Water soldier <i>Stratiotes aloides</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries
Water star grass <i>Heteranthera zosterifolia</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Wheel cactus <i>Opuntia robusta</i>	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale.
White blackberry <i>Rubus niveus</i>	Regional Recommended Measure Land managers should mitigate the risk of new weeds being introduced to their land. The plant should be eradicated from the land and the land kept free of the plant. The plant should not be bought, sold, grown, carried or released into the environment. Notify local control authority if found.
Willows <i>Salix</i> species	Prohibition on certain dealings Must not be imported into the state, sold, bartered, exchanged or offered for sale. All species in the <i>Salix</i> genus have this requirement, except <i>Salix babylonica</i> (weeping willows), <i>Salix x calodendron</i> (pussy willow) and <i>Salix x reichardtii</i> (sterile pussy willow)
Witchweeds <i>Striga</i> species	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries All species in the <i>Striga</i> genus are Prohibited Matter in NSW, except the native <i>Striga parviflora</i>
Yellow burrhead <i>Limncharis flava</i>	Prohibited Matter A person who deals with prohibited matter or a carrier of prohibited matter is guilty of an offence. A person who becomes aware of or suspects the presence of prohibited matter must immediately notify the Department of Primary Industries



Appendix D – BMP Lands Signage

NO UNAUTHORISED ENTRY

**This is a Vegetation
Rehabilitation Area**

- **NO DUMPING or WASTE DISPOSAL**
- **NO ANIMALS, VEHICLES or MACHINERY**

For information – contact Site Manager

AEP VMP SIGNAGE permanent sign, minimum size 600mm x 400mm erected and maintained at key access points to VMP lands for the life of the project



Appendix E – CV

Staff	Title/Qualification	Tasks
Natalie Black	Senior Environmental Manager BSc (Hons), Master Planning, Cert IV (TA) BAAS: 19076	Report Review
Jeremy Burrill	Ecologist B.Env.Sc (MS)	Field Surveys, Report Author
Catherine Stanislaus	Ecologist B.Com Env Sc - under study	Field Surveys



CATHERINE STANISLAUS

Curriculum Vitae

Frances is a Senior Ecologist and Lead Botanist with Anderson Environment and Planning, being an Accredited Assessor with over 12 years-experience in environmental impact assessment, environmental education, conservation land management, bush regeneration, wildlife rescue and rehabilitation, environmental sustainability, and environmental law.

Qualifications

- Bachelor of Commerce and Science (majoring in Ecology), UNSW, 2022

Further Education & Training

- NSW Class C Driver's Licence
- Graduated with Distinction in Ecology

Fields of Competence

- Terrestrial Ecology field survey, covering terrestrial flora and fauna

Relevant Employment History

2022 – Present	Ecologist Anderson Environment & Planning, Newcastle
2021	ENVIRONMENTAL LABORATORY RESEARCH INTERSHIP UNSW Oyster Research Project

Relevant Volunteer Experience

2021	LAKE ILLAWARRA, ENVIRONMENTAL CONSULTANCY PROJECT UNSW
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Jeremy Burrill

Curriculum Vitae

Jeremy works with AEP in the role of Ecologist. He is a graduate of environmental science and management, and has experience in voluntary roles in environmental fields, involving fauna and flora surveying, consultancy projects and natural resource management. His background in environmental fields with his growing ecological knowledge is utilised in a diverse array of applications in his current role.

Qualifications

- Bachelor of Environmental Science (Environmental Management and Sustainability) Deakin University (2020)

Further Education & Training

- Apply First Aid
- Victorian Driver's License
- Work Health & Safety General Construction Induction
- Work Safely at Heights

Fields of Competence

- Ecological field surveys
- Fauna surveys and trapping
- Natural resource management

Relevant Employment History

2020 – Present

Ecologist

Anderson Environment & Planning, Newcastle

Currently employed by Anderson Environment & Planning to assist in the provision of consulting services to land, property, legal and government sectors. Covering ecological, project management, environmental, bushfire, planning services, advices, strategy and representation.

Volunteer Experience

- Overseas University Volunteer Placement (New Zealand, 2018)
- Industry Placement (Parks Victoria, 2019)



Natalie Black

Curriculum Vitae

Natalie works with AEP in the role of Senior Environmental Manager. She has extensive knowledge in environmental management, environmental planning, and report writing and assessment. With a detail understanding of planning, catchment management, coastal management and rehabilitation. Natalie has had a successful career with both state and local government in conservation, planning and field investigation roles. Natalie has also gained extensive communication skills and project management through her previous career in lecturing. Her background and experience in the ecological and planning fields is utilised in a diverse array of application in her current role.

Qualifications

- B.Sc (Hons), University of Newcastle, 2002 Sustainable Resource Management and Marine Science.
- Master Planning, University of Technology Sydney 2007.
- Certificate IV Training and Assessment at NSW TAFE 2012.
- BAM Assessor; accreditation number: BAAS19076.

Further Education & Training

- Evidence Gathering and Legal Process (Australian Institute of Environmental Health).
- Conflict Resolution Course (LGSA).
- Report Writing Course (LGSA).
- Powerful Presentation (LGSA).
- NSW Rural Fire Services Bush Fire Assessment
- Relocation of Threatened Species (Botanical Gardens Sydney).
- Sustainable Home Assessment Reduction Revolution.
- Flora and Fauna Survey Assessments Niche Environment and Heritage.
- First Aid TAFE.

Fields of Competence

- Environmental Planning
- Environmental Management and rehabilitation of catchments coastal waterways. Statement of Environmental Effects (preparation and assessing).
- Fish Passage
- Marine ecosystems including; mangroves, seagrasses, algae, Fauna and habitat assessment.
- vegetation.
- Communicating with a wide range of stakeholders.
- Development Application.
- Education in both Environmental and Planning industries.
- Koala Plans of Management.
- Policy Development.



Relevant Employment History

2019 – Present	Senior Environmental Manager Anderson Environment & Planning, Newcastle
2010 - 2019	Principal Environmental Planner Black Earth
2003-2010	Natural Resource Manager and Development Assessment Officer Lismore City
2002- 2003	Jervis Bay Indigenous Fishing Strategy



Explanatory Note Template

Explanatory Note

Proposed draft Planning Agreement

Under section 7.4 of the *Environmental Planning and Assessment Act 1979*

1. Parties

Northern Beaches Council (Planning Authority)

(*Planning Authority*)

(*Developer*)

2. Description of subject land

3. Description of proposed change to environmental planning instrument/development application

4. Summary of objectives, nature and effect of the proposed draft Planning Agreement

5. Timing of delivery of the public community benefit (*Note: Information is to be provided on the timing of delivery of the proposed benefits in relation to the issuing of construction, occupation or subdivision certificates.*)

6. Other Matters

Signed and dated by all Parties

Note: This template has been drafted for a proposed draft planning agreement, but applies equally to a proposed amendment or revocation of a VPA.

Minutes

Northern Beaches Business & Industry Stakeholder Committee Meeting

Held on Wednesday, 4 December 2024

In the Flannel Flower Room, Dee Why Civic Centre commencing at 6 pm

In attendance:

Committee Members

Gordon Lang
Rebecca Mitchell
Grant Easterby
Phil Jackson
Rowan Courtney-O'Connor
Mitchell Filby (online)

Enterprise Matters Consulting
RAM Marketing
Dee Why RSL
Vale Plastics
ICMS
First Rock Consulting Pty Ltd

NSW Government

Kandice Wright
Deb Kempe

Transport NSW
Office of the 24 hour Commissioner

Northern Beaches Councillors and staff

Mayor Sue Heins (Chair)
Cr Rowie Dillon
Cr Ethan Hrnjak
Cr Mandeep Singh
Nikki Griffith
Emily Newman
Vienna Muller (Minuting)

Mayor
Councillor
Councillor
Councillor
Manager Place & Economic Development
Economic Development Advisor
Program Support Officer

Apologies:

Cr Grattan
Louise Kerr
Dylan Cole
Ben Collis
Christo Hall
Lucas Hazelton

Councillor
Director Planning & Place
Manly Pacific
The Boathouse Group
Basic Bananas
Service NSW

Meeting commenced at 6 pm

1. **Welcome and apologies**

2. **Minutes of meeting held 31 July 2024** – Adopted
Rowan Courtney-O'Connor / Gordon Lang

3. **Introductions**

4. **A new way of working together - Slide 7 to 14**

- Overview of the Committee - the vision and role, actions agreed from previous meeting and moving forward on how the Committee will communicate.

ACTION - Reference to 'small business' to be changed to 'business community'.

ACTION - Minutes of the meeting will be provided to members in February 2025 once endorsed by Council.

ACTION - Communicate and collaborate through Microsoft Teams Channel. Instructions to be provided.

5. **Check in on our local economy - Slide 15 to 28**

- Demographic profile from Economy ID and statistics from SpendMapp provided a snapshot on spend trends over the past 12 months.

ACTION - Report back in 12 months on the SpendMapp data to see if there has been spend shift for Mosman residents with the opening of the Metro.

6. **Go Local to Grow Local 2.0: A strategic approach to supporting businesses - Slide 29 to 46**

- Presentation on the next stage of the Go Local to Grow Local campaign – providing a strategic approach to supporting businesses.
- Place Coordinators are part of the support in connecting businesses to available services – business concierge, pop up opportunities and more.
- Concerns that businesses don't necessarily know what problem they have and that business education and awareness such as a marketing or business planning may be needed to assist.
- A major concern for businesses is how to survive in the current climate as well as having an exit strategy. High rental costs are an issue.

ACTION - Provide Expression of Interest link for interested businesses that would like to participate in Go local promotion and initiative opportunities.

ACTION - Distribute presentation through the Microsoft Teams channel.

7. **Economic Development Strategy check-in and 25/26 projects – Slide 47 to 51**

- Actions completed to December 2024 and future projects in the pipeline presented.
- Micro-connection and collaboration is key for the business community.

- Economic Development Strategy - Council budget is limited. Implementation is driven in collaboration with other Business Units of Council who have the budget responsibility.
- Start-up hubs (innovation hubs), including their locations and models, serve as opportunities to attract new businesses and integrate education.

ACTION - Recommend that housing density is a standing item for this committee – big picture.

ACTION – The committee will refer local business networking groups to Council, enabling Council to include them in communications and connect businesses through online support services.

8. Group activity: Given the current economy and challenges Council faces how can we deliver? - Slide 53 to 58

- Working with the Committee to co-create solutions to deliver on capacity and support projects.

ACTION - Provide workshop exercise through Microsoft Teams channel.

ACTION – Change name from ‘sub-committee’ to ‘working group’.

ACTION - Working groups to be formed and created in Microsoft Teams Channel for Small Picture and Big Picture to meet at their discretion outside of the official twice per year meetings.

Northern Beaches Business & Industry Stakeholder Committee Decision

1. Working groups
 - a. Small Picture – Cr Singh, Cr Dillon, Rebecca Mitchell, Phil Jackson, Mitchell Filby
 - b. Big Picture – Grant Easterby, Rowan Courtney-O’Connor, Gordon Lang (Lead)

9. General business

- Night-time economy and plans for the Northern Beaches – everything is an opt-in for Council. Currently running is the Uptown Program - BAD which is business led. Special Entertainment Precinct Program (SEP) and Purple Flag Program.
- Council is exploring the Purple Flag Program which is a global accreditation driving diverse, inclusive and safe night time precincts.
- Council is exploring the SEP program which supports live entertainment through extended trading hours for live music venues and favourable noise controls.

ACTION - Share in Teams Channel the night-time economy information including the Uptown, Purple Flag and SEP Program.

ACTION – The next committee meeting to be scheduled for June 2025.

10. Close – 7.45pm

Office of the 24-Hour Economy Commissioner



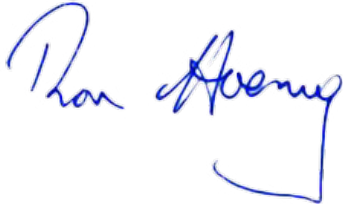
NSW Special Entertainment Precinct Guidelines

November 2024



Document approval

The NSW Special Entertainment Precinct Guidelines have been issued and adopted by

A handwritten signature in blue ink, reading "Ron Hoenig". The signature is stylized with a large 'R' and a long, sweeping underline.

The Hon Ron Hoenig MP
Minister for Local Government

Published by the Office of the 24-Hour Economy Commissioner

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Introduction

Through its landmark Vibrancy Reform agenda, the NSW Government has committed to support live music, remove red tape and encourage thriving precincts across the State.

People want exciting and safe places to enjoy a fun night out and Special Entertainment Precincts (SEPs) are a key pillar of this agenda. They support live entertainment via extended trading hours for live music venues and noise controls that provide operational certainty for venues, residents and businesses. The model builds on the success of the Enmore Road Special Entertainment Precinct, now rated one of the best going out districts in the world.

By enhancing this precinct model, the NSW Government aims to support councils to create Special Entertainment Precincts in other areas throughout NSW.

A Special Entertainment Precinct on Enmore Road will look different to a potential precinct in a theatre district, 'eat street' or tourist hub, or one that supports a regional music festival. That is a pro-council change. Councils have the powers to designate the areas where the rules change as they are best positioned to balance the needs of their communities, businesses and night-time economies.

The new Special Entertainment Precinct framework has been designed for flexibility, and councils can use it to protect and help existing venues, future-proof new precincts, or support major festival and event programs.

Special Entertainment Precincts aim to:

- Reduce the administrative burden on councils
- Deliver more live music and performance opportunities
- Attract investment and redevelopment
- Give greater certainty to both businesses and residents
- Improve quality, coordination and diversity of going out districts
- Enhance tourism and economic outcomes with unique cultural experiences and activities.

Well-planned going-out precincts also enable:

- Easy and efficient delivery and regulation of late-night public transport and point-to-point services
- Everyone to access a fun and safe night out
- Certainty and opportunity for local business operators
- Safety programs and street lighting.

These Guidelines outline the necessary steps for a council to establish a Special Entertainment Precinct. They are designed to make the path as easy as possible while setting the area up to succeed.

The Guidelines will be complemented by a Support Hub and a suite of tools and resources to help councils more easily set up Special Entertainment Precincts, as part of the NSW Government's partnerships with councils, venues and creatives to grow a network of vibrant night-time districts across NSW.

About these Guidelines

The NSW Special Entertainment Precinct Guidelines (the Guidelines) set out the legislative and policy basis and process for establishing, operating, revoking or suspending a Special Entertainment Precinct (SEP). The Guidelines are issued and adopted by the Minister for Local Government under Section 203 of the *Local Government Act 1993*.

The Guidelines aim to:

- Help councils plan strategically for SEPs located in their areas and partner with local communities and businesses to create quality and diverse going out precincts which support live music and performance.
- Explain each of the mandatory steps to establish, operate, revoke or suspend a SEP to create certainty for councils, businesses, venues and communities.
- Provide supporting guidance for the management of sound in SEPs, including optional model sound requirements for different types of premises or precincts that can be tailored to local environments.

Councils are required to act in accordance with these Guidelines.

How these Guidelines were developed

These Guidelines have been developed in close consultation with NSW Government agencies including the Office of Local Government, Department of Planning, Housing and Infrastructure, Liquor & Gaming NSW, NSW Police, Transport for NSW, Sound NSW and the Environmental Protection Authority.

The scope and content of the Guidelines has been informed by early engagement with over 20 councils and submissions received during public exhibition from councils, NSW Government agencies, individuals and industry in September 2024.

How to use these Guidelines

These Guidelines are primarily intended for local councils, which must act in accordance with them when establishing, operating, suspending and/or revoking a SEP. Councils are encouraged to obtain specialist advice from professionals and information from NSW government agencies about local contexts and individual circumstances.

The Guidelines may also be used by:

- Businesses and venues operating (or considering operating) in a SEP or seeking to advocate for a SEP in their area
- Developers considering projects within or in proximity to SEPs, particularly for sound-sensitive projects
- Residents living within or adjacent to SEPs
- Members of the community interested in SEPs.

The Guidelines identify the mandatory steps for a council to establish, operate, suspend or revoke a SEP (including a precinct or single premises), under section 202 and 203 of the Local Government Act.

They are divided into three parts:

1. Establishing a trial (recommended 12-18 months duration) and making the trial permanent
2. Operating the SEP/s
3. Suspending or revoking the SEP/s.

The *NSW Special Entertainment Precinct Acoustic Toolkit: Optional Sound Guidance and Templates for Councils* (Acoustic Toolkit) accompanies these Guidelines and can be adapted by councils to local environments. The *NSW Special Entertainment Precinct Handbook* (Handbook), contains non-mandatory best practice advice, including methods or processes recommended to establish conditions for successful precincts where they can be applied in regional and metropolitan environments. The Acoustic Toolkit, Handbook and other supporting material, including technical resources and model templates are included on the Office of the 24-Hour Economy Commissioner's website.

Application of the Guidelines

The *NSW Special Entertainment Precinct Guidelines* apply to all proposals initiated by a council to establish a SEP as defined in section 202 of the Local Government Act.

These Guidelines set out the mandatory processes that must be undertaken to ensure that precincts (and single premises SEPs) are established and operated with the appropriate consultation, governance and business collaboration structures in place to embed principles of diversity, safety and accessibility.

The mandatory steps may be completed concurrently depending on timeframes and local contexts.

To ensure that premises and precincts in NSW embed principles of safety and coordination, where a council (or the Minister of Planning and Public Spaces at the request of a council) establishes a SEP, it must do so in accordance with the mandatory steps outlined in these Guidelines.

The 24-Hour Economy Commissioner may hold an inquiry into a SEP which was not established in accordance with the mandatory steps in the Guidelines and/or in relation to its operation, suspension or revocation, for example where there is a demonstrated risk to public safety or the public interest or otherwise. The 24-Hour Economy Commissioner may convene or request the advice of government agencies and issue recommendations about the establishment or future operation of the SEP.

The requirements of Steps 1.1 to 1.12 do not apply if a Council has obtained a Gateway Determination for a SEP prior to the publication of these Guidelines.

Legislation

Part 3, section 202 of the Local Government Act defines the SEP framework. Section 203 of the Local Government Act requires councils to act in accordance with Guidelines issued or adopted by the Minister for Local Government to support the establishment and operation of SEPs, and their revocation and suspension.

Other legislation such as the *Liquor Act 2007*, *Environmental Planning and Assessment Act 1979* (EP&A Act), the *Protection of the Environment Operations (General) Regulation 2022* and *24-Hour Economy Commissioner Act 2023* facilitate the operation of SEPs. The relevance of each Act or Instrument to the operation of a SEP is set out below.

Legislation or instrument	Relevance to a SEP
<i>Local Government Act 1993</i>	<p>Defines a SEP and its regulatory framework and requires a local council to identify a SEP in its local environmental plan (LEP), prepare a precinct management plan which includes trading hours and noise attenuation for entertainment activity and notify existing and incoming residents of the precinct on its website and on planning certificates.</p> <p>Allows the Minister for Planning and Public Spaces to establish a SEP through State Environmental Planning Policy (SEPP) at the request of a council or where a council's LEP does not apply through a SEPP with the endorsement of a council.</p> <p>States that trading hours and the requirements for the regulation of sound from entertainment activity from premises in the SEP in a precinct management plan override trading hours that are less than those in plan and some noise-related development consent conditions, and conditions that prohibit live entertainment which will cease to have effect.</p> <p>States that adult entertainment, sex service or restricted premises are not to be included in a SEP and that the precinct management plan for a SEP does not apply to those premises.</p>
<i>Liquor Act 2007</i>	Provides for extended trading hours for licensed venues participating in SEPs, and establishes the disturbance complaint framework, order of occupancy considerations and Secretary of the L&GNSW's Disturbance Complaint Guidelines.
<i>Liquor Regulation 2018</i>	Refers to licence conditions that limit sound levels from licensed premises in a SEP ceasing to have effect to the extent of an inconsistency with the relevant precinct management plan.
<i>Environmental Planning and Assessment Act 1979</i> (EP&A Act)	Establishes the process for amending local environmental plans and preparing planning proposals or a State Environmental Planning Policy (SEPP) to map the SEP.
<i>Protection of the Environment Operations (General) Regulation 2022</i>	<p>States that prohibitions on noise pollution (such as 'offensive noise') do not apply to activities carried out in a liquor licensed premises if the activities is carried out in accordance with the precinct management plan prepared under the Local Government Act for regulating noise entertainment activity from premises in a SEP.</p> <p>This exemption does not apply to an activity for which the Environment Protection Authority (EPA) is the appropriate regulatory authority at specified NSW outdoor entertainment premises or Sydney Olympic Park.</p>
<i>24-Hour Economy Commissioner Act 2023</i>	Outlines the function and powers of the 24-Hour Economy Commissioner which includes conducting an inquiry into and making recommendations relating to the establishment, operation, suspension, or revocation of a SEP.
Council's Local Environmental Plan	Councils prepare a planning proposal to include a clause referring to section 202 of the Local Government Act and the establishment of a SEP, and a map of the precinct or single premises.

About Special Entertainment Precincts

A Special Entertainment Precinct or SEP is a defined area, streetscape or single premises, where trading hours and the regulation of sound from venues with entertainment activity are set out by a council in a precinct management plan that is published on the council's website.

This approach lets councils across NSW more easily support live music and performance in the precinct and their night-time economies by reducing regulatory burden and providing operational certainty for venues, and neighbouring residents and businesses.

Only councils and the Minister for Planning and Public Spaces through the Department of Planning, Housing and Infrastructure (DPHI), rather than proponents or private interests, can establish SEPs. This is because councils or DPHI as public authorities are best placed to assess and balance the needs of venues, businesses, community and residents in a specific area.

Councils may wish to establish a SEP to:

- Signal increased activation of an area and set expectations for a level of local amenity through clear land use objectives and policies which encourage the provision of live entertainment.
- Attract investment and redevelopment to stimulate activity, increase employment, patronage and pedestrian activity and contribute to the overall revitalisation of a night-time district.
- Increase the quality and coordination in decentralised going out districts, with increased and diverse night-time offer, accessibility, activation and safety.

- Give greater certainty to businesses, residents, developers and business owners about activity in a planned or existing night-time district.
- Protect cultural, creative and social infrastructure and existing venues from land use conflict and enable new venues to open with relative certainty.
- Support a 24-hour economy by encouraging music, art, performance and a range of activities to meet the needs of local communities and visitors and extend business activities that typically operate during the day into the night.

The establishment of SEPs across NSW delivers a key action in the 24-Hour Economy Strategy to create vibrant, diverse, accessible and safe going-out districts. The Strategy aims to facilitate precincts that are collaboratively planned and coordinated with the necessary transport, business governance and safety conditions. This approach will minimise negative outcomes and manage the needs and expectations of venues, residents, developers and businesses.

Benefits of a Special Entertainment Precinct



Strategic approach

A strategic approach to delivering a diverse, safe and vibrant night-time economy, informed by mandatory requirements to undertake community and stakeholder consultation.



Future-proofing and managing expectations

Signalled activation of an area, future-proofing of venues from land use conflict and setting expectations for a level of local amenity through clear land use objectives. The SEP is identified in a Local Environmental Plan or State Environmental Planning Policy to provide Government oversight, certainty for businesses and community and the application of legislated liquor trading hour incentives. Residents and people moving in are notified on planning certificates and on council websites.



Certainty about trading hours

Provides certainty for community and operators about trading hours. Council sets the trading hours in the precinct management plan. Existing trading hours on DAs which are less than the hours set by a council in a precinct management plan are 'turned off'. Council continues to enforce trading hours of all premises.



Certainty about sound

Provide certainty for community and operators about sound. Council sets the sound framework in the precinct management plan. Existing sound criteria on DAs and liquor licenses are overridden by those in a precinct management plan. Council continues to regulate sound from unlicensed premises as well as non-entertainment related sound.



Offensive noise provisions turned off

'Offensive noise' provisions do not apply as long as a venue is acting in accordance with the sound standards in a precinct management plan.



Higher threshold for complaints

Liquor & Gaming NSW (L&GNSW) regulates entertainment-related sound from licensed venues, with a higher threshold for complaints in a SEP because the threshold of disturbance must exceed the limits in a precinct management plan and be 'unreasonable'.



Trading hours incentives for businesses

Incentives for licensed venues: reduced liquor licensing fees and extra trading hours on liquor licences (2 additional hours where live entertainment is hosted for 45 minutes after 8pm, and an additional hour on all other nights of the week).

Key principles

The following key principles should underpin the establishment and operation of SEPs in NSW.

SEPs (including single premises) should be:

- **Based on clear objectives** for the desired character and outcomes for a precinct and where possible supported by other local planning policy in documents such as Community Strategic Plans, Local Strategic Planning Statements, local environmental plans and development control plans and non-statutory strategies.
- **Established through genuine early engagement** with community, venue operators, business, NSW Police and other government agencies to build cooperation, address impacts, inform outcomes, and create ongoing collaborative relationships and a shared understanding of the strategic aims and objectives of the SEP.
- **Supported by other land uses which support a 24-hour economy and are located and designed to minimise land use conflicts** relating to patronage, sound, trading hours and amenity impacts.
- **Comprised of land uses located to activate the public domain**, including streetscapes and public spaces with more foot traffic to create community connectedness, opportunities for natural surveillance, safety and increased dwell times.
- **Accessible**, providing for the transport needs of a diverse population. Where possible a SEP should be supported by existing or future planned public transport infrastructure, networks and services, facilities for point to point and active transport, vehicle and bicycle parking and facilitate a high level of pedestrian amenity and access.
- **Safe**, and include opportunities for wayfinding, natural surveillance from adjacent development and activated street frontages, good levels of lighting of streets and public spaces, well designed open spaces and footpaths, clean and accessible public amenities, and clear access to public transport facilities.
- **Diverse and inclusive** and attract a wider range of people out at night for different activities with a range of venues and performance spaces, community and recreational facilities and late opening unlicensed shops and businesses.
- **Well governed**, forming part of a well-managed neighbourhood and business community. This could include liquor accords and business collaborations, which balance the interests of residents and business operating in the area and promote improved trading activity, economic growth, and good venue management.
- **Based on positive relationships** with the community, venue operators, business, councils and police to promote good management by operators and support a preventative approach to any potential risks.
- **Subject to all reasonable and feasible mitigation options for sound** with compliance carried out, consistent with SEP legislation and these Guidelines.
- **Supported by policy which future-proofs the precinct or single venue** and places the onus on new development to mitigate sound impacts with supporting planning policy.
- **Developed to future-proof and diversify the night-time offer in planned or existing areas signaled for housing and employment growth** so that these areas can foster vibrant and liveable communities while undergoing change. SEPs can include policy to future-proof housing stock from entertainment sound and can unlock commercial premises so they can be used for a diversity of uses.

Where possible, councils should establish SEP frameworks which demonstrate governance, collaboration, safety and transport arrangements to support more sustainable and safe precincts. These frameworks may be supported and demonstrated through features such as:

- **Business governance framework or precinct collaboration**, which may include an Uptown Precinct, Community Improvement District, or have equivalent governance conditions in place.
- **Liquor accords** to support the responsible service of alcohol, good management and collaboration between licensed venues, the community, councils, L&GNSW and NSW Police. Participating licensed venues in a SEP should be encouraged to be active participants in a liquor accord.
- **Purple Flag NTE (Night-time Economy) safety accreditation** to demonstrate performance against standards for accessibility, safety and diversity of activity or have equivalent conditions to promote safety and wellbeing in place.
- **A transport review** which assesses public and active transport and point to point accessibility in a precinct, including secure taxi ranks, shuttle buses, parking and loading areas, ride share pick-up and drop-off zones, cycling, safety, walkability and pedestrian amenity and priority zones.
- **Integrated transport planning** to help prioritise accessibility in night-time districts and manage patron demand.
- **Good Neighbour Guidance** to build relationships with neighbours and government agencies and to encourage working together to have a positive impact on local amenity.

Definition of key terms

In these Guidelines:

- **Special Entertainment Precinct (SEP)** is defined in section 202 of the Local Government Act as where:
 - A single premises, precinct or other defined locality is identified in a local environmental plan by a council or in a State Environmental Planning Policy by the Minister for Planning and Public Spaces either at the request, or with the endorsement of a council.
 - Councils must publish a precinct management plan for regulating sound from entertainment activity and sound attenuation requirements which apply to certain types of development in the area that is to include trading hours for (licensed and unlicensed) premises. Councils must also state in the plan that L&GNSW is responsible for managing complaints about entertainment-related sound in relation to licensed premises as per the disturbance complaint process in the Liquor Act.
 - Conditions of a development consent and a complying development certificate that are not consistent with the regulation of sound from entertainment activity in the precinct management plan do not have effect.
 - Conditions of a development consent or complying development certificate which include trading hours that are less than the hours permitted in the precinct management plan do not have effect.
 - Conditions of a development consent which prohibit live entertainment in its entirety or after a specific time in the precinct do not have effect.
 - Councils must notify residents or people moving into the area by a notice published on their website and a notation on planning certificates for land in a SEP.
 - Adult entertainment, sex service or restricted premises are excluded and a precinct management plan does not apply to these uses.

Under the Liquor Act, participating venues in a SEP have access to the following incentive:

- Dedicated live music and performance venues are authorised to trade an additional 2 hours if 45 minutes of performance or other arts and cultural events are hosted after 8pm. In a SEP they can have 1 additional hour on all other nights if performance is hosted on at least 2 nights in any 7-day period.
- **Dedicated live music and performance venue** is defined in section 3A of the Liquor Act and means a premises that is on a list of live music and performance venues published on the L&GNSW website. These premises can access reduced liquor licensing fees and extra trading hours if they meet certain eligibility requirements and may be excluded from this list and its incentives if they have a poor compliance history, are a karaoke bar, or are used to provide adult entertainment of a sexual nature.
- **Entertainment activity** is defined in section 202A of the Local Government Act and means an activity carried out for the purposes of entertaining members of the public, including live or recorded music. It includes other performances and activities carried out for the purposes of entertaining members of the public, for example karaoke, trivia, bingo and comedy and private functions in licensed premises which provide hospitality services, for example a wedding, party or ticketed event, or the provision of food and drink services whether accompanied by entertainment or not. It also includes the set up and pack down, rehearsals and sound checks, entry and exit of patrons from premises and other activities on the premises by patrons and staff.

- **Live performance** means an event at which one or more persons are engaged to play or perform live or pre-recorded music, or another type of entertainment, creative or cultural performance (for example, but not limited to, theatre, comedy, poetry or spoken word, dance, panel discussion) at which one or more performers are present in person. This does not include performance in a karaoke bar, adult entertainment or restricted premises.
- **Night-time economy (NTE)** refers to economic activities that take place between 6pm and 6am outside the traditional 'business day' and comprises a broad range of industries. These include 'core businesses' such as restaurants, cafes, pubs, bars, theatres, festivals, markets, live music and 'non-core' or supporting businesses, including transport, retail, education, community, recreational and service industries.
- **24-hour economy** refers to the economic framework that extends productivity and activity beyond traditional business hours, encompassing diverse offerings that incorporate NTE industries (food, drink and entertainment) and other non-core NTE industries such as retail and cultural events throughout the night.
- **Precinct management plan** is defined in section 202D of the Local Government Act and refers to the mandatory plan for regulating sound from entertainment activity from premises in the SEP, which must also include:
 - Trading hours for both licensed and unlicensed premises
 - Sound management framework and sound attenuation requirements which apply to certain types of development
 - The process for managing complaints, including but not limited to licensed premises as set out in the Liquor Act.Conditions of development consent or complying development certificates which regulate sound and require trading hours less than those in a precinct management plan cease to have effect.
- **Unlicensed premises** means any retail or business premises or community facility which is not regulated under the Liquor Act. This may include premises selling groceries, clothing, homewares and the like, businesses such as drycleaners, gyms, hairdressers and the like, or community facilities such as libraries or recreational centres and the like. Unlicensed premises do not include adult entertainment venues restricted or sex services premises.

Sound management in a SEP

In a SEP, a council sets the standards for sound emissions from entertainment activity for both licensed and unlicensed premises in a precinct management plan.

These standards override any existing development consent or complying development certificate conditions applicable to a premises relating to entertainment sound, to the extent that they are inconsistent with the plan.

All other development consent or complying development certificate, and Plans of Management conditions that fall outside of the precinct management plan will continue to apply to premises. Where provisions in a Plan of Management (such as trading hours or sound criteria) may conflict with the precinct management plan, the with precinct management plan will override. All other parts of a Plan of Management covered by the with precinct management plan will continue to apply.

The precinct management plan must include a sound management framework which will set out the sound criteria for entertainment sound for each venue located within the SEP. For example, this may include fixed decibel levels designed for specific sound category areas or zones within the SEP. Council may choose to include or refer to precinct management plan sound management framework in their development control plan (DCP).

If they are operating in accordance with the local council's precinct management plan for regulating sound from entertainment activity, venues located within SEPs are exempted from sound pollution laws ('offensive noise' provisions) in the *Protection of the Environment Operations Act 1997* (POEO Act).

Sound standards in a precinct management plan should not be used to disadvantage venues or businesses operating before the establishment of a SEP. Councils are encouraged to review the sound conditions on the development consents of existing businesses and venues in a SEP to ensure that sound criteria proposed in a precinct management plan is not more restrictive and does not undermine their operation.

Although not a mandatory requirement, councils may choose to set sound conditions in a precinct management plan for outdoor locations in a SEP where activity, festivals or events are anticipated on a frequent basis.

Licensed premises

For licensed premises in a SEP and across NSW, noise and disturbance complaints will be received and managed by L&GNSW under the Liquor Act. Statutory disturbance complaints lodged under the Liquor Act against licensed venues located within a SEP are subject

to a higher threshold before a complaint can be upheld. This is because the Secretary of the Department of Creative Industries, Tourism, Hospitality and Sport may uphold a statutory disturbance complaint only if, after having regard to the sound controls for noise from entertainment activity in the precinct management plan established for the SEP, the Secretary is satisfied that the premises has caused an unreasonable disturbance.

For example, the Secretary could consider acoustic testing which indicates that the level of sound from a venue is exceeding the limits set by council for the SEP. Because this test is in place and the sound limits in the precinct management plan aim to future-proof the precinct, 'order of occupancy' provisions under the Liquor Act do not apply when determining a complaint under the disturbance complaint framework for premises located in a SEP. Further information about disturbance complaints is included in the L&GNSW Disturbance Complaint Guidelines and the L&GNSW website.

NSW Police will refer complaints regarding sound from entertainment activity from licensed venues to L&GNSW for consideration. L&GNSW and NSW Police have powers under the Liquor Act to issue improvement notices to licensed premises in certain situations that require an immediate response. For example, this may include situations where sound being emitted from the licensed premises is exceeding the sound standards set out in the precinct management plan, or if noise is being emitted near the premises by patrons or staff. If councils receive complaints about sound from entertainment activity from a licensed premises they should forward them to L&GNSW via the options available on the L&GNSW website.

Unlicensed premises

Complaints about sound from unlicensed premises in a SEP will be received and managed by a council in line with the precinct management plan. Councils will also continue to manage non-entertainment related sound from licensed premises from day-to-day operations such as waste disposal, services, loading and delivery of goods, mechanical or industrial noise or construction.

More information about the management of sound in a SEP is included in the Acoustic Toolkit accompanying these Guidelines.

Trading hours in a SEP

In a SEP, a council sets the maximum permitted trading hours for both licensed and unlicensed venues in a precinct management plan. These hours override any existing development consent or complying development certificate conditions relating to trading hours which are less than those hours set out in the plan.

This means that:

- Businesses and venues in a SEP which have more restrictive hours than those set out in a precinct management plan do not need to submit applications to modify the proposed hours of operation on their development consents (including extending existing approved hours or renewing a trial period) to operate in accordance with the trading hours in a precinct management plan.
- Existing venues or businesses which operate later than the maximum hours set out in a precinct management plan can continue to operate in accordance with their approved later trading hours.
- New venues or businesses wanting to trade later than the maximum hours set out in a precinct management plan will need to submit a development application to council for later trading which will be assessed on its merits and may be notified to local communities.

The setting of the maximum permitted trading hours in a SEP is at the discretion of council and should be developed in consultation with the community and businesses. The objective of a SEP is to set maximum trading hours which support vibrancy and balance local amenity with late opening shops, businesses and venues.

So that venues are attracted to the precinct and able to operate with certainty and the flexibility afforded by section 202E(3)(a) of the Local Government Act, maximum trading hours should not be set at conservative levels which require most venues to submit a development application to trade late.

Trading hours should be outlined in the precinct management plan. Council may choose to include or refer to the precinct management plan trading hour framework in council's development control plan (DCP). Councils will be responsible for enforcing the trading hours on licensed and unlicensed venues in a SEP.

Trading hours in a precinct management plan may be staggered or uniform and applied in blanket or granular form to specific venues, types of development or areas of a SEP. To provide certainty to the community, businesses and venues, the specific opening and closing times for all licensed and unlicensed premises in a SEP must be included in the precinct management plan.

Council must consider approved trading hours on conditions of development consents, alongside the approved liquor licence trading hours, for existing licensed venues in the SEP prior to setting trading hours in a precinct management plan, to ensure that the hours accommodate the extended liquor licence trading hours available to eligible venues when they host live entertainment.

The extended liquor licence trading hours available to eligible venues under the Liquor Act are as follows:

- An additional 60 minutes after the time that would otherwise apply on all nights of the week if a live music performance or other arts and cultural event of at least 45 minutes is held after 8pm on at least 2 nights in any 7-day period.
- If the venue is a dedicated live music and performance venue on a list published on the L&GNSW website, an additional 2 hours after the time that would otherwise apply on the nights where a live music performance or other arts and cultural event of at least 45 minutes is held after 8pm.

The precinct management plan does not override the liquor licence hours, which will continue to be regulated by L&GNSW.

A precinct management plan can provide for exceptions to maximum trading hours, as outlined in the following section.

Less restrictive trading hours may be set for unlicensed shops and businesses which align with or are later than those of licensed premises or hours permitted under NSW exempt development provisions. This will encourage businesses with a minimal impact on amenity to open later and capitalise on increased footfall, increase the diversity of the precinct, and attract a wider range of people out at night for different activities.

Extended hours will also give unlicensed businesses the flexibility to open later for festivals or special events taking place in the precinct.

Exceptions to maximum trading hours in a precinct management plan

Trading hours in a precinct management plan should not disadvantage venues or businesses which had development consent to trade later than the maximum permitted hours before the establishment of a SEP, or other historic arrangements for later trade (for example, older venues which do not have trading hours specified on their development consent).

The precinct management plan should address trading hours and implications for existing businesses which are trading later than these maximum hours. Exceptions to the maximum permitted trading hours can be made by identifying the approved hours of specific later trading businesses or venues in a precinct management plan.

The precinct management plan should also not prevent the future expansion of trading hours in the precinct for venues demonstrating good management.

Extended hours beyond the maximum permitted in a precinct management plan can be approved through a development application. The precinct management plan may need to be periodically updated to include later trading venues, approved through the development application process.

Mandatory steps for establishing, operating, suspending or revoking a SEP

Step 1: Establishing the SEP

This section guides councils through the mandatory steps to prepare documentation to establish a trial, operate the trial and make the SEP permanent.

Councils are strongly encouraged to undertake early engagement with community, business and industry (through discussion documents, webinar, surveys or meetings), adjacent councils where relevant, and NSW Government agencies such as L&GNSW, NSW Police and the relevant Local Health District(s) before commencing the process to establish a SEP.

This is an opportunity for council to test local appetite for a SEP, including assessing opportunities and understanding the local trading environment, amenity issues, or barriers that may affect community and business participation. Feedback obtained from early consultation will inform an evidence base to support council reporting and the planning proposal to map the precinct.

A SEP trial is mandatory and will allow councils to test the effectiveness of a precinct management plan with communities and businesses and monitor and evaluate impacts. The length of a trial can be determined by council, but it is recommended that it is between 12-18 months.

A 12-18-month trial is recommended to:

- Assess the benefits and impacts of a SEP across all seasonal periods
- Allow businesses and venues time to establish, resource and operate at optimum capacity
- Allow residents, businesses and community to experience the proposed precinct, evaluate operational considerations and give meaningful feedback to council
- Provide council the opportunity to understand community feedback, evaluate effectiveness and refine the proposed measures.

An 18-month trial will allow councils to undertake a full 12-month evaluation and an additional six months to consult with the community and make the trial permanent.

The process through which the Minister for Planning and Public Spaces establishes a SEP under section 3.29(2) of the Environmental Planning and Assessment Act is outlined after step 1.13 below. This process, subject to the resourcing of Department of Planning, Housing and Infrastructure (DPHI) is undertaken in exceptional circumstances and agreed with DPHI early in council's consideration of a SEP.

In areas where a local environmental plan (LEP) does not apply, SEPs may be identified in a State Environmental Planning Policy (SEPP) by the Minister in partnership with the local council.

A partnership approach to establishing a SEP in these areas similar to the Minister's approval pathway will be agreed with the council who will be best placed to support consultation with local communities and provide advice on other matters for council to address in the precinct management plan.

The NSW Transport Oriented Development (TOD) program delivers state-led rezonings of land and assessment pathways to increase housing and mixed-use development around 39 transport hubs. The NSW Government supports the establishment of SEPs in TOD precincts to encourage a mix of housing, jobs, transport connections and vibrant night-time economies. If councils wish to establish SEPs in TOD precincts they are encouraged to initiate and identify them in their LEPs. Alternatively, where DPHI is already preparing a planning instrument to apply to land in a TOD, a council which is ready to progress with a SEP may, subject to agreement with DPHI, prepare and consult on documentation, and partner with DPHI to identify it in a SEPP in accordance the Ministers approval pathway below.

Refer to the *NSW Special Entertainment Precinct Handbook* for further best practice guidance on each of the following steps.

Mandatory step	Description
Step 1.1 Council identifies and maps SEP/s	Council officers consider strategic, land use, economic, infrastructure, accessibility, safety and governance issues and identify and map initial options for a single SEP, multiple SEPs, or a single premises SEP.
Step 1.2 Council officers establish strategic intent	Council officers establish strategic intent by developing medium-and long-term goals for the SEP which are aligned, where relevant, with council's strategic priorities in documents such as its Community Strategic Plan, Local Strategic Planning Statement, local environmental plan or other night-time economy or economic development strategies.
Step 1.3 Council officers obtain Council or Executive endorsement and notify DPHI, L&GNSW and the 24-Hour Economy Commissioner	<p>Council officers obtain Council or Executive endorsement and notify Department of Planning, Housing and Infrastructure (DPHI), Liquor & Gaming NSW (L&GNSW) and the 24-Hour Economy Commissioner.</p> <p>Council staff obtain a council mandate in support or Executive approval to proceed with a SEP. Council notifies DPHI of its intention to prepare a planning proposal. If relevant, refer to the Ministers approval pathway under section 3.29(2) of the EP&A Act.</p> <p>Council notifies L&GNSW of its intention to establish a SEP using the form on the L&GNSW website.</p> <p>Council writes to the Office of the 24-Hour Economy Commissioner to inform the 24-Hour Economy Commissioner of the intent to prepare a SEP for a precinct or single premises.</p> <p>If the SEP is proposed to be located adjacent to another council's boundary, the neighbouring council must also be consulted. Contact details of relevant agencies are available via the SEP Support Hub.</p>
Step 1.4 Council officers prepare a precinct management plan	<p>Council officers commence preparation of a precinct management plan (for a precinct or single premises) in consultation with L&GNSW, NSW Police and relevant Local Health District/s which addresses:</p> <ul style="list-style-type: none"> • A sound management framework including a plan for regulating noise from entertainment activity, for different locations in the SEP. This may include sound criteria for indoor entertainment activity and at council's discretion, outdoor locations. In some instances (such as areas with recurring festivals or visitor seasons) this may also include different criteria for different times of year • Trading hours for licensed and unlicensed premises • Compliance processes for unlicensed premises. (Note: these can be per existing council processes for unlicensed premises) • Compliance processes for licensed venues including a statement that L&GNSW are responsible for managing complaints about entertainment-related sound from licensed premises as per the disturbance complaint framework in the Liquor Act • Thresholds or local circumstances for when a SEP may be suspended or revoked and the processes that will be undertaken. (Further detail on thresholds a council should consider in suspending or revoking a SEP are included in Step 3 of these Guidelines) • The exclusion of adult entertainment, sex service and restricted premises. <p>Where the proposed SEP boundary adjoins another LGA, the adjacent local council should be consulted in preparation of the plan.</p> <p>A template for a SEP precinct management plan is included on the Office of the 24-Hour Economy Commissioner website.</p>

Mandatory step	Description
<p>Step 1.5</p> <p>Council officers commence work on sound requirements in the SEP/s and consult with and obtain feedback from L&GNSW as the regulator of entertainment sound and NSW Police on the compliance history of venues located in the SEP</p>	<p>Council officers prepare a place-based sound management framework to regulate sound from licensed and unlicensed premises and ensure that new development is designed to mitigate sound from a SEP, including from entertainment activity.</p> <p>Councils can:</p> <ul style="list-style-type: none"> • Commission acoustic consultants to undertake a comprehensive review of sound management in a SEP (including a single premises SEP) • Adapt sound criteria included for a range of development types and/or environments (including for single premises SEP) in the Acoustic Toolkit accompanying the SEP Guidelines for their specific precinct or venue. <p>The sound framework for a SEP (or single premises), is included in the precinct management plan or referenced in a council's development control plan at council's discretion.</p> <p>Council officers must consult with and obtain feedback from L&GNSW during the preparation of the sound requirements. This is to ensure that the SEP requirements align with L&GNSW's assessment framework for managing noise and disturbance complaints from licensed premises.</p> <p>Council officers must also consult with the NSW Police about any venue or area with a significant history of noise and disturbance complaints and consider their feedback to ensure that sound requirements in a precinct management plan are appropriate and do not exacerbate existing compliance issues.</p> <p>Approaches to sound management plans will vary for each SEP and each council area. Guidance on the recommended approach to preparing a sound management framework is included in the Acoustic Toolkit accompanying the Guidelines.</p> <p>A sound management framework in the precinct management plan may where relevant:</p> <ul style="list-style-type: none"> • Define criteria for both sound-generating (entertainment venues) and sensitive development (such as residences, places of worship, childcare, health and education facilities). The definition and type of sensitive receivers included in the sound management plan is at the discretion of council. • Describe and define the external sound environment to allow sensitive development to mitigate against entertainment sound. The sound environment should also be informed by the desired activities, ability for venues and patrons to comply with them, and the nature of activity on the street. • Define a core area and a buffer area and include different criteria and requirements for the core and buffer areas, including appropriate transitions to areas outside the precinct. • Define criteria for sound generated in outdoor locations, such as performance outside a venue, on the street or in areas of public open space/domain. <p>A sound management framework should not disadvantage or restrict the sound conditions of existing venues in a SEP.</p>

Mandatory step	Description
Step 1.6 Council officers prepare a compliance framework for unlicensed premises	<p>Council officers can either establish new compliance framework or review their existing compliance framework for the regulation of sound from unlicensed premises such as shops, businesses or community facilities in a SEP and amend as required. The framework should also address compliance of trading hours for unlicensed premises (as well as licensed premises).</p> <p>This will be outlined in the precinct management plan and include the processes through which any non-compliance with the sound controls in the precinct management plan (and development control plan if applicable) for unlicensed premises and any associated complaints will be addressed.</p>
Step 1.7 Council officers prepare a planning proposal to map the SEP/s in the LEP without a sunset clause	<p>Council officers prepare a planning proposal in accordance with section 3.33 of the EP&A Act to map the SEP/s and include an accompanying clause to refer to the SEP in a local environmental plan (LEP) and put their draft compliance approaches into practice during the operational trial period.</p> <p>Planning proposal should demonstrate strategic and site-specific merit for the SEP and comply with the format prescribed in the NSW <i>Local Environmental Plan Making Guidelines</i> (LEP Making Guideline). The planning proposal will not include a sunset clause, so the LEP map of the precinct will be permanent after the trial period has concluded.</p> <p>For more information on the relevant stages in the process, refer to the LEP Making Guideline at Stage 1: Pre-lodgement (pages 19 to 24) and Stage 2: Planning Proposal (pages 25 to 30).</p> <p>A template for a SEP Planning Proposal is included on the Office of the 24-Hour Economy Commissioner website.</p>
Step 1.8 Council officers prepare an optional DCP amendment	<p>Council officers prepare a development control plan (DCP) amendment which may refer to the contents of the precinct management plan, including precinct trading hours and the sound management framework including the plan for regulating sound from entertainment activity.</p> <p>Councils should include DCP controls which future-proof the precinct and ensure that new development is designed to mitigate noise impacts. Councils may choose to use or adapt existing DCP clauses.</p> <p>Model DCP provisions are included on the Office of the 24-Hour Economy Commissioner website.</p>
Step 1.9 Council officers undertake targeted pre-trial community consultation	<p>Council officers contact relevant community and resident groups, business precinct group/s and/or liquor accords, and other industry groups (including developers) ahead of the operational trial to give early notice that it is scheduled, confirm the proposals and recommend how to address operational impacts and potentially longer trading hours for the precinct or single premises SEP.</p> <p>Council staff inform businesses that liquor licensed venues must complete a live music and performance venue application form to access the live music and performance incentives if eligible. This form is available on the L&GNSW website.</p>

Mandatory step	Description
Step 1.10 Council officers submit the planning proposal to DPHI for Gateway Determination, and arrange public exhibition, submission review and documents updates	<p>Council officers submit the planning proposal to DPHI for Gateway Determination. If one is obtained, council officers then place the planning proposal, DCP amendment and precinct management plan on public exhibition in accordance with the requirements in the gateway determination and its Community Participation Plan.</p> <p>Councils must communicate in the exhibition that the planning proposal does not include a sunset clause and the SEP provision will exist in the LEP until it is removed by a second LEP amendment. Sample communications materials can be found in the pack of templates on the Office of the 24-Hour Economy Commissioner website.</p> <p>Council officers review the feedback received from the local community, residents and businesses and update the precinct management plan, planning proposal and DCP amendment to reflect the community feedback.</p>
Step 1.11 Council approves trial, publishes SEP boundary, notifies the commencement of the trial on its website and commences the trial	<p>Council approves the finalised precinct management plan, planning proposal and DCP amendment if applicable. The updated documents and council decision are published on the council website, and notation of the SEP is placed on 10.7 Planning Certificates.</p> <p>If the Gateway Determination authorises council to make the LEP amendment, then council can publish the SEP (or single premises SEP) boundary through Parliamentary Counsel's Office in the LEP. If the determination does not give council delegation to make the amendment, then DPHI will make the LEP map amendment.</p>
Step 1.12 Council officers publicise the trial SEP/s on its website and planning certificates	<p>Council officers commence and publicise the SEP (including a single premises SEP) by providing information on the council website with the accompanying documents (such as the planning proposal, DCP amendment and precinct management plan, map) and providing a notation of the SEP on 10.7 Planning Certificates. The text for notification on planning certificates is included in the technical resources and model templates available on the Office of the 24-Hour Economy Commissioner website.</p>
Step 1.13 Council officers evaluate the trial (recommended after 12 months) and report trial outcomes. Council consults with the community and resolves whether to make the SEP/s permanent	<p>Council officers evaluate the trial working with stakeholders including businesses and NSW Government agencies to obtain and evaluate data where appropriate. It is recommended to commence the evaluation 3-6 months before the end of the trial, after a 12-month trial.</p> <p>Council officers report trial outcomes to council and the community.</p> <p>Following the evaluation, council undertakes consultation with the community and decides whether to make the SEP (or single premises SEP) permanent. In response to consultation council may decide to amend its precinct management plan trading hours and/or sound provisions. Council officers obtain a council resolution to proceed with the SEP or cease the trial.</p> <p>If council decides to make the SEP permanent, it can proceed to step 2.1.</p> <p>If council decides to repeat the trial, it can repeat steps 1.9, 1.11, 1.12 and 1.13 and consult, confirm and evaluate the re-trial. To maintain certainty for business and the community, it is not recommended that more than two trials are held.</p> <p>If council decides to cease the trial, it can proceed to step 3.7-3.10 to request DPHI to remove the precinct from the LEP under section 3.22 of EP&A Act.</p>

Minister's approval pathway

The Minister for Planning and Public Spaces may make a local environmental plan (LEP) through an amending State Environmental Planning Policy (SEPP) under section 3.29 of the Environmental Planning & Assessment (EP&A) Act for matters of State, regional or environmental planning significance to districts in the following circumstances:

- a. Where the relevant council has endorsed the establishment of a SEP on land where the Minister is the consent authority and the council's LEP does not apply.
- b. In exceptional circumstances, where the Minister for Planning and Public Spaces is satisfied that a council is sufficiently ready to establish a precinct,

has not succeeded in obtaining funding from a relevant NSW Government program and has prohibitive resourcing or funding issues which prevents it from proceeding.

- c. Where the relevant council has endorsed the establishment of a SEP on land subject (in part or entirety) to the NSW Transport Oriented Development (TOD) program and a planning instrument being prepared by the Department of Planning, Housing and Infrastructure (DPHI), and council has agreed:
 - i. the inclusion of the SEP with DPHI and
 - ii. to prepare the precinct management plan and other required documentation, and undertake consultation.

The responsibilities and steps for making an amending SEPP will generally be agreed with DPHI, but could include the following:

Responsibility	Step	Description
Council and relevant NSW Government agency	Council endorsement and partnership between relevant NSW Government agency/ies and council if LEP does not apply to land and notification of 24-Hour Economy Commissioner	Council officers obtain a council mandate to establish a SEP, including for land where their LEP does not apply. This may include a resolution of council or letter endorsed by council's executive. If this applies to land where the Minister is the consent authority and council's LEP does not apply, council officers and relevant NSW Government agency/ies discuss and obtain agreement to partner to establish a SEP. This could include a Memorandum of Understanding (MOU) to determine the roles and responsibilities for developing the precinct management plan and undertaking consultation. Council officers or NSW Government agency/ies notify the 24-Hour Economy Commissioner of the intention to form a SEP.
Council/NSW Government agency and DPHI	Request to DPHI to commence Minister's approval pathway	If the LEP applies to the SEP, council officers write to the Secretary of DPHI (Planning Secretary) to request that the Minister amends the LEP to identify the precinct for a trial (of recommended 12-18 month duration). If the LEP does not apply to the SEP, the relevant NSW Government agency makes a request to the Planning Secretary. If the request to make the LEP is granted by DPHI, confirmation is received in writing and council officers and/or the NSW Government agency meet with DPHI to agree the process. If the request is not granted and council's LEP applies, council must make the LEP.
Council and DPHI	Explanation of Intended Effect (EiE)	Council officers and/or officers from the relevant NSW Government agency/ies work with DPHI to prepare an Explanation of Intended Effect (EiE) outlining the SEP proposal. Council officers provide supporting documentation including the sound management criteria and precinct management plan and any relevant council data or community feedback.
Council	Public exhibition	Council exhibits EiE and the SEP precinct management plan.
Council and DPHI	Response to submissions	Council officers work with DPHI and relevant NSW Government agency/ies to review and prepare a response to submissions and update the documentation.
DPHI	Executive Council approval process	DPHI works with the Parliamentary Counsel's Office to draft the SEPP amendment and prepare the package of documentation for NSW Executive Council approval.
DPHI	Publication	Once approved, DPHI arranges for the amendments to the SEPP to be published on the NSW Legislation website. Council or relevant NSW Government agency notifies stakeholders such as venues or residents as agreed in the MOU.

Step 2: Operating the SEP/s

This section guides councils and communities through the mandatory steps to operating and monitoring permanent SEP/s. Refer to the *NSW Special Entertainment Precinct Handbook* for further best practice guidance on each of the following steps.

Mandatory step	Description
Step 2.1 Council officers engage with community, venues, and businesses in the SEP/s and relevant government agencies and discuss any impacts on amenity and safety and any required resolution of issues	Council officers establish a feedback loop on the council website and/or through regular consultation with stakeholders to assist with regulatory compliance and ensure a clear line of communication from residents and the community to the council regarding any impacts or outcomes from the SEP/s that may occur. Council must where relevant, engage with key partners such as, the relevant Local Health District(s), NSW Police and Liquor & Gaming NSW (L&GNSW) to discuss, manage and resolve emerging and persistent concerns.
Step 2.2 Council officers address any compliance issues associated with trading hours from licensed and unlicensed premises and noise from unlicensed premises	<p>Council officers implement the compliance framework for:</p> <ul style="list-style-type: none"> Trading hours from licensed and unlicensed premises Noise/sound from unlicensed shops and businesses set up in Step 1.6 and address concerns when they arise Development consent conditions for licensed premises, including noise/sound from non-entertainment related activity, i.e. waste disposal, construction and servicing and loading operations. <p>L&GNSW addresses compliance for entertainment-related sound from music and patrons in licensed venues. This will include noise complaints/statutory disturbance complaints (under section 79B of the Liquor Act). The process for addressing statutory disturbance complaints is set out in the L&GNSW Disturbance Complaint Guidelines available on the L&GNSW website.</p>
Step 2.3 Council officers continue to update community on council's website and through notations on planning certificates	<p>Council officers update council's website to indicate that the SEP is permanent and outline key information for the community.</p> <p>Councils notify incoming residents of the SEP on 10.7 planning certificates. The text for this notification is included in the technical resources and model templates available on the Office of the 24-Hour Economy Commissioner website.</p>
Step 2.4 If required, council officers amend a precinct management plan as a result of issues arising from compliance or evaluation and obtain council approval	<p>Council officers identify issues from compliance monitoring or evaluation, amend the sound controls and trading hours and the precinct management plan (and DCP if relevant) in consultation with L&GNSW, NSW Police, Office of the 24-Hour Economy Commissioner, other relevant NSW Government stakeholders, community and businesses.</p> <p>Council officers update their precinct management plan by reporting it back to Council for approval.</p>

Step 3: Suspending or revoking the SEP/s

This section sets out mandatory steps for councils or the Minister for Planning and Public Spaces to suspend or revoke a precinct or single premises SEP. Suspending a SEP means placing its operation on hold until issues have been addressed. Revoking a SEP means removing it permanently.

These Guidelines encourage a strong and shared commitment across council, the NSW Government, and community and businesses to the strategic intent and the long-term viability of a SEP. Councils should only consider suspending or revoking a precinct or single premises SEP once all other remediation options have been explored. This includes addressing issues through a program of ongoing monitoring and evaluation, outlined in Step 2 of these Guidelines.

Suspension or revocation should be based on substantiated evidence provided by councils, L&GNSW and/or the NSW Police of non-compliance with the precinct management plan and other relevant regulation, or a recommendation from an inquiry held by the 24-Hour Economy Commissioner pursuant to section 9(3) of the 24-Hour Economy Commissioner Act.

A council's precinct management plan should include the processes involved in suspending or revoking a SEP (including a single premises SEP).

Escalation processes for non-complying venues

Venues will be required to act in accordance with the precinct management plan, their plans of management, liquor licences and development consents (except for conditions relating to trading hours and the regulation of sound entertainment activity from premises) issued by council and L&GNSW to manage the safety and wellbeing of patrons in their establishments and minimise impacts on public domain and amenity.

Under L&GNSW's Disturbance Complaint Guidelines for licensed premises, L&GNSW undertakes a graduated and proportionate enforcement approach with licensed premises that aims to secure remedial and future compliance.

Councils will determine the process for non-complying unlicensed venues and include this in their precinct management plan (step 1.4). This process should encourage complainants to first attempt to resolve any sound or operational disputes with the business before lodging a complaint. If this is unsuccessful then a process should be established, which includes resolving complaints through mediation, substantiation of sound complaints against sound criteria in the precinct management plan, sound monitoring and a system of warnings about any non-complying operations.

In exceptional circumstances councils may consider excluding venues or sites from a SEP if they are subject to ongoing and substantiated non-compliances with the precinct management plan or if there are management concerns, alcohol-related violent incidents and/or anti-social behaviour attributed to their operation. A decision to exclude a venue or site must be informed by consultation where relevant, with L&GNSW, NSW Police and Office of the 24-Hour Economy Commissioner. If it is in respect of a licensed venue, it must be recommended by L&GNSW and Council should consult with L&GNSW to remove a venue from the list of venues eligible for live music and performance incentives. Once council has resolved to exclude a venue or site it can request an expedited amendment under section 3.22 of the Environmental Planning & Assessment (EP&A) Act to remove the venue or land from the SEP boundary in the local environmental plan (LEP).

Conditions for suspending or revoking a SEP

As outlined in step 1.4 of these Guidelines, council should include in its precinct management plan appropriate local thresholds that must be met before it can consider revocation or suspension. Councils should determine the triggers for suspending or revoking a precinct or single premises SEP because these will vary between precincts and premises within metropolitan and regional contexts and be unique to a local area.

When setting the thresholds in a precinct management plan to suspend a SEP (including a single premises SEP), council should consider the following matters:

- The quiet and good order of the neighbourhood of the SEP is being unreasonably disturbed because of the cumulative impact of businesses operations or the behaviour of patrons after they leave the venues or sites within the SEP.
- Sustained patterns over a significant period of high levels of anti-social behaviour and violence which are leading to impacts to public safety and amenity.
- The SEP is not being exercised in the public interest.
- The continuation of the SEP is not in the public interest.
- Where suspension is the only option after unsuccessful attempts to resolve substantiated non-compliances of a significant number of premises with venue management, precinct trading hours and/or sound controls which have impacted public amenity and safety, but which council considers can be remedied within a certain timeframe.

When setting the thresholds in a precinct management plan to revoke a SEP, council should consider the following matters:

- Where the venue or venues and businesses did not take up the opportunity to host live music and performance and have extended trading hours.
- Where council changes the strategic direction of the precinct or single premises.
- Where high levels of anti-social behaviour and/or violence are occurring in the SEP on an ongoing basis that are impacting public safety and amenity.
- Where revocation is the only option to address impacts of a significant number of businesses in breach of venue management conditions, precinct trading hours and/or sound controls, and there are substantiated complaints following attempts to address them and significant impacts on public amenity and safety which cannot be resolved.

Changes to the precinct management plan/ DCP in a permanent SEP

Should council wish to amend the sound controls and trading hours in a permanent SEP, as an alternative to suspending a SEP, it can amend its development control plan (DCP) and precinct management plan in consultation with L&GNSW, Office of the 24-Hour Economy Commissioner, other relevant NSW Government stakeholders, community and businesses.

24-Hour Economy Commissioner inquiries into SEPs

Section 9(3) of the 24-Hour Economy Commissioner Act states that the Minister for the Arts, Music and Night time Economy may direct the 24-Hour Economy Commissioner to conduct an inquiry into the establishment, operation, suspension or revocation of a SEP.

A council, member of the community, business or venue operator may forward a request in writing to the Office of the 24-Hour Economy Commissioner, outlining the reasons for requesting an inquiry or suspension or revocation. The 24-Hour Economy Commissioner may consider the information provided and consult with council and other relevant parties as determined by the 24-Hour Economy Commissioner, which may include venues or businesses; NSW Police; NSW Government agencies; and/or members of the community.

If an inquiry is held, the 24-Hour Economy Commissioner may request that government agencies that deal with public health, liquor and gaming, arts and culture, planning, multiculturalism, policing, transport and/or local government to provide input. The 24-Hour Economy Commissioner may consider relevant data including economic, safety, health and/or mobility data, and may consider coordination and governance arrangements within the SEP.

The 24-Hour Economy Commissioner will prepare a report on the inquiry and provide recommendations to council and to the NSW Government about the establishment or future operation of the SEP and the reasons for the recommendations.

To suspend a SEP

Mandatory step	Description
Step 3.1a If an inquiry is held, council receives a recommendation by the NSW 24-Hour Economy Commissioner to suspend a SEP	Council officers receive a report and recommendation to suspend the SEP which was the outcome of an Inquiry held by the 24-Hour Economy Commissioner. Council must act in accordance with the recommendations.
Step 3.1b If an inquiry is not held, council officers obtain a council resolution of Council to suspend the SEP and inform relevant stakeholders of intent to suspend the SEP	Council officers report to a meeting of council and obtain a resolution to suspend the precinct. This report includes conditions about the potential conditions for reinstatement of the SEP.
Step 3.2 Council publishes a notice of an intention to repeal the DCP provisions and precinct management plan, reports to Council, revokes the DCP and publishes a notice	Council officers prepare a report to a meeting of council to revoke the DCP provisions and precinct management plan for SEPs. Under section 16 of the <i>Environmental Planning & Assessment Regulation 2021</i> (EP&A Regulation) council officers publish a notice of an intention to repeal a DCP on its website at least 14 days before repealing the plan. The notice must include the intention to repeal the plan, and the reasons for the repeal. The repeal of a DCP takes effect on the day on which a notice of a decision to repeal is published on the council's website. If a council has not included precinct management plan trading hours and sound provisions in a development control plan, then it can resolve to pause, or temporarily repeal its precinct management plan.
Step 3.3 Council notifies residents, businesses, venues and the community in a SEP of the suspension and engages with the 24-Hour Economy Commissioner and government agencies to address issues	Council provides written notice to the community and businesses of council's resolution to suspend the precinct. This must outline the reasons for the suspension and the conditions for reinstatement of the SEP trading and sound provisions via a report to council. If the suspension of the SEP was the subject of an inquiry, the Commissioner's recommendations must be included in the public notice. Council and relevant government agencies such as L&GNSW and NSW Police engage with venues and businesses to address the issues or circumstances which led to the suspension of the SEP. If the suspension of the SEP was the subject of an inquiry and recommendation from the 24-Hour Economy Commissioner, councils must liaise directly with the Office of the 24-Hour Economy Commissioner to keep the 24-Hour Economy Commissioner informed.
Step 3.4 Council decides if the SEP is to be reinstated or revoked through a council resolution (if revoking proposed – go to step 3.6a)	Council officers evaluate if issues have been addressed against the conditions for reinstatement stipulated in the report to council (in step 3.1b).
Step 3.5 Council publishes a notice of an intention to reinstate the DCP provisions and precinct management plan, consults with the community and relevant government agencies, considers submissions, reports to Council, reinstates the DCP and publishes a notice	Under section 16 of the EP&A Regulation council officers publish a notice of an intention to amend the DCP to reinstate the SEP DCP provisions on council's website. Council officers place the DCP provisions on exhibition, consider submissions, and prepare a report to a meeting of council to reinstate the DCP provisions for SEPs. A notice of the intention to reinstate the provisions, and the reasons for the reinstatement must be included on its website within 28 days of the decision being made. If there is no development control plan, councils can follow a similar process to reinstate the precinct management plan. Council officers notify relevant government agencies such as DPHI, NSW Police, L&GNSW and the Office of the 24-Hour Economy Commissioner.

To revoke a SEP

Mandatory step	Description
Step 3.6a If an inquiry is held, council receives a recommendation by the NSW 24 Hour Economy Commissioner to revoke a SEP	Council officers receive a report and recommendation to revoke the SEP which was the outcome of an inquiry held by the 24-Hour Economy Commissioner. Council must act in accordance with the recommendations.
Step 3.6b If an inquiry is not held, Council officers obtain a resolution to revoke the precinct, DCP provisions and precinct management plan at a meeting of council	Council officers report to a meeting of Council and request that the SEP LEP mapped boundary, DCP trading hours and sound control provisions and precinct management plan be revoked. With a council resolution to revoke, council officers can make the changes to the DCP.
Step 3.7 Council officers notify residents, businesses, venues and the community in a SEP of the proposal to revoke	Council provides written notice of Council's resolution to revoke the precinct, outlining the reasons and the conditions for its removal. If the revocation of the SEP was the subject of an inquiry, the 24-Hour Economy Commissioner's recommendations should be included.
Step 3.8 Council officers request an expedited amendment under section 3.22 of EP&A Act to remove the precinct from the LEP. DPHI considers the request to remove the SEP from LEP maps	Council officers request that DPHI remove the SEP boundary from the LEP maps via 3.22 amendment. The council must submit the request in writing to the Planning Secretary and provide reasons for the need for the expedited amendment under the s 3.22 criteria.
Step 3.9 Council officers publish a notification of revocation and notify residents, businesses and venues in the SEP that the precinct is revoked and notify the Minister for Planning and Public Spaces and relevant government agencies	Council officers publish a notification of revocation on council's website and formally notify any person and government agency who provided feedback on the SEP during or prior to establishment, which may include OLG, DPHI, NSW Police, L&GNSW and O24HEC in writing that the SEP is revoked. In addition, the Minister for Local Government and Minister for Planning and Public Spaces must be notified.
Step 3.10 Council officers update planning certificates	Council officers remove the notification of the SEP from 10.7 planning certificates.

For further information about SEPs refer to the NSW Special Entertainment Precincts webpage, which includes a best practice handbook, additional resources and model templates.

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Attachment 1. Strategic Alignment with Council Strategies, Policies and Plans

Manly Place Plan – My Place: Manly

Adopted in September 2024, *My Place: Manly* is a place plan for the Manly commercial centre prepared in consultation with community. The place plan identifies what the community values most about the Manly centre and provides a framework for achieving the community's future vision through a staged action plan over 15 years. Principles and actions in the place plan include:

Principle 1: Active and Vibrant Community Spaces - Create adaptable, friendly and unique public spaces that foster interaction, expression, and healthy lifestyles.

Action 8: Review ongoing NSW Vibrancy Reforms for relevance to Manly

Principle 4: Thriving and creative local economy – Provide a vibrant local economy which facilitates a diversity of experiences through the day and night, to make Manly an enviable place to live, work and play in.

Action 3: Adopt the 'agent of change' approach in the implementation of the Manly 24-Hour Night-Time Economy Strategy to improve certainty for businesses, residents, owners and creatives

Action 4: Investigate and undertake a trial of late-night trading for low impact land uses such as health and wellness, retail and food and drink (without liquor licence)

Action 5: Investigate undertaking another trial of late-night trading hours for additional uses at specific locations e.g. licensed venues

Action 6: Develop noise planning controls which may include noise planning levels and acoustic requirements for new development.

Principle 5: Inclusive community and connection to culture: Recognise Manly's significant built and landscape cultural heritage, acknowledging and supporting a cohesive and creative community.

Action 8: Develop greater awareness of the 'agent of change' approach so that stakeholders are aware that the person developing their property is responsible for incorporating noise measures in the design and construction of their development.

Principle 6: Connected and accessible for all: Connect the community to Manly and its iconic beach, bush and harbour, with a focus on sustainable modes of travel which improves movement for all

Action 3: Continue to collaborate with Transport for NSW to optimise public transport routes and improve amenity and frequency of services.

Northern Beaches Local Strategic Planning Statement - Towards 2024

Towards 2040 was adopted in March 2020 and guides land use planning for the Northern Beaches up to 2040, including informing the development of Council's new consolidated Local Environmental Plan (LEP) and Development Control Plan (DCP), broader Council policies and strategies, and the assessment of planning proposals. *Towards 2040* includes the following priorities, principles and actions:

Priority 26: Manly as Sydney's premier seaside destination

Principles

Balance competing land uses in Manly to serve the needs of workers, residents and visitors.

Protect and enhance Manly's character, identity and social significance.

Diversify the night-time economy and minimise conflicts with residential uses.

Actions

Action 26.1: Prepare a place plan for Manly and develop LEP and DCP controls to respond to LEP studies, thematic history study, West Esplanade heritage activation plan, destination management plan and night-time economy to balance competing uses

Priority 30: A diverse night-time economy

Principles

Broaden the range of night-time activities and locations.

Minimise land use conflict and prevent more sensitive uses such as residential from sterilising night-time opportunities in centres.

Improve late-night public transport to places with night-time activities.

Increase trading hours for low-impact night-time activities that contribute to a diverse range of night-time activities in appropriate locations.

Foster a diverse live music culture.

Actions

Action 30.2: Review late-night venue controls in Manly DCP and prepare new location-specific LEP and DCP controls that address late-night venues; the shift towards smaller venues; live music; change agent noise controls; safety; flexible trading hours; and barriers to night-time temporary uses, arts, cultural and creative uses.

Action 30.3: Prepare place plans, precinct plans and activation plans that support social, practical and functional activities in the evening and night-time, including Manly place plan to respond to alcohol-related violence, anti-social behaviour and tension between competing land uses.

Northern Beaches Community Strategic Plan 2040

Council adopted the *Community Strategic Plan 2040* in June 2022. The plan is Council's highest level strategic document, informing other Council strategies and plans, and setting the direction for all Council's activities. The plan includes the following goals:

Goal 7 - Our diverse community is supported to participate in their chosen cultural life

Support innovative ideas and build the capacity of local cultural and creative communities

Expand cultural events and creative opportunities, to enable social interaction/cohesion and stimulate wellbeing

Encourage a broad range of activities that enable social interaction, stimulate wellbeing, and support people at each stage of their lives

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

Ensure that employment lands are retained and cater for a diverse range of businesses and industry

Improve access for businesses to information, incentive programs and enterprise support

Facilitate innovative environments and hubs where start-up businesses, entrepreneurs and innovators are supported and connected

Support business and professional networks to respond to changing business conditions

Goal 15 - Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure and social opportunities

Enhance and extend opportunities for sustainable visitor economy throughout the area

Recognise and support the unique role of our local and strategic centres, in keeping with local character

Encourage residents to shop local and support their local centres

Facilitate active, safe and welcoming centres for residents and visitors during the day and into the evening

Northern Beaches Economy Development Strategy – Business on the Beaches

Business on the Beaches was adopted by Council in August 2023, sets the long-term vision for the Northern Beaches economy and identifies opportunities to support the LGA's economy. The strategy includes the following actions:

Support business recovery and resilience by promoting services and programs to help businesses prepare, adapt and thrive.

Grow and enhance the Northern Beaches Culture Map Live to showcase and connect the community with creative and cultural industries.

Maintain and enhance quality public area that promote the LGA's cultural identity and provide inspiring spaces for innovation and creativity.

Implement Place Plans to revitalise town centres and villages and to make them more pedestrian friendly, fill vacant shops and embed creativity in the built environment.

Continue to review policies and processes to encourage alfresco dining, live music and events in town centres.

Investigate opportunities to increase and diversify the night-time economy, in appropriate locations, including incentives for greater business participation.

Promote cultural and artistic tourism opportunities to diversify visitor experiences.

Northern Beaches Destination Management Plan – Destination Northern Beaches

Destination Northern Beaches was adopted by Council in September 2021. The plan sets the direction for future growth of the Northern Beaches visitor economy and includes the following action:

Undertake a Place Plan for Manly which will include a focus on tourism, local and night-time economy, street activations, recreation, signage/ wayfinding, key pedestrian movement corridors, public amenity and creativity.

Northern Beaches Arts and Creativity Strategy – Connected Through Creativity 2029 – Action Plan 2023-2026

Connected Through Creativity 2029 provides a framework for future planning, provision and investment in arts and culture in the Northern Beaches LGA. Council adopted a 2023-2026 action plan for *Connected Through Creativity 2029* in June 2022. The action plan includes the following actions:

Action 1.1.4: Piloting new town centre activation projects, such as Market Lane in Manly and Dee Why Plaza live music program

Action 1.1.9: Develop a Manly Place Plan that facilitates creative spaces and cultural experiences in the public domain

Action 1.1.10: Increase understanding of the night-time economy and the role of arts and creativity to grow place vibrancy

Action 1.1.12: Review land-use planning processes, policies, and development controls to encourage markets, live music and other cultural activities in our public spaces

Action 1.2.8: Support the concept of new performing arts venues in the local area

Action 1.2.10: Foster a diverse live music culture on the Northern Beaches, including small- and large-scale events, through a review of planning controls

Action 2.1.11: Review land use planning processes and controls to support a healthy creative sector

Northern Beaches Council Electric Vehicle Charging Infrastructure Plan



northern
beaches
council

Purpose

To provide conditions for the provision, installation, management, maintenance and removal of Electric Vehicle (EV) charging infrastructure on a selection of Council owned or controlled land in the Northern Beaches Local Government Area (LGA).

This Plan relates to charging infrastructure that is:

- Intended for use by the public
- Intended for charging electric vehicle and other transport modes, such as bicycles, taxis, and new freight and public transport solutions.

Principles

Plan Scope

3

This Plan will:

- Support the delivery of EV charging infrastructure on public land that integrates effectively with the transport network and local environment
- Consider all electric transport charging infrastructure
- Ensure a fair and equitable selection of providers that supports current EVs and charging types
- Ensure a council managed community engagement approach to seek support on future EV charging site locations and charging infrastructure
- Increase the availability of EV charging infrastructure to support growth in the uptake of EVs, locally and nationally
- Provide direction for providers of EV infrastructure in the allocation of suitable locations on public land and Council requirements.

The Plan applies to all publicly accessible Electric Vehicle Charging Infrastructure installed on public land, whether installed by Council or Third-Party Private operators. It provides the overriding direction for the provision of Public Electric Vehicle Charging Infrastructure across the Northern Beaches for Residents, Businesses and Visitors.

For Endorsement

Plan Application

Council will consider both council installed and managed infrastructure as well as third party provider infrastructure for the provision of electric vehicle charging.

Council will include the location of all electric vehicle charging locations on relevant parking management tools for visibility to the customer, such as parking apps.

At a minimum Council will ensure that no less than two dedicated electric vehicle charging car parking spaces are provided at each location.

Council installed and managed infrastructure

i) Provision of Service

- Council will install publicly accessible electric vehicle charging infrastructure in locations of its choosing based on demand and strategic decision criteria, inclusive of community feedback.
- Council reserves the right to charge all users equally across the sector, based on the service provided.
- All data collected as part of the service will be stored securely locally in line with Council's Information Management criteria.
- Council will provide universal charging systems that are not assigned to any particular vehicle manufacturer, that are designed to provide top up charging and will be time restricted to ensure equitable access. This may be achieved through hardware, software, legislation options and varied between time of day, location, and technology used.
- Council will ensure that maintenance of the site is included in the contract with infrastructure provider and budgeted accordingly.

ii) Cost Recovery – Fees and Charges

- Whilst Council will fund the infrastructure from capital sources, the operational cost will be recovered from the customer.
- Usage charges will be set by decision of Council in the annual fees and charges, based on the electricity cost projection for the corresponding period.
- Council's fees and charges will be based on actual cost and not based on a comparison with other providers operating on the Northern Beaches.

iii) Council will supply a variety of charging solutions across the area

- Level 2 charging infrastructure (7kw AC) will be installed in several long-term carpark locations to provide charging options for those owners with limited parking availability and/or commuters. Time limit between 2 and 6 hours.
- Level 2 charging infrastructure (11- 22kw AC) will be installed in short term carpark locations and suitable destination location (some models are currently not able to utilise these chargers to their full capacity). Time limit between 30 minutes and 2 hours
- Level 3 charging infrastructure (25kw DC) will be installed at high demand destinations and close to regional transport corridors to allow for short duration rapid top-up charge (PHEV and some older models cannot use DC Charging). May be limited to less than 30 minutes.

Third party provider electric vehicle infrastructure management

i) Eligibility of provider

- Any provider wishing to deliver EV infrastructure within the Northern Beaches LGA must express their interest to through a formal request in writing.
- Where necessary, the eligibility of a provider will be determined through an Expression of Interest (EOI) process that is open to the market and will be evaluated by Council based on the Schedules detailed in the EOI
- Council will determine proposed locations for EV infrastructure.

ii) Obligation of provider

- It is the provider's responsibility to abide by the relevant legislation and technical requirements in order to operate with the Northern Beaches LGA.
- It is the provider's responsibility to financially commit to cost of the EV infrastructure and to ensure that the site is operational at all times
- It is the provider's responsibility to ensure that the site is safe and accessible for all users at all times
- The provider must enter into a data sharing arrangement with Northern Beaches Council to provide real time access to usage and membership information
- Council has the right to remove any EV infrastructure at any time and for any reason if it is found not to be in the best interest of the community. All costs will be the responsibility of the infrastructure provider.

iii) Lease arrangement

- Any provision of EV charging stations on public land will be subject to licensing/

leasing arrangements, or similar, between the provider and Council. Licence and/or lease terms shall be in accordance with Council's related Policies.

- Subject to obtaining the required planning approval/s, entering into a lease or licence agreement with Council to utilise public land for installation and operation of an Electric Vehicle charging station in no way guarantees development consent or approval.
- Council reserves the right to require appropriate remuneration for use of Public Land for the apportionment of user fees or through a fee structure, or other. This is to be determined on a case-by-case basis as part of any licence/lease (or other) arrangement and in accordance with Councils annual Fees and Charges.
- Council may consider a Public/Private Partnership with relevant providers to deliver Electric Vehicle charging stations on Public Land. This will be subject to negotiation on a case-by-case basis.

iv) Security deposit and/or bond

- It will be a requirement of the provider to pay, prior to the commencement of any works, a security deposit and/or bond of no less than \$5,000 AUD per site.
- Council will hold the deposit and/or bond for the duration of any lease or licence agreement. Any costs incurred by Council in excess of the deposit and/or bond amount will be borne by the applicant/Electric Vehicle charging station operator.
- Information relating to the deposit and/or bond will be identified within the lease or licence agreement.
- Council reserves the right to amend the security bond/deposit payment at any time.

Site Selection

Council will initially consider locations that are in strategic and tourism destinations for EV charging infrastructure. This will include strategic centres such as Mona Vale, Brookvale/Dee Why, Frenchs Forest and Manly, some sporting grounds, as well as tourist areas such as Palm Beach.

Council will consider a site based on the following factors:

- There must be existing and/or potential demand for EV charging.
- That any site considered for the provision of EV charging infrastructure is desirable location for the user to stop, spend time in the area or use local amenities.
- A safe location for access to the proposed charging infrastructure.
- Access to a suitable power supply.

Council will also consider sites that are located at key entry points to the Northern Beaches LGA or located near the main road corridors.

The ongoing implementation of this plan will be scaled up as the ownership and usage of Electric Vehicles increases across the area, to allow a convenient charging network to be used by residents, visitors and businesses, especially in areas where there is a high demand for charging infrastructure.

A third party owned publicly accessible Electric Vehicle Charging site may be considered suitable for an EV charging infrastructure where the proposal demonstrates to Council's satisfaction that:

- The land is public land, as defined in this Plan
- Considers land classification. Land classified as operational land is preferred, however community land may be considered suitable where the proposal is in accordance with the *Local Government Act, 1993*, *Crown Land Management Act, 2016* and the relevant Plan of Management for that land
- Electric Vehicle charging stations are permissible under the relevant legislation at the proposed location (e.g. Pittwater Local Environment Plan, 2014, Warringah Local Environment Plan, 2000, Warringah Local Environment Plan, 2011, Manly Local Environment Plan, 2013, State Environment Planning Policy (Infrastructure) 2007, the *Roads Act 1993* and the like). Note: the provider is responsible for securing development consent or approval, where applicable, from the relevant planning authority or a case by case basis
- Environmental constraints, characteristics and amenity have been considered
- There is a demand and future growth in the proposed location specific to the charging type
- The electricity supply infrastructure capacity of the existing electrical supply network is suitable (or can be reasonably upgraded). Note: Council will not contribute to the cost or be responsible for the provision, or upgrade to, electrical supply infrastructure to service a proposed EV charging site, unless by prior agreement

- The land is located within a reasonable walking distance (generally within 400m) of a town or village centre or a strategic tourism location
- The land has reasonable connection to the wider road network
- The facility and its operation will not adversely impact upon the amenity of surrounding development or the public domain
- The facility is safe with adequate lighting, and pedestrian, vehicle and bicycle access available at all times of day and night
- The facility is compliant with relevant Australian standards and road design guidelines
- The facility is compliant with relevant Australian standards and regulations for workplace health and safety. Charging station hardware must be located a safe distance away from hazards (e.g. dangerous goods and fuels)
- Consultation with the local community and relevant stakeholders is satisfactorily undertaken in conjunction with site selection.

Design Considerations - Visibility and Identification

The provider (whether Council or Third Parties) is responsible to ensure that the facility and all ancillary infrastructure (including signage, parking bays and charging infrastructure) shall be easily visible and accessible for users to find, with consideration of the following:

- Wayfinding signage (white on blue) will be required to allow users to locate the EV charging station from the main road network, similar to the wayfinding signs for car parking (note: wayfinding signage shall be consistent with the relevant standards and guidelines)
- All Electric Vehicle charging bays shall be clearly marked with the words 'EV Charging Only' painted on the ground. Note: Non-compliance with this provision may be considered in areas where it is inappropriate, provided sufficient alternative identification can be provided to the satisfaction of Council or where the infrastructure is provided in a manner that allows for more widespread charging including the use of 'Smart Poles' or other similar infrastructure. Liability of on-street charging infrastructure is the responsibility of the provider and Council will not be held liable under any circumstances
- Adequate lighting must be provided for the safety and security of drivers, passengers, vehicles and associated infrastructure. Lighting must be sufficient to easily read related signs, instructions, controls on vehicles, controls on EV infrastructure and to identify and provide visibility of all EV charging inlet locations
- Selected parking spaces shall be located to ensure safe sight distances for pedestrians, vehicles and bicycles are provided
- The use of advertising by any provider is to be disclosed to Council in the initial application process and disclosed as part of the community engagement process. Separate planning approvals may be required for the presence of advertising. Advertising must comply with relevant standards. Advertising that contains tobacco, nicotine, alcohol and gambling will be prohibited from any EV charging infrastructure and site in the Northern Beaches LGA.
- Appropriate pole signage is to be installed to indicate the parking spaces are allocated for EV charging only. Pole signage shall be provided in accordance with *TfNSW Sign* No. r5-41-5 or equivalent

Environmental

Parking Configuration

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- The proposal must utilise renewable electricity that may include onsite solar, green power or a Renewable Power Purchase Agreement.

The following must be considered at a minimum:

- All aspects of EV charging bays are to be designed and constructed in accordance with relevant Australian Standards
- All EV car parking spaces/charging by pavements shall be constructed to Council's specifications including sealing, kerb and guttering, pram ramps, signage and line marking
- Preference is given to the provision of EV charging infrastructure that can service two vehicles in adjacent car parking spaces at a minimum of two related (e.g. adjoin/ adjacent) car parking spaces in any given location
- Off-street car parking will permit both front to kerb and rear to kerb parking, where possible. Vehicles must park in accordance with relevant legislation determined by NSW State Government
- Dedicated areas for parking of bicycles when charging at designated areas
- All EV charging bays are to be compliant with the Disability Discrimination Act 1992 which includes compliance with current standards for access (AS2890.5/ AS2890.6).

Electric Vehicle Charging Technology

Council's objective is to facilitate the provision of EV charging infrastructure in an efficient, inclusive and accessible manner.

The installation of EV charging on Public Land on the Northern Beaches shall be consistent with the NSW State Government *Future Transport 2056 – NSW Electric and Hybrid Vehicle Plan* and at a minimum shall include:

- Consistent standards for charging connections based on European CCS2 and CHAdeMO for DC fast chargers, and Type 2 for AC charging
- Preference for connected and smart chargers, to allow the most efficient energy use for both consumers and network operators
- Preference for all EV charging infrastructure to have a minimum power capacity of 50kW DC 22kW AC may be considered in some locations.
- Public access and open payment options platforms (credit/debit cards parking apps).

In areas where there is high demand for on-street parking Council will consider the availability of public slow chargers to service residents with limited access to off-street parking.

The charging cable shall have the capacity to reach all points of the vehicle when charging in an on street or off-street car parking space to cater for EV's with front, rear or side charging points.

Cables should not be a hazard for pedestrians or other vehicles at any given time.

Note: Amendments may be considered for future EV charging infrastructure that supersedes the content included in this Plan or if a suitable alternative is demonstrated to the satisfaction of Council.

References and Related Documents

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- Move – Northern Beaches Transport Strategy 2038
- Protect. Create. Live Northern Beaches Environmental Strategy
- NSW State Government Future Transport 2056 – NSW Electric and Hybrid Vehicle Plan
- NSW Department of Planning Industry and Environment Net Zero Plan. Stage 1 2020 - 2030
- Pittwater Local Environment Plan 2014
- Warringah Local Environment Plan 2000
- Warringah Local Environment Plan 2011
- Manly Local Environment Plan 2013
- Local Government Act 1993
- Crown Land Management Act 2016
- Roads Act 1993
- Disability Discrimination Act 1992
- State Environment Planning Policy (Infrastructure) 2007
- AS2890.5 - Parking facilities Part 5: On-street parking
- AS2890.6 - Parking facilities Part 6: Off-street parking for people with disabilities.

Definitions

Ancillary infrastructure means any and all physical items that relate to the EV charging infrastructure, whether at the site of the EV charging infrastructure, or elsewhere.

CCS2 means a Combined Charging System Type 2 EV charging connector with both AC and DC option, allowing both DC fast charge and Level 2 AC charge.

CHAdeMO means 'CHArge de Move' and is a DC charging standard for EVs.

Council means Northern Beaches Council

DDA Compliant means compliance with the *Disability Discrimination Act 1992*

Ecologically sustainable development (ESD) principles means as defined by Australia Government, Department of Agriculture, Water and the Environment.

Public land is as defined in the Local Government Act, 1993, means any land (including a public reserve vested in or under the control of Council, but does not include:

- a) A public road*, or
- b) Land to which the *Crown Lands Management Act 2016* applies*, or
- c) A common, or
- d) A regional park under the *National Parks and Wildlife Act, 1974*.

*For the purpose of this Plan, a public road and Crown reserve may also be considered suitable for an EV charging station.

Strategic tourism location means:

- a) a place of recognised tourism significance, including a natural place or built form place; or
- b) a tourist visitor centre, or the like; or
- c) a place zoned for tourism purposes under Pittwater Local Environment Plan, Warringah Local Environment Plan, 2010, Warringah Local Environment Plan, Manly Local Environment Plan, or the relevant planning instrument applying to that land.

Type 2 socket means EV charging connectors designed to specification IEC 62196 (commonly referred to as Mennekes).

Responsible Officer

Executive Manager, Transport and Civil Infrastructure

Review Date

This plan is to be reviewed annually from date of implementation.



Revision History

Revision	Date	Change	TRIM#
1			
2			
3			

For Endorsement



northern
beaches
council



Community and Stakeholder Engagement Report

Electric vehicle charging stations - Proposed locations 2024

Consultation period: 9 August to 8 September 2024

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1. Summary

This report outlines the outcomes of community and stakeholder engagement as part of a proposal for more Electric Vehicle (EV) charging station locations across the Northern Beaches. The proposal identified 15 locations, with the potential to install up to 13 locations:



- Avalon Beach Carpark - 558A Barrenjoey Road, Avalon Beach
- Balgowlah Shops Carpark - 187 Condamine Street, Balgowlah
- Outside 19 Sydenham Road, Brookvale
- Outside 27 Mitchell Road, Brookvale
- Outside 16 Fisher Road, Dee Why
- Fairlight Shops - Sydney Road, Fairlight (at Hilltop Crescent)
- Forestville Seniors Centre Carpark 1 - Starkey Street (corner of Warringah Road), Forestville
- Forestville Seniors Centre Carpark 2 - Starkey Street (corner of Warringah Road), Forestville
- West Esplanade - opposite 75 West Esplanade, Manly
- Victoria Parade - outside 29 East Esplanade, Manly
- Narraweena Shops Carpark - 52 May Road, Narraweena
- Outside 327 Barrenjoey Road, Newport
- Battle Boulevarde (Spit Bridge) Carpark, Seaforth
- Sturdee Parade, Dee Why
- South Steyne, Manly.

The feedback collected during the consultation indicated a high level of support for the proposed conversion of car parking spaces to EV charging spaces as it would encourage the uptake of EVs and contribute to the reduction of carbon emissions.

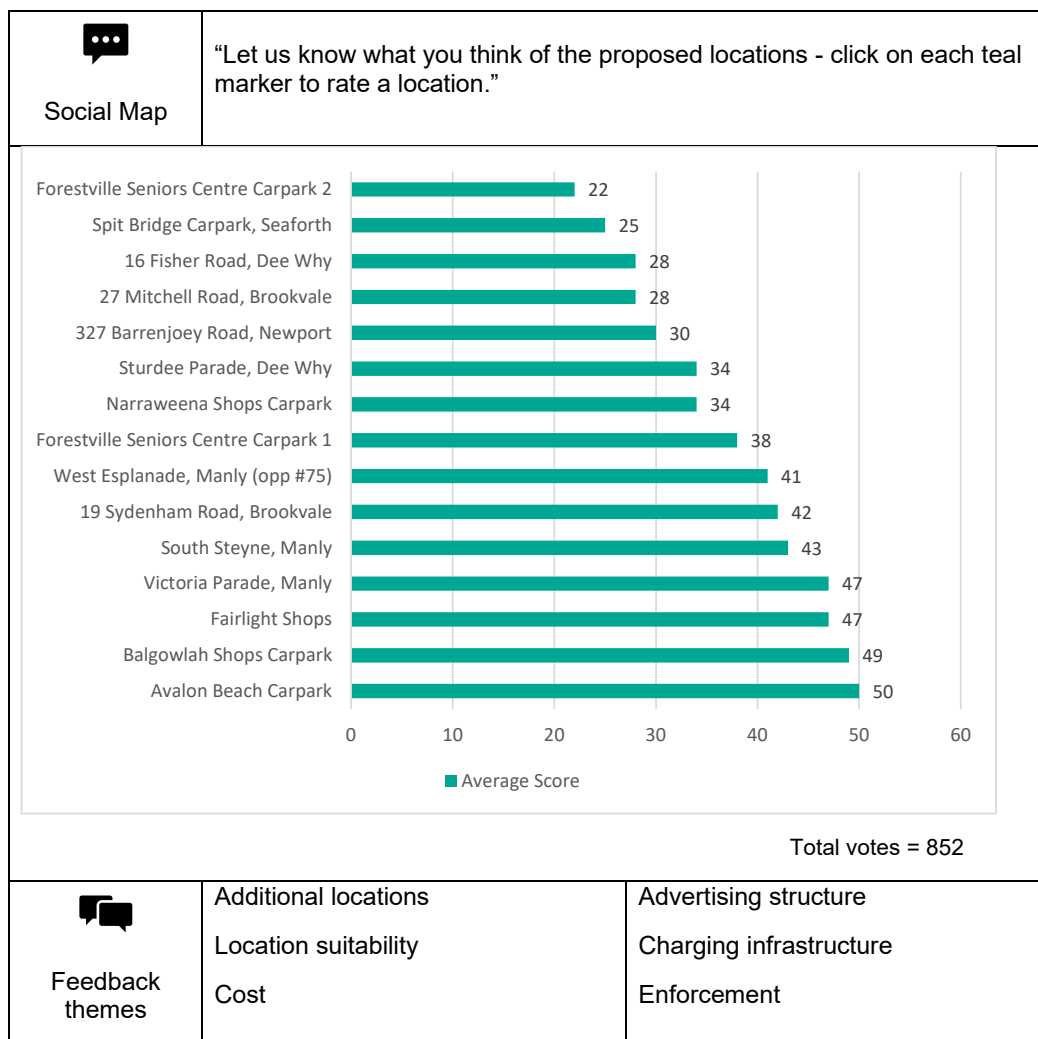
While there was strong support for increased vehicle charging, significant concerns were raised including the placement of the proposed charging bay in each location and strong community opposition to advertising on the charging stations.

Respondents who were not supportive of the proposal also felt that publicly owned land (carparks) should not be used for a commercial enterprise and that Council should not be supporting or subsidising EV owners who are only a small minority of local drivers.



1.1. Key outcomes

 Total unique responses	179 comments*	
 How responses were received	Comment form Written responses (email/letter) Social map	Completions: 166 Number received: 14 (3 phone calls, 11 email submissions) Votes on locations: 852

*Not every respondent completed the comment in addition to voting on the proposed sites in the Social Map. One respondent completed the comment form in addition to emailing their response.

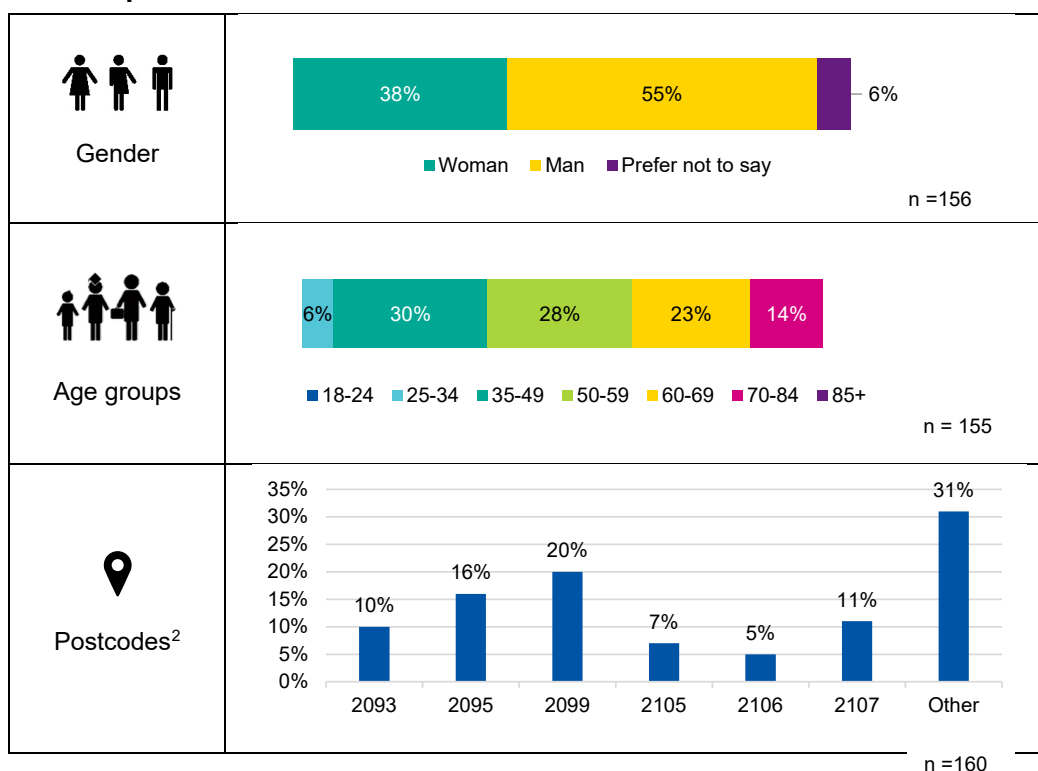


1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 1,866	Visits: 2,307	Average time onsite: 1 minute 46 seconds
 Print media and collateral	Letterbox drop: 2107, 2093, 2100, 2099, 2094, 2087, 2095, 2106 and 2092 Site signs used:		Distribution: 3,534 Number of signs: 15

 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions Council (weekly) e-News: 2 editions Beaches Biz News Manly Mainstreet News Stakeholder email to community groups: 1	Distribution: 21,900 subscribers Distribution: 58,200 subscribers Distribution: 7,852 subscribers Distribution: 554 subscribers Distribution: 10
 Face-to-face sessions	Pop-up / Drop-in sessions: 3: <ul style="list-style-type: none"> • Avalon Beach • Manly • North Narrabeen 	Attendance: 28

1.3. Who responded¹



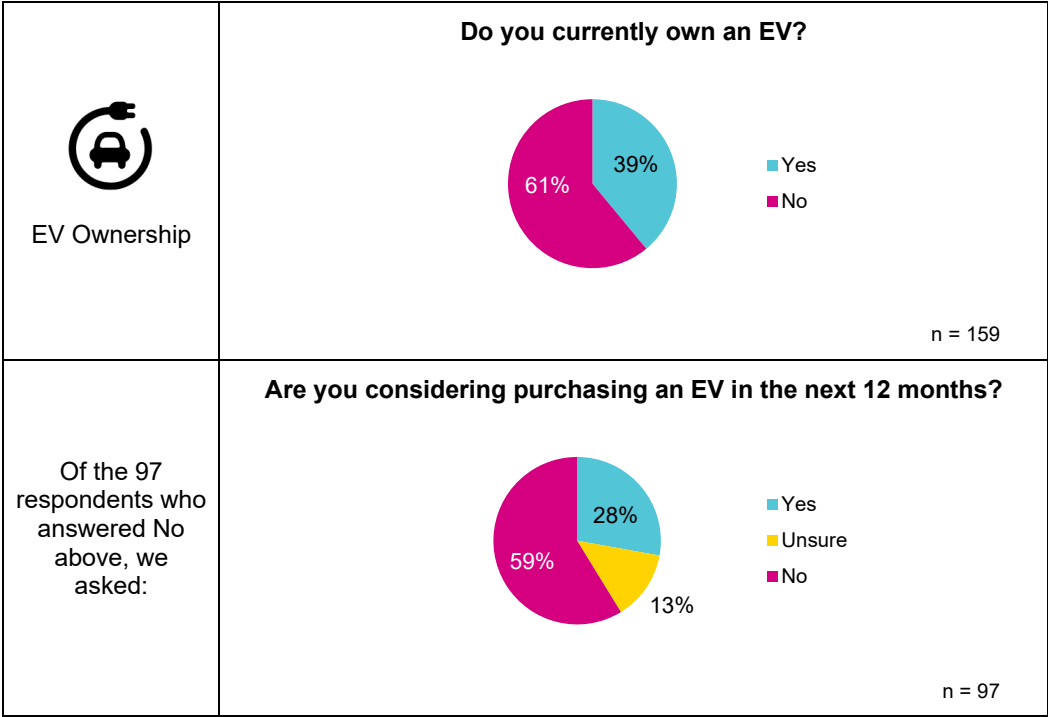
1.4. EV ownership³

¹ Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

² Other refers to postcodes with less than 5% of responses.

Postcodes include: 2016, 2041, 2085, 2087, 2092, 2094, 2096, 2097, 2100, 2101, 2102, 2103, 2104, 2108, 2196

³ Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.



2. Background

This report outlines the community and stakeholder engagement conducted for the proposal to install Electric Vehicle (EV) charging bays in 13 locations across the Northern Beaches LGA.

In line with our Transport Strategy - Move 2038, Council supports the uptake of electric vehicles (EV) and has partnered with JOLT (a vehicle charging network company) to install free, 15-minute public EV charging stations in selected locations across the Northern Beaches.

The locations were nominated as they meet the requirements in the adopted EV Charging Infrastructure Plan. These locations are also near existing power infrastructure which will supply electricity to the EV charging stations.

To enable the existing parking spaces to be converted into EV charging bays, we need to change the existing parking restrictions to ‘No Parking Electric Vehicles Excepted Only While Charging (Limit 1 Hour)’ in the selected locations.

The 15 minutes free charging is proposed to be funded by paid advertising on the EV charging infrastructure. The remaining operational costs will be recovered from the EV customers paying for any additional time charging, limited to 1 hour.

Community consultation was conducted to gauge the level of support for these proposed changes at the following locations:

- Avalon Beach Carpark - 558A Barrenjoey Road, Avalon Beach
- Balgowlah Shops Carpark - 187 Condamine Street, Balgowlah
- Outside 19 Sydenham Road, Brookvale
- Outside 27 Mitchell Road, Brookvale
- Outside 16 Fisher Road, Dee Why
- Fairlight Shops - Sydney Road, Fairlight (at Hilltop Crescent)
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- South Steyne, Manly.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- build community and stakeholder awareness of participation activities
- provide accessible information so community and stakeholders can participate in a meaningful way
- communicate to community and stakeholders how their input was incorporated into the planning and decision-making process.

4. Engagement approach

Community and stakeholder engagement for the Electric vehicle charging stations - Proposed locations 2024 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.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Strategy](#) (2022).

A project page⁴ was established on our have your say platform with information provided in an accessible and easy to read format.

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

Feedback was captured through a social map that asked people to vote thumbs up or thumbs down on each of the proposed locations.

⁴ <https://yoursay.northernbeaches.nsw.gov.au/electric-vehicle-charging-stations-proposed-locations-2024>

An online comment form was also embedded onto the have your say project page. The form included an open-field comments box provided 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 form also asked respondents if they currently owned an electric vehicle. Respondents who answered “No” were then asked if they were considering purchasing one in the next 12 months. Those who answered “No” or “Unsure” were if there were any concerns stopping them back from purchasing an electric vehicle.

Email and written comments were also invited.

5. Findings

JOLT have since advised that two of the proposed sites, Avalon Beach Carpark - 558A Barrenjoey Road, Avalon Beach and Balgowlah Shops Carpark - 187 Condamine Street, Balgowlah are both cost prohibitive to deploy at this stage and will no longer proceed with seeking Local Traffic Committee approval.

During consultation we received 179 unique contributions, and 852 online votes for proposed locations.

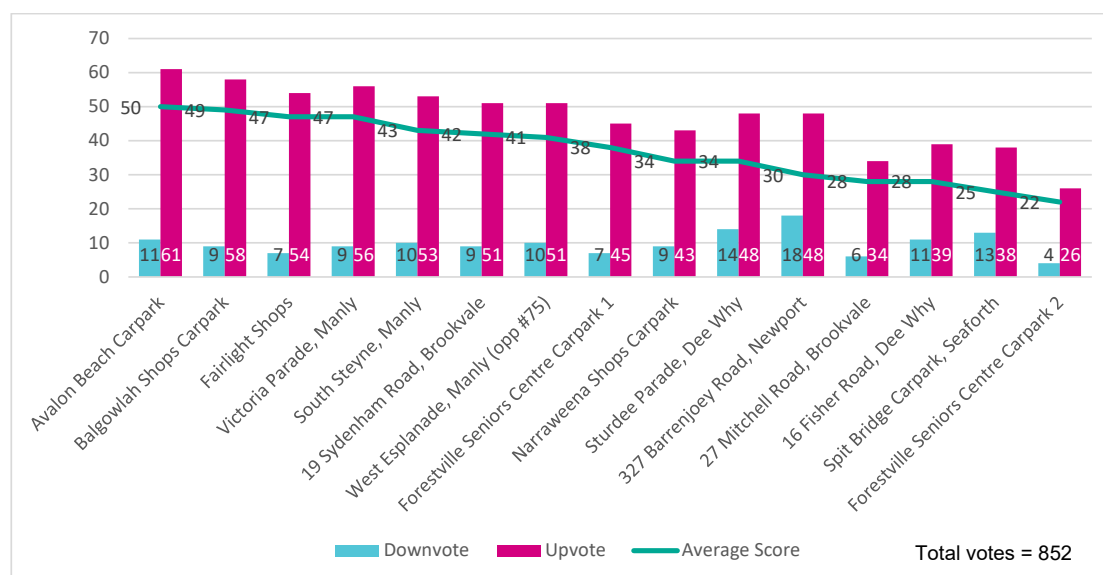
Those in favour of proposed locations said they found the charging units beneficial when shopping locally and for those who cannot charge at home, and were happy to see more installed as the existing stations are often occupied.

While there was strong support for additional EV charging locations, significant concerns were raised including the placement of the proposed charging bay in each location and strong community opposition to advertising on the charging stations.

Respondents who were not supportive of the proposal also felt that publicly owned land (carparks) should not be used for a commercial enterprise and that Council should not be supporting or subsidising EV owners who are only a small minority of local drivers.

Further information and Council's response is available in Table 1 on the next page.

Not all respondents provided a comment to the online voting question (upvote or downvote) for each location – the number of answers for each location are outlined in the graph below, along with the average score (the attached graph largely represents the desire for increased charging availability).



A qualitative review of the responses received via email and phone conversations indicated a mixed sentiment towards the proposal. This included 3 supportive responses, 12 non-supportive responses and 2 responses with an unclear sentiment.

Table 1: Issues, change requests and other considerations

Theme	Issues, change requests and other considerations raised	Council's response
Cost and need	<p>Financial contribution from Council or JOLT for the dedicated sites</p> <p>Cost for users</p>	<p>Council will not be contributing financially towards the installation, maintenance and removal of EV infrastructure.</p> <p>The proposal is only to convert the nominated existing parking spaces to 'No Parking Electric Vehicles Excepted Only While Charging (Limit 1 Hour)' to support the initiative.</p> <p>The Charge Point Operator (CPO), JOLT, is required to pay Council an application fee and an annual fee for each dedicated space, as per Council's adopted Fees and Charges.</p> <p>All customers receive 7kWh of charging for free every 24 hours. Once users go over the 7kWh, they can charge for longer at a set charging rate. JOLT's current charging rate in Australia is \$0.49/kWh.</p>

Theme	Issues, change requests and other considerations raised	Council's response
	Some feedback indicated that Council should focus on other areas such as road maintenance, garbage collection and facilities etc.	It is important to cater for the growth of EVs by providing the community with convenient options to charge their vehicle, in line with the directions in our Transport Strategy, and to support reducing carbon emissions related to the transport sector. Council runs separate programs for road maintenance and facilities.
Locations	Some locations proposed are in busy town centres and would remove existing parking from non-EV users.	These locations are deemed suitable as they are in high-turnover town / strategic centres. This allows and attracts EV users to the town centres, which will support local businesses. Feedback received from recently installed EV spaces demonstrates usage and a boost to the local economy.
	Footpath access impeded by charging units	The proposed units are generally installed close to the parking space allocated to the EV Charger. The usual 1.5m minimum footpath clearance is maintained adjacent to the unit.
	Visual clutter	The charger unit is installed to minimise the visual impact on the street scape, however the point related to visual clutter in some locations is noted.
	Additional locations required across the whole Local Government Area	As part of the adopted EV Charging Infrastructure Plan, we initially consider locations that are in strategic and tourism destinations for EV charging infrastructure. We also consider sites based on the location having: <ul style="list-style-type: none"> • an existing and/or potential demand for EV charging • a desirable location for the user to stop, spend time in the area or use local amenities • a safe location for access to the proposed charging infrastructure • access to suitable power supply.

Theme	Issues, change requests and other considerations raised	Council's response
	Using public space to facilitate infrastructure for cars	<p>Smart parking management is one of the key directions in Council's adopted 'MOVE Transport Strategy 2038', to manage car parking in a way that is equitable and supports the economic viability of centres and boosts sustainable public transport and active travel use.</p> <p>This assists Council to accelerate and support the uptake of EVs, as these fast-charging stations will be in existing public parking spaces, converting one adjacent parking space to EV charging only.</p>
Commercial interests, advertising and planning approvals	Why JOLT and not other Charge Point Operators (CPOs)	<p>JOLT was successful in receiving funding from the NSW Government as part of the first round of kerbside charging grants.</p> <p>Council is working with other CPOs who were also successful in receiving grant funding - we anticipate commencing community engagement in 2025.</p>
	Need for advertising to be included and installed	<p>The inclusion of advertising is a commercial decision of the Charge Point Operator based on their business model. In this instance, JOLT uses paid advertising on their charging infrastructure to provide 15 minutes free charging to users.</p>
	Impact of advertising, and type of advertising that may be displayed	<p>The digital screens will operate in compliance with luminance regulations, which are outlined in the Outdoor Media Association's Digital Signage Policy.</p> <p>The digital screens will display community messaging from Council or third-party advertising. All content will be compliant with the Outdoor Media Association's (OMA) Code of Ethics and Advertising Content Policies. Furthermore, advertising that contains tobacco, nicotine, alcohol and gambling will be prohibited.</p> <p>The screens can automatically adjust brightness in response to changes in</p>

Theme	Issues, change requests and other considerations raised	Council's response
		<p>surrounding light levels so that the signs are not unreasonably bright.</p> <p>The JOLT screens are equipped with sensors to ensure the billboards are only as bright as necessary to be clearly legible.</p>
	Some questions were raised about the planning approval process	This consultation does not constitute planning approval for the EV charging (EVC) units. Planning approval will be obtained in accordance with the NSW State Environmental Planning Policy (Transport and Infrastructure) 2021 (State Policy) via the Exempt Development, Development with Consent or Development without Consent pathways.
Infrastructure	Feedback indicated a preference for faster DC charging	JOLT is proposing 25kw Direct Current (DC) fast chargers. DC allows for a much faster charging speed than Alternating Current (AC) chargers.
	Some questions were raised about whether charging cables are provided	<p>All JOLT Chargers have CCS2 and CHAdeMO plug types, which are the industry standard DC charger types and cater for almost all battery electric vehicles (BEVs).</p> <p>In the rare event a vehicle uses a different plug type, customers can use their own adaptor.</p>
	Desire to be able to charge more than one car per location	JOLT is continually working on ways to improve their infrastructure and anticipates dual charging will be available in the near future.
	Some concerns were raised about potential vehicle overhang on adjacent footpaths	Dependant on each specific location, appropriate traffic facilities (wheel stops, bollards etc.) will be provided and installed to assist with parking and pedestrian movements.
Social	Subsidising or assisting EVs only benefits a minority of drivers that are already affluent	<p>The first 7kWh (approx. 15 minutes of charging) are funded by advertising. The remaining operational costs will be covered by the EV customers paying for any additional time charging.</p> <p>EVs are seeing high rates of uptake and are anticipated to become more</p>

Theme	Issues, change requests and other considerations raised	Council's response
		widespread over the coming decade, particularly as these vehicles become more affordable. Accessible charging options will be a key consideration for many when deciding to invest in an electric vehicle.
	Goodwill bins and issues with people "dumping" items	This issue is outside the project scope and has been referred to the relevant internal team for consideration.
Enforcement	The proposed spaces need to be effectively enforced (notably for non-EVs and those who park over the one-hour time limit).	Signage provided will be standard Transport for NSW signs that are enforceable under the <i>Road Rules 2014</i> (NSW). All electric vehicles that are not actively charging or non-electric vehicles are subject to enforcement while parking in these dedicated spaces.
Economic	Vehicles charging make it difficult for customers to find parking near shops and cafes	It has been demonstrated at other locations that the provision of charging infrastructure brings additional passing trade to the adjoining businesses.
Environmental	Removing established plants	Where vegetation is removed to facilitate the installation of the charging infrastructure the provider is subject to the same requirement of planting 2 additional trees/shrubs per one removed as if it was a Council project.
	Safety concerns about EVs and batteries	These concerns are noted and considered as part of the approval process when the locations are considered.

During the consultation/exhibition, Council received a number of questions either through direct contact or within feedback received.

Table 2: Questions raised and Council's answers

Question raised in feedback and information sessions	Council's answer
Do you have a map showing all the proposed charging stations?	There is an interactive map near the bottom of the dedicated Your Say webpage which shows all the proposed EV charging locations. (https://yoursay.northernbeaches.nsw.gov.au/electric-vehicle-charging-stations-proposed-locations-2024)
Why is the existing charger in Darley Street, Forestville so big when there are some post-like ones?	The JOLT EV charger located in Darley Street, Forestville utilises an existing Ausgrid distribution kiosk, with the charging infrastructure and advertising screens placed over the existing kiosk. The current JOLT EV Charging proposals are a standalone model. These are both 'fast' DC chargers, whereas the post-like chargers are classified as 'slow' AC chargers.
Can electric scooters (i.e. moped style) use the charger stations? Will charging stations for these be provided?	These charging stations do not support micro mobility devices or electric mopeds; however, Council is considering these in future Expression of Interest to install public charging infrastructure at other locations across the Northern Beaches.
They're all clustered in the CBD's – what about more residential areas?	The current proposal is for destination style fast chargers. These are also installed in areas of higher density where usage is higher. In lower density residential areas Council advocates for slower AC chargers that are installed on existing power poles to provide for the needs of the community in those locations.

Appendix 1 Verbatim community and stakeholder responses*

To view all verbatim comments, please click the link below:

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/Document.aspx?t=webdoc&id=MxNj9XK%2Be%2B0V0A60ki4OEg==>

Document administration	
Version	1.0
Date	6 January 2025
Approval	Content provided and approved by Transport Network Team. Responsible manager: Phillip Devon
Status	Final
Related Projects	Electric Vehicle Charging Infrastructure Plan Move – Northern Beaches Transport Strategy 2038
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



Public Notice Summary Report

Project name	Proposed Lease and Licence of Dee Why Beach Shed
Public notice period	14 November 2024 –19 December 2024
Background	<p>Northern Beaches Council proposes to grant a lease and licence to an experienced operator to manage a café at the Dee Why Beach Shed, located at Oaks Avenue and The Strand, Dee Why Beach Reserve (Part Lot 1 DP94791 and Lot 3 Sec 11 DP 6953), for a term of up to 15.</p> <p>As the landowner, Council has provided public notice in accordance with relevant sections of the <i>Local Government Act 1993</i>.</p>
Total number of submissions	7
Summary of findings	7 submissions were received during the notification period.
Notification approach	<p>This public notice was implemented and reported in accordance with Section 47 of the <i>Local Government Act 1993</i>.</p> <p>The notice was promoted through letters to adjoining properties, on-site signage and a notification page established on Council's website.</p> <p>Contact details were provided should people have questions.</p>

How we notified	
Properties notified by letter	184 letters
Signage installed onsite	3 signs
Council website	https://www.northernbeaches.nsw.gov.au/council/news/proposed-lease-and-licence-dee-why-beach-shed-cafe

Document administration	
Version	1.0
Date	8 January 2025
Approval	Content provided and approved by Property Commercial & Tourist Assets Team
Status	Final
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

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 supported.
Operating Hours	There was one submission preferring to keep operating hours as is, and another advocating for an extension in operating hours until 9 PM.	Current operating hours are until 5 pm, Monday to Sunday as per the development consent conditions. While some Council beachside cafés have extended operating hours beyond 5pm 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.	The publicly exhibited lease and licence plan area does not propose an expansion or alteration of the proposed dining footprint. Any future proposed change to this area would need to be publicly notified again. The roof is part of the lease area but remains non-

		<p>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 considers 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.	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, 6:30 am–8:00 pm, and weekends, 8:00 am–8:00 pm. These conditions will continue under any new lease. Investigations are undertaken into noise complaints in accordance with Council's Compliance and Enforcement Policy
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 SLS purposes.	The current authorised use of the site is as a café. The site was repurposed as a café over a decade ago, with surf lifesaving storage relocated to the refurbished Dee Why Surf Life Saving Club. The café has

		since become a valued community asset, and it is recommended that its current use.
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APPENDIX 1 Verbatim Community & Stakeholder Responses

Website Submissions

1	20879	I have been coming to the beach shed cafe for the past 8 years on a regular basis. This is without a doubt the best spot on the Northern Beaches to enjoy a beverage and something to eat with family and friends. I look forward to a new lease being granted to an experienced operator so my family and friends can keep creating memories. Thank you
2	21060	Lovley spot, great for families and community. Would love to see it support a northern beaches local with the lease.
3	21225	Amazing spot, love having my coffee there with friends. Great community feature.
4	21505	<p>We refer to Council's letter in relation to the Proposed Lease and Licence for the Dee Why Beach Shed Café and make the following submission in relation to that proposal on behalf of the Owners Corporation at Strata Plan 2912. We are residents of a three storey building consisting of nine units at 149 Oaks Avenue, Dee Why and are very familiar with the current operations of the Beach Shed Café and many of us are regular customer of that establishment.</p> <p>This café has been a welcome addition to the local area and provides good quality but simple snacks and light meals as well as coffee and other refreshments to those who enjoy being near the water at the southern end of the beach. We note that Council is proposing to release a tender for a lease and licence for up to 15 years, with a specific purpose of enabling the refurbishment and ongoing operation of the café for that long term duration. Our concern is the potential for significant expansion of the café's operations to increase the operator's returns on what may be a substantial investment in refurbishment and operations, and the subsequent impact that this will have on the residents in the immediate vicinity. In particular, we are very concerned that:</p> <ul style="list-style-type: none"> • Tenderers may seek to expand the size of the café well beyond that permitted under the existing DA for the current facility. That could come through the addition of further floor space at the ground level, or by adding one or more stories to the existing café. Tenderers may also seek to increase the seating that can be accommodated in outdoor areas, resulting in a substantial expansion of capacity. Any increase in customer numbers would result in more congestion on the pathway near the café and on the roads in the immediate vicinity, and further 2 detrimental

		<p>impacts on parking, which is already at a premium. The reason provided for the limit in seated customer numbers to 20 under the existing DA determination, namely, to ensure that the amenity of the surrounding locality is maintained, remains as valid into the future as it has been up until today.</p> <ul style="list-style-type: none"> • Tenderers may seek to expand the hours of operation beyond those permitted in the existing DA determination. The current DA permits operations up to 5pm on seven days per week. Any extension of these hours (later or earlier) will have a detrimental effect on residents in the immediate vicinity by creating additional noise during the normally quiet early morning or evening hours. The reason provided for the limit in working hours under the existing DA determination, namely, to ensure the intensity of use is controlled and protect the amenity of the surrounding area, remains as valid into the future as it has been up until today. • Tenderers may seek to offer live or amplified music to cater for or support increased capacity. Any live or amplified music would have a serious detrimental impact on nearby residents. Noise carries a long way in this area, and residents already tolerate announcements from the beach life guards as well as announcements and music at the events in Ted Jackson Reserve such as New Years Day, Anzac Day and various community running events, at a sound level that is equivalent to an amplifier being in the room next door. This would not be tolerable on an ongoing basis from a nearby café. The reason provided for the ban on live or amplified music under the existing DA determination, namely, to ensure that residential amenity is protected from uncontrolled music, remains as valid into the future as it has been up until today. • Tenderers may seek to expand the provision of cooking services beyond the reheating, toasting and boiling currently permitted. Any move to expand the cooking activities that take place on the premises would cause significant impact to residents from cooking smells which would be most unwelcome and would seriously impact on the amenity of the surrounding area. • Tenderers may seek a liquor licence which would have a detrimental impact on nearby residents by increasing the noise level significantly, particularly at lunch time and in the afternoons. Such a move would be completely at odds with the current Alcohol-free zone, which applies in the immediate local area on adjacent streets and footpaths, and this would have a major impact on the amenity of the surrounding area. It would also introduce the significant risk of accidental 3 drowning associated with serving alcohol immediately adjacent to the sea, which can be very rough at times. We submit that Council, in seeking tenders for up to a 15 year term for the Beach Shed Café, and
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		notwithstanding the proposed refurbishment of the premises also ensures the facility remains alcohol free, and that provisions 6, 7, 8, 9 and 13 of the existing DA relating to hours of operation, seating capacity and outdoor dining, music and food preparation remain in place under any new approval associated with this facility.
5	21583	As a Dee Why local, I would love to see this iconic waterfront café—right on the sands of Dee Why Beach—get a much-needed refresh and bring better offerings to the community. I appreciate the council's efforts to provide a long-term lease, enabling a new operator to invest and plan for the future.
6	21670	<p>Good afternoon,</p> <p>I have been a long time resident of Dee Why and know the area very well. I have been a patron at the Beach Shed Cafe countless times.</p> <p>With extensive experience in Hospitality Management, I can confidently say that a cafe (in its current form) would not be a viable competitor to the 8+ other coffee venues on the Dee Why Strand. Which is a shame, as a venue in that location could, with the right funding, vision and council approval, be a focal point for the community and draw visitors from around Sydney.</p> <p>In short the problems with the current licence are:</p> <ol style="list-style-type: none"> 1. The exterior of the building looks rundown (particularly the fenced-off roof). 2. The seating is limited and intrudes into the same space as busy pedestrian traffic. 3. The coffee/cafe market is saturated along the Dee Why Strand. A business could thrive there, but it would need to do something to differentiate itself from the abundant competition. 4. The grass behind the Beach Shed (and scrub that makes up the rest of lot 1 DP 947971) is inaccessible, unsightly, and does not provide a good habitat for local flora & fauna. No visitor to Dee Why is ever seen taking photos of it. 5. With high rents to consider, hospitality venues should try to generate revenue all day, every day, to just get by. With that in mind, any venue should ideally be licenced hours should be extended to 9pm (or later if they add their own restroom facilities). <p>I would submit a tender myself (in conjunction with other highly</p>

		<p>experienced operators) if the Northern Beaches Council agreed to:</p> <ol style="list-style-type: none"> 1. Extend the licenced area to cover more of lot 1 DP 947971 - primarily to landscape the slope to create an aesthetically pleasing garden for native flora and additional seating capacity. This could be worthy of the Botanic Gardens and extend potentially from the Beach Shed to the Dee Why Surf Club. Extend the licence area and landscaping. 2. Grant permission to reinforce the roof to allow for seating, taking advantage of one of the best views on the Northern Beaches, away from pedestrian foot traffic. 3. Grant permission to extend the licenced hours should be extended to 9pm (or later if restroom facilities are invested in). That would be a matter to modify the DA operational hours for the site, and Council management approval. 4. If hundreds of thousands (even 1m+) is invested into landscaping, a licence period of longer than 15 years may be needed to justify the investment.
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Submission 6: attached images provided



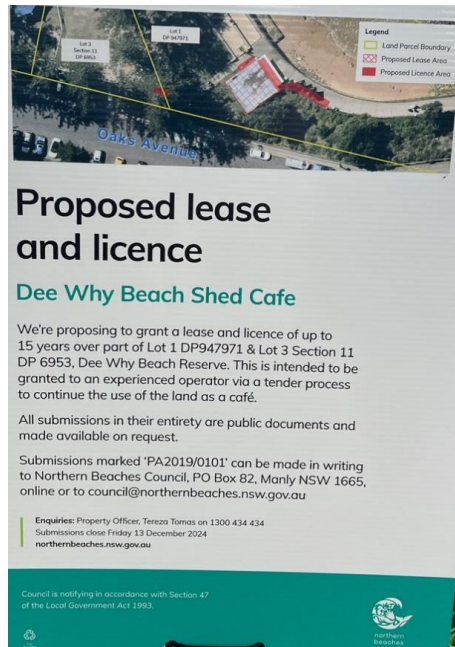


Email Submission

	2024/836481	<p>Dear [REDACTED]</p> <p>Once again I am writing in regard to Lease breaches by the Beach Shed.</p> <p>Last Thursday morning (14/11/24), we returned home from overseas. Once again we were disturbed that night by multiple deliveries - Four deliveries all prior to 5.30am.</p> <p>Firstly, at around 2.30am there was a milk delivery, then the bread/pastries delivery, then another small delivery of what looked like cakes. After all of this, at approx 5.20am another truck pulled up ([REDACTED] was the name on the side of the truck). Immediately when it pulled up, its alarm/horn went off and stayed on for around 20 long minutes. It was obviously a fault with the alarm system of the truck. For 20 minutes the whole neighbourhood was beset with this disgraceful and ILLEGAL harassment. Once it was resolved, the driver delivered two large boxes down to the beach shed. Then to top it all off, Because they address their [REDACTED] deliveries to our address because they dont have a legal address, our doorbell rang at around 8am looking for the Beach Cafe.</p> <p>Consequently, we were afforded very little sleep.</p> <p>Whilst watching all of this happen, I noticed that the Council sign that was erected at the top of the stairs was pulled off by a male and [REDACTED]</p> <p>The fact is, Council's sign has been stolen.</p> <p>Luckily, we were able to take a photo of the sign earlier on Thursday. For your information, an image of the sign is below.</p> <p>I understand this is in fact a "Public notice" required by Council to inform the local residents of a proposed new Lease? If this is the case, then why are the immediate local residents (us and our neighbours) not notified in writing as is protocol for any DA of this type that Council undertakes? One would assume after all of the issues this property has caused over the entirety of its existence to the local community, the decent thing for Council to do would be to formally notify each and every neighbour along this block of Oaks Ave. In this regard, I point out that when we applied for a DA for some alterations about 20 years ago, Council notified 48 so called neighbours!</p> <p>This curious approach by Council and the added issue of the sign being removed presented the real possibility of us once again not knowing what is intended by council....or maybe that</p>
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		<p>is the desired outcome? If we had not managed to notice the sign before it was removed, then there was every chance that we and our neighbours would not have been able to voice an opinion on what Council is proposing.</p> <p>I also note that the sign is not a call to action for neighbours nor an invitation for comment as is the usual protocol. It is a confusing proposal that is easily interpreted as an invitation to apply for the Lease.</p> <p>██████ I would like some direction now as to how i lodge my strongest objection to this proposed new Lease to be allowed to proceed. I am sure you will understand my reasons for objecting. Not only has this business and Council's subsequent lack of controls given so much grief to my family and our neighbours over the past nine years but also, as witnessed last thursday night, these multiple issues persist and persist. No matter what you or Council's property department say they are going to do the issues still continue. It is therefore completely out of line for Council to continue with this site as a cafe and for Council to think for one minute that a new Lease is in the community's best interest.</p> <p>I implore that Council does not renew the Lease for the current operator. Further, i propose that the Council finally shuts the Lease down completely and gives the structure back to the Lifesavers for their use so there is some sort of community value in the site - the current use is a proven disaster for the local community.</p> <p>As you are well aware ██████, all I have ever requested from Council is that they follow their own protocols and policies when dealing with this matter. Not only has this not been observed throughout the current Lease term of this business, but now the standard protocols and policy of Council once again is being ignored throughout this latest proposed action to sustain a business that lacks controls, facility and decency in its community interaction.</p> <p>I would appreciate direction on how i can pursue an outcome for this site that is in line with community expectations.</p> <p>Yours sincerely</p>
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Submission 7 attached image provided:



Cr. Vincent De Luca OAM

I, Robyn Davis, as a former Hon Secretary(36 years) and Hon President of Queenscliff Ladies Amateur Swimming Club (QLASC) request consideration to be given to gifting Joan Somerville OAM (8th March 1929 – 20th October 2022) a seat at Queenscliff beach in recognition of her voluntary service to the Northern Beaches community over many years.

Joan's voluntary positions

Queenscliff Ladies Amateur Swimming Club: 1961/62 Foundation member, Club Captain

QLASC Referee, NSW Amateur Swimming Assoc (ASA) qualified (also qualified lecturer for NSW ASA). Joan officiated at about 17 school, district and zone carnivals each year for many years.

Held the positions of President QLASC, in 1963-64 and 1975 until 2015 (40 years), Vice President, Secretary, Assistant Secretary, Chief Judge and Referee

Life Membership

Awarded by Queenscliff Ladies Amateur Swimming Club in 1972

Awarded by Warringah Amateur Swimming Association in 1986-87

Service to other organisations

Warringah Amateur Swimming Assoc – awarded Life Membership

Queenscliff Surf Life Saving Club

President of the Mother's club

Manly Vale Public School

Mackellar Girls High

St Andrew's Presbyterian Church

Taronga Park Zoo

Joan was devoted to her family and community and loved by all.

Kind regards



Robyn Davis

mob 0425 334 214



Dear Cr Vincent De Luca, OAM

I am writing to Council to request the manufacture of a memorial seat in honour of the late Joan Somerville OAM to be erected at Queenscliff beach in recognition of her many years of outstanding voluntary service to the Northern Beaches Community. Preferred location would be overlooking her beloved Queenscliff Rockpool where Joan spent so many years nurturing and guiding young athletes within the district.

Joan was an amazing woman. Kind, caring and always willing to help others. Her contribution to the development of swimming on the Northern Beaches and NSW is outstanding. Joan was one of the stalwarts of our sport. She was a foundation member of the Queenscliff Ladies Amateur Swimming Club and served as Club Captain for many years.

Joan dedicated more than half a century to her beloved swimming club serving in many roles including President for more than 40 years, Vice President, Secretary, Club Captain and Referee. Joan was a NSW Swimming qualified official and lecturer. Joan officiated at countless club, district and state meets for more than 50 years.

Joan was integral in officiating for more than 20 local schools each year for their annual school swimming carnivals. In addition Joan volunteered as an official at District, Zone and State meets each year. Joan loved nothing more than helping to guide and develop young athletes from the Northern Beaches.

Joan is a Life Member of Warringah Amateur Swimming Association and devoted more than 50 years serving in a plethora of roles overseeing all swimming on the Northern Beaches, including serving as President. Her professional approach and warm disposition had a profound effect on everyone who had the pleasure of working with her or along side her. She was always the first to offer guidance to anyone beginning their aquatic journey, whether as an athlete or official.

Joan was integral in helping the WASA committee advocate for an indoor swimming pool to be built on the Northern Beaches. Without the determination and dedication from this team we wouldn't have the Warringah Aquatic Centre. Joan was recognized as one of the inaugural inductees to the Warringah Aquatic Centres Official Hall of Fame for her exceptional dedication and service to the district and beyond. I hope Council see fit to reward the late Joan Somerville with a memorial chair so her legacy can be shared and rejoiced by all for many years to come.

Yours Sincerely,

Rowena Clarke
President
Warringah Amateur Swimming Association