

AGENDA

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

Tuesday 19 August 2025

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

Scott Phillips
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

OUR OBLIGATIONS

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

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE ORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 15 JULY 2025

RECOMMENDATION

That the minutes of the Ordinary Northern Beaches Council Meeting held on 15 July 2025, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

In accordance with Part 17 of the Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

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

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

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

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

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

In accordance with Part 5 of the Code of Meeting Practice, residents, ratepayers, applicants or other persons may request to address Council in relation to any one matter related to the general business of Council but not the subject of a report on the agenda (Public Forum) and no more than two matters listed for consideration on the agenda (Public Address).

6.0 ITEMS RESOLVED BY EXCEPTION

In accordance with Part 14 of the Code of Meeting Practice, items that are dealt with by exception are items where the recommendations contained in the staff reports in the agenda are adopted without discussion.

7.0 MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE NO 9/2025 - COST SHIFTING ONTO LOCAL GOVERNMENT

PURPOSE

The purpose of this mayoral minute is to provide the findings of the Local Government NSW (LGNSW) Cost Shifting Report for the 2023/24 financial year and request approval to write to the Premier, the NSW Treasurer and the NSW Minister for Local Government requesting that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.



**Sue Heins
MAYOR**

RECOMMENDATION

That Council:

1. Note the findings of the Local Government NSW (LGNSW) Cost Shifting report for the 2023/24 financial year.
2. Write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently address these costs through a combination of regulatory reform and appropriate funding.
3. Thank the President of LGNSW for the Association's leadership on this important topic.

BACKGROUND

The pressure on councils to maintain services of appropriate standard that meet the needs of our communities has reached unprecedented levels.

The unrelenting growth of cost shifting to councils, coupled with rate pegging and insufficient state and federal funding, is increasingly eroding the possibility of financially sustainable local government and risking the capacity of councils to deliver the essential infrastructure and services required by their communities.

The latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has continued unabated by various state and federal government policies.

A cost shifting report, produced by independent consultants, Morrison Low for the 2023/24 financial year, reveals that \$1.5 billion of expense has been imposed on councils. This is an increase of approximately \$140 million (10%) since the last report for the 2021/22 financial year, when the total cost shift was estimated at \$1.36 billion.

On average, this now represents an inflated cost of \$497.40 for each ratepayer across NSW, an increase of \$36.72 from 2021/22. It is unfair to our communities that such a large portion of their rates are being diverted away from local priorities.

A summary of the cost shifting report is available at Attachment 1 and the full report is provided at Attachment 2.

With councils having to fund this ongoing subsidy, primarily for the State Government, each and every year, it means our communities get less or go without. They go without safer roads, improved parks and important community services that only councils provide, while their ratepayers are effectively paying hidden taxes to other levels of government.

For Northern Beaches Council, this cost impost further constrains our ability to maintain our community infrastructure and sustain the same level of service to our community.

Our communities deserve better. The decades-long practice of cost shifting is continuing to undermine the financial sustainability of the local government sector. This must stop. The November 2024 report of the parliamentary inquiry into the ability of councils to fund infrastructure and services called for the NSW Government to identify opportunities to reduce cost shifting to local government. This call must be heard and acted upon.

It is essential to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform and appropriate funding.

This mayoral minute is in line with information provided by LGNSW and the position taken by LGNSW and other NSW councils.

TRIM file ref	2025/466029
Attachments	⇒1 2025 LGNSW Cost Shifting Report Summary (Included In Attachments Booklet) ⇒2 2025 LGNSW Cost Shifting Report (Included In Attachments Booklet)

**ITEM 7.2 MAYORAL MINUTE NO 10/2025 - RECOGNITION AT THE
AUSTRALIAN ROAD SAFETY FOUNDATION AWARDS**

PURPOSE

The purpose of this mayoral minute is to acknowledge the recent recognition at the Australian Road Safety Foundation Awards for our Know the Code – E-bike Safety Campaign.



**Sue Heins
MAYOR**

RECOMMENDATION

That Council:

1. Formally acknowledge the outstanding achievement at the Australian Road Safety Foundation Awards for the Know the Code – E-bike Safety Campaign.
2. Acknowledge the efforts of all staff responsible for delivering this award-winning project for the community.

BACKGROUND

Council received the Community Programs Award at the 2025 Australian Road Safety Foundation Awards held in Canberra on 23 July 2025.

The Australian Road Safety Foundation is a not-for-profit organisation dedicated to reducing the impacts of road trauma and saving lives. They focus on innovative road safety awareness programs, road user education, advocacy, research and community engagement. The Awards highlight programs from across the country and recognise those that are setting the bar higher and inspiring action.

Our Know the Code – E-bike Safety Campaign was launched in May last year following the marked spike in e-bikes and community concerns around safety, particularly on footpaths. The campaign tackled the growing problem by providing an educational and behavioural change campaign. We worked with local Police, Bicycle NSW, a behavioural architect and local schools to tackle the issue, resulting in an engaging video and educational resources that were rolled out across social media and shared with parents, schools and bicycle stores.

We have advocated hard on this important issue for a few years now. We called on the State Government to initiate a state-wide education program and a review of the relevant road rules and last year the NSW Government undertook an inquiry into the use of e-scooters, e-bikes and related mobility options. We made representations and in February 2025 the findings were released, reflecting many of the recommendations in our submission.

This award is a testament to our genuine commitment to the safety of our community.

I am proud of the advocacy and work we have undertaken to address this issue, and I ask Councillors to join me in congratulating our staff and thank them for their dedication and continued efforts to educate and work with our partners to improve pedestrian and rider safety in our community.

TRIM file ref	2025/508978
Attachments	Nil

9.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 9.1 VOTING DELEGATES FOR LOCAL GOVERNMENT NSW ELECTION AND ANNUAL CONFERENCE 2025

PURPOSE

The purpose of this report is to determine the motions and Councillor representation for the Local Government NSW (LGNSW) 2025 Annual Conference and board election.

EXECUTIVE SUMMARY

- LGNSW is the peak industry body for councils across NSW and its Annual Conference is the main policy-making event for all NSW councils and associate members.
- The 2025 conference will be held at Panthers Penrith and Western Sydney Conference Centre between Sunday 23 and Tuesday 25 November 2025.
- Northern Beaches Council is entitled to up to 10 voting delegates to vote on motions at the conference which need to be advised to LGNSW by 7 November 2025.
- As 2025 is a board election year, the voting delegates will also participate in the board election process on behalf of Council and the elections will be administered by the Australian Electoral Commission.
- Council is invited to submit motions to the conference and staff have prepared motions for Council's consideration within this report.

RECOMMENDATION

That Council:

1. Endorse the proposed motions contained in the report for this item for submission to the Local Government NSW 2025 Annual Conference with the headings:
 - a. Promoting better practice
 - b. Preschool expansion
 - c. Tackling plastic waste
 - d. Enhanced regulation for tree removal and urban canopy protection
 - e. Local government infrastructure for low and mid-rise housing reforms
 - f. Implementation of recommendations from inquiry into essential worker housing
 - g. Development contributions conditions on complying development certificates
 - h. Building Information Certificates
2. Nominate up to 10 Councillors as voting delegates for motions to the Local Government NSW 2025 Annual Conference.
3. Nominate up to 10 Councillors as voting delegates to the 2025 Local Government NSW office holders board election.
4. Delegate authority to the Mayor to nominate any further voting delegates in circumstances where a voting delegate is no longer able to participate or attend.

BACKGROUND

Local Government NSW (LGNSW) is the peak industry body for councils in NSW. Every year LGNSW holds an annual conference which is the primary policy-making event.

LGNSW members are invited to submit motions for possible debate at the annual conference. A motion that is endorsed at the annual conference by a majority of voting delegates becomes a resolution and resolutions eventually form LGNSW's policy and advocacy agenda.

The 2025 Annual Conference will be held from Sunday 23 to Tuesday 25 November 2025 at Panthers Penrith and Western Sydney Conference Centre.

LGNSW board elections occur biennially and 2025 is a board election year. The board election is being conducted by the Australian Electoral Commission (AEC). Further information about the election will be contained in the Election Notice, which will become available on 30 September 2025.

Voting delegates for the board will elect the LGNSW president, vice-presidents, treasurer and board directors.

DISCUSSION

Northern Beaches Council is entitled to up to 10 voting delegates. Nominated delegates for the annual conference are to be advised to LGNSW by 7 November 2025.

Councillors wishing to represent Council as a voting delegate will be resolved by Council. To facilitate this process, Councillors are requested to notify the CEO if they wish to be a voting delegate prior to this Council meeting. Alternatively, Councillors may nominate themselves when the item is being considered at the meeting.

It is proposed that the Mayor be authorised to manage any subsequent voting delegates if required due to unforeseen circumstances (such as a councillor no longer being available to attend the conference) or if delegate positions remain available after the Council meeting.

Interested Councillors who are not voting delegates may still attend the conference should they wish to do so with funding available through the Councillor Expenses and Facilities Policy.

Motions

For a motion to be placed on the annual conference agenda, they first require the support of a Council resolution.

Motions intended for the conference must be relevant for the entire sector generally and are due to LGNSW by no later than 26 October 2025, noting however that LGNSW has requested motions be submitted prior to 30 September 2025 wherever possible.

The final opportunity for Council to consider submitting a motion to the annual conference is at the Ordinary Council meeting on 21 October 2025.

The purpose of this staff report is to put forward motions recommended by staff for Council's consideration. There are also motions tabled on the business paper by Councillors in the Notice of Motion section of the agenda for consideration (short term rental accommodation and legislative reform to class 1 development application appeals). All motions which are resolved by Council, including the motion that was previously resolved at the July Council meeting regarding the Business Connect Program, will be submitted to LGNSW.

In prior years Council has put forward motions to LGNSW on the following subjects:

- Disqualification from office if elected to state parliament (2023)
- Greater community access to sporting and cultural facilities in schools (2023)
- E-bikes and e-scooters community awareness (2023)

- E-bike safety (2024)
- Learn to swim programs (2024)
- Surf club facilities funding (2024)
- Animal Management (2024)
- Private certification (2024)
- Coastal management (2024)
- Built environment response to climate change (2024)
- Candidate safety in local government elections (2024)

The follow motions are put forward for Council to consider submitting to the 2025 conference. While many of the topics listed below are already broadly consistent with existing LGNSW Position Statements (contained in its [policy platform](#)), the proposed motions include more specific detail, more current issues and/or go further than the current policy platform and are recommended to be progressed to LGNSW for consideration at the conference.

Promoting better practice

That Local Government NSW call on the NSW Government (Office of Local Government) to introduce:

1. *A model set of delegations that can be used as a template by councils across the sector for the issuing of statutory delegations and authorisations to council officials.*
2. *A centralised legislative compliance system that can be accessed by all councils on a subscription basis.*

Background

Local councils run unique and complex organisations with a broad array of functions. The breadth of services councils provide to their communities attracts wide-ranging legislative and other compliance obligations. Non-compliance with many of these obligations risks poor outcomes for communities and consequences for councils including legal consequences and loss of community trust.

Under current arrangements, councils navigate these complex arrangements individually. It is noteworthy, the Audit General's Local government 2024 report identified 'compliance with legislation, including a lack of formal process for allocating responsibility for compliance management,' as a high risk finding in the sector.

While the Office of Local Government publishes better practice /model guidance on a range of topics, and an annual compliance calendar to assist councils with some core reporting obligations under the *Local Government Act 1993*, it is proposed these could be digitised and expanded to other relevant state and federal legislation to support councils and lift the standard of compliance for the benefit of NSW communities.

This would provide benefits to the sector including but not limited to:

- best practice guidance
- improved transparency and understanding of legislative obligations
- greater reporting and communication
- improved governance outcomes, including oversight and providing clear escalation pathways for legislative breaches.

Preschool expansion

That Local Government NSW call upon the NSW and Federal Governments to support a prioritised process to enable state government supported preschool programs being established in long day care services to ensure affordable and flexible options for families.

Background

Preschool places are in high demand across NSW, offering a more affordable and accessible model of care for children aged 3 to 5 years. Integrating preschool programs into existing long day care services provides a practical and cost-effective solution for families, particularly those juggling work and care responsibilities.

A successful example of this dual model is currently being trialled at Dee Why Children's Centre, where a new preschool program opened in 2025. The 20 available daily enrolment places were filled immediately, and demand for 2026 is already exceeding current capacity. Early indications suggest the model is working exceptionally well.

The NSW Government has committed to building 100 new public preschools co-located with primary schools by 2027. At the end of the program's first year, one preschool has been delivered, with two more proposed for the second year. This leaves 97 preschools to be delivered in the program's final year.

This motion calls upon the NSW Government to:

- Reaffirm its commitment to expanding access to preschool places in schools and accelerate the delivery of public preschool infrastructure.
- Support the provision of Start Strong-funded preschool places within long day care centres across all local government areas.

Currently, Northern Beaches Council operates three preschools, all of which have long waiting lists and are unable to meet local demand. Expanding Start Strong preschool funding to long day care services would unlock capacity across the sector, providing more equitable access to early learning for families and delivering greater flexibility and affordability.

Tackling plastic waste

That Local Government NSW call upon the NSW and Federal Governments for legislative and policy reform to:

1. *Develop a program to phase out the use of 'difficult to recycle' plastics such as soft plastics and polystyrene.*
2. *Develop and implement a national product stewardship scheme for plastics, where organisations that make and sell plastics also take responsibility for managing adverse impacts.*
3. *Support the plastic recycling sector by:*
 - a. *providing an appropriate level of funding to help build infrastructure to recover valuable materials from recyclable plastics.*
 - b. *developing sustainable markets for recovered plastics.*

Background

The purpose of this motion is to promote advocacy for more responsible management of plastics in the Australian economy, to help protect our wildlife, waterways, food chain and environment and increase the public's confidence in the recycling system.

Enhanced regulation for tree removal and urban canopy protection (as per July Council meeting resolution)

That Local Government NSW call on the NSW Government to implement enhanced regulations for tree removal and urban canopy protection. Specifically, the Conference urges the Government to:

1. *Introduce stricter guidelines for tree removal decisions made by private building certifiers.*
2. *Require certifiers to obtain explicit approval from local councils before authorising removal of trees marked for retention.*
3. *Establish robust monitoring and enforcement mechanisms, and increase penalties for unauthorised tree removal.*

4. *Create an accreditation and licensing system for arborists, along with clear industry guidelines, improved safety standards and appropriate regulatory mechanisms.*
5. *Identify whole of government targets for the long-term protection and management of the urban tree canopy across NSW.*

Background

In assessing and approving Development Applications under Part 4 of the *Environmental Planning and Assessment Act 1979*, councils have regard to the impact on the natural and built landscape and regularly identify trees that require retention in approvals. However, there have been instances where private building certifiers have approved the removal of these trees, undermining the intent of the Act and leading to the loss of valuable trees, habitat, and public amenity. Additionally, the lack of regulation in the arboricultural industry has led to inconsistent practices, jeopardising the health of our urban forests and potentially posing risks to public safety.

The proposed mechanisms outlined above aim to protect the environment and preserve urban green spaces by ensuring that trees identified for retention through development consent are not removed without proper oversight and justification. Appropriate regulations will provide clear guidelines for the industry, promoting safer work practices and enhancing the overall quality of arboricultural services.

Local infrastructure funding for low and mid rise housing reforms

That Local Government NSW advocate to the NSW Government for immediate financial and infrastructure support to councils to address the impacts of the Low and Mid-Rise Housing (LMRH) Policy. Specifically, Local Government NSW urge the NSW Government to:

1. *Acknowledge the absence of direct financial support for the significant local infrastructure required as a result of the Low and Mid-Rise Housing Policy.*
2. *Undertake the necessary legislative or policy reform to enable councils to increase section 7.11 or 7.12 contributions above current caps (e.g. up to 3% in LMRH areas), including amending the Environmental Planning and Assessment Regulation 2021, without requiring separate approval from the Department of Planning, Housing and Infrastructure.*
3. *Reinstate the shelved east–west rapid bus transit route and the Beaches Link Tunnel to address road congestion exacerbated by unplanned housing growth.*

Background

The NSW Productivity Commission's 2023 report identified parts of the Northern Beaches as having among the highest infrastructure costs in Sydney, driven by the region's geographical isolation, limited public transport, and environmental constraints leading to traffic congestion and high water/wastewater expenses. In March 2025, following implementation of the LMRH Policy, Council wrote to the Minister for Planning and Public Spaces seeking urgent action to address the area's lack of infrastructure capacity. Despite this, no commitments were made to address the concerns raised.

Implementation of recommendations from inquiry into essential worker housing

That Local Government NSW advocate to the NSW Government to adopt and fully implement the recommendations of the Legislative Assembly Select Committee's inquiry into Essential Worker Housing, tabled on 13 June 2025.

Background

In September 2024, Northern Beaches Council submitted a response to the Legislative Assembly Select Committee's inquiry into options for essential worker housing in New South Wales. The submission outlined the challenges and opportunities for increasing access to housing for essential workers on the Northern Beaches and across the state. The Committee's final report, tabled on 13 June 2025, made 20 recommendations aimed at improving housing access for essential workers. The NSW Government is expected to respond to the report's findings and recommendations by 13 December 2025.

Development contributions conditions on complying development certificates

That Local Government NSW advocate to the NSW Government to amend the Environmental Planning and Assessment Act and associated Regulation to ensure that councils are able to receive the required development contributions from Complying Development Certificates regardless of whether the

contribution condition in the Complying Development Certificate is omitted or does not expressly state the contribution amount.

This approach is consistent with the approach taken for the Housing and Productivity Contribution under section 7.28(3) of the EP&A Act, where the condition in a Complying Development Certificate does not include the specific contribution amount payable.

Background

An emerging trend regarding Complying Development Certificates issued by private certifiers has seen the omission of a condition of consent requiring payment of development contributions to Council or if a condition is included, no contribution amount is stated in the relevant condition. Whilst this practice contravenes section 7.21 of the *Environmental Planning and Assessment Act 1979* and section 156 of the Regulation, councils have limited powers and success in enforcing the payment of contributions through the Orders provision of Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

Building Information Certificates

That Local Government NSW advocates for:

- 1. A review of the current statutory provisions relating to Building Information Certificates (BIC) within the Environmental Planning and Assessment Act 1979, particularly concerning the purpose of BIC and incorporate 'Heads of Consideration' for council assessment of BIC, given the significant breadth and ineffective manner in which the BIC is currently being applied to deal with unauthorised building works and consequential detrimental impact to the community.*
- 2. A review of penalty amounts, particularly relating to unauthorised building works is also recommended, and for penalty amounts to be based on the range and complexity of the unauthorised building works.*

Background

The Northern Beaches community is experiencing a high level of unauthorised building works which have taken place without either a development consent in place or works undertaken that are not consistent with a development consent. Applications for Building Information Certificates are being used by owners to regularise unauthorised building works, effectively circumventing merit assessment and DCP controls that would be applied through a development application process.

FINANCIAL CONSIDERATIONS

Budget is available for Councillor attendance at conferences in accordance with the Councillor Expenses and Facilities Policy.

GOVERNANCE AND RISK CONSIDERATIONS

There are no significant governance or risk considerations relating to this report. Council complies with the LGNSW conference rules with regards to motions and nominations as voting delegates.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report. Some of the proposed motions for advocacy aim to protect the environment and preserve urban green spaces.

SOCIAL CONSIDERATIONS

There is benefit in Councillors interacting with other metropolitan, regional and rural councils to share knowledge of trends and ideas across the sector.

LINK TO STRATEGY

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

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

Reporting team	Governance & Assurance Services
TRIM file ref	2025/212865
Attachments	Nil

ITEM 9.2 DRAFT COUNCILLOR SOCIAL MEDIA POLICY

PURPOSE

The purpose of this report is to seek the adoption of a Councillor Social Media Policy, based on the Model Social Media Policy developed by the Office of Local Government (OLG) and revoke the Councillor Use of Social Media Policy.

EXECUTIVE SUMMARY

- Council is progressively reviewing all corporate documents covered by the Policy Framework including the Councillor Use of Social Media Policy that was adopted by Council in 2021 and is due for review.
- The Office of Local Government (OLG) developed a Model Social Media Policy (2022) which sets an exemplar approach, and although not mandatory, OLG encourages all councils to adopt it.
- The draft Model Policy was initially tabled to Council in December 2024 for consideration and was deferred at that time to allow for a Councillor briefing.
- A Councillor briefing has since been held with an independent facilitator, and clarification provided to differentiate the requirements for Councillors, from the requirements for the organisation (staff) for social media.
- To simplify and provide clarity, the Model Policy has been split into a new draft Councillor Social Media Policy which is proposed to be adopted by Council, and an internal Guideline for Social Media.
- In reviewing Council's existing policies, if the Councillor Social Media Policy is adopted, it is recommended to revoke the Northern Beaches Councillor Use of Social Media Policy (2021).

RECOMMENDATION

That Council:

1. Adopt the Councillor Social Media Policy (Attachment 3).
2. Revoke the Councillor Use of Social Media Policy (Attachment 1).

BACKGROUND

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

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

- provide high level strategic direction, are linked to Council's Community Strategic Plan (CSP) and/or are required by relevant legislation and have community focus and/or significant public interest
- will, where appropriate, adopt and implement relevant model NSW Government policies which have been prepared for local government, rather than establish discrete Council policies on the same topic
- will not simply duplicate or re-state legislative requirements but, where appropriate, may expand on Council's application of legislation.

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

DISCUSSION

Council's current Councillor Use of Social Media Policy (Attachment 1) was adopted in 2021 and is due for review.

Since the policy was adopted, the NSW Office of Local Government (OLG) released a [Model Social Media Policy](#) (Attachment 2) which incorporates examples of best practice from the social media policies of a diverse range of NSW councils, as well as from federal and state government agencies.

In accordance with the Policy Framework, a draft Social Media Policy was prepared based on the OLG Model Policy (Attachment 3). While not mandatory, the Model Policy reflects best practice and OLG encourages all councils to adopt it. In doing so, councils are free to adapt the policy to suit their local circumstances or to supplement it with their own provisions.

The draft Policy was tabled to Council in December 2024 for consideration. The report was deferred at that time to allow for a Councillor briefing.

Following a Councillor briefing with an independent facilitator from Local Government NSW, councillor feedback was sought and considered and the draft Social Media Policy has been adapted to best suit the Northern Beaches operating environment.

It is proposed to split the draft Policy into a new Councillor Social Media Policy (subject of this report), and a separate internal Guideline for staff. This provides greater clarity for Councillors and the community on Councillors' use of social media, separating it from the operational requirements of the organisation.

It is proposed that the new Councillor Social Media Policy (Attachment 3) would replace the existing Councillor Use of Social Media Policy (Attachment 1).

The new Councillor Social Media Policy provides a framework for the administration and management of social media platforms and sets standards of conduct for Councillors that use social media in their official capacity. It does not apply to personal use of social media that is not connected with a person's role as a Council official.

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

CONSULTATION

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

As the draft Councillor Social Media Policy is based on the NSW Office of Local Government (OLG) Model Policy sections related to councillors, which combines existing privacy legislation and other such requirements, and does not materially change Council's policy position in relation to social media, it is not proposed to undertake public consultation prior to adopting this policy.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Clause 3.1(b) of the Model Code of Conduct for Local Councils in NSW provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the Council's Code of Conduct.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

LINK TO STRATEGY

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

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

Reporting team	Community Engagement & Communications
TRIM file ref	2025/360417
Attachments	⇒1 Council Policy - Councillor use of Social Media (Included In Attachments Booklet) ⇒2 Office of Local Government Model Social Media Policy (Included In Attachments Booklet) ⇒3 Draft Councillor Social Media Policy (Included In Attachments Booklet)

ITEM 9.3 MONTHLY INVESTMENT REPORT - JUNE 2025

PURPOSE

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

EXECUTIVE SUMMARY

- In accordance with section 212 of the Local Government (General) Regulation 2021 (Regulation), the Responsible Accounting Officer must provide Council with a written report on a monthly basis setting out details of all money that Council has invested under section 625 of the Act.
- The Responsible Accounting Officer has certified that the investments listed in the report have been made in accordance with the Act, the Regulation and Council's Investment Policy.
- As at 30 June 2025, Council had total cash and investments of \$231,443,964 (which includes restricted funds) comprising:

Trading Accounts	\$3,422,926
Investments	\$228,021,038

- The portfolio achieved a return of 0.387% for the month of June, which was 0.067% above the benchmark AusBond Bank Bill Index return of 0.32%.
- The weighted average interest rate of the portfolio at month end is 4.68%, compared to 4.78% for the prior month.
- Total investment income for the year to June 2025 was \$11.0 million compared to the current budget of \$10.4 million.

RECOMMENDATION

That Council note the Investment Report as at 30 June 2025, including the certification by the Responsible Accounting Officer.

BACKGROUND

In accordance with section 212 of the Local Government (General) Regulation 2021 (Regulation), a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the investments have been made in accordance with the *Local Government Act 1993*, the Regulation and Council's Investment Policy.

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

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the investments listed in this report have been made in accordance with section 625 of the *Local Government Act 1993*, section 212 of the Local Government (General) Regulation 2021 and existing Investment Policies – *Caroline Foley, Chief Financial Officer*.

INVESTMENT REPORT

Investment Balances

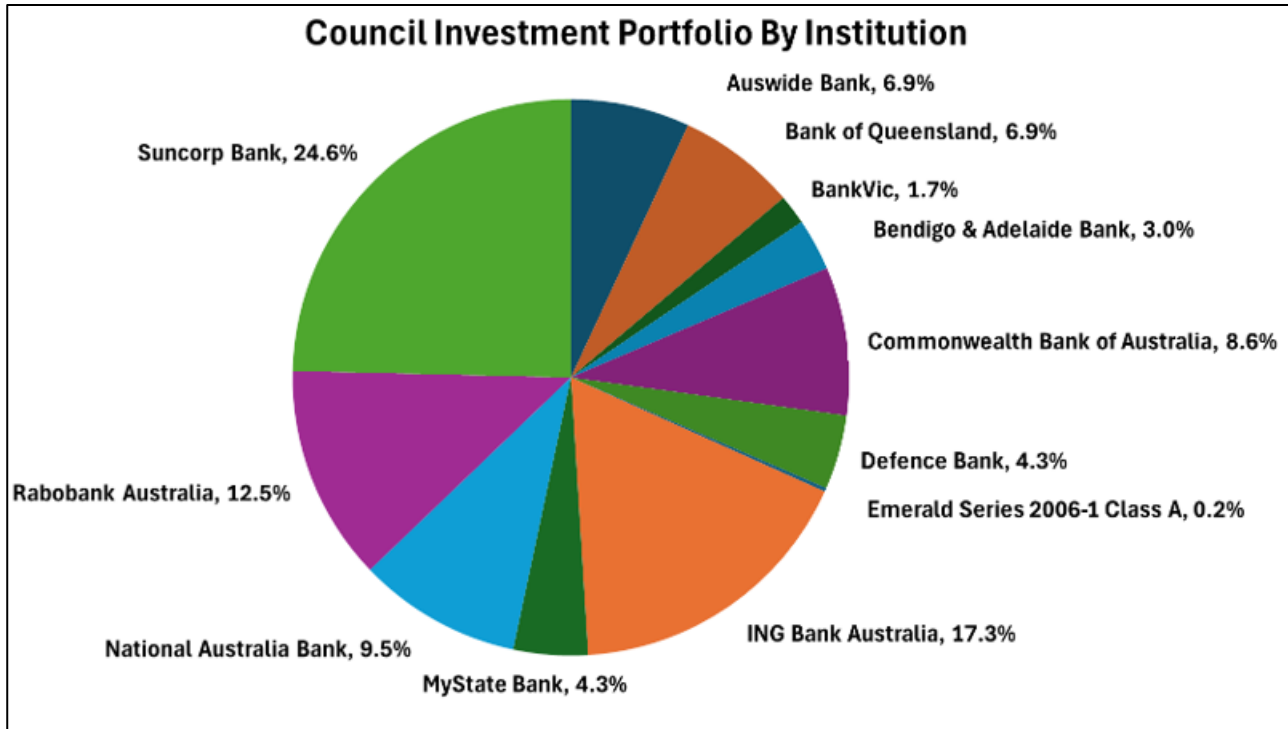
INVESTMENT BALANCES As at 30-Jun-2025					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	1,854,738			3.90%
National Australia Bank Ltd	A1+	7,487			3.85%
		1,862,225			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	8,625,885		At Call	3.95%
		8,625,885			
Mortgage Backed Securities					
Emerald Series 2006-1 Class A	A*	503,274	17-Jul-06	21-Aug-51	4.1825%
		503,274			
Term Deposits					
ING Bank Australia Limited	A1	4,000,000	03-Sep-24	01-Jul-25	4.91%
ING Bank Australia Limited	A1	2,000,000	05-Sep-24	03-Jul-25	4.91%
ING Bank Australia Limited	A1	2,000,000	10-Sep-24	08-Jul-25	4.90%
ING Bank Australia Limited	A1	2,000,000	10-Sep-24	10-Jul-25	4.90%
ING Bank Australia Limited	A1	4,000,000	17-Sep-24	15-Jul-25	4.89%
Suncorp Bank	A1+	3,000,000	10-Oct-24	17-Jul-25	5.10%
Suncorp Bank	A1+	2,000,000	24-Oct-24	22-Jul-25	5.08%
ING Bank Australia Limited	A1	4,000,000	31-Jul-24	29-Jul-25	5.29%
Suncorp Bank	A1+	2,000,000	24-Oct-24	05-Aug-25	5.08%
Suncorp Bank	A1+	2,000,000	31-Oct-24	07-Aug-25	5.09%
Suncorp Bank	A1+	3,000,000	31-Oct-24	12-Aug-25	5.09%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	19-Nov-24	12-Aug-25	5.10%
Suncorp Bank	A1+	2,000,000	12-Nov-24	14-Aug-25	5.12%
Suncorp Bank	A1+	2,000,000	12-Nov-24	19-Aug-25	5.12%
ING Bank Australia Limited	A1	2,000,000	14-Nov-24	21-Aug-25	5.10%
ING Bank Australia Limited	A1	3,000,000	14-Nov-24	26-Aug-25	5.10%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	05-Dec-24	04-Sep-25	5.05%
National Australia Bank Ltd	A1+	4,000,000	28-Nov-24	09-Sep-25	5.10%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	05-Dec-24	11-Sep-25	5.05%
Suncorp Bank	A1+	2,000,000	10-Dec-24	16-Sep-25	5.10%
ING Bank Australia Limited	A1	4,000,000	21-Nov-24	23-Sep-25	5.11%
MyState Bank Ltd	A2	3,000,000	03-Dec-24	25-Sep-25	5.15%
MyState Bank Ltd	A2	2,000,000	03-Dec-24	30-Sep-25	5.15%
Auswide Bank Limited	A2	2,000,000	07-Jan-25	02-Oct-25	5.00%
Suncorp Bank	A1+	4,000,000	12-Dec-24	07-Oct-25	5.05%
Auswide Bank Limited	A2	2,000,000	07-Jan-25	09-Oct-25	5.00%
National Australia Bank Ltd	A1+	2,000,000	06-Feb-25	14-Oct-25	4.80%
National Australia Bank Ltd	A1+	2,000,000	06-Feb-25	16-Oct-25	4.80%

INVESTMENT BALANCES					
As at 30-Jun-2025					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
National Australia Bank Ltd	A1+	4,000,000	24-Dec-24	21-Oct-25	5.00%
National Australia Bank Ltd	A1+	2,000,000	06-Feb-25	23-Oct-25	4.80%
Auswide Bank Limited	A2	2,000,000	30-Jan-25	28-Oct-25	4.95%
Auswide Bank Limited	A2	2,000,000	30-Jan-25	30-Oct-25	4.95%
Auswide Bank Limited	A2	3,000,000	31-Jan-25	04-Nov-25	4.95%
National Australia Bank Ltd	A1+	2,000,000	25-Feb-25	06-Nov-25	4.73%
National Australia Bank Ltd	A1+	2,000,000	25-Feb-25	11-Nov-25	4.72%
National Australia Bank Ltd	A1+	2,000,000	28-Feb-25	13-Nov-25	4.65%
ING Bank Australia Limited	A1	4,000,000	24-Feb-25	18-Nov-25	4.75%
National Australia Bank Ltd	A1+	2,000,000	28-Feb-25	20-Nov-25	4.65%
Rabobank Australia Ltd	A1	2,000,000	28-Feb-25	25-Nov-25	4.76%
Rabobank Australia Ltd	A1	2,000,000	28-Feb-25	27-Nov-25	4.76%
Rabobank Australia Ltd	A1	2,000,000	05-Mar-25	04-Dec-25	4.68%
Rabobank Australia Ltd	A1	2,000,000	06-Mar-25	09-Dec-25	4.71%
Rabobank Australia Ltd	A1	2,000,000	06-Mar-25	11-Dec-25	4.71%
Rabobank Australia Ltd	A1	4,000,000	04-Mar-25	16-Dec-25	4.73%
Rabobank Australia Ltd	A1	3,000,000	05-Mar-25	18-Dec-25	4.68%
Bank of Queensland Ltd	A2	2,000,000	27-Mar-25	18-Dec-25	4.70%
Bank of Queensland Ltd	A2	3,000,000	25-Mar-25	22-Dec-25	4.70%
Bank of Queensland Ltd	A2	2,000,000	27-Mar-25	22-Dec-25	4.70%
Bank of Queensland Ltd	A2	2,000,000	31-Mar-25	06-Jan-26	4.70%
Bank of Queensland Ltd	A2	2,000,000	31-Mar-25	08-Jan-26	4.70%
Suncorp Bank	A1+	4,000,000	31-Mar-25	13-Jan-26	4.87%
Suncorp Bank	A1+	3,000,000	29-Apr-25	15-Jan-26	4.58%
Suncorp Bank	A1+	2,000,000	31-Mar-25	20-Jan-26	4.85%
Suncorp Bank	A1+	2,000,000	31-Mar-25	22-Jan-26	4.85%
ING Bank Australia Limited	A1	4,000,000	20-Feb-25	27-Jan-26	4.79%
Suncorp Bank	A1+	2,000,000	31-Mar-25	29-Jan-26	4.83%
Suncorp Bank	A1+	2,000,000	29-Apr-25	03-Feb-26	4.55%
Rabobank Australia Ltd	A1	2,000,000	01-May-25	05-Feb-26	4.40%
ING Bank Australia Limited	A1	3,000,000	18-Feb-25	10-Feb-26	4.81%
Auswide Bank Limited	A2	2,000,000	15-May-25	10-Feb-26	4.47%
ING Bank Australia Limited	A1	2,000,000	18-Feb-25	12-Feb-26	4.81%
Suncorp Bank	A1+	2,000,000	08-May-25	17-Feb-26	4.42%
Suncorp Bank	A1+	2,000,000	08-May-25	19-Feb-26	4.42%
Suncorp Bank	A1+	3,000,000	31-Mar-25	24-Feb-26	4.75%
BankVic	A2	2,000,000	03-Jun-25	03-Mar-26	4.25%
BankVic	A2	2,000,000	03-Jun-25	05-Mar-26	4.25%

INVESTMENT BALANCES					
As at 30-Jun-2025					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
Suncorp Bank	A1+	3,000,000	31-Mar-25	10-Mar-26	4.74%
Bank of Queensland Ltd	A2	2,000,000	30-May-25	12-Mar-26	4.18%
Bank of Queensland Ltd	A2	2,000,000	30-May-25	17-Mar-26	4.17%
Rabobank Australia Ltd	A1	2,000,000	20-May-25	19-Mar-26	4.46%
Rabobank Australia Ltd	A1	3,000,000	20-May-25	24-Mar-26	4.46%
Bank of Queensland Ltd	A2	1,000,000	30-May-25	24-Mar-26	4.16%
Rabobank Australia Ltd	A1	2,000,000	29-May-25	26-Mar-26	4.31%
Rabobank Australia Ltd	A1	2,000,000	29-May-25	31-Mar-26	4.31%
Rabobank Australia Ltd	A1	1,000,000	03-Jun-25	02-Apr-26	4.27%
Defence Bank Ltd	A2	3,000,000	05-Jun-25	07-Apr-26	4.30%
Defence Bank Ltd	A2	2,000,000	05-Jun-25	09-Apr-26	4.30%
MyState Bank Ltd	A2	2,000,000	30-Jun-25	14-Apr-26	4.25%
Suncorp Bank	A1+	2,000,000	19-Jun-25	16-Apr-26	4.35%
Suncorp Bank	A1+	3,000,000	19-Jun-25	21-Apr-26	4.35%
Suncorp Bank	A1+	3,000,000	24-Jun-25	23-Apr-26	4.30%
Suncorp Bank	A1+	2,000,000	24-Jun-25	28-Apr-26	4.30%
Auswide Bank Limited	A2	3,000,000	15-May-25	05-May-26	4.52%
MyState Bank Ltd	A2	3,000,000	27-Jun-25	19-May-26	4.20%
Defence Bank Ltd	A2	3,000,000	04-Jun-25	02-Jun-26	4.25%
Defence Bank Ltd	A2	2,000,000	04-Jun-25	04-Jun-26	4.25%
		211,000,000			
Kimbriki Environmental Enterprises Pty Ltd					
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	1,560,702			3.80%
		1,560,702			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	2,891,879		At Call	3.85%
		2,891,879			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-May-25	07-Aug-25	4.16%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	19-May-25	19-Aug-25	4.24%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	05-Jun-25	03-Sep-25	4.14%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Jun-25	09-Oct-25	4.16%
		5,000,000			
Total Cash and Investments		231,443,964			

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

Portfolio Analysis



Institutional Credit Framework – Compliance with Investment Policy Requirements

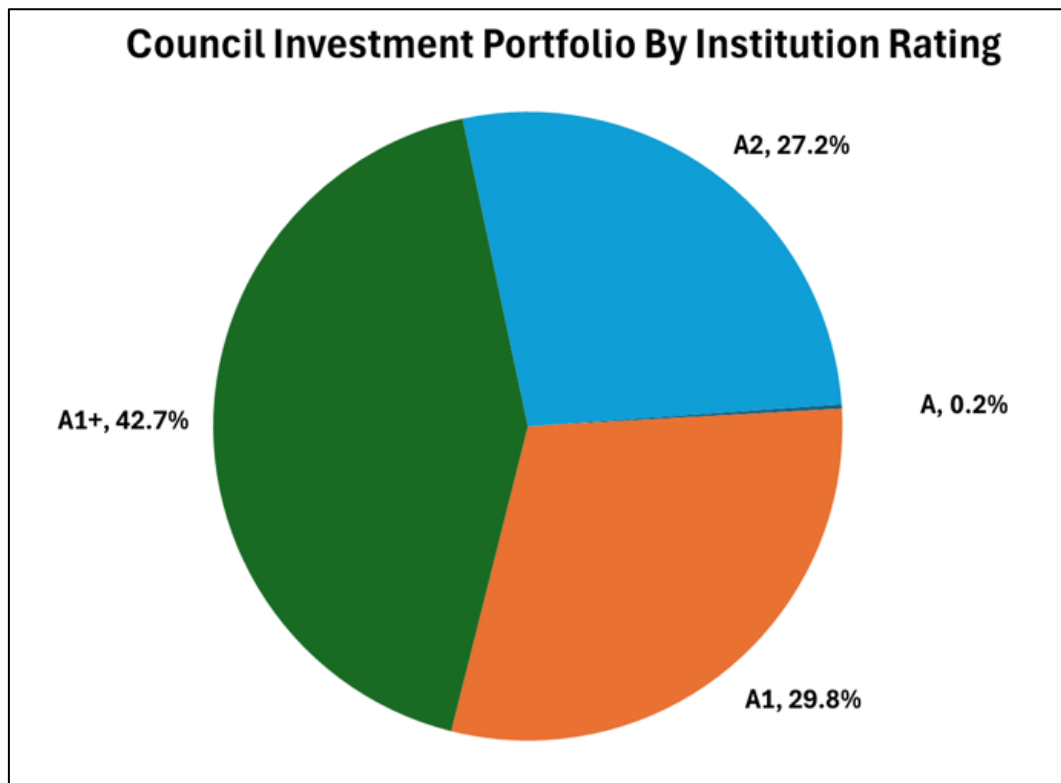
Clause 4.2.2 of Council's Investment Policy requires that exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

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

* Or Moody's / Fitch equivalents

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

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



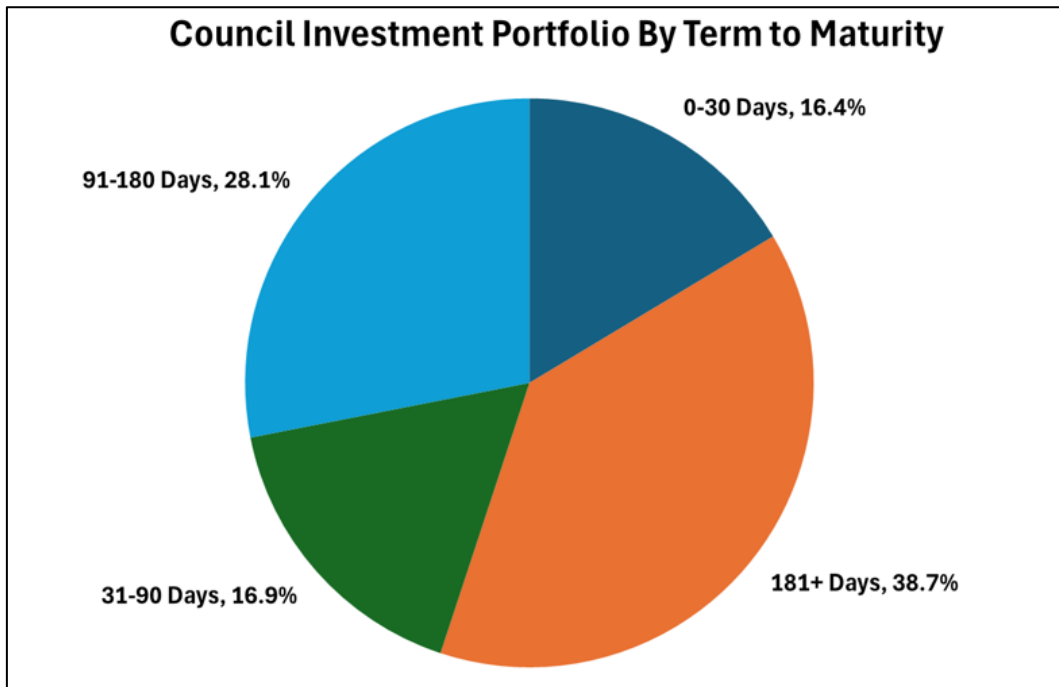
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.1 of Council's Investment Policy requires that the total percentage exposure within the market to any particular credit rating category be limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	5%	Yes (\$Nil)

* Or Moody's / Fitch equivalents

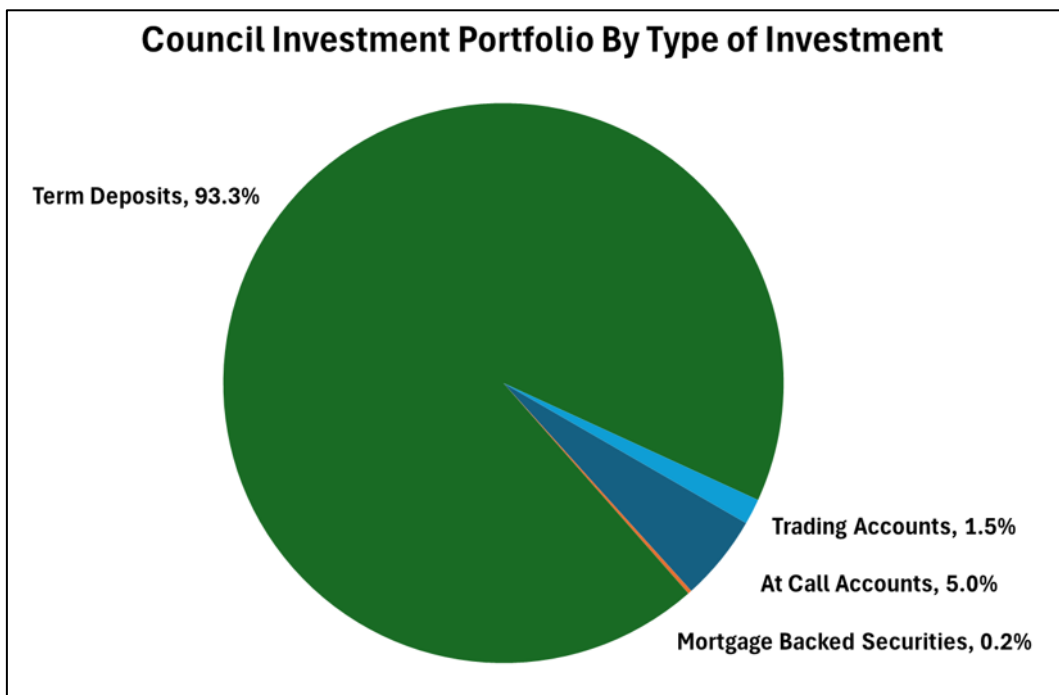
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.4 of Council's Investment Policy requires Council's investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits			Portfolio Complies with Policy?
Portfolio % <1 year	Min 40%	Max 100%	Yes
Portfolio % >1 year ≤3 year	Min 0%	Max 60%	Yes
Portfolio % >3 year ≤5 year	Min 0%	Max 30%	Yes



Environmental and Social Considerations

Portfolio investments: Fossil Fuel vs Non-Fossil Fuel Banks:

Portfolio Summaries	Fossil Fuel Lending ADIs	Non-Fossil Fuel Lending ADIs
As at 30 June 2025	47.9%	52.1%

Investment Performance vs Benchmark

a) Portfolio Return vs Benchmark

	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 Month	0.387%	0.32%
3 Months	1.192%	1.02%
FYTD	4.992%	4.39%
12 Months	4.992%	4.39%

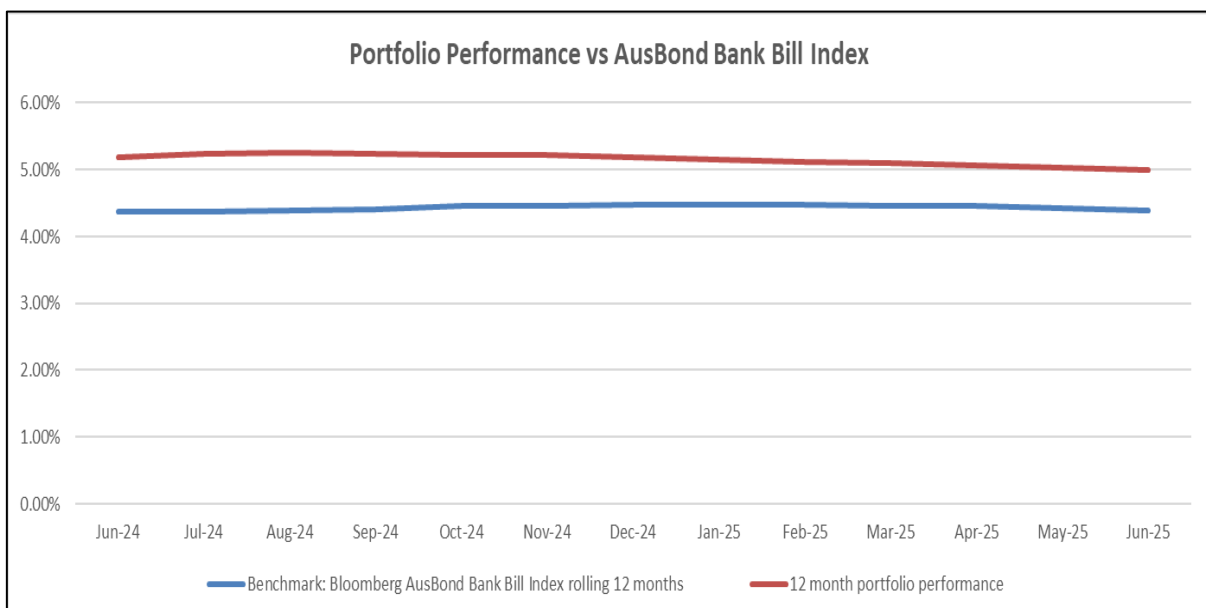
* Excludes trading account balances

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

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

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

The portfolio achieved a return of 0.387% for the month of June which was 0.067% above the benchmark AusBond Bank Bill Index return of 0.32%. For the past 12 months the portfolio achieved a return of 4.992%, which was 0.602% above the benchmark AusBond Bank Bill Index return of 4.39%.



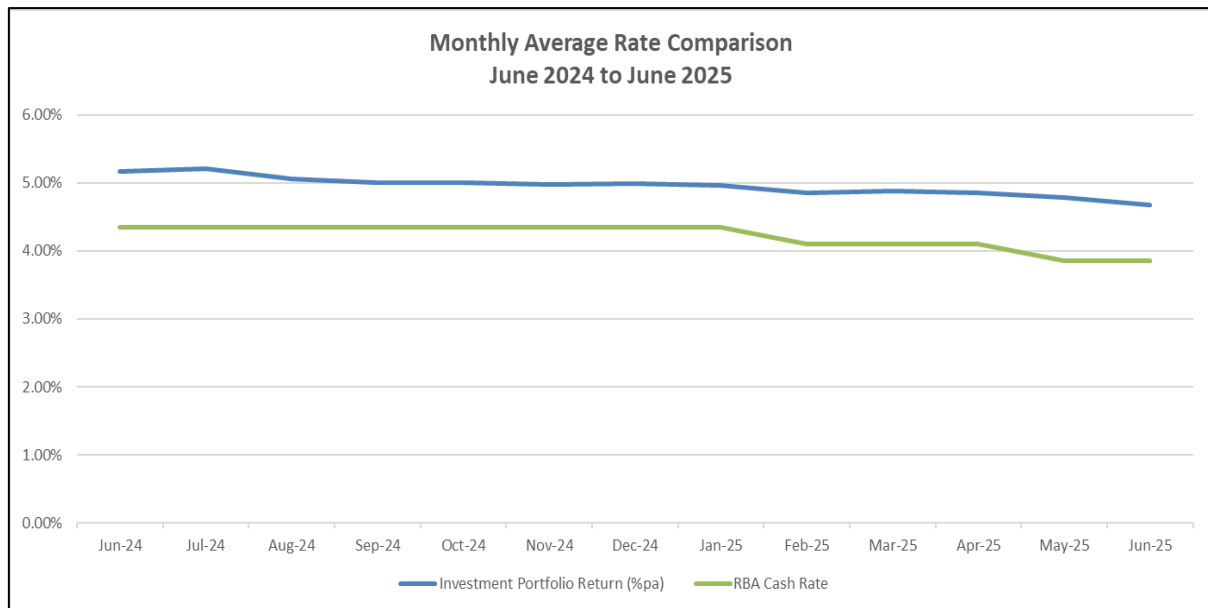
b) Portfolio Interest Rate vs Benchmark

	Weighted Average Portfolio Interest Rate (%pa) *	Average RBA Cash Rate
1 Month	4.68%	3.85%
3 Months	4.77%	3.93%
6 Months	4.84%	4.06%
FYTD	4.94%	4.20%
12 Months	4.94%	4.20%

* Excludes trading account balances

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

The weighted average interest rate of the portfolio is 4.68%, compared to 4.78% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 4.94% compared to the average Reserve Bank of Australia Cash Rate of 4.20%.

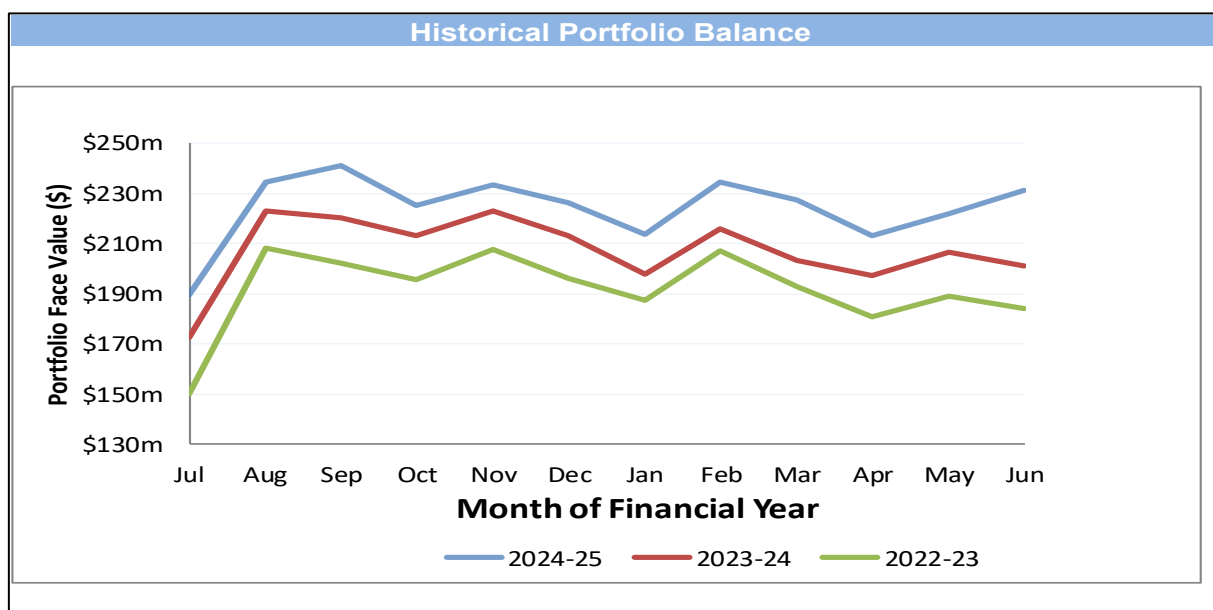


Investment Income* vs Budget

	Year to Date \$
Investment Income	11,031,331
Adjustment for Fair Value	18,412
Total Investment Income	11,049,743
Budgeted Income	10,394,545

*Includes all cash and investment holdings

Historical Portfolio Balance			
	2024-25	2023-24	2022-23
Jul	\$190m	\$173m	\$150m
Aug	\$235m	\$223m	\$208m
Sep	\$241m	\$220m	\$202m
Oct	\$225m	\$213m	\$195m
Nov	\$234m	\$223m	\$208m
Dec	\$226m	\$213m	\$196m
Jan	\$213m	\$198m	\$187m
Feb	\$234m	\$216m	\$207m
Mar	\$227m	\$203m	\$193m
Apr	\$213m	\$197m	\$181m
May	\$222m	\$206m	\$189m
Jun	\$231m	\$201m	\$184m
Average Portfolio Balance	\$224m	\$207m	\$192m



Statement of Compliance

Portfolio Performance vs Bank Bill Index over 12-month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs Budget	✓	Council's income from investments did exceed monthly budget.

Investment Policy Compliance

Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

Restricted cash, cash equivalents and investments

The information required in relation to the breakdown of restricted cash, cash equivalents and investments was not available for the current month within the timeframe for the completion of the Monthly Investment Report as it is subject to the completion of Council's Financial Statements as at 30 June 2025.

Information in relation to restricted cash, cash equivalents and investments will be provided in the next Monthly Investment Report.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2024 to date was \$11,049,743 compared to budgeted income of \$10,394,545, a positive variance of \$655,198 as a result of both a higher than anticipated level of investments and higher investment interest rates. The current budget for the full year is \$10,394,545 in investment income.

GOVERNANCE AND RISK CONSIDERATIONS

A revised Investment Policy was adopted by Council at its meeting on 26 July 2022. The Policy is reviewed annually by the Audit, Risk and Improvement Committee. It was reviewed by the Committee at its meeting in December 2024, and no changes to the Policy were proposed.

Council's Investment Policy and Strategy was reviewed in September 2024 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy "remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet" and that they "do not recommend any changes to the list of approved investments or credit limit frameworks".

ENVIRONMENTAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of environmental responsibility when making investment decisions.

SOCIAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of social responsibility when making investment decisions.

LINK TO STRATEGY

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

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

Reporting team	Finance
TRIM file ref	2025/483460
Attachments	Nil

10.0 COMMUNITY AND RECREATION DIVISION REPORTS

ITEM 10.1 RESPONSE TO NOTICE OF MOTION 14/2025 - SUPPORTING OUR NORTHERN BEACHES YOUTH ADVISORY GROUP

PURPOSE

This purpose of this report is to respond to Notice of Motion 14/2025 and provide advice to Council on proposed opportunities for the Youth Advisory Group and the results of the scheduled review of the Youth Advisory Group Terms of Reference.

EXECUTIVE SUMMARY

- The Youth Advisory Group (YAG) is a program providing a strategic representative voice of young people (12 to 24 years) in the Northern Beaches to improve participation of young people in local government and community life.
- The YAG considers and provides advice to Council on matters important to young people.
- Council resolved in April 2025 to reaffirm its support for the YAG and consider suggested opportunities to further enhance the experience for YAG participants; the Council resolution aligns with the timing for the scheduled review of the YAG Terms of Reference which occurs every 2 years.
- A review of the 2024/25 YAG program has been undertaken, including desktop research of youth advisory groups, identifying opportunities to strengthen the program through targeted project based activities and providing a clear process for Councillor involvement.
- Current YAG members completed a survey and workshop to review the YAG Terms of Reference, indicating support for more activity based opportunities alongside their advisory role, and inviting visitors to meetings when relevant rather than as observers.
- The workshop addressed the opportunities identified in the Council resolution for YAG consideration; there were mixed responses, with general consensus in support of some of the opportunities.
- The proposed recommendations can be implemented within the adopted budget.
- Based on the review and engagement with the YAG, the YAG Terms of Reference will be updated with minor amendments in September 2025.

RECOMMENDATION

That Council note the report.

BACKGROUND

At the 15 April 2025 Ordinary Council meeting, in respect of Notice of Motion 14/2025, Council resolved (096/25) to:

1. Reaffirm its support for the Northern Beaches Youth Advisory Group (YAG).
2. Engage with the YAG to discuss opportunities to further enhance the experience for participants, including the following:
 - a. Official audiovisual and IT support for YAG meetings, including table microphones and having the live meeting agenda/minutes projected onto desktop and chamber screens.
 - b. Provision of desk nameplates and magnetic nametags for current YAG members, identifying them as Youth Representatives for their respective Council Wards during their term.
 - c. Ongoing training and guidance from Council's Events team, including workshops on how to develop, organise and run successful, fun and engaging events in addition to direct assistance in delivering said events.
 - d. The ability for the YAG to prepare and present motions relevant for young people to Council for consideration at ordinary meetings through a Councillor/staff sponsorship process, similar to how Youth Parliament Bills in NSW Parliament operate.
 - e. The ability for the YAG to send delegates to make representations at Councillor briefings on items for consideration at the following meeting or to raise pertinent issues facing young people on the Northern Beaches.
3. Receive a report regarding the engagement, any proposed amendments to the YAG Terms of Reference and the resource implications of these.

This Council resolution aligns with the timing for the standard review of the YAG Terms of Reference prior to advertising for the new YAG cohort, due to commence in September 2025.

This report outlines desktop research, and engagement and feedback from YAG members on the YAG Terms of Reference together with the above identified opportunities from the Council Resolution. Proposed amendments are provided together with resourcing implications and safeguarding considerations.

Youth Advisory Group (YAG)

Council's Youth Advisory Group is a strategic representative voice of young people (12 to 24 years) in the Northern Beaches local government area (LGA) to improve the engagement of local young people in strategic planning and local government processes. The Youth Advisory Group aligns with the actions in Council's Better Together Social Sustainability Strategy and the Youth Voice Action Plan 2028.

As per the current Terms of Reference (Attachment 1), membership of the YAG seeks to include a diverse range of young people and be reflective of the broad range of interests of local young people. To be eligible for membership a young person must live, work or study in the Northern Beaches LGA and cannot be an elected representative or a permanent staff member of Council.

The current YAG held its first meeting in February 2024 and is due to finish its term in December 2025. Expressions of interest for the 2026/27 YAG will commence in September 2025.

Previous recommendations made by staff following feedback from former YAG members at the end of their term in 2023 included making the role of the YAG more clearly focused on assisting Council engagement with a broader range of young people, rather than being the only mechanism for engagement.

Key initiatives that assisted in this shift have included developing a Youth Engagement Guide for teams across Council and incorporating coordination of the Have Your Say Day as an annual platform to hear from a larger representative group of young people.

Other recommendations from 2023 included amending the YAG term to 2 years aligned with the calendar year and changing the age group from 12 to 21 years to 12 to 24 years, consistent with Council's Youth Voice Action Plan and Council activities relating to young people.

DISCUSSION

Review of the YAG Terms of Reference

In the last year of each YAG term, the Terms of Reference are reviewed by the group to ensure they continue to meet the expectations of Council and YAG members.

YAG members completed a survey in May 2025 to provide feedback on the current YAG Terms of Reference and program. Responses were collated and presented to members at the YAG meeting on 2 June 2025 to allow further discussion and input from all members, with some members unable to complete the survey.

The survey results showed overwhelming support for the current Terms of Reference and program. YAG members raised several opportunities for improvement, including making Have Your Say Day and Youth Week key activities of YAG, noting their role in increasing voice, participation and engagement of young people across the Northern Beaches. Having these projects as part of their role provides an opportunity for further applied skills development and ways for them to drive more youth engagement and improvements to these activities.

As part of the review of the YAG and consideration of the Council resolution, a desktop review was conducted of 11 youth advisory groups in NSW LGAs. This review identified a range of youth advisory options that can be effective, however due to the overwhelming support for the objectives and operation of the current YAG Terms of Reference, it is not recommended to pursue these at this time. It also recommended that Council continue to monitor the development of the Young Mayors Program, which is a program with democratically elected youth councils of 11 to 17 year olds. Whilst this program provides a unique opportunity for young people to develop skills in advocacy, campaigning and community development, there are several inherent challenges that remain to be adequately addressed.

A detailed summary of the discussion is provided at Attachment 2.

YAG Workshop on Notice of Motion 14/2025

In addition to the review of the YAG Terms of Reference, members were provided with the Council Resolution 096/25 which reaffirmed Council's support for the YAG and provided opportunities for their consideration. A summary of the discussions and recommendations are detailed below.

A detailed summary is provided at Attachment 3, with a summary table provided below:

Item for consideration	YAG input and recommendations
a. Official audiovisual and IT support for YAG meetings, including table microphones and having the live meeting agenda/minutes projected onto desktop and chamber screens.	<p>Mixed response. Slightly more YAG members were not in support, perceiving the benefits less than the operational costs and risks, particularly for members aged under 18 years.</p> <p>The operational cost for this would be \$2,400 per annum, requiring additional budget or reducing current operational budget towards catering, training and/or the delivery of Have Your Say Day. The cost includes an IT staff member on site per meeting for between 2-3 hours.</p> <p>Due to the mixed response and resourcing required, this is not recommended for implementation.</p>
b. Provision of desk nameplates and magnetic nametags for current YAG members, identifying them as Youth Representatives for their	<p>Mixed response, with recommendation to implement nameplates at meetings representing a minor printing cost achievable within existing budgets.</p> <p>Magnetic nametags would cost around \$600 and whilst it could be met with the existing budget, requiring reduction in expenditure towards catering, training and/or the delivery of Have Your Say Day,</p>

Item for consideration	YAG input and recommendations
respective Council Wards during their term.	the perceived benefits were not strong. There are also child safeguarding concerns for making young people identifiable via name and ward at public events, particularly for those aged under 18 years. Based on the above, it is proposed to implement nameplates at meetings but not nametags.
c. Ongoing training and guidance from the Council's Events team, including workshops on how to develop, organise and run successful, fun and engaging events in addition to direct assistance in delivering said events.	Mixed response, with clear agreement that not every YAG member has an interest in events training. It is recommended to trial an event training workshop from a specialist agency, available to all local young people. YAG members will assist in the promotion of this to a broader range of young people, consistent with their role. This recommendation can be implemented within the existing budget allocated to training.
d. The ability for the YAG to prepare and present motions relevant for young people to Council for consideration at ordinary meetings through a Councillor/staff sponsorship process, similar to how Youth Parliament Bills in NSW Parliament operate.	Mixed response, with members expressing concerns around presenting motions being outside the advisory remit of YAG and that they are not elected representatives. They also highlighted concerns that presenting motions brings the potential for political involvement, and that this process could bring politics to an advisory group which is intentionally apolitical. Members also commented that giving young people greater voice, agency, and engagement with decision makers is already being achieved by the annual Have Your Say Day. It was also noted that members of YAG may address Council meetings on issues that are important to them as an individual community member. It is recommended not to pursue this and to continue to monitor the development of programs like the Young Mayors Program, which formally elects young people to a youth council, pending the results of the pilot.
e. The ability for the YAG to send delegates to make representations at Councillor briefings on items for consideration at the following meeting or to raise pertinent issues facing young people on the Northern Beaches.	Mixed response, with general agreement, this is being progressed through implementation of Youth Voice Action 4.9 relating to a quarterly reporting mechanism achieved through Councillor Briefings and the annual invite to a Youth Advisory Group meeting. As this is underway, no change is required to existing mechanisms.

Following the conclusion of the meeting, several YAG members conveyed their concern regarding visitors attending the meeting as it influenced their ability to provide feedback and voice their concerns and opinions openly. Based on this, a change to the Terms of Reference regarding all observers and visitors to YAG meetings is proposed.

Proposal

Following survey feedback and group discussion on the Terms of Reference and opportunities identified in the Council resolution, the following changes are proposed to the YAG Terms of Reference:

1. Include Have Your Say Day and Youth Week as key activities of the YAG with a focus on increasing the voice, participation and engagement of young people across the Northern Beaches.
2. Amend the Meeting Practices and Procedures to incorporate a stipulation that guests, including Councillors, may attend YAG meetings as observers by invitation only.

CONSULTATION

The detail in this report incorporates feedback from current Youth Advisory Group members from a survey conducted in May 2025 and a workshop at the YAG meeting in June 2025.

Council staff also conducted desktop research of 11 youth advisory groups in NSW LGAs alongside reviewing the Young Mayors Program provided by the Foundation for Young Australians (FYA), A Guide to establishing a children and young people's advisory group produced by The Advocate for Children and Young People (AYCP), and youth advisory groups of the NSW Aboriginal Land Council, Youth Action, Headspace and the Beaches Youth Hub.

TIMING

Staff will update the YAG Terms of Reference prior to commencing recruitment of the new cohort of YAG members in September 2025. The first induction for the new YAG will occur in February 2026.

Nameplates will be provided for all future YAG meetings from September onwards. Events training will be provided early in the program for the new 2026/27 YAG cohort.

FINANCIAL CONSIDERATIONS

The proposed recommendations can be implemented in the existing budget, with \$10,000 provided in the 2025-26 approved budget for the Youth Advisory Group program.

GOVERNANCE AND RISK CONSIDERATIONS

YAG is made up predominantly of young people under the age of 18 years. As such, child safeguarding is a priority consideration to ensure the program is safe for all young people involved. Whilst photographic consent is gained from members or their parents/guardians at the beginning of the YAG term, this only covers Council for the collection of images related to the program. Consideration of including nametags with name and ward in public gatherings has the potential to make young people more vulnerable to identification and contact from unknown individuals, and as such is not recommended.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The subject of this report has a positive impact on social outcomes for young people across the Northern Beaches. YAG is an important mechanism to ensure the voices of young people are heard across the LGA when decisions are made that impact them.

Whilst YAG is made up of a small number of young people, it is vital that the program remains accessible and inclusive, to ensure it provides robust representation of local young people

LINK TO STRATEGY

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

- Community and belonging - Goal 8 Our community feels safe and supported.
- Community and belonging - Goal 9 Our community is inclusive and connected.
- Good governance and participation- Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Good Governance and participation - Goal 21 Our community is engaged in decision making processes.

Reporting team	Community, Arts & Culture
TRIM file ref	2025/405832
Attachments	⇒1 Youth Advisory Group Terms of Reference 2023 (Included In Attachments Booklet) ⇒2 Review of the YAG Terms of Reference (Included In Attachments Booklet) ⇒3 YAG input to Notice of Motion 14/2025 (Included In Attachments Booklet)

ITEM 10.2 THE PARKLIFE PARTNERSHIP PTY LTD - RENT ARREARS WRITE OFF

PURPOSE

Under section 213 of the Local Government (General) Regulation 2021, the purpose of this report is to seek approval to write off The Parklife Partnership Pty Ltd's debt of \$45,069 relating to rent arrears for the use of North Narrabeen Reserve for the Beaches Market.

EXECUTIVE SUMMARY

- The Parklife Partnership Pty Ltd had a licence to operate weekly markets at North Narrabeen Reserve from March 2016 until 29 July 2022.
- Invoices from markets held from October 2021 until July 2022 totalling \$63,069 remain outstanding.
- Council has pursued payment of these invoices since 2022.
- The Parklife Partnership Pty Ltd remains registered, however there are no properties or assets attached to the business.
- The Parklife Partnership Pty Ltd notified Council of its inability to make payment and has proposed to forgo the bonds held by Council to the value of \$13,000 and pay Council an additional \$5000 over 25 months.
- It is recommended that the remaining debt of \$45,069 is written off.

RECOMMENDATION

That Council approve the write-off of the rental amount of \$45,069 (including GST) - account BP10816 and BP22367 for The Parklife Partnership Pty Ltd, under section 213 of the Local Government (General) Regulation 2021.

BACKGROUND

The Parklife Partnership Pty Ltd had a licence to operate weekly markets at North Narrabeen Reserve from March 2016 until 29 July 2022. Invoices from markets held from October 2021 until July 2022 totalling \$63,069 remain outstanding.

DISCUSSION

The Parklife Partnership Pty Ltd's licence agreement to operate the North Narrabeen Reserve markets included a fixed monthly fee, and a rate for each additional stall if more 100 were on site. There was also a specific wet weather fee if the markets were cancelled due to wet weather.

The Parklife Partnership Pty Ltd was required to send market stall numbers to Council after each weekly market, to enable the fee to be calculated. Due to administrative issues, the stall numbers between October 2021 and February 2022 were not confirmed until July 2022.

The invoices relating to the markets held during these months were issued to The Parklife Partnership Pty Ltd on 8 August 2022. By this time, The Parklife Partnership Pty Ltd was no longer operating the markets. Officers corresponded with The Parklife Partnership Pty Ltd over the next 2 years regarding this debt; however, it was not paid.

The Parklife Partnership Pty Ltd formally requested a fee waiver from Council in September 2024, noting the inability to make the outstanding payment. The company proposed to forgo the bonds held by Council to the value of \$13,000 and pay Council an additional \$5,000 over 25 months.

Legal Force, Council's debt collection agency investigated The Parklife Partnership Pty Ltd and its ability to pay the outstanding monies. Legal Force reported that although The Parklife Partnership Pty Ltd, was still registered as a company, it was no longer operating and had no property or assets.

Debtor Reference	The Parklife Partnership Pty Ltd BP10816 & BP22367
Date Debt Incurred	October 2021 until July 2022
Amount (including GST)	\$45,069
Description	Outstanding rental
Comments	Rental arrears requested to be written off

Section 213 of the Local Government (General) Regulation 2021 specifies the condition that if a debt is not lawfully recoverable it may be written off. It also specifies conditions in which bad debts may be written off:

- (5) A debt can be written off under this section only -
- if the debt is not lawfully recoverable, or
 - a result of a decision of a court, or
 - if the council or the general manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective.

Council can approve The Parklife Partnership Pty Ltd debt's write off in accordance with section 213(5)(c) of the Regulation.

CONSULTATION

Since 2022, staff have been in regular contact with The Parklife Partnership Pty Ltd.

TIMING

The debt of \$45,069 (including GST) will be immediately written off, and a repayment plan started for \$5000 (including GST) over a 25-month period.

FINANCIAL CONSIDERATIONS

The outstanding debts have been included in Council's provision for doubtful debts and as such, there will be no further impact on Council's financial position if the outstanding debts are written off.

GOVERNANCE AND RISK CONSIDERATIONS

Staff and Council's external debt recovery company have undertaken all reasonable recovery actions to secure payment of debts. It would be uneconomical and an inefficient use of Council resources to continue to pursue the \$45,069 (including GST).

The Chief Executive Officer has delegated authority to write off debts up to \$20,000. As this debt is over that limit, a Council resolution to write off the amount is required.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

There are no social considerations relating to this report.

LINK TO STRATEGY

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

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

Reporting team	Parks & Open Space
TRIM file ref	2025/388766
Attachments	Nil

11.0 ENVIRONMENT AND OPEN SPACE DIVISION REPORTS

ITEM 11.1 OUTCOME OF PUBLIC EXHIBITION - DRAFT MEMORIALS AND NAMING HONOURS POLICY

PURPOSE

The purpose of this report is to present the outcome of the public exhibition of the draft Memorials and Naming Honours Policy and to seek adoption of the final draft Policy.

EXECUTIVE SUMMARY

- At its meeting on 20 May 2025 Council resolved (Resolution 121/25) to place the draft Memorials and Naming Honours Policy (Policy) on public exhibition.
- The draft Policy was publicly exhibited for community feedback from 23 May 2025 to 22 June 2025.
- Following the public exhibition period a review was undertaken of the 43 submissions received which is set out in the Community Engagement Report (Attachment 1) and summarised in this report.
- There was strong support from the community for tighter controls around namings and memorials.
- Some less supportive submissions were based on a misunderstanding that memorial benches would no longer be available at all, or expressed concerns about the idea of memorial trees.
- Based on the review of the feedback received, minor amendments have been made as outlined in this report and a final draft Policy (Attachment 2) is now presented for adoption.

RECOMMENDATION

That Council:

1. Adopt the Memorials and Naming Honours Policy at Attachment 2.
2. Revoke the following policies:
 - a. Naming our Reserves, Facilities and Road Policy 2019 (Attachment 3)
 - b. Reserves - Outdoor Furniture - Dedication Policy R50 (Attachment 4)
 - c. Plaques in Parks and Reserves Policy No 157 (Attachment 5)
 - d. Memorials, Plaques and Naming of Assets Policy PL 360 (Attachment 6).

BACKGROUND

Council has 4 policies related to memorials and naming (Attachments 3, 4, 5, 6), of which 3 are memorial policies from the former councils. The existing memorial policies are inconsistent as they reflect differing approaches for managing community requests for installing memorial structures and memorial plaques on Council land.

A review has been undertaken of Council's memorial policies and practices, policies of other councils, research related to memorialisation and on the management of naming. The findings of this review include that combining the management of memorial and naming proposals would be more effective and more efficient than separate approaches.

A draft Memorials and Naming Honours Policy (Policy) was subsequently prepared and presented to Council at its meeting of 20 May 2025. Council resolved (121/25) to place the draft Policy on public exhibition with the outcomes to be reported back to Council.

DISCUSSION

In response to Resolution 121/25 the draft Policy was placed on public exhibition from 23 May 2025 to 22 June 2025 (public exhibition period). Forty-three submissions were received during the public exhibition period. Comments were received with 41 of these submissions.

Submissions on the naming honours part of the draft Policy supported the proposal to strengthen the naming criteria and further align with the naming policy of the Geographical Names Board (GNB) of NSW. Many respondents supported the proposed exclusion of commemorating politicians from naming. Some respondents indicated a strong preference for naming proposals that include flora and fauna, geographical features and Aboriginal words over individuals. Those opposed to changes to naming emphasised a preference to allow people the honour of celebrating a naming while alive and one submission requested reducing the years of service required to be eligible for naming.

The majority of respondents who commented on the memorials part of the draft Policy supported the proposal to strengthen the memorial criteria, with some supportive of allowing memorial seats at appropriate locations. However, submissions not supportive of the draft Policy often focused on a misconception that memorial seats will no longer be available. While the draft Policy proposes a memorial tree as a preference, memorial seats are still permitted at areas such as sportsfields and other reserves where there is an asset need and not already saturated with other memorials or memorial seats.

Feedback on memorial trees without plaques was mixed. Some respondents commented that a physical or digital plaque was required. Others supported memorial trees without a plaque. Some did not support memorial trees at all. While it is proposed that a memorial tree will be the preferred form of memorial, memorial benches will be available still at sites where there is capacity and a need.

Based on the review of the submissions and comments, minor amendments are proposed to the draft Policy including:

- memorial trees can be accompanied by digital plaques published on Council's website
- minor updates to the References and Related Documents section and formatting.

A final draft Policy (Attachment 2) has now been prepared for Council's consideration.

CONSULTATION

Public exhibition of the draft Policy and the opportunity to provide feedback was promoted via Council's e-mail newsletter channels, stakeholder emails and an online Your Say project page. Feedback was collected through an online form and via email. The 43 submissions and the comments received during the public exhibition period have been reviewed and the key themes arising from this review and staff responses are set out in Table 1 below.

Table 1: Public Exhibition of the draft Memorials and Naming Honours Policy - Key Themes and Responses

Theme	What we heard - issues, suggestions, requests and other considerations raised	Response
Naming proposals	Support the proposal for politicians not being given naming honours	Principle 9 of the draft Policy specifies that naming proposals commemorating local, state, territory or federal politicians will not be considered under unless resolved by Council. No change proposed to the draft Policy.
	<p>Objections to the proposal an individual is to be deceased to be eligible for a naming, so they can enjoy the honour while alive.</p> <p>Council should recognise individuals that have served the community.</p> <p>One submission requested the length of service to be eligible for a naming be reduced (from 20 years) to 5 years.</p> <p>Native flora and fauna, geographical features and/or Aboriginal names should be solely used in naming.</p> <p>Aboriginal names should be used alongside English / Latin names.</p> <p>Names reflecting geography are also appropriate.</p> <p>... the policy is needed, this is a good example of policy and glad to see this formalised better and in line with Geographic Names Board standards.</p>	<p>The draft Policy aligns with the Geographical Names Board (GNB) of NSW Place Naming Policy (GNB Policy), for example individuals are to be deceased to be eligible for naming of reserves. In keeping with this approach it is also proposed in the draft Policy that individuals are to be deceased to be eligible for naming of facilities.</p> <p>The 20 years or more criteria under Principle 7 of the draft Policy aligns with the GNB Policy. Nonetheless, individuals with less than 20 years may fit under Principle 7 if they have had a long-term association with an area and made a significant contribution and are deemed to be <i>a Local resident of note or have taken action... to protect, restore, enhance or maintain an area that produces substantial long-term improvements for the community</i>.</p> <p>The principles of the draft Policy specify that when naming geographical features preference will be given to historical names, Aboriginal words and the names of indigenous species of plants, birds and animals. When naming sportsgrounds and major venues, preference will be given to locality or geographical names.</p> <p>No change proposed to the draft Policy.</p>
Memorial trees	<p>Memorial trees should be accompanied by plaques to name those who are memorialised.</p> <p>Digital plaques for memorials trees could be used.</p>	The draft Policy has been amended to include that digital plaques will be made available on Council's website for approved memorial trees.

Theme	What we heard - issues, suggestions, requests and other considerations raised	Response
	Memorial trees are not an appropriate memorial.	<p>The draft Policy sets out that Council's preferred form of memorial is a memorial tree. Offering a tree as a living memorial is a meaningful and sustainable alternative to a memorial bench.</p> <p>Memorial trees are supported by other councils within the Sydney region including:</p> <ul style="list-style-type: none"> • City of Sydney • Sutherland Shire Council • North Sydney Council • Inner West Council. <p>Memorial seats will still be available at sites where there is capacity and a need. The list of available sites will be published on a new memorials web page.</p> <p>No change proposed to the draft Policy.</p>
Memorial seats	Memorial seats should not be in public spaces.	<p>Council recognises that memorial seats can be meaningful tributes, connecting people to place. This sentiment is reflected in many of the submissions received. Nonetheless, the draft Policy sets out that Council's preferred form of memorial is a memorial tree.</p> <p>The installation of a memorial seat will only be considered in a location where there is an identified need for such a seat. Suitable locations will be identified by Council and listed on Council's website as a guide for people making an application for a memorial.</p> <p>No change proposed to the draft Policy.</p>
	Memorial benches should be available to all individuals who have resided on the Northern Beaches.	<p>Principle 2 of the draft Policy sets out that individuals who have been residents of the Northern Beaches and are deceased can be nominated for a memorial such as a memorial seat. Nonetheless, the draft Policy sets out that Council's preferred form of memorial is a memorial tree.</p> <p>No change proposed to the draft Policy.</p>
	The removal of memorials needs to be carried out with sensitivity or memorials should not be removed at all.	<p>Existing memorials, plaques and naming infrastructure will not be removed as a result of the adoption of this Policy. As is the current practice, a memorial may be relocated or temporarily removed in certain circumstances for example to:</p> <ul style="list-style-type: none"> • Protect memorials during maintenance or construction works at the memorial location. • Enable memorials to be repaired. <p>The draft Policy sets out that all reasonable efforts will be made to inform the family and key stakeholders prior to the relocation or removal of a memorial.</p> <p>No change proposed to the draft Policy.</p>

TIMING

Should the final draft Policy be adopted by Council it will come into immediate effect. Revoked policies (Attachments 3, 4, 5, 6) will then be removed from Council's website and replaced with the adopted Policy.

The adopted Policy will be progressively implemented over the 2025/26 financial year as resources permit, including:

- revised application forms for memorial and naming proposals will be prepared and published on Council's website
- memorial site locations for memorials such as memorial trees and seats will be confirmed and published on Council's website
- a register including an online list and map of approved memorial trees and approved digital plaques.

FINANCIAL CONSIDERATIONS

The final draft Policy specifies that:

- applicants are responsible for paying the costs associated with a memorial seat (should it be approved) and Council will arrange the provision, installation, general maintenance and replacement (if required) of the memorial seat
- applicants are responsible for paying for the costs associated with a memorial tree (should it be approved) and Council will arrange the provision, planting and maintenance of the memorial tree.

There are funds available in the 2025/26 Parks and Open Space Operational Budget to implement the Memorials and Naming Honours Policy (as set out in this report) should it be adopted.

GOVERNANCE AND RISK CONSIDERATIONS

The final draft Policy has been prepared in accordance with Council's Policy Framework NB-P-01. If adopted, the following current policies would be revoked:

- Naming our Reserves, Facilities and Roads Policy 2019 (Attachment 3)
- Former Manly, Reserves - Outdoor Furniture - Dedication Policy R50 (Attachment 4)
- Former Pittwater, Plaques in Parks and Reserves Policy No 157 (Attachment 5)
- Former Warringah, Memorials, Plaques and Naming of Assets Policy PL 360 (Attachment 6)

ENVIRONMENTAL CONSIDERATIONS

Planting of memorial trees aligns with the principles and directions set out in Council's Tree Canopy Plan 2023 and will improve the Northern Beaches tree canopy over time.

The installation of approved memorial and naming infrastructure will be undertaken in accordance with all relevant environmental and other legislation and Council policies and directions.

SOCIAL CONSIDERATIONS

The final draft Policy provides opportunities to create meaningful tributes connecting people to places in ways that honour and celebrate the historical, cultural, environmental or social significance of local individuals and events on Council land.

Council staff who assess memorial and naming proposals will continue to communicate with sensitivity and empathy.

LINK TO STRATEGY

This report relates to Council's Tree Canopy Plan 2023 and these Community Strategic Plan 2040 Outcomes and Goals:

- Community and belonging - Goal 8 Our community feels safe and supported.
- Community and belonging - Goal 9 Our community is inclusive and connected.

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

Reporting team	Parks & Open Space
TRIM file ref	2025/443948
Attachments	<p>⇒1 Community Engagement Report - Public Exhibition of the draft Memorials and Naming Honours Policy (Included In Attachments Booklet)</p> <p>⇒2 Final Draft Memorials and Naming Honours Policy (Included In Attachments Booklet)</p> <p>⇒3 Naming our Reserves, Facilities and Roads Policy 2019 (Included In Attachments Booklet)</p> <p>⇒4 Former Manly Reserves - Outdoor Furniture - Dedication Policy R50 (Included In Attachments Booklet)</p> <p>⇒5 Former Pittwater Plaques in Parks and Reserves Policy No 157 (Included In Attachments Booklet)</p> <p>⇒6 Former Warringah Memorials, Plaques and Naming of Assets Policy PL 360 (Included In Attachments Booklet)</p>

ITEM 11.2 MINUTES OF THE NORTHERN BEACHES BUSH FIRE MANAGEMENT COMMITTEE MEETINGS HELD ON 4 MARCH 2025 AND 16 APRIL 2025
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PURPOSE

The purpose of this report is to report the confirmed minutes of the ordinary Northern Beaches Bush Fire Management Committee (BFMC) meeting held on 4 March 2025 and the extraordinary meeting held on 16 April 2025.

EXECUTIVE SUMMARY

- The BFMC consists of a range of agencies and stakeholders, including the fire authorities, land managers and community organisations, and is responsible for coordinating bush fire management throughout the Northern Beaches.
- An ordinary meeting of the BFMC was held on 4 March 2025 and an extraordinary meeting was held on 16 April 2025, the minutes of which were adopted at the ordinary BFMC meeting held on 3 June 2025.
- A number of coordinated programs and hazard reduction initiatives from the 2024/25 financial year were discussed at these meetings and a summary of matters relevant to Council is included in this report.
- The Northern Beaches Bush Fire Risk Management Plan was endorsed by the BFMC at the extraordinary meeting held on 16 April 2025 and this has since been submitted to the Bush Fire Coordinating Committee for review and approval.
- The minutes adopted by the BFMC are included as an attachment to this report and are reported for noting, with no action sought from Council.

RECOMMENDATION

<p>That Council note the confirmed minutes of the Northern Beaches Bush Fire Management Committee meetings held on 4 March 2025 and 16 April 2025.</p>
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BACKGROUND

The Northern Beaches Bush Fire Management Committee (BFMC) area comprises 23,525 hectares, of which Council has care, control and management of approximately 13% of the land. The remainder of the area is managed by NSW National Parks and Wildlife Service (NPWS) (46%), private tenure (36%), or by other government agencies (5%).

Under the *Rural Fires Act 1997* landowners are responsible for managing bush fire risk on their land. The BFMC consists of a range of agencies and stakeholders such as the fire authorities, land managers and community organisations. The BFMC is responsible for coordinating bush fire management across the local government area (LGA) and Council actively participates in the Committee and its sub-committees.

Ordinary BFMC meetings are held quarterly, and the release of final minutes takes some time due to the preparation process. This process includes the draft minutes from each meeting being prepared by the Executive Officer and NSW Rural Fire Service (RFS) staff which are then circulated to member agencies for review. At the subsequent meeting, any changes proposed by member agencies are discussed and agreed, and the BFMC moves to accept and adopt the minutes. Once adopted, the final minutes are released by the Executive Officer.

DISCUSSION

Ordinary BFMC Meeting – 4 March 2025

An ordinary meeting of the BFMC was held on 4 March 2025, the minutes of which were adopted at the ordinary BFMC meeting held on 3 June 2025 subject to the inclusion of amendments provided by Council staff.

The Executive Officer released the final minutes on 18 June 2025. A copy is attached to this report (Attachment 1).

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

- Election of Cr Jody Williams and Cr Joeline Hackman as Co-Chairpersons for 2025
- Acceptance of minutes, matters arising and correspondence in/out
- Hazard reduction program update
- Bush Fire Risk Management Plan (BFRMP) update
- Ignition Prevention Plan (IPP) update
- Organisational Reports
- Annual Works Plan update
- Fire Access and Fire Trail Plan (FAFT) update
- General business
 - Cottage Point Residents Association (CCPRA) Tank Plan
 - Cultural burning at Duffys Forest
 - Assets of Intergenerational Significance

Extraordinary BFMC Meeting – 16 April 2025

An extraordinary meeting of the BFMC was held on 16 April 2025, the minutes of which were adopted at the ordinary BFMC meeting held on 3 June 2025.

The Executive Officer released the final minutes on 18 June 2025. A copy is attached to this report (Attachment 2).

At this meeting the following Motion was carried:

The Northern Beaches Bush Fire Risk Management Plan is endorsed by the Northern Beaches Bush Fire Management Committee, before submission to the Bush Fire Coordinating Committee (BFCC) for review and approval.

As a result of this Motion, the Northern Beaches Bush Fire Risk Management Plan has been sent to the NSW Bush Fire Coordinating Committee for review and approval.

FINANCIAL CONSIDERATIONS

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

Funding to support bush fire management is included in existing operational budgets and supported by RFS grants annually.

GOVERNANCE AND RISK CONSIDERATIONS

The BFMC is conducted in accordance with the governance arrangements outlined in the *Rural Fires Act 1997*. Council's participation in the BFMC also satisfies the relevant requirements of Council's Bush Fire Management Policy 2021.

ENVIRONMENTAL CONSIDERATIONS

The initiatives and actions of the BFMC may have an environmental impact. The impact is assessed in accordance with the requirements of the relevant legislation including the *Rural Fires Act 1997*. Council continues to work with its BFMC partners to encourage due consideration of the environment in bush fire hazard reduction initiatives and to promote ecological/low intensity burns within the LGA.

SOCIAL CONSIDERATIONS

The subject of this report will have a positive impact on social outcomes for some members/groups of the community. The BFMC provides valuable information and advice relating to risk and the safety of the community to support their resilience. It includes participation and engagement with several key state agency stakeholders. Council works with the fire agencies through this Committee to facilitate community preparedness before and during the bush fire season.

LINK TO STRATEGY

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

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.
- Protection of the environment - Goal 2 Our environment and community is resilient to natural hazards and climate change.

Reporting team	Environment & Resilience
TRIM file ref	2025/422825
Attachments	⇒1 Minutes of the Northern Beaches Bush Fire Risk Management Committee Meeting held 4 March 2025 (Included In Attachments Booklet) ⇒2 Minutes of the Extraordinary Northern Beaches Bush Fire Risk Management Committee Meeting held 16 April 2025 (Included In Attachments Booklet)

ITEM 11.3 OUTCOME OF PUBLIC EXHIBITION - DRAFT MONA VALE BEACH (SOUTHERN END) PLAN OF MANAGEMENT

PURPOSE

To report in accordance with Council Resolution 319/24 on the outcomes of the public exhibition of the draft Mona Vale Beach (Southern End) Plan of Management and to seek adoption of the final draft.

EXECUTIVE SUMMARY

- At its meeting of 10 December 2024, Council resolved (Resolution 319/24) to publicly exhibit the draft Mona Vale Beach (Southern End) Plan of Management (draft PoM) and to progress with land categorisation.
- The draft PoM categorises that part of Crown Reserve R1040912 which falls within the boundary of this plan of management as Natural Area Foreshore.
- The draft PoM also identifies an area that may be used as a dog off-leash area on a trial and/or a permanent basis subject to further Council approvals (including under the *Companion Animals Act 1998*), and amends the Ocean Beaches Plan of Management 2005 so that it no longer applies to that part of Mona Vale Beach to which the draft PoM applies.
- The draft PoM was exhibited from 12 December 2024 to 9 February 2025, and the majority of the 3,306 submissions and comments received supported the draft PoM as set out in the Community Engagement Report (Attachment 1).
- Minor amendments have been made to the draft PoM as set out in this report, noting that these amendments are not considered to be substantial.
- The final draft Mona Vale Beach (Southern End) Plan of Management (final draft PoM), incorporating the proposed amendments, is now presented for adoption at Attachment 2.
- The business papers for this Council meeting (which is to be held on 19 August 2025) also contain a separate report on the proposed off-leash dog trial contemplated in the final draft PoM, at *Item 11.4 – Proposal for an Off-Leash Dog Trial at Mona Vale Beach (South)*.

RECOMMENDATION

That Council:

1. Note its consideration of the submissions and comments received in respect of the public exhibition of the draft Mona Vale Beach (Southern End) Plan of Management.
2. Note its opinion that amendments incorporated into the final draft Mona Vale Beach (Southern End) Plan of Management at Attachment 2 of the report for this item are not substantial and therefore the final draft Mona Vale Beach (Southern End) Plan of Management may be adopted without further public exhibition.
3. Note the adoption of the Mona Vale Beach (Southern End) Plan of Management will result in the land concerned being categorised by reference to Council's previously assigned categories, including the category of Natural Area Foreshore for that part of Crown Reserve R1040912 which falls within the boundary of the Plan of Management.
4. Note the adoption of the Mona Vale Beach (Southern End) Plan of Management under section 41 of the *Local Government Act 1993* will amend the Ocean Beaches Plan of Management 2005.

5. Adopt the Mona Vale Beach (Southern End) Plan of Management at Attachment 2 as the Plan of Management for the land concerned under section 40(1) of the *Local Government Act 1993* as modified by clause 70B of the Crown Land Management Regulation 2018 and section 3.23(6) of the *Crown Land Management Act 2016* (to the extent applicable).
6. Send a copy of the adopted Mona Vale Beach (Southern End) Plan of Management to the NSW Department of Planning, Housing and Infrastructure.

BACKGROUND

At its meeting held on 22 August 2023, Council resolved among other things (Resolution 225/23) to prepare a Plan of Management for the southern end of Mona Vale Beach that incorporates a proposal for an off-leash dog trial.

In response, the draft Mona Vale Beach (Southern End) Plan of Management (draft PoM) was prepared in accordance with the *Local Government Act 1993* (LG Act) and the *Crown Land Management Act 2016* (CLM Act).

The draft PoM, which is a site-specific plan of management, applies to Crown land managed by Council and Council owned Community land. Maps and details of the land to which this plan of management applies are included in the draft PoM. It also provides that the category of Natural Area Foreshore will apply to that part of Crown Reserve R1040912 which falls within the boundary of the draft PoM and identifies an area that may be used as a dog off-leash area on a trial and/or a permanent basis, subject to further Council approvals, including under the *Companion Animals Act 1998* (CA Act).

In accordance with the LG Act and CLM Act, on 3 June 2024 the draft PoM was sent by Council to the NSW Department of Planning, Housing and Infrastructure (DPHI) for review and consent to proceed to public exhibition. In a letter from DPHI dated 29 August 2024, the DPHI provided the Minister's consent to Council to publicly exhibit the draft PoM following completion of minor amendments, which were made.

At its meeting held on 10 December 2024, Council resolved (Resolution 319/24) to assign the category Natural Area Foreshore to the relevant part of Crown Reserve R1040912, place the draft PoM on public exhibition and report back on the outcomes.

DISCUSSION

In response to Resolution 319/24, the draft PoM was publicly exhibited for community feedback from 12 December 2024 to 9 February 2025. Following the public exhibition period, a review was undertaken of the 3,306 submissions and comments received as set out in the Community Engagement Report (Attachment 1). The majority of these submissions and comments supported the draft PoM.

Based on the review of the feedback received and an internal review of the draft PoM, minor amendments have been made to the draft PoM as follows:

- Minor editorial and formatting changes including to the names of NSW and Federal Government agencies and references to legislation for currency.
- Updates to the date of the Review of Environmental Factors for the Proposed Off-leash Dog Trial at Mona Vale Beach (South) being 2025 added, and removal of references to the document being draft, as further minor editorial changes.

A final draft Mona Vale Beach (Southern End) Plan of Management (final draft PoM) has been prepared that incorporates these amendments (Attachment 2). These amendments are considered minor and not substantial, meaning the final draft PoM may be adopted without public exhibition of the amendments pursuant to section 40(2)(b) of the LG Act. It is in keeping with advice from DPHI that the Minister consents to the Council adopting this final draft PoM under section 40(1) of the LGA Act as modified by clause 70B of the Crown Land Management Regulation 2018.

CONSULTATION

Section 38 of the LG Act requires Council to give public notice of the draft PoM, including exhibition of not less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council. The draft PoM (along with an easy read version) was publicly exhibited for 52 days from 12 December 2024 to 9 February 2025.

The opportunity to provide feedback was promoted via emails to stakeholders, letters to local residents, temporary signs at South Mona Vale Headland Reserve, Council's email newsletters, and a project page on Council's online engagement platform. Feedback was collected through an online submission form as well as letters and emails.

A total of 3,306 discrete submissions were received during the public exhibition period and comments were received with over 3,000 of these submissions. The majority of submissions and comments were supportive of the draft PoM. In particular, 70% of submissions supported the draft PoM (66% very supportive, 4% somewhat supportive) and 30% of submissions did not support the draft PoM (16% not very supportive and 14% not at all supportive).

Comments from respondents supportive of the draft PoM included key themes such as; this beach is suitable for a dog off-leash area, there are positive health and well-being benefits for people and their dogs from using the proposed dog off-leash area, there is a need for more dog off-leash areas on the Northern Beaches in particular on beaches and most dog owners will comply with the rules.

Comments from respondents not supportive of the draft PoM included key themes such as; this beach is not suitable for an off-leash area, the proposed dog off-leash area will be unsafe for other users, many dog owners will not comply with the rules, Council does not have the capacity to manage compliance effectively and there would be adverse environmental impacts from dogs being on the beach.

The majority of the comments received were related to the proposed dog off-leash area trial and were not directly about the draft PoM.

Details of the public exhibition and review of submissions and comments received and a link to a verbatim list of these submissions and comments are set out in the Community Engagement Report at Attachment 1. A summary of key themes that arose from the review and staff responses are presented in Table 1 below.

Table 1: Public Exhibition of the Draft Mona Vale Beach (Southern End) Plan of Management – Overview of Key Themes and Responses

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
Comments in support of the proposed dog off-leash area at Mona Vale Beach (south) incorporated in the draft PoM.	<p>Comments in support of the proposed dog off-leash area incorporated in the draft PoM include:</p> <ul style="list-style-type: none"> there is a need for a dog friendly off-leash area on this beach because dogs are not allowed on any ocean beach on the Northern Beaches a new dog off-leash area will mean less congestion at other off-leash areas there are not enough dog off-leash areas on the Northern Beaches there is a need for more dog off-leash areas and places where dogs can swim will encourage dog walking which enhances physical and mental well-being and quality of life for people and their dogs helps dogs with socialisation and stimulation, interaction with other dogs and people on the beach can help dogs develop better social skills, making them more well- 	<ul style="list-style-type: none"> There are no Council dog off-leash areas on an ocean beach (except for limited access to the North Curl Curl lagoon). There are 4 Council dog off-leash areas with access to water – none with access to the ocean. The human physical and mental health benefits of walking are well established. For example, the Australian Government's Department of Health & Aged Care indicates that moving more and sitting less improves physical and mental health. It is reasonable for Council to investigate proposals for more dog off-leash areas. <p>No changes proposed to the draft PoM.</p>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<p>behaved and less likely to be aggressive</p> <ul style="list-style-type: none"> • there is plenty of other beach space for those who don't want to share the beach with off-leash dogs • with clear signage, waste disposal facilities, and responsible dog ownership guidelines, a dog off-leash beach area can coexist harmoniously with other community interests • this area of beach is rarely used • good location next to the existing dog off-leash area at South Mona Vale Headland Reserve • it's a central location in the Local Government Area (LGA), I won't have to travel to other LGA's to enjoy the beach with my dog • there is a good buffer between the dog off-leash area and the busy northern part of this beach and the flagged area • safe place to walk dogs without e-bikes • will encourage responsible pet ownership • could be a social hub, shared space where dog owners and families can meet and connect outdoors, fostering a sense of joy, community and providing opportunities for social interaction. 	
<p>Comments not in support of the proposed dog off-leash area at Mona Vale Beach (south) incorporated in the draft PoM</p>	<p>Comments not in support of the proposed dog off-leash area incorporated in the draft PoM include:</p> <ul style="list-style-type: none"> • dogs on the beach will reduce the peace and quiet, ambience and enjoyment of other users of the beach • this ocean area is unpatrolled and often dangerous with permanent rips • dogs will conflict with, interrupt and limit use of the beach for other uses such as walking, swimming, surfing • there are likely to be dog attacks or accidents particularly to children and the elderly • some dog owners are aggressive • this beach is not safe now because there are dogs on this beach even though dogs are prohibited 	<p>Should the trial proceed it is proposed that:</p> <ul style="list-style-type: none"> • People taking their dogs to the proposed dog off-leash area will be required to abide by any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. • And the draft PoM proposes among other things that <ul style="list-style-type: none"> - the trial will be monitored and appropriate regulatory and enforcement action undertaken, as required - new signs are installed and existing signs updated with information for users including the conditions of use such as picking up after their dog, map of the dog off-leash area, permitted days / times and the penalties for failing to comply as

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> the dog off-leash area is too close to the children's playground in Apex Park many people (individuals, children and families) feel unsafe around dogs dog excrement impacts the health of people NSW government's sharksmart website states "Avoid having pets in the water with you," dogs swimming will put others using the surf at risk dogs can be unpredictable and many owners cannot control their dogs many dog owners are observed not following the rules related to dogs e.g. not picking up after their dog, not under effective control and dogs are outside the off-leash areas dogs won't be kept in the off-leash area and will access the rest of the beach environmental damage ratepayers are footing the costs of un-leashed dogs and may have to fund payouts for dog attack claims funds will be diverted from essential services to pay for the trial that only benefits a portion of the community already dog poo on the beach owners don't pick up on the headland and will leave poo on this beach too might attract owners and dogs from outside the LGA will make this beach less accessible for vulnerable people overcrowding from unrestricted dog access dogs create tension in shared public spaces the area is for conservation not dogs there are already 30 dog off-leash areas including on the headland near the beach there are sufficient dog walking areas, including with water access. 	<p>well as safety information including beach safety</p> <ul style="list-style-type: none"> the fencing along the eastern edge of the dunes and along the two paths to the proposed dog off-leash area will be upgraded to prevent dogs entering the vegetated areas the fencing will be designed to prevent dogs while still allowing movement of small terrestrial fauna dog waste dispenser(s) are installed and waste bags provided additional bins are installed as needed. <ul style="list-style-type: none"> The northern edge of the proposed dog off-leash area is approximately 850m from the playground in Apex Park. There is a low likelihood that a dog off-leash would not be prevented from making its way to this playground. <p>It is proposed that the costs of the proposed trial at Mona Vale Beach (south), incorporated in the draft PoM, will be met with existing resources and with funds sourced through Council's usual budget processes and that existing resources will be used to monitor and manage compliance for the trial (should it proceed).</p> <p>The implementation of the trial will not impact on Council's funding for and provision of essential services.</p> <p>No changes proposed to the draft PoM.</p>
Number of dog off-leash areas	Some respondents stated there is a growing need for more dog off-leash areas on the Northern Beaches, particularly on beaches because:	<ul style="list-style-type: none"> The proposal for a dog off-leash area on Mona Vale Beach (south), incorporated in the draft PoM, will assist in addressing requests for more dog off-leash areas.

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> • there are more dogs on the Northern Beaches since the COVID-19 time • existing dog off-leash areas are overcrowded particularly where there is a place to swim e.g. Rowland Reserve • new off-leash areas would spread the use and reduce crowding at other off-leash areas • you can't expect everyone to travel to Mona Vale Beach, there needs to be other beaches where dogs can be off-leash. <p>Comments opposed to more dog off-leash dog areas included:</p> <ul style="list-style-type: none"> • we have sufficient dog off-leash areas including with water access and places to walk dogs already • there is already a dog off-leash area on the headland near this beach • dogs don't need beaches. They already have plenty of other places to run free • under the CA Act, Council is required to provide at least one off-leash dog exercise area at all times. However, Council currently provide 30 dog off-leash areas. 	<ul style="list-style-type: none"> • Community feedback received by Council since 2016 indicates there is demand for more places to take dogs off-leash in parks and beaches. • Two new dog off-leash areas are currently under consideration at Mona Vale Beach (south) and Palm Beach (north). At this time Council is not considering other locations for dog off-leash areas on a beach or park. • There are no Council dog off-leash areas on an ocean beach (except for limited access to the North Curl Curl lagoon). • Council's dog off-leash areas are spread across the LGA to provide better access for residents across the LGA who have dogs. • It is reasonable for Council to investigate proposals for more dog off-leash areas. <p>No changes proposed to the draft PoM.</p>
Compliance, regulations and enforcement	<p>Those not supportive of the proposed dog off-leash area trial incorporated in the draft PoM indicated:</p> <ul style="list-style-type: none"> • many dog owners are observed not following the rules related to dogs e.g. not picking up after their dog (including Mona Vale Headland dog off-leash area), dogs are off-leash when they should be on-leash and won't do the right thing on the beach either • concerns the rules won't be followed on this beach and there will be conflict with other users, adverse impacts on the environment, dogs will be uncontrolled and outside the off-leash area boundaries • Council doesn't have the capacity to successfully manage compliance of dogs currently • Council's enforcement of compliance is essential to the success of the proposed dog off-leash area • Council rangers often do not fine dog owners for breaking the rules, 	<p>Should the trial proceed it is proposed that:</p> <ul style="list-style-type: none"> • People taking their dogs to the proposed dog off-leash area will be required to abide by any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. • And the draft PoM proposes among other things that <ul style="list-style-type: none"> - the trial will be monitored and appropriate regulatory and enforcement action undertaken, as required - new signs are installed and existing signs updated with information for users including the conditions of use such as picking up after their dog, map of the dog off-leash area, permitted days / times and the penalties for failing to comply - the fencing along the eastern edge of the dunes and along the two paths to the proposed dog off-leash area will be

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<p>leading to a lack of compliance and increased risk for other beachgoers</p> <ul style="list-style-type: none"> How will dogs be contained to the trial area? <p>Those supportive of the proposed dog off-leash area trial stated:</p> <ul style="list-style-type: none"> most dog owners follow the rules and pick up after their dogs and would follow the rules at Mona Vale Beach. 	<p>upgraded to prevent dogs entering the vegetated areas</p> <ul style="list-style-type: none"> the fencing will be designed to prevent dogs while still allowing movement of small terrestrial fauna dog waste dispenser(s) are installed and waste bags provided additional bins are installed as needed. <ul style="list-style-type: none"> An entry fee / levy to access the proposed dog off-leash area (should it proceed) is not being considered for the proposed trial. <p>No changes proposed to the draft PoM.</p>
Other Councils have successful dog off-leash areas	<p>Comments were received about dog off-leash areas on beaches in other Council areas including:</p> <ul style="list-style-type: none"> some holiday or drive out of area so they can take their dog to the beach there are dog friendly beaches in densely populated areas like the Eastern Suburbs. 	<ul style="list-style-type: none"> Council is investigating what is best for the Northern Beaches community and the natural environment, land and beaches that Council manages in accordance with relevant legislation. <p>No changes proposed to the draft PoM.</p>
Environmental impacts of dogs on the beach during the off-leash area trial incorporated in the draft PoM	<p>Comments were received about environmental impacts of dogs on the beach during the off-leash area trial incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> Dogs and their excrement will adversely impact the environment e.g. dog excrement will be left on/in the sand and dog faeces bags will enter the water, dogs will trample dunes/environmentally sensitive areas, disturb native vegetation and stress wildlife Suggestions for fencing to be installed to keep dogs out of the ecosystem area Local birds will be scared away from their local habitat by dogs Fencing, signage and dog waste bag stations add to visual clutter and ruins the natural environment. 	<ul style="list-style-type: none"> A Review of Environmental Factors for the proposed dog off-leash area trial at Mona Vale Beach (South) 2025 (REF 2025) indicates that the potential impacts of the proposed trial are considered unlikely to significantly affect the environment, noting that the activity (the proposed trial) will incorporate mitigation and management measures / safeguards (which would be implemented should the trial proceed). <p>Should the trial proceed</p> <ul style="list-style-type: none"> People taking their dogs to the proposed dog off-leash area will be required to abide by any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. And the draft PoM proposes among other things <ul style="list-style-type: none"> the trial will be monitored and appropriate regulatory and enforcement action undertaken, as required new signs are installed and existing signs updated with information for users including the conditions of use such as

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		<p>picking up after their dog, map of the dog off-leash area, permitted days / times and the penalties for failing to comply</p> <ul style="list-style-type: none"> - the fencing along the eastern edge of the dunes and along the two paths to the proposed dog off-leash area will be upgraded to prevent dogs entering the vegetated areas - the fencing will be designed to prevent dogs while still allowing movement of small terrestrial fauna - dog waste dispenser(s) are installed and waste bags provided - additional bins are installed as needed. <p>No changes proposed to the draft PoM.</p>
Dog off-leash area trial parameters for the off-leash area trial incorporated in the draft PoM	<p>Requests were received to change the trial parameters during the off-leash area trial incorporated in the draft PoM, including:</p> <ul style="list-style-type: none"> • increasing the dog off-leash area • making beach access paths off leash • extending dog off-leash hours for the trial e.g. adding an extra hour in morning, extending hours for shift workers, extending to include all daylight hours, making it off-leash all day (24/7). 	<ul style="list-style-type: none"> • Expanding the proposed dog off-leash area and the days and times for dog off-leash access to the beach, for the off-leash area trial incorporated in the draft PoM, is not supported because the REF 2025 and the draft PoM are based on the trial parameters approved by Council on 22 February 2022 (Council Resolution 023/22). • To minimise safety risks, the off-leash area trial contemplated in the draft PoM would permit dogs on-leash on the two designated access paths to the proposed dog off-leash area at the times that dogs are permitted off-leash on the beach (should the trial proceed). <p>No changes proposed to the draft PoM.</p>
Dog waste management	<p>Comments were received about dog waste, during the off-leash area trial incorporated in the draft PoM, including:</p> <ul style="list-style-type: none"> • Excrement left on the beach is a health risk for people and adversely impacts the environment and reduces enjoyment of the beach • Concerns dog waste and bags will be left on the beach and end up in the ocean • If the trial proceeds, additional bins and dog waste bags need to be available. 	<p>Should the trial proceed:</p> <ul style="list-style-type: none"> • People taking their dogs to the proposed dog off-leash area would be required to abide by any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. • And the draft PoM proposes among other things: <ul style="list-style-type: none"> - the trial will be monitored and appropriate regulatory and enforcement action undertaken, as required - new signs are installed and existing signs updated with

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		<p>information for users including the conditions of use such as picking up after their dog and the penalties for failing to comply</p> <ul style="list-style-type: none"> - the fencing along the eastern edge of the dunes and along the two paths to the proposed dog off-leash area will be upgraded to prevent dogs entering the vegetated areas - dog waste dispenser(s) are installed and waste bags provided - additional bins are installed as needed. - No changes proposed to the draft PoM.
Costs of the proposed trial for the off-leash area trial incorporated in the draft PoM	<p>Comments were received about the cost of the proposed trial for the off-leash area trial incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> • dog owners should be allowed to use facilities that their rates/taxes pay for, while others don't want their rates being used for this purpose • concerns cost of enforcing trial compliance will be high • some opposed to the trial felt it would reduce their access to local facilities and only benefit those who own dogs, and mean less value for the rates they pay • supplying dog waste bags is an added cost to Council • Council should consider permit tags for dogs to use the dog off-leash area, where registered dog owners pay a levy to cover the cost of the off-leash area • dog off-leash area trial will create legal liability issues for Council. 	<ul style="list-style-type: none"> • The costs of the proposed trial at Mona Vale Beach (south), incorporated in the draft PoM will be met with existing resources and with funds sourced through Council's usual budget processes. • Existing resources will be used to monitor and manage compliance for the trial (should it proceed). • Council is not considering introducing a fee / levy to use the dog off-leash area during the trial (should it proceed). • Should the trial proceed, Council would manage the trial in accordance with any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. <p>No changes proposed to the draft PoM.</p>
Managing and evaluating the trial incorporated in the draft PoM	<p>Comments were received about managing and evaluating the proposed trial incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> • how will the trial's success or failure be measured? • adequate resourcing/funding for a ranger to monitor and enforce compliance • request for baseline data • dog owner education required • as the area gets over used dog owners will keep moving further 	<p>The proposed trial will be evaluated against criteria including the mitigation and management measures/safeguards identified in the final Review of Environmental Factors for the trial. The outcomes of the trial would be reported to Council for its consideration.</p> <p>Should the trial proceed, the draft PoM proposes among other things that:</p> <ul style="list-style-type: none"> - The mitigation and management measures / safeguards identified in the final Review of Environmental

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<p>north until most of Mona Vale Beach will eventually become a de facto dog beach</p> <ul style="list-style-type: none"> some acknowledged the trial will allow Council to monitor and assess the benefits and potential concerns. 	<p>Factors for the trial are to be implemented.</p> <ul style="list-style-type: none"> People taking their dogs to the proposed dog off-leash area, would be required to abide by any relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act, this includes that dogs would be permitted on the beach in the approved off-leash trial area only at the approved specific days and times. Information about the trial such as the conditions of use and compliance would be provided on Council's website and on signs on-site, also some education sessions will be provided during the trial. the trial will be monitored and appropriate regulatory and enforcement action undertaken, as required new signs are installed and existing signs updated with information for users including the conditions of use such as picking up after their dog, map of the dog off-leash area, permitted days / times and the penalties for failing to comply. <p>No changes proposed to the draft PoM.</p>
Infrastructure	<p>Comments were received about infrastructure for the proposed dog off-leash area incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> for bins, waste bags, signs, fencing Some were concerned additional infrastructure would create visual clutter No clear boundary line or fenced off area between the dog off-leash trial area and the rest of the beach. 	<p>Should the trial proceed, the draft PoM proposes among other things that:</p> <ul style="list-style-type: none"> new signs are installed and existing signs updated with information for users including the conditions of use such as picking up after their dog, map of the dog off-leash area, permitted days / times and the penalties for failing to comply the fencing along the eastern edge of the dunes and along the two paths to the proposed dog off-leash area will be upgraded to prevent dogs entering the vegetated areas the fencing will be designing to prevent dogs while still allowing movement of small terrestrial fauna

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		<ul style="list-style-type: none"> - dog waste dispenser(s) are installed and waste bags provided - additional bins are installed as needed. <p>No changes proposed to the draft PoM</p>
Noise	<p>Comments were received about the noise impacts from the proposed dog off-leash area incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> • barking disturbs the peaceful environment, enjoyment of the beach and disturbs birds • if more dog off-leash areas are provided there will be less noise. 	<p>Should the trial proceed the draft PoM proposes among other things that:</p> <ul style="list-style-type: none"> • People taking their dogs to the proposed dog off-leash area, would be required to abide by relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act and any legislation related to noise. <p>No changes proposed to the PoM.</p>
Draft Review of Environmental Factors for the proposed dog off-leash area trial at Palm Beach (north) and Mona Vale Beach (South) 2023 (draft REF 2023).	<p>Comments were received about the draft REF 2023 that was presented to Council at its meeting of 20 August 2023 indicating that the draft REF 2023 fails to adequately address the potential threat of dogs to the environment and is inaccurate, unreliable, inadequate, biased in favour of allowing dogs on beaches.</p>	<ul style="list-style-type: none"> • The matters raised in regard to the draft Review of Environmental Factors 2023 (draft REF 2023) have been responded to in the community engagement report about the public exhibition of the draft REF 2023 that was presented to Council at its meeting of 22 August 2023. • As reported to Council, the draft REF 2023 took into account environmental considerations, having regard to the requirements of legislation including the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act), <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and Guidelines. <p>No changes proposed to the draft PoM.</p>
Traffic and parking issues due to the proposed dog off-leash area trial during the off-leash area trial incorporated in the draft PoM	<p>Comments were received about traffic and parking matters for the off-leash area trial incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> • not enough parking particularly during peak summer times to accommodate additional use of the off-leash area from locals and visitors • already insufficient parking for nearby residents • will make parking difficult for the nearby health services. 	<p>Should the trial proceed, the draft PoM proposes among other things that:</p> <ul style="list-style-type: none"> • Increased patrols by Council officers during high peak times will be considered to ensure compliance with parking rules during the trial. • Monitoring of parking will be undertaken during the trial. <p>The proposed trial times were selected to minimise impacts on traffic and parking.</p> <p>No changes proposed to the draft PoM.</p>
Equal access and fairness	<p>Comments were received about equal access and fairness for the off-leash</p>	<p>Should the trial proceed, the draft PoM proposes among other things that:</p>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<p>area trial incorporated in the draft PoM including:</p> <ul style="list-style-type: none"> • this small stretch of beach is a wonderful resource that should and can be enjoyed by all the community • dog owners and dogs should have equitable access to open space, particularly beaches • there are plenty of beaches for people • shared spaces like Mona Vale Beach should remain safe and inclusive for everyone. Off-leash dogs disrupt this balance, posing risks to children, seniors, and wildlife while creating unnecessary noise and litter. 	<ul style="list-style-type: none"> • dogs are permitted off-leash during the approved trial period in the approved trial area at these days and times: <ul style="list-style-type: none"> - 5.30am to 10.00am and 5.00pm to 9.00pm, Monday to Sunday (Australian Eastern Daylight Time) - 6.00am to 10.00am and 4.00pm to 7.00pm, Monday to Sunday (Australian Eastern Standard Time) - dogs would be prohibited in the trial area at all other times - dogs remain prohibited on Mona Vale Beach outside the trial area 24 hours a day 7 days a week (as per the current Council policy). - the proposed trial days and times have been set to provide suitable times for walking a dog and to minimise impacts on other users of the beach and nearby residents. • People taking their dogs to the trial area, would be required to abide by relevant Council policies and directions and any relevant legislation such as the LG Act and the CA Act. <p>No changes proposed to the draft PoM.</p>
Other matters	<ul style="list-style-type: none"> • This is taking too long • Aren't dogs already prohibited within the fenced vegetated areas of the draft PoM? • The golf shelter is usually under hip-height grass • Consider more plantings and shade coverage along the Coastal Walk behind Mona Vale Beach • Pathways along Mona Vale golf course are not kept tidy. 	<ul style="list-style-type: none"> • Council is taking the time required so that all due diligence in regard to the proposed trial is undertaken. This includes investigating matters under the LG Act, CA Act, EP&A Act and the CLM Act. • The draft PoM enables Council to consider prohibiting dogs on land covered by the draft PoM, which is vegetated, where dogs are not currently prohibited. • Plantings are proposed in the Mona Vale Beach (south) vegetated areas in spring 2025. • Weeding has been undertaken in the area around the golf shelter. • There is scheduled vegetation maintenance undertaken by Council on Council's land adjoining the Mona Vale Golf Course. <p>No changes proposed to the draft PoM.</p>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
Out of scope - support for online surveys	<ul style="list-style-type: none"> Appreciate the format to express views without online harassment/fear of being attacked online Many feel that online forums are no longer a safe space to discuss this issue. 	<ul style="list-style-type: none"> Feedback could be provided on the draft PoM via an online form, letters or emails. A link to a redacted verbatim list of the comments received is available via this Community Engagement report. <p>No changes proposed to the draft PoM.</p>
Out of Scope - other	A large area adjacent to grassed area beside the Mona Vale hospital was cleared and fenced off some time ago. Weeds filling this area, was to be revegetated.	<ul style="list-style-type: none"> This area is planned to be replanted in spring 2025. <p>No changes proposed to the draft PoM.</p>
	Recommend a review of Northern Beaches parking stickers not being valid at the car park area adjoining the dog off-leash area at Rowland Reserve, Bayview.	<ul style="list-style-type: none"> This request was sent to the Transport Network team for consideration. <p>No changes proposed to the draft PoM.</p>
	Requests that Council consider reducing the number of off-leash areas and increase patrols to better manage dogs.	<ul style="list-style-type: none"> Council is not considering removing any of its current dog off-leash areas. Council receives regular requests for more dog off-leash areas and has received feedback that some off-leash areas are very crowded e.g. Rowland Reserve, LM Graham Reserve. Requests for more ranger patrols to better manage dogs in specific areas is considered and implemented as needed and where resources are available. <p>No changes proposed to the draft PoM.</p>
	No Dogs Allowed signs at the northern end of Mona Vale Beach have been destroyed.	<ul style="list-style-type: none"> New 'dogs prohibited on beach' signs have been installed at the northern end of Mona Vale Beach. <p>No changes proposed to the draft PoM.</p>
	Suggestions were received for new and upgraded infrastructure on land not covered by the draft PoM including requests for; a boardwalk for Avalon beach, spaces for cafes/coffee trucks and a fence around the South Mona Vale Headland Reserve dog off-leash area.	<ul style="list-style-type: none"> The suggestion for a boardwalk for Avalon beach has been referred to the Parks and Open Space team. Coffee van operators can request temporary access to Council land to operate their businesses via Council's usual booking application process. Council policies and directions and relevant legislation applies. The dog off-leash area at South Mona Vale Headland Reserve is fenced on the southern boundary and partly fenced on the northern, eastern and western boundaries. There are no plans to fully enclose

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		<p>this reserve as continuous access is required through the reserve to the beach, to the paths that traverse the reserve and for the range of other recreation activities that occur regularly in this reserve.</p> <p>No changes proposed to the draft PoM.</p>

TIMING

Should the final draft PoM be adopted by Council it will come into immediate effect. A copy of the adopted Mona Vale Beach (Southern End) Plan of Management (adopted PoM) would be sent to the DPHI and placed on Council's website.

FINANCIAL CONSIDERATIONS

Should the final draft PoM be adopted by Council, the actions in the adopted PoM are unfunded until confirmed in Council's Delivery Program for operational and capital funding. Funding for these actions would be considered as required during budget reviews and the annual process for developing Council's Delivery Program and budgets.

GOVERNANCE AND RISK CONSIDERATIONS

Should the final draft PoM be adopted by Council, the Ocean Beaches Plan of Management (2005) will be amended as set out in the adopted PoM such that the Ocean Beaches Plan of Management (2005) would no longer apply to that part of Mona Vale Beach to which the adopted PoM applies.

ENVIRONMENTAL CONSIDERATIONS

Should the final draft PoM be adopted by Council, implementation of actions in the adopted PoM is dependent on resourcing, funding and obtaining any necessary approval, licence, authorisation or permission in accordance with relevant legislation. The provisions of other statutes may apply to the implementation of each action. In particular, prior to carrying out actions, it may be necessary to obtain development consent and/or undertake an environmental assessment under legislation including Part 5 of the *Environmental Planning and Assessment Act 1979*.

SOCIAL CONSIDERATIONS

The final draft PoM has been prepared for the southern end of Mona Vale Beach to, among other things, enable further protection of coastal vegetation, support ongoing community use of the beach and enable consideration to be given to a specific area of the beach to be used as a dog off-leash area consistent with any Council approval.

LINK TO STRATEGY

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

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.
- Housing, places and spaces - Goal 12 Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed.
- Good governance and participation - Goal 21 Our community is engaged in decision making processes.

Reporting team	Parks & Open Space
TRIM file ref	2025/486113
Attachments	⇒ 1 Community Engagement Report - Public Exhibition Draft Mona Vale Beach (Southern End) Plan of Management (Included In Attachments Booklet) ⇒ 2 Final Draft Mona Vale Beach (Southern End) Plan of Management (Included In Attachments Booklet)

ITEM 11.4 PROPOSAL FOR AN OFF-LEASH DOG TRIAL AT MONA VALE BEACH (SOUTH)

PURPOSE

To report on the outcomes of investigations into the proposal for an off-leash dog trial at Mona Vale Beach (south).

EXECUTIVE SUMMARY

- In response to community representations, Council has been investigating a proposal for an off-leash dog trial at Mona Vale Beach (south).
- As reported to Council at its meeting held on 10 December 2024, dogs are not presently permitted on Mona Vale Beach (south) and will not be permitted unless Council, among other things, adopts an appropriate plan of management under the *Local Government Act 1993* (LG Act) as modified by the *Crown Land Management Act 2016* (to the extent applicable), varies the current prohibition on dogs on the beach (see current and proposed amended Dog Policy No 30 at Attachments 2 and 3) and declares the relevant land to be a dog off-leash area under the *Companion Animals Act 1998* (CA Act).
- The business papers for this Council meeting (which is to be held on 19 August 2025) also contain a report on the final draft Mona Vale Beach (southern end) Plan of Management 2025 (final draft PoM) at *Item 11.3 – Outcome of Public Exhibition – Draft Mona Vale Beach (Southern End) Plan of Management* and, should the final draft PoM be adopted, the requirements for a plan of management in respect of the land will be addressed.
- Varying the Dog Policy No 30 and making an order under section 13(6) of the CA Act declaring a public place to be an off-leash area can only be done after compliance with the *Environmental Planning and Assessment Act 1979* (EPA Act).
- The off-leash dog trial is considered to be an activity as defined in Division 5.1 of the EPA Act that requires an environmental impact assessment by the Council (in this case a Review of Environmental Factors).
- The Review of Environmental Factors Mona Vale Beach (south) Off-leash Dog Trial (REF 2025) (Attachment 1) concludes that the potential impact of the trial (incorporating the mitigation and management measures/safeguards) is considered to be relatively minor and that the trial is not likely to significantly affect the environment.
- Due consideration has been given to the investigations undertaken and community feedback received in 2021, 2023 and 2024/5, and it is recommended that Council proceed with the off-leash dog trial at Mona Vale Beach (south) as set out in this report.

RECOMMENDATION

That Council:

1. As the determining authority pursuant to Division 5.1 of the *Environmental Planning and Assessment Act 1979* in respect of the off-leash dog trial proposed for Mona Vale Beach (south), incorporating the mitigation and management measures/safeguards in the Review of Environmental Factors Mona Vale Beach (south) Off-leash Dog Trial 2025 (REF 2025) at Attachment 1, as set out in the report for this item and REF 2025 (Off-Leash Dog Trial) (being the relevant 'activity'):
 - a. Note that, in examining and taking into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the Off-Leash Dog Trial activity, it has had regard to REF 2025, section 5.5(1) of the *Environmental*

Planning and Assessment Act 1979, section 171 of the *Environmental Planning and Assessment Regulation 2021* and the *Guidelines for Division 5.1 assessments* prepared by the Department of Environment and Planning dated 2022.

- b. Determine that the Off-Leash Dog Trial activity is not likely to significantly affect the environment having regard to REF 2025, section 5.7 of the *Environmental Planning and Assessment Act 1979*, section 171 of the *Environmental Planning and Assessment Regulation 2021* and the *Guidelines for Division 5.1 assessments* prepared by the Department of Environment and Planning dated 2022.
2. Vary the order in the Dog Control Policy No 30 at Attachment 2 to remove the prohibition on dogs on Mona Vale Beach (south) and permit the Off Leash Dog Trial in accordance with the amended Dog Control Policy No 30 at Attachment 3, under sections 13(6) and 14 of the *Companion Animals Act 1998*.
3. By order under section 13(6) of the *Companion Animals Act 1998*, declare the public place the subject of the Off Leash Dog Trial (being the 12 month trial of the dog off-leash area for Mona Vale Beach (south) referred to in the report for this item, the amended Dog Control Policy No 30 and REF 2025 and including all recommended mitigation and management measures/safeguards), to be an off leash dog area, with this declaration to apply from 14 October 2025 to 13 October 2026, such that dogs will be permitted off-leash on this land between those dates at the following times:
 - a. 5.30am to 10.00am and 5.00pm to 9.00pm, Monday to Sunday (Australian Eastern Daylight Time)
 - b. 6.00am to 10.00am and 4.00pm to 7.00pm, Monday to Sunday (Australian Eastern Standard Time).
4. Approve the Off-Leash Dog Trial at Mona Vale Beach (south), including the implementation of the mitigation and management measures/safeguards set out in REF 2025, to proceed on the basis set out in the report for this item and REF 2025.
5. Be provided with a report on the outcomes of the Off-Leash Dog Trial at Mona Vale Beach (south).

BACKGROUND

In response to community representations, Council has been investigating a proposal to trial a dog off-leash area at the south end of Mona Vale Beach. This matter and the findings of these investigations have been the subject of various reports to Council as set out below:

- At its meeting of 28 July 2020, Council considered Notice of Motion No 33/2020 titled *Activation of Beach Space for Dog Exercise*. Council subsequently resolved (Resolution 187/20) to prepare a report on the feasibility of establishing dog off-leash areas in a set area of north Palm Beach and the southernmost end of Mona Vale Beach.
- At its meeting of 27 April 2021, Council considered a report titled *Feasibility of Establishing Dog Off-leash areas at Palm Beach (North) and Mona Vale Beach (South)*. Council subsequently resolved (Resolution 111/21) to undertake environmental assessments, exhibit the proposed trial parameters in this report and report back to Council.
- At its meeting of 22 February 2022, Council considered a report titled *Update on Environmental Assessments for Proposed Trial of Palm Beach (North) and Mona Vale Beach (South) Dog Off-leash Areas*. Council subsequently resolved (Resolution 023/22) to utilise the trial parameters put forward in this report for environmental assessments.
- At its meeting of 28 June 2022, Council considered a report titled *Environmental Assessments for Proposed Trial Dog Off-leash Areas - Palm Beach (North) and Mona Vale Beach (South)*. Council subsequently resolved (Resolution 172/22) to exhibit the draft Review of Environmental Factors, investigate any further requirements that must be addressed and report back to Council.
- At its meeting of 22 August 2023, Council considered a report titled *Outcome of the Public Exhibition of the draft Review of Environmental Factors for the Proposed Trial Dog Off-leash Areas at Palm Beach (North) and Mona Vale Beach (South)*. Council subsequently resolved (Resolution 225/23) to prepare Plans of Management for Governor Phillip Park and Mona Vale Beach that incorporate the proposed trials, seek management of Crown Land for the trials and plans of management and assign categories to the relevant Crown land.
- At its meeting of 10 December 2024, Council considered a report titled *Public Exhibition - draft Mona Vale Beach (Southern End) Plan of Management*. Council subsequently resolved (Resolution 319/24) to exhibit the draft Mona Vale Beach (south) Plan of Management, progress with land categorisation, and report back to Council.

The business papers for this Council meeting (which is to be held on 19 August 2025) also contain a report on the final draft Mona Vale Beach (southern end) Plan of Management 2025 (PoM) at *Item 11.3 – Outcome of Public Exhibition – Draft Mona Vale Beach (Southern End) Plan of Management*, and should the PoM be adopted, the requirements for a plan of management in respect of the land will be addressed.

DISCUSSION

What are the planned parameters for the proposed off-leash dog trial at Mona Vale Beach (south)?

In keeping with Council resolution 172/22, the Review of Environmental Factors Mona Vale Beach (south) Off-leash Dog Trial (REF 2025) at Attachment 1 and the adopted PoM, the planned Mona Vale Beach (south) off-leash dog trial parameters are as follows:

- Trial Period - 12 months (proposed 14 October 2025 to 13 October 2026).
- Trial Area - the specific part of Mona Vale Beach for the trial is the trial area set out in the REF 2025 (which is consistent with the PoM). A map of the trial area is in Figure 2 of the REF 2025. The trial area is a public place and consists of land owned or managed by Council comprising Lot 1 DP 1275526 (being Part R45244), Part Lot 5 DP 211456 and Part R1040912.

- Trial days and times for dogs permitted off-leash - dogs permitted off-leash during the trial period in the trial area at these days and times:
 - 5.30am to 10.00am and 5.00pm to 9.00pm, Monday to Sunday (Australian Eastern Daylight Time)
 - 6.00am to 10.00am and 4.00pm to 7.00pm, Monday to Sunday (Australian Eastern Standard Time).
- At all other times during the trial period, dogs are prohibited in the trial area.
- Implement the mitigation and management measures/safeguards identified in the REF 2025.
- Report the outcomes of the trial to Council.

In addition to the above, it is proposed that should Council proceed with the trial that:

- Council may at its discretion and via a resolution of Council terminate the trial and/or amend the trial parameters subject to compliance with all relevant legislation.
- Unless Council resolves to do otherwise, at the conclusion of the trial period, dogs will be prohibited in the trial area 24 hours a day, seven days a week in accordance with the approved Council policy that applies at that time.

As reported to Council at its meeting of 10 December 2024, Council's current Dog Control Policy No 30 (Dog Policy) presented at Attachment 2 prohibits dogs on Mona Vale Beach and dogs will not be permitted on this beach unless Council, among other things, adopts an appropriate plan of management, amends the current prohibition on dogs on the beach and, in relation to off-leash dogs, declares the relevant land to be an off-leash dog area under the *Companion Animals Act 1998* (CA Act).

Plan of Management

The business papers for this Council meeting (which is to be held on 19 August 2025) also contain a report on the POM at *Item 11.3 – Outcome of Public Exhibition – Draft Mona Vale Beach (Southern End) Plan of Management*, and should the POM be adopted, the requirements for a plan of management in respect of the land will be addressed.

Policy and Companion Animals Act 1998 (CA Act)

For a public place to be designated an off-leash area, an order under section 13(6) of the CA Act is required. In addition, in relation to the proposed trial, Council would also need to revoke or vary the current order under section 14(1) of the CA Act prohibiting dogs on beaches in the relevant area as Council's current Dog Policy prohibits dogs on Mona Vale Beach. Proposed amendments to the current Dog Policy to enable the proposed trial to proceed are set out in Attachment 3.

Accordingly, after appropriately varying the Dog Policy, Council may then make an order declaring that the trial area is a dog off-leash area, pursuant to section 13(6) of the CA Act.

Environmental Planning and Assessment Act 1979 (EPA Act) and Review of Environmental Factors

Making an order under section 13(6) of the CA Act declaring a public place to be an off-leash area and allowing an off-leash dog trial has been assessed as enabling the use of land constituting an activity pursuant to Division 5.1 (within Part 5) of the EPA Act.

The purpose of Part 5 of the EPA Act is to require determining authorities to consider the environmental impact of every activity to which Part 5 applies. The level of environmental impact assessment varies depending on the activity, but every activity is required to be subject to some form of environmental impact assessment. Accordingly, the duties in Part 5 to consider the environmental impact of an activity apply independently to each and every activity.

To achieve this purpose, Part 5 relevantly imposes two duties on determining authorities to consider the environmental impact of each and every activity before carrying out the activity or granting an approval to the activity. The overarching duty is in section 5.5(1): this duty to “examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of” the activity, applies to every consideration by the determining authority of the activity. The second duty in section 5.7(1) is twofold. The first is an implied duty to determine whether an activity is likely to significantly affect the environment. This implied duty is always applicable. The second is an express duty, triggered by an affirmative answer to the threshold question required to be asked by the implied duty. If an activity is likely to significantly affect the environment, the determining authority is under an express duty not to carry out the activity or grant an approval to the activity unless it has obtained or been furnished with, and has examined and considered, an Environmental Impact Statement in respect of the activity.

A link to Part 5 (including section 5.5 and section 5.7) is here: [Environmental Planning and Assessment Act 1979 No 203 - NSW Legislation](#)

In discharging these duties in section 5.5 and section 5.7 of the EPA Act to consider the likely impact of an activity on the environment, the determining authority is required to take into account section 171 of the *Environmental Planning and Assessment Regulation 2021* (EPA Regulation).

Section 171(1) provides that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the environmental factors guidelines that apply to the activity.

The relevant guidelines are the *Guidelines for Division 5.1 assessments* prepared by the Department of Environment and Planning dated 2022. The Guidelines provide that when considering the likely impact of an activity on the environment, the proponent and determining authority must take into account the factors set out in Table 1 of the document, which are those listed in clause 171(2) of the EPA Regulation. These factors include: any environmental impact on a community; any transformation of a locality; any environmental impact on the ecosystems of the locality; any impact on the habitat of protected animals (within the meaning of the *Biodiversity Conservation Act 2016*); any long-term effects on the environment; any degradation of the quality of the environment and any pollution of the environment.

A link to section 171 is here: [Environmental Planning and Assessment Regulation 2021 - NSW Legislation](#)

A link to the guidelines is here: <https://www.planning.nsw.gov.au/sites/default/files/2023-02/guidelines-for-division-51-assessments.pdf>

As such, the proposed actions for Mona Vale Beach (south) require an environmental impact assessment by the Council before they may proceed. The Council is the determining authority for the activity under Division 5.1 and would need to have examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment and determined whether the activity is likely to significantly affect the environment, which it can do so by having regard to the relevant environmental assessment. The REF 2025 (Attachment 1) was prepared for this purpose.

Specifically, in 2021, in response to Council Resolution 111/21 environmental consultants were engaged to undertake an environmental assessment of the proposed use of areas of Palm Beach (north) and Mona Vale Beach (south) for a 12-month dog off-leash area trial. Subsequently a draft review of environmental factors was prepared, publicly exhibited and revised. The report titled Draft Review of Environmental Factors for the Proposed Trial Dog Off-Leash Areas at Palm Beach (North) and Mona Vale Beach (South) (draft REF 2023) was then prepared and considered by Council at its meeting of 22 August 2023.

For the purpose of the proposed trial at Mona Vale Beach (south), the assessment for Mona Vale Beach (South) has now been separated from the assessment for Palm Beach (North). As such, the REF 2025 is a stand-alone document prepared solely for the proposal at Mona Vale Beach (South). The REF 2025:

- as a threshold matter, finds that the activity is a continuing use under section 4.68 of the EPA Act such that development consent is not required, and that Division 5.1 of the EPA Act applies.
- can be relied on to enable the Council to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed dog off-leash trial, for the purposes of section 5.5(1) of the EPA Act, section 171 of the *Environmental Planning and Assessment Regulation 2021* and the *Guidelines for Division 5.1 assessments* prepared by the Department of Environment and Planning dated 2022.
- concludes that the potential impact of the trial (incorporating the mitigation and management measures/safeguards) is considered to be relatively minor and is not likely to significantly affect the environment pursuant to section 5.7 of the EPA Act.
- proposes mitigation and management measures/safeguards (which form part of the activity) to be implemented should the trial proceed.

Details of the proposal and the various planning and environmental considerations associated with the proposal are included in REF 2025 (Attachment 1).

A risk assessment of the proposed trial was also undertaken which informed the preparation of the REF 2025.

Trial Evaluation

Should the trial proceed, the trial will be evaluated against (among other things) the mitigation and management measures/safeguards identified in the REF 2025, which form part of the activity. The evaluation criteria will include how these measures/safeguards were implemented and their success against their objectives during the trial. The measures/safeguards include:

- Fencing - existing fencing will be upgraded and new fencing installed prior to commencement of the trial and maintained throughout the trial to prevent dogs accessing the dunes and vegetated areas while still allowing movement of small terrestrial fauna. Maintenance will be undertaken as required.
- Signage - existing signage will be updated and new signage installed prior to commencement of trial and maintained throughout the trial to educate and inform the community of the trial conditions, parameters, safety, etiquette and compliance. Maintenance will be undertaken as required.
- Communication Plan - a plan will be designed and implemented to advise and educate the community on the trial conditions, parameters, safety, etiquette and compliance. This will include; information sessions, letterbox drop to nearby residents, media release(s), social media messaging, direct emails to registered project followers and key stakeholders and Council website updates.
- Compliance - there will be regular patrols and monitoring of the off-leash area by Council's Rangers (as resources allow) and compliance actions taken as required and recorded.
- Bins and dog waste bags - new dog waste bag dispensers with bags will be installed and monitored and if required new bins will be also installed. Maintenance will be undertaken as required.
- Traffic and parking - traffic and parking will be monitored and recorded and compliance actions taken as required and recorded.
- Noise - noise complaints about the trial will be responded to in accordance with relevant legislation and Council's policies, directions and processes and responses recorded.
- Heritage - heritage matters related to the trial will be managed in accordance with relevant legislation and Council's policies, directions and processes and responses recorded.

- Complaints - complaints received about the trial will be responded to in accordance with relevant legislation Council's policies, directions and processes and responses recorded.
- Use of the trial area will be monitored (as resources allow) and recorded.
- Data will be collected during the trial to assist in the evaluation of the trial.

An analysis of the trial will be reported to Council a future date.

CONSULTATION

Community engagement undertaken related to the proposed off-leash dog trial at Mona Vale Beach (south) is as follows:

- In response to Council resolution 111/21 community engagement about the proposed trial parameters was undertaken from 7 May 2021 to 6 June 2021. The outcome of this consultation was reported to Council at its meeting of 28 June 2022.
- In response to Council Resolution 172/22, the draft REF 2023 was publicly exhibited from 11 August 2022 to 11 September 2022. The outcome of this public exhibition was reported to Council at its meeting of 22 August 2023.
- In response to Council Resolution 225/23 the draft Mona Vale Beach (Southern End) Plan of Management was publicly exhibited for community feedback from 12 December 2024 to 9 February 2025. The outcome of this public exhibition will be separately reported to Council at its meeting of 19 August 2025.

The majority of the feedback received from the community engagement undertaken above was supportive of the proposed off-leash dog trial at Mona Vale Beach (south). Nonetheless, there was feedback received that was not supportive of the trial and that did not support permitting dogs on Mona Vale Beach.

TIMING

Should Council determine to proceed with the proposed trial, it is recommended that the trial would commence on 14 October 2025 and conclude on 13 October 2026. Commencement of the trial is dependent on completion of tasks including:

- Upgrade existing fencing and install new fencing.
- Manufacture and install new signs and update existing signs.
- Install dog waste bag dispensers.
- Implement a Communication Plan including; website updates, media release(s) and informing nearby residents, key stakeholders and registered project followers.
- Confirm the teams and staff responsible for implementing the mitigation and management safeguards set out in the REF 2025 and prepare to implement when the trial commences.

FINANCIAL CONSIDERATIONS

The indicative estimate of costs for the proposed off-leash dog trial at Mona Vale Beach (south) are as follows:

Fencing (to prevent dogs entering vegetated areas and dunes)	\$53,000
New dog waste bags and dispensers	\$4,000
Signage (new and update existing signs)	\$3,000

Total estimate	\$60,000
Monitor use (once a week site visit for 12 months)	Anticipate that no additional funds are required, these actions can be undertaken using existing resources and budget.
Maintenance including signs, fencing	
Community engagement (if required) and education activities	
Compliance activities	

There are funds available in the Parks and Open Space Operational Budget 2025/26 to meet the costs of the trial.

GOVERNANCE AND RISK CONSIDERATIONS

Regarding the proposed trial, the report to the Council meeting of 22 August 2023 indicated that along with a plan of management that permits use of the land for the trial:

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

The matters above are addressed in this report.

The risk assessment undertaken for the proposed trial informed the mitigation and management measures/safeguards within the REF 2025. These measures/safeguards will be implemented as part of the trial should the trial proceed.

ENVIRONMENTAL CONSIDERATIONS

The REF 2025 proposes mitigation and management measures/safeguards that would be implemented as part of the trial should the trial proceed to address the following potential environmental impacts:

- Biodiversity
- Traffic (Access and Parking)
- Waste management
- Noise
- Aboriginal Archaeology
- Historic Heritage
- Human Health and Water Quality
- Socio-Economic / Land Use

It is considered that an Environmental Impact Statement, Species Impact Statement and a Biodiversity Development Assessment Report are not required, and referral to the Commonwealth Department of Climate Change, Energy, the Environment and Water under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* is also not required.

SOCIAL CONSIDERATIONS

Council has received community feedback that there is a need for more off-leash areas on Council's parks and beaches. Council has also received community feedback that dogs should not be allowed on any beaches, no matter whether on or off-leash.

Dogs play an important role in human companionship. General health and well-being can be enhanced through the physical, emotional and social benefits of owning a dog. Similarly, dogs depend on their owners to obtain an appropriate level of physical activity. Council recognises both the potential benefits of the use of the proposed off-leash dog area at Mona Vale Beach (south) to individual and community well-being as well as the importance of effectively managing the potential impacts on nearby residents, other users of Mona Vale Beach and the environment as set out in the REF 2025.

LINK TO STRATEGY

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

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value.
- Housing, places and spaces - Goal 12 Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed.
- Good governance and participation - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Good governance and participation - Goal 21 Our community is engaged in decision making processes.

Reporting team	Parks & Open Space
TRIM file ref	2025/486727
Attachments	⇒1 Review of Environmental Factors Mona Vale Beach (South) Off-leash Dog Trial 2025 (Included In Attachments Booklet) ⇒2 Current Dog Control Policy No 30 (Included In Attachments Booklet) ⇒3 Draft Amended Dog Control Policy No 30 (Included In Attachments Booklet)

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1 FIRE & RESCUE NSW INSPECTION REPORT - RAGLAN STREET MANLY

PURPOSE

The purpose of this report is to table a report from Fire and Rescue NSW (FRNSW) following an inspection by the NSW fire brigade of a property in Raglan Street, Manly.

EXECUTIVE SUMMARY

- FRNSW has powers under section 9.32 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to carry out inspections of buildings, and is required to forward its findings and recommendations to Council.
- Council must table any reports and recommendations at a meeting of Council to determine whether it will exercise its powers to give a Fire Safety Order, and must give notice of Council's determination to FRNSW.
- Council staff investigated the matters raised by FRNSW, with investigations undertaken on 8 April 2025 and 22 May 2025.
- The investigations confirmed that some of the matters had been addressed and the remainder are subject to a Fire Safety Order on 22 July 2025 which seek to upgrade the fire safety measures of the building.

RECOMMENDATION

That Council note the report.

BACKGROUND

Council received an inspection report from Fire & Rescue NSW (FRNSW) dated 11 February 2025 in relation to a property at Raglan Street, Manly as shown in Attachment 1 of this Report.

Part 8 of Schedule 5, clause 17 (2), (3) and (4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) requires Council to table such reports and any recommendations made to a meeting of Council. Council is to determine whether to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the EP&A Act.

FRNSW carried out an inspection on 14 January 2025, which identified fire safety concerns which may necessitate Council to exercise its discretion to address the items observed at the time of the FRNSW inspection.

The FRNSW report found the following items of concern during its inspection:

1. Automatic smoke detection and alarm system
 - a. The Fire Indicator Panel (FIP) is located in the same room as the sprinkler control valves, contrary to the requirements of Clause 3.9.1 of AS1670.1-2018.
 - b. The door providing access to the FIP was being prevented from fully opening due to large rocks in the access path. In this regard, the rocks were removed by beach house staff and door was fully openable prior to FRNSW concluding the inspection.
 - c. An external alarm in the form of a visual alarm device has not been provided at the building, contrary to the requirements of Clause 3.8 of AS1670.1-2018.
 - d. A zone block plan has not been mounted next to the FIP, contrary to the requirements of Clause 3.10 of AS1670.1-2018.
 - e. Heat detectors in lieu of smoke detectors were found installed in sole-occupancy units throughout the building, contrary performance requirements of E2P1 of the NCC. In this regard, FRNSW addressed this item the emergency fire safety order (attached).
2. Fire Exits
 - a. The path of travel through the garage upon discharge from the horizontal exit between the ground floor games room and garage was found to have a reduced exit width of 1m, contrary to the requirements of Clause D2D8 of the NCC.
 - b. The ground floor fire isolated passage way at the western side of the building was found with damage to the lightweight materials of the walls and ceiling, compromising the fire resistance level of the passageway and exposing timber framing and PVC drainage pipes, contrary to the requirements of Clause C2D9, C4D10 and D3D12 of the NCC.
 - c. Discharge through the exit from the fire isolated passageway was found partial obstructed by vegetation overgrowth and hindering the fire exit door from fully opening. In this regard, the vegetation was cut back by beach house staff at the request of FRNSW Officers to ensure the fire exit doors was fully openable.
3. Emergency Lighting
 - a. The ground floor garage did not appear to contain any emergency lighting, contrary to the requirements of Clause E4D2 of the NCC.
4. General
 - a. The ground floor garage was found storing large quantities of boxes/tubs on fixed racking and general items throughout. The use of this area is more in keeping as a storage room and may require Council's consideration to investigate the potential fire safety impacts of the existing garage being used a storage area. Refer to Item 2.a.
5. Compartmentation and Separation

- b. The public corridors on level 1 appears to be more than 40m in length and are not divided with smoke proof walls and smoke doors, contrary to the requirements of Clause C3D15 of the NCC.

6. Maintenance and Certification

- a. A copy of the current Annual Fire Safety Statement (AFSS) was not prominently displayed within the building in accordance with Section 89 of the EPAR 2021. In this regard, the AFSS for the building was viewed on a Stoke Beach House staff members laptop and was dated July 2021 and is no longer valid.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Review items 1 to 4 of this report and conduct an inspection.
- b. Address any other deficiencies identified on the premises.

FRNSW was of the opinion that there were inadequate provisions for fire safety within the building and recommended that Council inspect the building to address the concerns identified above.

The FRNSW report notes that a Fire Safety Order was issued by FRNSW on 15 January 2025, addressing the lack of smoke detectors in the units of the building, and a follow up inspection by FRNSW confirmed compliance with the terms of their Order. No further action is required by Council on this issue.

DISCUSSION

Council records revealed that previous investigations were undertaken at the premises, during which it was determined that the building did not have an adequate level of fire safety. As a result, Council issued a Notice of Intention to give an Order, followed by a Fire Safety Order requiring the building owners to engage a registered building surveyor to conduct an audit of the building and produce a fire safety upgrade strategy report. The report was submitted to Council and accepted. Council issued a further Notice of Intention on 6 June 2025 and a Fire Safety Order on 22 July 2023, referencing the report and requiring upgrade works be undertaken with a specified period for compliance.

Council staff inspected the premises on 8 April 2025 and concurred with the opinion of FRNSW that the fire safety provisions were inadequate for the building. A further inspection on 22 May 2025 confirmed that some of the matters identified by FRNSW had been addressed and the remaining matters are the subject to the Fire Safety Order dated 22 July 2025, which requires the upgrade of the building's fire safety measures.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Reports received from FRNSW following inspections under section 9.32 of the EP&A Act are required to be tabled at a Council meeting, and the Council is required to determine, following the tabling of a report, whether to exercise its powers to give a Fire Safety Order under the Act.

With respect to risks, issuing of a Fire Safety Order is in consideration of circumstances where provision for fire safety is inadequate to prevent fire, and where the lack of maintenance of premises or the use of premises constitutes a significant fire hazard.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community through ensuring adequate fire safety measures are provided within buildings.

LINK TO STRATEGY

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

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

Reporting team	Environmental Compliance
TRIM file ref	2025/396750
Attachments	⇒1 Fire & Rescue NSW Inspection Report dated 11 February 2025 - Raglan Street Manly (Included In Attachments Booklet) ⇒2 Development Control Order (Fire Safety Order) dated 22 July 2025 - Raglan Street Manly (Included In Attachments Booklet)

ITEM 12.2 FIRE & RESCUE NSW INSPECTION REPORT - PITTWATER ROAD NORTH NARRABEEN
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PURPOSE

The purpose of this report is to table a report from Fire and Rescue NSW (FRNSW) following an inspection by the NSW fire brigade at a property in Pittwater Road, North Narrabeen.

EXECUTIVE SUMMARY

- FRNSW has powers under section 9.32 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to carry out inspections of buildings, and is required to forward its findings and recommendations to Council.
- Council must table any reports and recommendations at a meeting of Council to determine whether it will exercise its powers to give a Fire Safety Order, and must give notice of Council's determination to FRNSW.
- Council staff investigated the matters raised by FRNSW, with an inspection undertaken on 8 April 2025.
- This investigation confirmed that some of the matters have been rectified and the remainder are subject to an existing Fire Safety Order issued by Council on 23 June 2023 which requires an upgrade the fire safety measures of the building.
- No further action is needed in response to the issues identified by FRNSW.

RECOMMENDATION

That Council note the report.

BACKGROUND

Council received an inspection report from Fire & Rescue NSW (FRNSW) dated 13 February 2025 in relation to a property known as Pittwater Road, North Narrabeen as shown in Attachment 1 of this Report.

Part 8 of Schedule 5, clause 17 (2), (3) and (4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) requires Council to table such reports and any recommendations made to a meeting of Council. Council is to determine whether to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the EP&A Act.

FRNSW carried out an inspection on 6 February 2025, which identified fire safety concerns which may necessitate Council to exercise its discretion in order to address the items observed at the time of the FRNSW inspection.

The FRNSW report found the following items of concern during its inspection:

1. Essential Fire Safety Measures
 - 1A. The Automatic Fire Detection and Alarm System:
 - A. Zone Block Plan – A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Brigade Panel (FBP), contrary to the requirements of Clause 3.10 of AS1670.1-2018.

Whilst a 'zone list' is located at the Main FBP, the list does not provide adequate information to assist FRNSW, which is likely to delay firefighting operations.
 - 1B. Fire Shutter:
 - A. The fire shutter in the external wall of the ground floor level carpark, on the northern boundary, did not appear to be operational and not had not been maintained, contrary to the requirements of Section 81 of the EPAR 2021.
 - 1C. Annual Fire Safety Statement (AFSS):
 - A. A copy of the current AFSS was not prominently displayed within the building in accordance with Section 89 of the EPAR 2021.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

ADDITIONAL COMMENTS

In addition to the items identified above, relating to the Fire Safety Provisions prescribed by Clause 112 of the EPAR 2021, the following items were also identified as concerns at the time of the inspection and it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

2. Generally:
 - 2A. Access and Egress
 - A. Exit travel distances – The travel distance from the furthest point of the carpark at the northern end of the building, exceeds 20m from an exit or a point from which travel in different directions to 2 exits is available, contrary to the requirements of Clause D2D5(3) of the NCC.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 of this report.
- b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 2 of this report.

FRNSW was therefore of the opinion that there were inadequate provisions for fire safety within the building and recommended that Council inspect the building to address the concerns identified above.

DISCUSSION

An earlier investigation conducted by Council in 2023 identified that the building did not have an adequate level of fire safety. As a result, Council issued a Fire Safety Order requiring the building owners to engage a registered building surveyor to conduct an audit of the building and produce a fire safety upgrade strategy report. The report was submitted to Council and accepted, and a further Fire Safety Order was issued by Council on 23 June 2023, requiring the recommended upgrade works to be undertaken. The building owners are continuing to comply with the terms of the Order, and the current outstanding actions remain with the specified time period for compliance.

Following the receipt of the Fire & Rescue report, Council staff inspected the premises on 8 April 2025. At the time of the inspection some of the matters identified by Fire & Rescue had been addressed. The remaining matters are included in the current Fire Safety Order issued by Council on 23 June 2025, requiring the upgrade of the building's fire safety measures.

Accordingly, no further action is required.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Reports received from FRNSW following inspections under section 9.32 of the EP&A Act are required to be tabled at a Council meeting, and Council is required to determine, following the tabling of a report, whether to exercise its powers to give a Fire Safety Order under the Act.

With respect to risks, issuing of a Fire Safety Order is in consideration of circumstances where provision for fire safety is inadequate to prevent fire, and where the lack of maintenance of premises or the use of premises constitutes a significant fire hazard.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community through ensuring adequate fire safety measures are provided within buildings.

LINK TO STRATEGY

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

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

Reporting team	Environmental Compliance
TRIM file ref	2025/397035
Attachments	⇒1 Fire & Rescue NSW Inspection Report dated 13 February 2025 - Pittwater Road North Narrabeen (Included In Attachments Booklet) ⇒2 Council Fire Safety Order - Pittwater Road North Narrabeen (Included In Attachments Booklet)

ITEM 12.3 OUTCOME OF PUBLIC EXHIBITION - DEVELOPMENT CONTROL PLANS AMENDMENT - LOW AND MID-RISE HOUSING - ADOPTION AND IMPLEMENTATION

PURPOSE

The purpose of this report is to seek Council's approval to adopt amendments to the Manly, Warringah and Pittwater Development Control Plans, in response to the NSW Government's Low and Mid-Rise Housing Reforms.

EXECUTIVE SUMMARY

- At its meeting on 20 May 2025, Council resolved to exhibit draft amendments to the Manly, Warringah and Pittwater Development Control Plans (DCP) in response to the NSW Government's Low and Mid-Rise Housing (LMRH) Reforms.
- The proposed amendments were publicly exhibited from 23 May to 22 June 2025 in accordance with the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2021 and the Northern Beaches Community Participation Plan.
- Of the 139 submissions received, 72 provided comment on the proposed DCP amendments, and 85 expressed views on the LMRH reforms.
- Of the submissions relating to the DCP controls, 72% expressed full or partial support for the proposed DCP amendments, with a summary of the issues raised and Council staff's response set out in the Community Engagement Report at Attachment 1.
- Following public exhibition, minor amendments to some of the draft controls are proposed, including: changes to tree planting and deep soil requirements; clarification when the maximum 2-storey building height control applies; minor changes to side setback controls in the R2 zone; and refinements to built form and design controls, heritage conservation areas, and EV charging controls.

RECOMMENDATION

That Council:

1. Approve amendments to Manly Development Control Plan 2013, Warringah Development Control Plan 2011, and Pittwater 21 Development Control Plan as outlined in Attachment 2 to this report.
2. Give notice of the adoption and commencement of the above in accordance with the Environmental Planning and Assessment Regulation 2021.

BACKGROUND

The NSW Government's Low and Mid-Rise Housing (LMRH) Reforms, legislated under Chapter 6 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP), permit certain residential development types (such as dual occupancies, multi-dwelling housing, and residential flat buildings) in areas where they were previously prohibited.

The reforms also introduced non-discretionary (non-refusal) standards for building height, floor space ratio, lot size, and lot width which override Local Environmental Plans (LEPs). Council cannot refuse development applications on the basis of these standards where they have been met.

The LMRH reforms have occurred in 2 stages:

- Stage 1 commenced on 1 July 2024, permitting dual occupancies and semi-detached dwellings in all R2 Low Density Residential (R2) zones.
- Stage 2 commenced on 28 February 2025, allowing:
 - townhouses, terraces, and apartment buildings (up to 9.5 metres high) in R1 General Residential and R2 Low Density Residential zones within 800 metres of 9 identified town centres in the Northern Beaches.
 - apartment buildings up to 6 storeys (22–24 metres) in R3 Medium Density Residential zones within 400 metres of these centres, and up to 4 storeys (17.5 metres) within 400–800 metres of these centres.

The 9 identified town centres on the Northern Beaches are:

- Balgowlah Stockland Shopping Centre
- Dee Why Town Centre
- Forestville Town Centre
- Forestway Shopping Centre
- Frenchs Forest Precinct (Warringah Road)
- Manly Town Centre
- Manly Vale Town Centre
- Mona Vale Town Centre
- Warringah Mall Shopping Centre

While the new standards apply, current provisions in Council's Local Environmental Plans (LEPs) and Development Control Plans (DCPs) that do not directly contradict those standards remain in force and relevant to the assessment of applications.

Proposed DCP amendments

To support the implementation of the LMRH reforms, new local planning controls are proposed for inclusion in the following DCPs:

- Manly DCP 2013 – New Clause 5.7 Low and Mid-Rise Housing Areas
- Warringah DCP 2011 – New Part G10 Low and Mid-Rise Housing Areas
- Pittwater 21 DCP – New Section C7 Design Criteria for Low and Mid-Rise Housing Areas

These amendments have been prepared to provide clearer and more robust planning controls for newly permitted developments in the Northern Beaches, ensuring greater certainty and

consistency in the assessment of development applications. They apply specifically to land zoned R1, R2, and R3 that is directly affected by the LMRH reforms legislated under Chapter 6 of the Housing SEPP.

The proposed new DCP controls address a range of residential development types, including dual occupancies, semi-detached dwellings, attached dwellings, multi-dwelling housing, residential flat buildings, and shop-top housing.

The amendments provide specific controls for site layout, building setbacks, architectural design, tree planting and deep soil landscaping, vehicle access and parking, together with requirements for electric vehicle (EV) charging, and for the assessment of amenity impacts on neighbouring properties. They also include targeted controls for development in LMRH areas within Heritage Conservation Areas in Manly.

The Manly, Warringah and Pittwater Development Control Plans each have a different structure, so the amendments have been tailored accordingly. They serve as an interim measure to support the LMRH reforms currently in force. If adopted, the new DCP controls will be incorporated into the consolidated Northern Beaches Development Control Plan when it comes into force, alongside the draft Northern Beaches Local Environmental Plan.

Council resolution – 20 May 2025

At its meeting on 20 May 2025, Council resolved (124/25):

That Council:

1. Endorse the proposed amendments to the Manly, Warringah and Pittwater Development Control Plans outlined in this report with the following amendments being made to the Manly DCP R28, Warringah DCP R30 and Pittwater DCP R28 controls relating to EV charging:

Development is to incorporate EV charging infrastructure in accordance with the following provisions:

- a. All residential development must provide either EV charging or EV ready infrastructure for 100% of residential parking spaces, car share spaces and visitor parking.
 - b. 100% of visitor parking spaces and 20% of residential spaces are to be fitted with a dedicated charging station (minimum of 25kW) prior to the issue of an occupation certificate.
2. Endorse the public exhibition of the draft amendments to the Manly, Warringah and Pittwater Development Control Plans.
 3. Note the outcomes of the public exhibition be reported back to Council.

DISCUSSION

Outcomes of public exhibition

The proposed DCP amendments were publicly exhibited in accordance with Part 3, Division 3.6 of the *Environmental Planning and Assessment Act 1979*, Part 2, Division 2 of the *Environmental Planning and Assessment Regulation 2021*, and the Northern Beaches Community Participation Plan. The exhibition period ran from 23 May to 22 June 2025, with notice published on Council's website and submissions invited throughout this period.

The exhibition was also promoted through Council's regular email newsletters and media releases and was referenced in articles by the following local news outlets: Peninsula Living, Northshore Living, Pittwater Life, Northside Living News and the Manly Daily.

The outcomes of the public exhibition are detailed in **Attachment 1** (Community Engagement Report). Council received 139 unique submissions (excluding duplicates). Of the 139 submissions, 72 submissions commented on the proposed DCP amendments, and 85 addressed the NSW

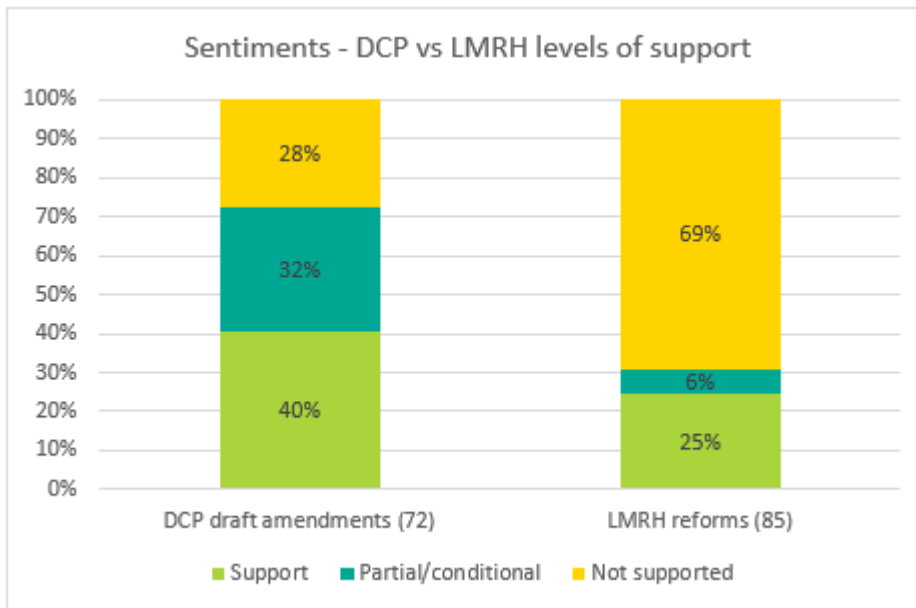
Government's LMRH reforms. 34 submissions addressed both the proposed DCP amendments and the LMRH reforms, while 16 submissions addressed neither directly.

Sentiment analysis

Among the 72 submissions commenting on the draft DCP controls, 72% expressed support (wholly or partially) for the draft controls (see Figure 1). Positive feedback related to the proposed controls for building setbacks, tree planting, heritage protection, and the use of storey limits to manage bulk.

A total of 20 (28%) submissions raised concerns, particularly regarding the use of storeys as a metric for height control, and the potential impact on streetscape and local character.

Figure 1 – Levels of support for proposed DCP amendments vs LMRH reforms



Findings

Bulk and scale

A number of submissions expressed concern about the effects of increased building heights attributed to the LMRH Reforms, particularly in relation to loss of views and overshadowing, and called for stronger DCP controls to mitigate these impacts. Conversely, other submissions felt that the proposed limits on the number of storeys were too restrictive and could hinder housing delivery.

In response, alterations have been made to the proposed DCP amendments to limit development to 2 storeys only within the R1 General Residential and R2 Low Density Residential zones, where:

- Chapter 6 of the Housing SEPP permits a maximum building height of 9.5 metres, and
- Existing Local Environmental Plans (LEPs) limit building height to 8.5 metres

This change ensures that land already permitting greater heights under LEPs or the Housing SEPP remains unaffected, while reinforcing a consistent and compatible approach to building form in low-rise areas of the LGA.

The alteration also aligns with NSW Government guidance, which envisions 2-storey housing forms (such as terraces and dual occupancies) in these low-rise areas (refer to Attachment 1 for further information)

While no changes are required to the draft Warringah DCP 2011 or the draft Pittwater 21 DCP, which already reflect this approach, amendments have been made to the draft Manly DCP 2013 controls, which are reflected in the post-exhibition changes detailed in Attachment 2.

Setbacks (multi-dwelling housing and residential flat buildings)

The exhibited controls proposed a 3 metre minimum side setback for multi-dwelling housing and residential flat buildings in the R2 zone, consistent with existing Pittwater 21 DCP. Submissions were generally supportive of this, particularly the retention of Pittwater DCP's existing provisions. However, some submissions preferred the existing 0.9 metre side setback under the Warringah DCP 2011. The issue arose because these development types, previously only permitted in the R3 zone, are now allowed in the R2 zone within the LMRH areas.

In response, Council recommends retaining the proposed 3 metre side setback control, applying greater setbacks for walls over 3 metres in height (as per Clause D9.7 of the Pittwater 21 DCP), and maintaining current rear setback controls. The amendments also clarify how these requirements interact with the NSW Apartment Design Guide.

These changes aim to support privacy, solar access, deep soil planting, and a consistent approach to assessing these newly permitted development types.

No changes are required to the Manly DCP, as these development types are already permitted in the R1 and R2 zones. However, amendments have been made to the exhibited controls in Warringah and Pittwater DCPs to reflect the recommended approach.

Site layouts

Minor amendments are proposed to be made to the exhibited draft Manly DCP 2013, Warringah DCP 2011, and Pittwater 21 DCP controls relating to the width of dedicated pedestrian pathways.

It is proposed to reduce the width of dedicated pedestrian pathways from 1.2 metres to one metre, in response to submissions requesting alignment with the National Construction Code.

Increased pathway widths may be necessary for ensuring accessibility for seniors housing developments and group homes, and the upcoming comprehensive Northern Beaches DCP will address accessibility requirements in a holistic manner for all development types throughout the Northern Beaches.

Council staff support this change on the basis that these DCP amendments do not seek to address specific development types such as seniors housing.

Separately, some submissions noted the exhibited draft DCP requiring a minimum 2 metre setback of buildings fronting internal laneways or driveways was too restrictive. This was carefully reviewed by Council's Urban Design team who were supportive of a reduced setback to allow greater flexibility where it can be demonstrated that landscaping, safe vehicle access, pedestrian safety, and adequate amenity are maintained.

Excavation

Several submissions raised the need for stronger controls relating to excavation and the protection of natural landform. Concerns were expressed about the impact of basements accommodating two levels of underground parking, as well as the potential risk of damage to neighbouring properties. Other submissions called for the removal of storey controls, including provisions that define when a basement is considered a storey. There were also requests to remove restrictions preventing basements from extending beyond the building footprint, specifically into setback and deep soil areas.

It is considered appropriate to retain the exhibited controls that limit basements to within the building footprint, to maintain adequate deep soil zones for the retention and establishment of large trees, better protect the site's natural landform, minimise visual impacts and avoid excessive excavation.

The exhibited controls aimed to clarify the circumstances in which a basement is considered a storey. However, on 20 June 2025, the Housing SEPP was amended to clarify that a storey does not include a basement.

In response to this legislative amendment, draft DCP controls relating to this issue are no longer necessary.

Tree planting and deep soil controls

Most submissions acknowledged the benefits of introducing tree planting and deep soil requirements in the DCP amendments. Respondents highlighted the value of established trees, the importance of protecting the tree canopy, the sense of open space, and the role of vegetation in defining the natural character of the Northern Beaches. Submissions also supported increased deep soil areas to improve stormwater management and to allow for more tree planting, such as within front setbacks.

However, some concerns were raised in submissions about the reliance on the NSW 'Greener Neighbourhoods Guide' (December 2021), which was viewed as excessive in relation to deep soil and tree coverage. Several submissions suggested that the draft DCP amendments should instead align with the NSW 'Tree Canopy Guide for Low and Mid-Rise Housing' (February 2025) and the NSW 'Apartment Design Guide' (ADG), to ensure consistency with current State Government guidance.

Feasibility issues were noted regarding tree planting on smaller lots, and some submissions opposed mandatory tree planting requirements.

The exhibited DCP amendments introduced new tree planting and deep soil controls where gaps were identified. For instance, increased tree planting requirements in the Warringah DCP were informed by the 'Greener Neighbourhoods Guide'. Existing DCPs with stronger controls were retained.

To ensure consistency between Council's DCPs and the State Government guidance, Council's Landscape Architects recommended more closely aligning tree planting and deep soil requirements with both the 'Tree Canopy Guide for Low and Mid-Rise Housing' and the 'Apartment Design Guide'. The Apartment Design Guide provides long-established deep soil guidance for residential flat buildings and is applied across NSW.

For dual occupancies, Council's Landscape Architects recommended a requirement for at least one tree in both the front and rear yards of each dwelling. This represents an improvement over the previously exhibited controls and provides a consistent approach across the LGA.

Adopting the tree planting and deep soil requirements from the 'Tree Canopy Guide for Low and Mid-Rise Housing' would lead to positive environmental outcomes, align with State guidance, and simplify development assessment for applicants, industry and the community.

Council's Landscape Architects also recommended that the draft DCP amendments use updated terminology related to landscaping, trees, and vegetation, and recommended aligning the definition of deep soil with the 'Tree Canopy Guide for Low and Mid-Rise Housing'.

Importantly, the proposed amendments introduce higher minimum tree planting requirements across all 3 DCPs compared to current controls. The new deep soil requirements supplement existing landscaped area/open space requirements and do not reduce any current deep soil standards, including those in site-specific DCPs.

In response, targeted alterations have been made to the exhibited controls in Manly DCP 2013, Warringah DCP 2011, and Pittwater 21 DCP to address these matters.

Car parking

Submissions consistently raised concerns about parking and traffic, particularly in relation to the Housing SEPP 'town centre precinct' criteria. Respondents felt these criteria did not adequately account for the imbalance between levels of public transport service and the limitations of existing parking infrastructure on the Northern Beaches.

A number of submissions noted that street parking is already at capacity, and that further high-density development would increase traffic volumes and parking demand. The feedback

emphasised the need for stronger on-site parking provisions and comprehensive traffic management strategies within the DCP to address safety, congestion, and the pressure on public transport systems.

Current Council DCP controls for off-street parking are contained in other parts of DCPs:

- Manly DCP 2013 (Schedule 3 - Part A1)
- Warringah DCP 2011 (Appendix 1)
- Pittwater 21 DCP (Clause B6.3)

However, Chapter 6 of the Housing SEPP imposes maximum parking limits in LMRH areas, which are non-discretionary and prevent Council from imposing stricter controls, i.e. the DCP controls will not apply.

Despite these state control restrictions, the exhibited DCP amendments introduce clear requirements for shared driveway crossovers in dual occupancies and consolidated crossovers for multi-dwelling and residential flat buildings. These aim to maximise on-street parking, protect street trees, and reduce pedestrian-vehicle conflicts.

EV charging

Submissions generally supported electric vehicle (EV) charging infrastructure, with some calling for stronger controls and for the requirements to apply to dual occupancies. Other submissions opposed Council setting EV standards, raising concerns about the impact on local power supply, the safety of EV systems and the potential for increased development costs to affect housing affordability.

In response, Council's Environmental Sustainability and Climate Change team reviewed the EV charging controls against the National Construction Code and recently commissioned draft research prepared by EVenergi, a consultancy specialising in EV fleet transition.

The review recommended allowing more flexible, lower-cost Level 2 chargers (e.g. 3.5 kW chargers costing \$2,000-\$10,000 with a 5 hour 43 minute charge time for a 100 km range, compared to 22 kW chargers costing \$5,000-\$20,000 with a 54-minute charge time). Additional amendments require 100% of car share spaces to include dedicated EV chargers, as well as EV control systems, and clear identification of all EV infrastructure on plans.

These changes are considered appropriate as they do not limit the ability for developers to install faster EV chargers, but instead make rollout more feasible for development and improve access to EV charging for property owners.

In response, amendments have been made to the draft Manly DCP 2013, Warringah DCP 2011, and Pittwater 21 DCP to address these matters.

Dual occupancies

Submissions regarding dual occupancies provided varied views on side setbacks, minimum lot widths, and the proposed 2-storey height limit in the R2 zone. While some supported controls to maintain neighbourhood character, others felt that the proposed 18m frontage for detached dual occupancies was excessive and that the 2-storey limit was inconsistent with the Housing SEPP and existing built form. Concerns were also raised about the proposed side setbacks (1m and 2.5m), which were seen as more onerous than those for detached dwelling houses under the Warringah DCP.

Dual occupancies typically represent a denser form of development than detached dwelling houses and therefore result in greater amenity impacts, such as reduced solar access and privacy. The proposed side setback approach allows for averaging to maintain a total of 3.5m. This method aligns with the 'Northern Beaches Urban Design Study' (Urban Design Study) by Allen Jack+Cottier Architects and Tract Consultants (2022) and provides a more uniform approach across the R2 zones in both the Warringah and Pittwater DCPs.

The exhibited DCP amendments do not prescribe minimum lot widths but offer guidance on when detached dual occupancies may be appropriate; for example, on sites with a frontage over 18 metres, multiple street frontages, or where the layout reduces impacts compared to an attached form. This approach aligns with Urban Design Study recommendations and supports the retention of significant trees and environmental features.

Heritage

Submissions overwhelmingly supported stronger controls to protect Heritage Conservation Areas in Manly. Residents expressed concern about the impact of high-density development, particularly 6-storey buildings as permitted under the Housing SEPP, on the character, architecture, and liveability of heritage-listed properties and the broader conservation areas. While the proposed DCP amendments were seen as a positive step, many submissions urged Council to refine the controls further to better safeguard Manly's unique heritage and residential amenity.

Some submissions recommended changes to the Heritage Conservation Area controls, especially relating to demolition, views and vistas, and infill buildings, mostly suggesting minor wording adjustments or removal of duplication.

In response, amendments have been made to the draft Manly DCP 2013 to address these matters.

CONSULTATION

The public exhibition was conducted in accordance with statutory requirements. For details on timing, promotion, and community feedback, refer to the Discussion section above.

TIMING

The LMRH reforms are now in force and have already generated development interest. Pre-lodgement meetings have been sought by developers with Council staff and several development applications have been lodged for housing that is now permissible under the LMRH Reforms.

Without specific DCP controls to specifically address the LMRH Reforms, there would be fewer controls in place in these areas than for the same development in other parts of the Council area, with potentially poorer design outcomes and greater environmental impacts.

It is for this reason that amendments to the existing Manly, Warringah and Pittwater DCPs are proposed in advance of the commencement of the comprehensive Northern Beaches DCP (currently being drafted).

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The proposed DCP amendments complement standards in the Housing SEPP Chapter 6 Low and Mid-Rise Housing, and are consistent with housing principles identified in Priority 15 of the Northern Beaches Local Strategic Planning Statement – Towards 2040 – including:

- Ensure new buildings are high amenity and do not unreasonably impact on neighbouring properties and the public domain.
- Ensure new housing is designed to complement local character, heritage and the environment.

If amendments are not made to Council's DCPs, there is a risk of poor design outcomes for development, adverse impacts on adjacent properties, and development that is not consistent with streetscape character, having long-term impacts within neighbourhoods.

ENVIRONMENTAL CONSIDERATIONS

The proposed actions in this report support Council's Local Strategic Planning Statement - Towards 2040 - and will result in a beneficial environmental outcome by facilitating well-sited development, providing trees and vegetation with deep soil landscaped areas, and minimising site coverage.

SOCIAL CONSIDERATIONS

The recommendations in this report will have a positive social outcome for the community through supporting a variety of housing types that enhance housing choice, while ensuring compatibility within neighbourhoods and good design outcomes for future occupants and adjoining residents.

LINK TO STRATEGY

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

- Protection of the environment - Goal 3 Our community is well-supported in protecting and enhancing the environment, to ensure safe and sustainable use.
- Housing, places and spaces - Goal 10 Our community has access to housing options that are diverse and affordable to meet their current and evolving needs.
- Good governance and participation - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Good governance and participation - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Good governance and participation - Goal 21 Our community is engaged in decision making processes.

Reporting team	Strategic & Place Planning
TRIM file ref	2025/449772
Attachments	⇒1 Community Engagement Report - Proposed Low and Mid-Rise Housing DCP Amendments (Included In Attachments Booklet) ⇒2 Post Exhibition changes mark up - Proposed Low and Mid-Rise Housing DCP Amendments - Manly DCP 2013, Warringah DCP 2011, Pittwater 21 DCP (Included In Attachments Booklet)

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1 OUTDOOR DINING TRIAL - RIALTO LANE, MANLY

PURPOSE

The purpose of this report is to provide feedback on the 9-month outdoor dining trial at Rollers Bakehouse (café), Rialto Lane, Manly.

EXECUTIVE SUMMARY

- On 25 June 2024, Council considered a report on the opportunities and constraints for activating Rialto Lane, Manly and resolved to proceed with a 9-month outdoor dining trial.
- The laneway remains an important services corridor for local businesses, including Coles, and is used daily by delivery vehicles.
- No accidents or injuries were reported during the trial; however, the physical constraints and safety concerns originally raised remain.
- Allowing outdoor dining in this location has conflicts with the original intended use of this space as a safe pedestrian access way off the vehicular laneway.
- To enhance pedestrian safety from traffic in the laneway, 21 bollards were installed, noting that 11 of these bollards have been damaged by vehicles during the trial period.
- Council staff consider that Rialto Lane is not a suitable location for outdoor dining due to ongoing safety risks and inadequate pedestrian space.

RECOMMENDATION

That Council end the outdoor dining trial at Rollers Bakehouse Café in Rialto Lane, Manly.

BACKGROUND

On 25 June 2024 Council resolved (154/24) that:

1. Noting the recommendation, Council acknowledge that there is a level of risk relating to the existing bollard area of Rialto Lane.
2. The presence of bollards enables the use of this space, and that this space has the capacity to be jointly shared by pedestrians and the adjacent businesses which enlivens the area.
3. Council approve a 9 month outdoor dining trial for Rollers café that could be used for low impact seating (e.g. benches) and/or pot plants.
4. Council further investigate measures to prevent vehicles loading directly adjacent to this space.
5. A report on the implementation is provided to Councillors at the end of the trial for further consideration.

DISCUSSION

In the report provided at Council's ordinary meeting on 25 June 2024, staff advised against outdoor dining in Rialto Lane due to the following:

- The footpath, approximately 1.5m in width and defined by a row of stainless-steel bollards, was not intended for outdoor dining use.
- Council's outdoor dining guidelines require a width of at least 2 metres of unobstructed footpath to safely maintain circulation of pedestrian traffic.
- Council traffic engineers assessed the site and determined it was not safe for outdoor dining due to risks posed by vehicular traffic.

During the 9-month trial, Council was not made aware of any accidents or injuries, however, 21 bollards were installed to separate pedestrians from traffic in the laneway. Rialto Lane is frequently used for deliveries, and as a result, these bollards have been repeatedly damaged. At one point, 11 bollards were impacted by vehicles. In the past 6 months alone, 2 bollards were replaced, and others have required ongoing tightening to the ground and repairs due to repeated collisions. One of the recently replaced bollards was struck again and now requires further replacement following an incident in late May.

Council has implemented additional safety measures in an attempt to reduce further impacts, however, this has seen little improvement. This ongoing damage highlights the potential risks for customers seated in the outdoor dining area.

The laneway continues to function as a vital service access corridor for surrounding businesses and the constrained pedestrian environment has proven to be unsuitable for additional uses such as outdoor dining. The loading bays in Rialto Lane provide essential service access for surrounding businesses. Council staff do not recommend the removal or relocation of these loading bays as they are critical to ongoing business operations.

While it is acknowledged that the café's proximity to the laneway inherently requires the business to manage customer safety at the interface with vehicular traffic, permitting outdoor dining in this specific space presents a safety risk. By discontinuing approval for outdoor dining in this constrained section of the footpath, the safety risk would be reduced

CONSULTATION

A survey of businesses in Rialto Lane was conducted in the previous report to obtain feedback on the impact of potential changes to the role and function of the laneway. During this time, 32

businesses provided responses with the majority being unsupportive of any changes to the number and operating times of the loading bays to provide extra space for outdoor dining.

Coles had also advised that any reduction in the width of the laneway or closure of the laneway for certain hours to facilitate outdoor dining would negatively impact their business.

TIMING

The 9-month trial commenced on 17 August 2024 and expired on 16 May 2025. Council has not instructed the café operator to remove the outdoor dining furniture at this time, pending the outcome of this report.

FINANCIAL CONSIDERATIONS

The recommendations of this report will result in a loss of outdoor dining fees totalling \$5,796 per annum.

GOVERNANCE AND RISK CONSIDERATIONS

Council staff consider that the risks inherent to this environment cannot be effectively mitigated through design or operational changes and that Rialto Lane is not a suitable location for outdoor dining.

The operator has obligation to manage safety at the cafe.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

Staff acknowledge the positive social and economic impact that outdoor dining can have within the community and that there is demand for outdoor dining in this location from some sections of the community. However, meeting community demand for outdoor dining within the Manly CBD is addressed in the Manly Place Plan which does not propose to further activate or provide for outdoor dining in Rialto Lane which has an important role as a service delivery lane.

LINK TO STRATEGY

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

- Housing, places and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs.
- Safe and efficient transport - Goal 17 Our community can safely and efficiently travel within and beyond the Northern Beaches.

Reporting team	Property, Buildings & Beach Services
TRIM file ref	2025/297925
Attachments	⇒1 Images of Outdoor Dining in Rialto Lane (Included In Attachments Booklet)

ITEM 13.2 OUTCOME OF PUBLIC EXHIBITION - LAND DEALINGS POLICY

PURPOSE

The purpose of this report is to present the outcome of the public exhibition of the draft Land Dealings Policy and seek its adoption.

EXECUTIVE SUMMARY

- Council resolved on 20 May 2025 to place the draft Land Dealings Policy on public exhibition, which occurred from 23 May to 23 June 2025.
- Following the public exhibition period, a review of the 9 submissions received was undertaken.
- Feedback was generally supportive, with no objections to the draft Policy (Attachment 1).
- Some submissions suggested the Policy lacked detail on processes and criteria.
- Based on the review of the feedback received, no amendments are proposed to the draft Policy as operational details are appropriately contained within the supporting Land Dealings Guidelines.
- The final draft Land Dealings Policy (Attachment 2) is now presented for adoption and is designed to support the Property Management Framework adopted by Council in 2022.

RECOMMENDATION

That Council:

1. Adopt the Land Dealings Policy (Attachment 2).
2. Upon adoption of the Land Dealings Policy, revoke the following policies:
 - a. Property Acquisition and Disposal - Negotiation on Purchase Price Policy - PL 810 (former Warringah) (Attachment 3).
 - b. Surplus Road Reserve Disposal Policy - PL 820 (former Warringah) (Attachment 4).
 - c. Property Management Policy No. 200 (former Pittwater) (Attachment 5).
 - d. Land – Disposal of Surplus Policy No. 92 (former Pittwater) (Attachment 6).
 - e. Public Reserves and Other Lands - Resumption for Public Utilities Policy No. 56 (former Pittwater) (Attachment 7).

BACKGROUND

Five legacy land dealings policies from the former councils remain in effect, and there is a need to update and consolidate these to reflect a common approach across the Northern Beaches local government area (LGA).

Following a policy review, a draft Land Dealings Policy was prepared to support the Property Management Framework (PMF). The purpose of the Policy is to convey that land dealings are conducted by Council transparently, accountably, and in the best interests of the community. The Policy outlines key principles that guide land transaction decision-making and support the Property Management Framework (PMF) adopted by Council in 2022.

Council endorsed the draft Policy for public exhibition at its 20 May 2025 meeting (Resolution 127/25), with a report on the outcome to follow.

DISCUSSION

The draft Policy was exhibited for public comment from 23 May to 23 June 2025. A review of the 9 submissions received confirmed no objections were raised, however, feedback indicated the draft Policy lacked specific detail. The key themes raised in submissions included requests for more specific detail on processes, decision-making criteria, and how 'best value' is assessed.

It is proposed that no amendments be made to the Policy. The feedback has been considered, and the specific steps and processes requested by the community are included in the related Land Dealings Guidelines. This approach aligns with Council's Policy Framework, which provides that Council policies should set high-level strategic direction, while operational processes are addressed through accompanying guidelines and procedures. The Land Dealings Guidelines will be published on Council's website once the Land Dealings Policy is adopted.

CONSULTATION

Public exhibition of the draft Policy and the opportunity to provide feedback was promoted via Council's weekly e-News, the fortnightly Community Engagement e-newsletter, and Council's 'Your Say' online page. Feedback was collected through an online submission form and via email. During the public exhibition period, 9 submissions were received and considered. The key themes and responses are summarised in Table 1 below.

Table 1. Consolidated summary of key themes raised through submissions and staff responses

Theme	Issues, suggestions, requests and other considerations raised	Responses
Level of detail	Policy lacks specific steps and processes.	These are included in the Land Dealings Guidelines, to be published following Policy adoption.
Competing outcomes for 'best value'	Clarification sought on how financial, social, and environmental outcomes are balanced.	The Guidelines address assessment processes and include reporting to Council on relevant considerations, including financial, social, and environmental factors.
Community Consultation	Suggest including consultation requirements in the Policy.	Consultation processes are outlined in the Guidelines and reported to Council where relevant.
Decision-making criteria	Request for high-level steps to be included in the Policy.	Key steps are detailed in the Guidelines to maintain the Policy's strategic focus.
Policy review cycle	Suggest a shorter review cycle given evolving priorities.	A 4-year cycle is considered appropriate; however, the Policy may be reviewed earlier if needed. The Guidelines can be updated more frequently.
Confidentiality	Concern over lack of transparency in confidential dealings.	Preserving confidentiality can be necessary to protect proposals and avoid jeopardising outcomes. The elected Council represents the community in confidential decision-making when required.

Further information on the details of the public exhibition, and analysis of the feedback received, is presented in the Community Engagement Report at Attachment 1.

TIMING

If adopted, the Policy will take effect immediately. The legacy policies will be revoked and removed from Council's website.

FINANCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy has been developed in accordance with Council's Policy Framework. If adopted, it is proposed the following current policies would be revoked:

- Property Acquisition and Disposal - Negotiation on Purchase Price Policy - PL 810 (former Warringah) (Attachment 3)
- Surplus Road Reserve Disposal Policy - PL 820 (former Warringah) (Attachment 4)
- Property Management Policy No. 200 (former Pittwater) (Attachment 5)
- Land – Disposal of Surplus Policy No. 92 (former Pittwater) (Attachment 6)
- Public Reserves and Other Lands - Resumption for Public Utilities Policy No. 56 (former Pittwater) (Attachment 7)

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The Policy is an important tool for Council to communicate its strategic direction to the community and provide visibility of the governance framework and approach to land dealings.

LINK TO STRATEGY

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

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

Reporting team	Property, Buildings & Beach Services
TRIM file ref	2025/452698
Attachments	⇒1 Community Engagement Report - Land Dealings Policy (Included In Attachments Booklet) ⇒2 Final Draft Land Dealings Policy (Included In Attachments Booklet) ⇒3 Property Acquisition and Disposal - Negotiation on Purchase Price Policy - PL 810 (former Warringah) (Included In Attachments Booklet) ⇒4 Surplus Road Reserve Disposal Policy - PL 820 (former Warringah) (Included In Attachments Booklet) ⇒5 Property Management Policy No. 200 (former Pittwater) (Included In Attachments Booklet)

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| <p>⇒6 Land – Disposal of Surplus Policy No. 92 (former Pittwater)
(Included In Attachments Booklet)</p> <p>⇒7 Public Reserves and Other Lands - Resumption for Public Utilities
Policy No. 56 (former Pittwater) (Included In Attachments Booklet)</p> |
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ITEM 13.3 PROPOSED ROAD RESERVE CLOSURE AND LAND CLASSIFICATION - PART KENNEDY STREET, MANLY

PURPOSE

The purpose of this report is to consider a proposal to close a portion of Council's road reserve at Kennedy Street, Manly, and to classify the land as Community Land under the *Local Government Act 1993*, aligning its legal status with its current use.

EXECUTIVE SUMMARY

- It is proposed to formally close part of the Kennedy Street road reserve to resolve a long-standing administrative issue as the Manly Andrew Boy Charlton Aquatic Centre (MABC) encroaches onto it.
- The land was formally dedicated as public road reserve on 20 October 2023 following a statutory process under the *Roads Act 1993*.
- The next step involves closing Council's road reserve under the provisions of the *Roads Act 1993*.
- Once closed, the land will vest in Council and be classified as Community Land in accordance with the *Local Government Act 1993* which aligns the land's legal status with its current function as part of a public aquatic centre and enables it to be managed under the existing L.M. Graham Reserve Plan of Management.
- This is an administrative correction that will not change land use or impact public access, with the land already physically part of the MABC building and not required for future road use.
- Public notification of the proposal has been completed, and no objections were received.

RECOMMENDATION

That Council:

1. Note that no submissions were received in respect of the proposed closure of the Council public road reserve being part of Kennedy Street, Manly, adjacent to Lot 1 DP 65674, Lot 4 DP 1161541, Lot 1 DP 168527 and Lot 1 DP 168526 (Subject Land).
2. Authorise the formal closure of the Subject Land under the provisions of the *Roads Act 1993* and take the necessary steps to implement this closure.
3. Classify the Subject Land as Community Land under the provisions of the *Local Government Act 1993*.
4. Delegate authority to the Chief Executive Officer to execute all necessary documentation and take all necessary actions to give effect to this resolution.

BACKGROUND

This proposal seeks to resolve a long-standing administrative anomaly concerning a portion of land occupied by the Manly Andrew Boy Charlton Aquatic Centre (MABC). The subject land is part of an unclosed road reserve on Kennedy Street, Manly, located on the eastern side of the MABC building.

The subject land is surrounded by Lot 1 DP 65674, Lot 4 DP 1161541, Lot 1 DP 168527 and Lot 1 DP 168526, on the northern side of Balgowlah Road. The land has an area of approximately 660m² and is currently occupied by a section of the MABC building, including its internal café (refer to Attachment 1 for plan).

The land status issue was identified during the café lease renewal process, prompting further investigation to mitigate legal and operational risks. Historical records show the land was originally a private road created before 1920 and had never been formally dedicated to Council. The MABC was later constructed with part of its footprint encroaching onto this land.

To resolve this, Council undertook the statutory process under Section 16 of the *Roads Act 1993* to dedicate the land as a public road. This was gazetted on 8 September 2023 and finalised on 20 October 2023.

The MABC is located within the L.M. Graham Reserve and managed under the adopted Plan of Management, which categorises the precinct for General Community Use. The next step is to formally close the road reserve under Section 38B of the *Roads Act 1993*, allowing classification as Community Land under the *Local Government Act 1993*.

CONSULTATION

Public notification of the proposed road reserve closure was carried out between 1 June and 29 June 2025, in accordance with the *Roads Act 1993*. This included a notice on Council's website and letters to adjoining property owners and relevant service authorities. No objections were received during the consultation period.

Internal assessment determined that the subject land is not required for future public road purposes. The land is already physically incorporated into the built structure of the MABC, a significant community facility, and is neither accessible nor required for any other purpose.

The proposed closure is a corrective administrative action that will not change how the land is used or accessed by the public. It provides an appropriate governance outcome by ensuring the land is legally classified in line with its established community function. Upon closure, the land will remain in Council ownership and be managed as Community Land consistent with the L.M. Graham Reserve Plan of Management.

TIMING

The proposed road reserve closure is expected to be completed within the next twelve months.

FINANCIAL CONSIDERATIONS

There are no significant financial implications associated with this proposal. The required survey and registration costs for creation of a new lot following formal road closure will be met from existing operational budgets.

GOVERNANCE AND RISK CONSIDERATIONS

The proposal complies with the requirements of the *Roads Act 1993* and resolves a historical land classification issue, ensuring appropriate long-term management under the relevant Plan of Management.

Under Section 38F of the *Roads Act 1993*, owners of adjoining land and notifiable authorities retain the right to appeal to the Land and Environment Court. Given no objections were received during consultation, the risk of appeal is considered low.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts associated with this proposal. The action is purely administrative and does not involve any physical work, construction, or change to the existing building footprint or land use.

SOCIAL CONSIDERATIONS

The recommendations in this report maintain social outcomes for the community by ensuring a valued community facility, the MABC, is situated on appropriately classified land. This action formalises the existing use of the site, which is currently and will continue to be used by the community as part of the aquatic centre.

LINK TO STRATEGY

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

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

Reporting team	Property, Buildings & Beach Services
TRIM file ref	2025/467383
Attachments	⇒1 Proposed Road Reserve Closure Plan - Kennedy Street, Manly (Included In Attachments Booklet) ⇒2 L.M.Graham Reserve, Balgowlah - Plan of Management (Included In Attachments Booklet)

14.0 NOTICES OF MOTION

ITEM 14.1 NOTICE OF MOTION NO 32/2025 - ADVOCACY REGARDING REVIEW OF SHORT TERM RENTAL ACCOMMODATION

COUNCILLORS GLANVILLE AND HRNJAK SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council:

1. Write to the NSW Minister for Housing and the Department of Planning, Housing and Infrastructure to:
 - a. seek a meeting to discuss the impacts of Short Term Rental Accommodation (STRAs) on local housing affordability on the Northern Beaches
 - b. request the NSW Government finalise the review of the STRA framework and give councils tools to better manage the impacts of STRA platforms on the availability of long-term rental housing.
2. Write to the Members for Manly, Wakehurst, Pittwater and Davidson, requesting that they advocate to the Minister for Housing to deliver the STRA review, and to give councils tools to better manage the impacts of STRA platforms on the availability of long-term rental housing.
3. Submit the following motion to the Local Government NSW 2025 Annual Conference:
 - a. That Local Government NSW advocate to the NSW Government to finalise its review of the short-term rental accommodation (STRA) framework and give councils tools to better manage the impacts of STRA platforms on the availability of long-term rental housing.

BACKGROUND FROM COUNCILLORS GLANVILLE AND HRNJAK

Short Term Rental Accommodation (STRA) is a term covering short-term holiday rentals offered via holiday booking websites (such as AirBNB and Stayz) and other holiday letting agencies. The growth of AirBNB has raised questions whether this is contributing to issues with housing affordability, as investors may seek to obtain greater yield on purchasing property for the STRA market, rather than this housing being acquired by owner occupiers or used as long-term rental housing.

Research by the City Futures Research Centre, University of New South Wales, has found a statistically significant positive relationship between AirBNB activity and house prices on the Northern Beaches.¹ As such, AirBNB is a contributing factor towards housing (un)affordability in our local government area.

The Local Government NSW President's Message dated 15 July 2025 noted that:

Short term rental accommodation – NSW Government reforms stall as renters suffer

[Reports last week](#) showed that rents had hit a record high, putting more pressure on renters during a cost-of-living crisis.

¹ Academic article is publicly available at: <https://www.mdpi.com/2220-9964/11/1/65>

LGNSW has repeatedly called on the NSW Government to finalise its review of the short-term rental accommodation (STRA) framework and give councils tools to better manage the impacts of STRA platforms on the availability of long-term rental housing.

We're under no illusion that STRA reform is one of a number of levers that needs to be pulled to address the housing and homelessness crisis impacting our state. We all know more housing of all kinds is needed – public, social and market – but it will not be delivered overnight.

STRA reform is arguably the fastest way to return more housing to the long-term rental market but, unfortunately, the NSW Government reforms in this area appear to have stalled.

The NSW Government's STRA reform consultation closed 16 months ago – and rents keep rising.

I have continued to raise this matter with Minister Jackson, who is leading this review, and LGNSW continues to raise this in meetings with the Department of Planning, Housing and Infrastructure.

I encourage all councils to do likewise and to alert your local State Members about the delay in delivering on the review. It's now time for action from the state government.

This motion seeks to amplify the concerns raised by LGNSW and advocacy by other councils experiencing similar issues.

TRIM file ref	2025/482023
Attachments	Nil

ITEM 14.2 NOTICE OF MOTION NO 33/2025 - LEGISLATIVE REFORMS TO CLASS 1 DEVELOPMENT APPEALS TO THE NSW LAND AND ENVIRONMENT COURT

COUNCILLOR DILLON SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council submit the following motion to the Local Government NSW 2025 Annual Conference:

1. That Local Government NSW advocate to the NSW Government to review and reform the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021* and the *Land and Environment Court Act 1979* to:
 - a. reduce the number of 'Class 1 development appeals' and 'Class 1 residential development appeals' to the NSW Land and Environment Court (Court) on the basis of 'deemed refusal' (with consideration given to the scope and timing of such appeals)
 - b. require applicants to, in good faith, meet with the consent authority to genuinely endeavour to resolve issues, prior to commencing appeals with the Court on the basis of 'deemed refusal'
 - c. enhance opportunities for meaningful public participation in 'Class 1 development appeals' and 'Class 1 residential development appeals'.

BACKGROUND FROM COUNCILLOR DILLON

The current legislative framework allows applicants to commence Class 1 development appeals and Class 1 residential development appeals in the Land and Environment Court as early as 40 days after lodging a development application, even if a council is still actively assessing the proposal. This short timeframe places pressure on council resources and can undermine the ability of council staff to engage meaningfully with applicants to resolve issues through the assessment process.

The ease of initiating Class 1 proceedings often leads to the Court being used as a parallel assessment pathway, despite the Minister for Planning and Public Spaces' expectation that councils determine development applications on average within 105 days (from 1 July 2025 to 30 June 2026). This can contribute to delays in the assessment of other development applications and reduce public confidence in the system.

Additionally, many Class 1 development appeals and Class 1 residential development appeals are resolved through negotiated outcomes in Court that might otherwise have been achieved earlier, through genuine engagement between applicants and councils during the assessment process, had sufficient time and collaboration been afforded.

There is also an increasing perception within the community that their views are not given sufficient weight in merit appeals, particularly where public objectors are excluded from 'without prejudice' conciliation conferences and have only limited rights to participate in proceedings.

A legislative review is needed to:

- rebalance the appeal framework to uphold the integrity of the development assessment process

- enhance transparency and public trust in the planning system by strengthening the voice of the community in Class 1 development appeals' and 'Class 1 residential development appeals'.

TRIM file ref	2025/517695
Attachments	Nil

ITEM 14.3 NOTICE OF MOTION NO 34/2025 - HUMANE ALTERNATIVES TO 1080 POISON FOR THE MANAGEMENT OF FERAL ANIMALS
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COUNCILLORS HARVEY AND HRNJAK SUBMITTED THE FOLLOWING MOTION:
MOTION

That Council:

1. Prepare a report as soon as practicable that outlines more humane alternatives to 1080 poison for the management of feral animals on Council-managed land.
2. Write to The Hon. Rose Jackson MLC, Minister for Lands and Water, and the Members for Manly, Wakehurst, Pittwater and Davidson to advocate for:
 - a. the use of more humane alternatives to 1080 poison (Sodium Fluoroacetate) to manage feral animals on government owned or managed lands
 - b. increased government support and funding (e.g. through grants) for local government towards best practice management of feral animals
 - c. an education program for land managers on more humane alternatives to these poisons.

BACKGROUND FROM COUNCILLORS HARVEY AND HRNJAK

As a council we acknowledge the need to strategically control feral animal populations to mitigate the negative impacts on wildlife and the environment.

Council uses a range of measures to manage feral animals, including 1080 poison for the control of foxes, as well as more targeted trapping and shooting programs. 1080 has been used in parks and reserves across the Northern Beaches, including Manly Dam, Allenby Park, Forestville Park, Middle Creek Reserve, and Dee Why Lagoon Wildlife Refuge.

1080 is a deadly poison that acts through ingestion, inhalation or skin absorption and is listed as a Schedule S7 Dangerous Poison in Australia and a Class 1a pesticide (Extremely Hazardous) by the World Health Organisation. Whilst Australian native wildlife has evolved varying levels of tolerance, it can be toxic to other warm-blooded animals including companion animals and humans. 1080 poison baiting can impact native carnivores, scavengers, and domestic dogs, who are highly susceptible to 1080 poisoning creating a risk of 'secondary poisoning'.

1080 has been banned in a number of places in the world, and in NSW, Campbelltown and Blue Mountains Councils have banned 1080 because of their concerns about the use of this poison. It is appropriate that this council also consider alternatives to the use of 1080 in its programs.

TRIM file ref	2025/524466
Attachments	Nil

ITEM 14.4 NOTICE OF MOTION NO 35/2025 - LEGISLATIVE REFORMS FOR WEEDS

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council:

1. Note the ongoing challenges of managing local invasive weeds and the resulting impacts upon the community and environment.
2. Write to The Hon. Tara Moriarty MLC, Minister for Agriculture, to request:
 - a. an update on the implementation of the recommendations from the 2023 Statutory Review of the *Biosecurity Act 2015*
 - b. increased government support and funding for councils for the management of local invasive weeds.

TRIM file ref 2025/528410

Attachments Nil

15.0 NOTICES OF RESCISSION

ITEM 15.1 NOTICE OF RESCISSION NO 1/2025 - ITEM 7.1 - MAYORAL MINUTE NO 7/2025 - STUDENT BICYCLE LICENCE SCHEME

COUNCILLORS DE LUCA OAM, GILTINAN AND SINGH SUBMITTED THE FOLLOWING MOTION:

MOTION

That Council rescind resolution 169/25 – Item 7.1 - Mayoral Minute No 7/2025 - Student Bicycle Licence Scheme, being:

That Council:

1. *Acknowledge the increasing popularity of bike riding, and the importance of adequate road safety education.*
2. *Participate in Bicycle NSW's Student Bicycle Licence Scheme and work with local schools within the local government area on its uptake.*

Should the rescission motion be adopted, we give notice that it is our intention to move the following motion in lieu thereof which due notice is hereby given:

In the interest of transparency, good governance and noting that another organisation is already running a similar program for free in the Sutherland local government area, for free, that Council call for expressions of interest and report the matter back to Council in September.

TRIM file ref 2025/477010

Attachments

- ⇒1 Notice of Rescission (Included In Attachments Booklet)
- ⇒2 July Council Meeting - Item 7.1 Mayoral Minute No 7-2025 - Student Bicycle Licence Scheme (Included In Attachments Booklet)

16.0 QUESTIONS WITH NOTICE

ITEM 16.1 QUESTION WITH NOTICE NO 20/2025 - SIGNAGE AT PLAYGROUNDS

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:

Does Council have any plans to investigate erecting signage at children's playgrounds (similar to that below) warning parents of allergies and not to feed children on equipment so as to prevent life-threatening allergic reactions?



Source: Shelley Deflou

TRIM file ref	2025/531048
Attachments	Nil

**ITEM 16.2 QUESTION WITH NOTICE NO 21/2025 - CLAIMS FOR DAMAGE TO
VEHICLES ARISING FROM POTHOLES AND ROAD DAMAGE**

COUNCILLOR DE LUCA OAM SUBMITTED THES FOLLOWING QUESTION:

1. Since amalgamation how many claims for damage to vehicles occasioned by potholes or road damage has Council received?
2. Of those claims, how many were successful?
3. Of those claims, how many were rejected?
4. Could Council please outline on its website how people can have rejected claims reviewed?

TRIM file ref	2025/531114
Attachments	Nil

ITEM 16.3 QUESTION WITH NOTICE NO 22/2025 - POTHOLES AND ROAD MAINTENANCE**COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:**

1. Why does Council fill potholes with temporary measures such as gravel when subsequent rainfall occurs and this has to be done again incurring further costs to ratepayers?
2. What other options for maintenance of potholes has Council investigated?
3. Has Council implemented the most efficient and cost-effective long-term maintenance program for pothole damage?

TRIM file ref 2025/531174**Attachments** Nil

ITEM 16.4 QUESTION WITH NOTICE NO 23/2025 - PLAYGROUNDS IN CROMER

COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:

1. What children's playgrounds does Council currently plan to provide new equipment at in Cromer?
2. Will such new equipment be like for like or additional?
3. What is the timeline for these projects?

TRIM file ref 2025/531197

Attachments Nil

ITEM 16.5 QUESTION WITH NOTICE NO 24/2025 - PETITIONS**COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTION:**

Could Council please advise the specific publicly available policy (i.e. document, page, paragraph) that supported the treatment of the 1,000 signed Curl Curl cycleway objections petition as a single submission?

TRIM file ref	2025/531222
Attachments	Nil

ITEM 16.6 QUESTION WITH NOTICE NO 25/2025 - CODE OF CONDUCT COMPLAINTS
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COUNCILLOR DE LUCA OAM SUBMITTED THE FOLLOWING QUESTIONS:

1. Noting media reports that Council has rejected complaints pursuant to the Code of Conduct because complainants have not provided a local address, what clause of the code or the administration of the code policy states this requirement?
2. How many complaints have been rejected on the basis of not disclosing a local address?
3. Will these be properly reviewed?

TRIM file ref	2025/531271
Attachments	Nil

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. In accordance with the requirements of section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
 - A. Item 18.1 Offer to Receive Private Land - Newport on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses/provides advice concerning the potential transfer of private land to Council in accordance with the will of a private individual. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would confer a commercial advantage on other claimants to the estate of the late owner, and/or the executor of the estate.
 - B. Item 18.2 Offer to Purchase State Land – Church Point on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council [10A(2)(d(ii)) *Local Government Act 1993*].

This report discusses/provides advice concerning NSW Government land being offered to Council. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information could jeopardise the proposal.
 - C. Item 18.3 Exemption from Tender - Aquatic Merchandise on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses/provides advice concerning costs of materials. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would release cost prices of materials.
 - D. Item 18.4 RFT 2025/070 - Narrabeen Lagoon Clearance Works 2025 on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - E. Item 18.5 RFT 2025/080 - External Remedial Building Works at North Steyne Surf Life Saving Club on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].
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This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- F. Item 18.6 RFT 2022/059 - Tree Services Panel - Appointment of Asplundh Tree Expert (Australia) Pty. Ltd. on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

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

- G. Item 18.7 RFT 2025/098 - Whale Beach & Mona Vale Beach Rockpool Repairs on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

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

- H. Item 18.8 Mayoral Minute No 11/2025 - Annual Performance Review of the Chief Executive Officer July 2024 - June 2025 on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) *Local Government Act 1993*].

This report discusses/provides advice concerning the Chief Executive Officers Review.

2. The resolutions passed by Council in closed session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.
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19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

In accordance with Part 15 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.
