

# ATTACHMENT BOOKLET

**NORTHERN BEACHES COUNCIL MEETING**

**TUESDAY 16 SEPTEMBER 2025**

NORTHERN BEACHES COUNCIL MEETING - 16 SEPTEMBER 2025  
**TABLE OF CONTENTS**

<b>Item No</b>	<b>Subject</b>	
<b>8.1</b>	<b>ELECTION OF DEPUTY MAYOR</b>	
	Attachment 1: Deputy Mayor Nomination Form.....	3
<b>8.2</b>	<b>COUNCILLOR EXPENSES 2024/25 AND REVIEW OF COUNCILLOR EXPENSES AND FACILITIES POLICY</b>	
	Attachment 1: Draft Councillor Expenses and Facilities Policy .....	4
<b>9.3</b>	<b>MANLY JAZZ – AMENDMENT TO JAZZ GARDEN OPERATING HOURS</b>	
	Attachment 1: Suspension of the Alcohol Free Zone in Manly CBD Area - Site Map - Manly Jazz 2025 .....	26
<b>10.2</b>	<b>COMMUNITY SAFETY ADVISORY COMMITTEE - CONFIRMED MINUTES OF 8 MAY 2025</b>	
	Attachment 1: Confirmed Minutes - Community Safety Advisory Committee - 20250508.....	27
<b>11.1</b>	<b>OUTCOME OF PUBLIC EXHIBITION - DRAFT SEAFORTH OVAL RESERVE PLAN OF MANAGEMENT</b>	
	Attachment 1: Community Engagement Report - Public Exhibition of the Draft Seaforth Oval Reserve Plan of Management .....	36
	Attachment 2: Final Draft Seaforth Oval Plan of Management .....	52
<b>11.2</b>	<b>TEMPORARY CHANGES TO ALCOHOL PROHIBITED AREAS FOR COUNCIL'S CHRISTMAS CHORAL CONCERT 2025, NEW YEARS EVE 2025 AND AUSTRALIA DAY 2026</b>	
	Attachment 1: Letter from Northern Beaches Police Area Command requesting temporary changes to Alcohol Prohibited Areas 21 August 2025 .....	175
<b>12.1</b>	<b>FIRE AND RESCUE NSW INSPECTION REPORT - PITTWATER ROAD MANLY</b>	
	Attachment 1: Fire & Rescue NSW Inspection Report dated 17 June 2025 - Pittwater Road Manly .....	176
	Attachment 2: Notice of Intention to Give an Order dated 11 July 2025 - Pittwater Road Manly.....	180
<b>13.1</b>	<b>OUTCOME OF PUBLIC EXHIBITION - LAND DEALINGS POLICY</b>	
	Attachment 1: Community Engagement Report - Land Dealings Policy .....	184
	Attachment 2: Final Draft Land Dealings Policy .....	192
	Attachment 3: Property Acquisition and Disposal - Negotiation on Purchase Price Policy - PL 810 (former Warringah) .....	195
	Attachment 4: Surplus Road Reserve Disposal Policy - PL 820 (former Warringah) .....	197
	Attachment 5: Property Management Policy No. 200 (former Pittwater).....	201
	Attachment 6: Land - Disposal of Surplus Policy No. 92 (former Pittwater) .....	210
	Attachment 7: Public Reserves and Other Lands - Resumption for Public Utilities Policy No. 56 (former Pittwater) .....	211
<b>13.2</b>	<b>VESTING OF CROWN LAND TO COUNCIL - CHURCH POINT</b>	
	Attachment 1: Deposited Plan 1249367 .....	212
	Attachment 2: NSW Government Gazette dated 30 May 2025 - Vesting of Lot 2 DP 1249367, Church Point to Northern Beaches Council .....	213



<b>15.1</b>	<b>NOTICE OF RESCISSION NO 1/2025 - ITEM 7.1 - MAYORAL MINUTE NO 7/2025 - STUDENT BICYCLE LICENCE SCHEME</b>	
	Attachment 1: Notice of Rescission.....	215
	Attachment 2: July Council Meeting - Item 7.1 Mayoral Minute No 7-2025 - Student Bicycle Licence Scheme .....	216
<b>15.2</b>	<b>NOTICE OF RESCISSION NO 2/2025 - ITEM 13.1 - OUTDOOR DINING TRIAL RIALTO LANE, MANLY</b>	
	Attachment 1: Notice of Rescission.....	221
	Attachment 2: August Council Meeting - Item 13.1 Outdoor Dining Trial - Rialto Lane, Manly .....	222



## Nomination Form

### Office of Deputy Mayor

In accordance with section 394 and Schedule 7 of the Local Government (General) Regulation 2021,

Councillor ..... is hereby nominated for  
(name of nominee)

the office of **DEPUTY MAYOR** of the Northern Beaches local government area for a term as determined by Council.

#### **Nominators**

1. Councillor .....  
(name) (signature)

2. Councillor .....  
(name) (signature)

#### **Nominee**

I, Councillor ....., consent to this nomination.  
(name)

.....  
(Signature) (date)

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The returning officer is: **Scott Phillips, Chief Executive Officer**. Nominations may be provided to the returning officer via email at: **scott.phillips@northernbeaches.nsw.gov.au**.

Clause 2 of schedule 7 of the Local Government (General) Regulation 2021 contains the statutory provisions for the nomination of candidates for election of **Deputy Mayor** by Councillors as follows:

#### **Nomination**

- (1) A Councillor may be nominated without notice for election as Mayor or Deputy Mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.



## **Council Policy NB-P-04**

### **Councillor Expenses and Facilities**

<b>POLICY SUMMARY .....</b>	<b>4</b>
<b>PART A – INTRODUCTION.....</b>	<b>5</b>
1. Introduction .....	5
2 Policy objectives .....	5
3 Principles .....	6
4 Private or political benefit .....	6
<b>PART B – EXPENSES .....</b>	<b>7</b>
5 General expenses .....	7
6 Specific expenses .....	7
Expenses related to civic duties including travel, attendance at events .....	7
Use of private vehicle.....	7
Interstate, overseas and long distance intrastate travel expenses .....	8
Travel expenses not paid by Council .....	8
Representing Council at non-Council functions/events .....	8
Conferences and seminars .....	10
Accommodation and meals while attending conferences, seminars and training courses .....	11
Subscriptions .....	11
Technology, telecommunications and other related expenses .....	11
Special requirements and child care and/or family member care .....	12
Off-site office expenses .....	12
Health and wellbeing services .....	13
7 Insurances .....	13
8 Legal assistance .....	13
<b>PART C – FACILITIES.....</b>	<b>15</b>
9 General facilities for all Councillors .....	15
Facilities .....	15
Stationery .....	15
Administrative support .....	15
Glen Street Theatre Complimentary Tickets.....	16
10 Additional facilities and/or expenses for the Mayor .....	16
Provision and use of a mayoral vehicle .....	16
Accommodation and office support .....	17
Expenses related to civic duties including travel, attendance at events.....	18

<b>PART D – PROCESSES</b>	<b>18</b>
<b>11 Approval, payment and reimbursement arrangements</b>	<b>18</b>
Direct payment	18
Reimbursement	18
Advance payment	18
Notification	19
Reimbursement to Council	19
Timeframe for reimbursement	19
<b>12 Disputes</b>	<b>19</b>
<b>13 Return or retention of facilities</b>	<b>19</b>
<b>14 Publication</b>	<b>20</b>
<b>15 Reporting</b>	<b>20</b>
<b>16 Auditing</b>	<b>20</b>
<b>17 Breaches</b>	<b>20</b>
<b>PART E – APPENDICES</b>	<b>21</b>
<b>Appendix I: Related legislation, guidance and policies</b>	<b>21</b>
Relevant legislation and guidance:	21
Related Council policies:	21
<b>Appendix II: Definitions</b>	<b>21</b>

## Policy Summary

Council is required to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the mayor, deputy mayor and councillors. These supports assist the mayor and councillors to undertake their respective roles under the *Local Government Act 1993* (the Act) and provide reasonable recompense for expenses they incur in undertaking their civic duties.

The policy ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2021](#), and complies with the Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to mayors and councillors in NSW](#).

The maximum amounts Council will provide for specific expenses and facilities is set out in the policy. Expenses not explicitly addressed in this policy will not be paid or reimbursed. The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST, and are subject to adjustments for increases in the Consumer Price Index (CPI) (Sydney All Groups) applied at the start of each financial year. Year 1 of the current cycle provided the following maximum amounts (2024/25) listed below.

Clause	Expense or facility	Maximum amount (per councillor)	Frequency
6.2 6.18 6.19 6.21 6.36 10.23	Expenses relating to civic duties including attendance at non-Council functions and events and travel (excluding private use vehicle) – includes local, long distance and interstate	\$10,000 (councillor) \$15,000 (mayor)	Per financial year
6.3	Vehicle – private use (includes mileage claims for private vehicle use for official business)	Allowances for the use of a private vehicle will be reimbursed at the rate contained in the <a href="#">Local Government (State) Award</a>	
6.25	Training, educational and professional body memberships as relevant to councillor duties and functions	\$2,000	Per financial year
6.30	Seminars and conferences, including registration costs and accommodation and other related out of pocket expenses (note: travel expenses and meals are excluded)	Attendance at the 2 x annual industry conferences plus \$6,500	Per financial year
6.36.3 6.38	Meals and refreshments while attending council events, meetings and conferences	Of a standard and level as set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 (adjusted annually)	Per Award
6.23	Professional development	\$10,000	Per term
6.23	Professional development – specific allocation to undertake directors course	\$10,000	Per term
6.40	Subscriptions, publications and access to resource material	\$1,200	Per year

Clause	Expense or facility	Maximum amount (per councillor)	Frequency
6.57	Off-site or home office and stationery	\$1,500	Per year
6.53	Child care and/or family member care	\$9,000	Per year
6.43	Technology and telecommunications equipment, including a mobile phone, tablet and/or laptop	\$6,500	Provided and maintained upon election for duration of term
6.45	Download applications (apps) to devices above	\$100	Per year
6.48	International data roaming	\$500	Maximum of 30 days per year
6.41	Home internet	\$80 per month – internet service	Total of \$960
6.41	Mobile phone (if mobile not supplied by Council – BYOD)	\$75 per month – standard mobile phone service	Total of \$900

Additional costs incurred by a councillor in excess of these limits are considered a personal expense and the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. The reimbursement of claims made after this time must be considered and approved by the Chief Executive Officer **or their delegate**.

A report on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published on Council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

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## **Part A – Introduction**

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### **1. Introduction**

- 1.1 The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Northern Beaches Council.
- 1.2 The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that is available to councillors to assist them in fulfilling their civic duties.
- 1.4 Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fee range a council may pay each councillor is set by the Local Government Remuneration Tribunal in accordance with section 241 of the [Local Government Act 1993](#) and reviewed annually. Council must adopt its annual fees within this set range.
- 1.5 The Chief Executive Officer or their delegate is empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.

### **2 Policy objectives**

The objectives of this policy are to:

- 2.1 enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties

- 2.2 enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
- 2.3 ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
- 2.4 ensure facilities and expenses provided to councillors meet community expectations
- 2.5 support a diversity of representation
- 2.6 fulfil Council's statutory responsibilities.

### 3 Principles

Council commits to the following principles:

- 3.1 **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- 3.2 **Reasonable expenses:** Providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
- 3.3 **Participation and access:** Enabling people from diverse backgrounds, under-represented groups, those in carer roles and those with special needs to serve as councillors
- 3.4 **Equity:** There must be equitable access to expenses and facilities for all councillors
- 3.5 **Appropriate use of resources:** Providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations
- 3.6 **Accountability and transparency:** Clearly stating and reporting on the expenses and facilities provided to councillors.

### 4 Private or political benefit

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Private use of Council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected is acceptable under the policy.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, councillors must reimburse Council.
- 4.5 Campaigns for re-election are considered to be a private interest. The following are examples of what is considered to be a private interest during a re-election campaign:
  - production of election material
  - use of Council resources for campaigning
  - use of official Council letterhead, publications, websites or services for political benefit



- fundraising activities of political parties or individuals, including political fundraising events.

## **Part B – Expenses**

### **5 General expenses**

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

### **6 Specific expenses**

#### **Expenses related to civic duties including travel, attendance at events**

- 6.1 All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each councillor may be reimbursed up to a total of \$10,000 per year for expenses (excluding private use vehicle reimbursements which are outlined below) incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. This includes:
  - public transport fares
  - parking costs for official meetings and events ~~Council and other meetings~~
  - tolls incurred on private E-tags
  - documented ride-share programs, such as Uber
  - taxi fares ~~the provision of a Cabcharge card (or an equivalent) if required.~~
- 6.3 Where feasible, Council will provide access to an electronic cabcharge system (or equivalent) for travel to planned events.

#### **Use of private vehicle**

- 6.4 In addition to the above clause 6.2, allowances for the use of a private vehicle to attend meetings on official business will be reimbursed at the rate contained in the [Local Government \(State\) Award](#). This rate shall be deemed to cover and include any claims for accidental damage or repairs to the councillor's own vehicle and any loss of no claim bonus and any excess not covered by any insurance.
- 6.5 Councillors seeking to be reimbursed for use of a private vehicle under clause 6.3 must keep a log book recording the date, distance and purpose of travel being claimed. The relevant Council claim form (*Councillor Private Vehicle for Official Events Claim*) must be completed and submitted for reimbursement to the Councillor Services Office. To ensure prompt reimbursement, claims cannot be processed unless on the relevant Council claim form.
- 6.6 Councillors will be provided with a VIP parking permit to affix to their private vehicles. The parking permit will provide access to relevant Council car parking spaces and locations throughout the local government area to assist with attendance at official functions and events.
- 6.7 Councillors personal licence plate numbers will be recorded in Council's parking system to provide access to Council's Dee Why PCYC carpark and Whistler Street Manly carpark.

### **Interstate, overseas and long distance intrastate travel expenses**

- 6.8 This section includes reference to long distance intrastate travel. At Northern Beaches Council long distance intrastate travel is travel that is estimated to take more than two hours from the councillor's residence.
- 6.9 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to cities where diplomatic ties exist.
- 6.10 Councillors seeking approval for any interstate and long distance intrastate travel must submit a business case to, and obtain the approval of, the Chief Executive Officer, or their delegate, prior to travel.
- 6.11 Councillors seeking approval for any overseas travel must submit a request to, and obtain the approval of, Council at a Council meeting prior to travel.
- 6.12 The request should include:
  - 6.12.1 objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result and its relevance to the exercise of the councillor's civic duties
  - 6.12.2 who is to take part in the travel
  - 6.12.3 duration and itinerary of travel
  - 6.12.4 a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.13 For interstate and long distance intrastate journeys by air of less than two hours the class of air travel is to be economy class.
- 6.14 For interstate journeys by air of more than two hours, the class of air travel may be premium economy where it is available.
- 6.15 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.16 Bookings for approved air travel are to be made by the Mayor's Office on behalf of the mayor or the Councillor Services Office team on behalf of a councillor.
- 6.17 Councillors shall not be entitled to claim frequent flyer or other loyalty points relating to air travel or other expenses incurred by them under this policy. In circumstances where the mayor or a councillor has no option but to incur any expenditure for which loyalty points accrue to his/her personal account, the mayor or councillor must surrender the points to the airline or service provider before reimbursement of the expense by the Council.

### **Travel expenses not paid by Council**

- 6.18 Council will not pay any traffic or parking fines or administrative charges for toll road accounts.

### **Representing Council at non-Council functions/events**

- 6.19 The reasonable cost for councillors who have been invited to officially attend events/functions to represent the Council may be met within the allocated expenses cap of \$10,000 for expenses related to civic duties.
- 6.20 Council will pay the entry fee/ticket cost associated with the attendance of a councillor for events and functions which may include lunches/dinners, non-council

functions and community, corporate or industry events where councillor attendance would be expected, such as award nights.

- 6.21 The Chief Executive Officer or their delegate is to approve the cost of such an event/function where it exceeds \$500.
- 6.22 Where a mayor's/councillor's spouse, partner or accompanying person accompanies them to a non-Council function or event, the expenses of the spouse/partner/accompanying person shall be met by Council within the allocated expenses cap of \$10,000 for expenses related to civic duties in the following circumstances:
- 6.22.1 The mayor's/councillor's spouse/partner/ accompanying person has been officially invited to and has accompanied the mayor/councillor to a function/event
- 6.22.2 The function/event relates to the discharge of the civic functions of the mayor/councillor
- 6.22.3 The attendance of the spouse/partner/accompanying person at the function is considered reasonably necessary or appropriate in order for the mayor/councillor to fulfil his/her statutory role.
- 6.23 This reimbursement does not extend to functions where the attendance of the councillor's spouse, partner or accompanying person may be convenient, but could not be properly seen as relating to the discharge of functions of civic office. Examples of the types of functions that could be reimbursed under **this** clause 6.22 include charitable functions to which the mayor/councillors have been invited and award ceremonies and other functions to which the mayor/councillors are invited to represent the Council. The payment for spouses, partners and accompanying persons for attending appropriate functions will be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouse, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

### **Professional development**

- 6.24 Council will set aside \$10,000 per councillor per term in its budget to facilitate the relevant professional development of councillors, with an additional \$10,000 set aside for the term for councillors to specifically undertake a director's course.
- 6.25 Within the first 12 months of a new Council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). Council will cover the cost of the induction program and it will be in addition to ongoing professional development funding allocated to councillors.
- 6.26 Annual membership of professional bodies will be covered to a maximum limit of \$2,000 per year where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be substantially offset by savings from attending events or the membership provides information of relevance and value to the role of councillors.
- 6.27 Approval for professional development activities is subject to a prior written request to the Chief Executive Officer or their delegate outlining the:
- details of the proposed professional development
  - relevance to Council priorities and business
  - relevance to the exercise of the councillor's civic duties.

- 6.28 In assessing a councillor request for a professional development activity, the Chief Executive Officer or their delegate must consider the factors set out in clauses 6.21 and 6.24 of this policy, as well as the cost of the professional development in relation to the councillor's remaining budget.
- 6.29 In-house program expenses, including a councillor induction program will be borne by Council outside of the allocated budget for councillors outlined in this Policy.
- 6.30 On occasion Council will engage external providers (as appropriate) to undertake specific training in-house as part of the ongoing professional development program for councillors. Councillors will be invited to attend and the cost of engaging the provider will be covered by Council outside of the allocated budget for councillors outlined in this policy.

#### **Conferences and seminars**

- 6.31 Council is committed to ensuring its councillors are up to date with contemporary issues facing Council, the community and local government in NSW and will provide up to \$6,500 annually to facilitate councillor attendance at conferences and seminars. This \$6,500 is in addition to the costs associated with attending and representing Council at the Local Government NSW Annual Conference and the Australian Local Government Association Annual Conference each year.
- 6.32 Approval to attend a conference or seminar is subject to a written request to the Chief Executive Officer or their delegate by way of the *Councillor Request to Attend Conference or Professional Development Form*. In assessing a councillor request, the Chief Executive Officer or their delegate must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the councillor's civic duties
  - cost of the conference or seminar in relation to the total remaining budget.
- 6.33 Council will meet the reasonable cost of registration fees, transportation, out of pocket expenses and accommodation associated with attendance at conferences approved by the Chief Executive Officer or their delegate.
- 6.34 Where a councillor is accompanied at a conference all costs for, or incurred by, the accompanying person, including travel, any additional accommodation costs, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the councillor/accompanying person and not by the Council. Council may by resolution, and in exceptional circumstances, pay the expenses of a spouse/partner/carers while travelling on Council business. Exceptional circumstances would only be where the councillor is prevented by health reasons from travelling alone.
- 6.35 The registration and program fees of the accompanying person are to be paid directly to the conference organiser and paid at time of registration. The Council is prepared to receive reimbursement for such registration and payments and to forward them on to the conference organiser, etc. with any Council delegates' registration.
- 6.36 Where the Council meets, on account, any expenditure or cost on behalf of an accompanying person attending a conference, such expenditure must be repaid to the Council by the councillor/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

**Accommodation and meals while attending conferences, seminars and training courses**

- 6.37 Reasonable out-of-pocket or incidental expenses incurred by councillors associated with attendance at a conference, seminars, training courses shall be reimbursed for the following:
- 6.37.1 any hotel/motel conference related charges associated with conferences/seminars, other than accommodation
  - 6.37.2 all telephone, internet or data related to Council business
  - 6.37.3 reasonable lunches, dinners and other meals incurred whilst travelling to or from the conferences, seminars, training courses and other lunches, dinners or meals occurring during the conference but not included in the conference registration fee, as set out in Part B *Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award, 2009*, as adjusted annually
  - 6.37.4 incidental expenses including taxi fares, parking fees, bridge tolls, refreshments, newspapers, laundry and dry cleaning
  - 6.37.5 any optional activity in a conference program, excluding any pre or post conference activities.
- 6.38 Where requested by a councillor, consideration will be given to the provision of an advance payment of up to \$200 to cover anticipated out-of-pocket expenses. Following attendance at a conference (and no more than one [1] month after the conference concludes) the advance payment must be fully reconciled with receipts for costs associated as above.

**Refreshments for Council related meetings**

- 6.39 Appropriate refreshments will be available for Council meetings, Council committee meetings, councillor briefings, approved meetings and engagements, and official Council functions as approved by the Chief Executive Officer or their delegate.
- 6.40 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the Chief Executive Officer or their delegate must be mindful of Part B *Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*, as adjusted annually.

**Subscriptions**

- 6.41 Councillors are entitled to subscriptions and publications and any resource material related to the exercise of civic duties for which a fee is required up to an amount of \$1,200 per year.

**Technology, telecommunications and other related expenses**

- 6.42 Council will provide or reimburse councillors for expenses associated with appropriate technology and telecommunications devices and services up to \$1,860 per financial year. This includes:
- \$75 per month –mobile service (provided by Council or reimbursed BYOD)
  - \$80 per month – internet service
- 6.43 In addition, Council will provide a mobile phone, tablet/iPad and/or a lap-top or equivalent which will be provided on a standard monthly plan as arranged by Council for the purposes of receiving communications and business papers from Council by electronic means and carrying out civic duties.
- 6.44 Council may provide appropriate technology equipment up to a limit of \$6,500 per councillor upon the commencement of the term of office (this is inclusive of tablets/iPads and accessories issued under 6.39/6.40. The determination as to what equipment will be provided will be made by the Chief Executive Officer or

their delegate based upon Council's general technology and telecommunications program and identified business needs.

- 6.45 Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as receiving and reading Council business papers and relevant phone calls and correspondence.
- 6.46 Councillors may seek reimbursement for applications (apps) on their Council issued mobile or electronic devices that are directly related to their duties as a councillor, within the maximum limit of \$100 per year.
- 6.47 Council may from time to time provide councillors with upgraded equipment or new facilities, where doing so will result in efficiencies and aligns to Council's general technology and telecommunications program.
- 6.48 All equipment provided to councillors by Council shall remain in the possession of the councillor during their term of office and shall remain the property of Council and returned in good operational order and condition upon ceasing to be an elected member of Northern Beaches Council.
- 6.49 Council will provide international roaming packages on a Council provided mobile phone plan, to the maximum value of \$500 for data, voice and messaging for up to 30 days per year. This amount is in addition to the maximum monthly usage limits outlined in clause 6.39.
- 6.50 Where the councillor uses their own mobile phone plan, a reimbursement to the maximum value of \$500 for data, voice and messaging for up to 30 days per year will only be provided for international roaming where the reconciliation is supported by a detailed account itemising Council usage.

**Special requirements and child care and/or family member care**

- 6.51 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired councillors and those with other disabilities.
- 6.52 Transportation provisions as outlined in this policy, such as access to Cabcharge and Uber will also assist councillors who may be unable or unwilling to drive a vehicle.
- 6.53 In addition to the provisions above, the Chief Executive Officer or their delegate may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with disability to perform their civic duties.
- 6.54 Councillors who are the principal carer of a child or other immediate family member who is an older adult, has disability and/or is sick will be entitled to re-imbursement of carer's expenses up to a maximum of \$9,000 per annum for attendance to official business, plus reasonable travel from the principal place of residence.
- 6.55 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not the children's parent.
- 6.56 In the event of caring for an adult person, councillors will need to provide suitable evidence to the Chief Executive Officer or their delegate that reimbursement is applicable. This may take the form of advice from a medical practitioner.

**Off-site office expenses**

- 6.57 Each councillor may be reimbursed up to \$1,500 per year for costs associated with the maintenance of a home or off-site office, such as minor items of consumable stationery and printer ink cartridges and furniture.

#### **Health and wellbeing services**

- 6.55 Council aims to provide a working environment that promotes and supports the health and wellbeing of both staff and councillors.
- 6.56 Councillors will have access to Council's relevant employee Assistance Program.
- 6.57 Councillors will have free entry to Council's Aquatic Centres.

### **7 Insurances**

- 7.1 In accordance with section 382 of the [Local Government Act 1993](#), Council has in place public liability and professional indemnity insurance. Council also obtains Councillors and Officers insurance in the course of its annual insurance renewal program.
- 7.2 Insurance protection is only provided if a claim arises out of, or in connection with, the councillor's performance of their civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in Council's policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances are to be included for any councillors travelling on approved interstate and overseas travel on Council business.

### **8 Legal assistance**

- 8.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
  - 8.1.1 a councillor defending an action arising from the performance in good faith of a function under the [Local Government Act 1993](#);
  - 8.1.2 a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act; and
  - 8.1.3 a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the [Local Government Act 1993](#) and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
- 8.2 In the case of a conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the Chief Executive Officer or their delegate to a conduct reviewer or conduct review panel and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of their functions under the [Local Government Act 1993](#) are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during their term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
  - 8.4.1 of legal proceedings initiated by a councillor under any circumstances

- 8.4.2 of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- 8.4.3 for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.



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## **Part C – Facilities**

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### **9 General facilities for all Councillors**

#### **Facilities**

- 9.1 Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- 9.1.1 A councillor common room appropriately furnished which includes photocopier, printer, meeting space, letterboxes and appropriate refreshments
  - 9.1.2 Each councillor will receive a security card to access the three central administration offices of Mona Vale, Dee Why and Manly, allowing them appropriate access as determined by the Chief Executive Officer or their delegate
  - 9.1.3 Free parking access to shared car parking spaces while attending Council offices on official business at both the Manly and Dee Why administration offices
  - 9.1.4 A name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor
  - 9.1.5 Appropriate meeting spaces to allow councillors to meet with community members as determined by the Chief Executive Officer or their delegate. Meeting rooms ~~should~~ **can** be booked through the **Office of the Mayor or the Councillor Services Office team**.
  - 9.1.6 Daily media reports and updates on media releases issued by Council by email.
- 9.2 The provision of facilities will be of a standard deemed by the Chief Executive Officer or their delegate as appropriate for the purpose.
- 9.3 Council may from time to time provide additional facilities for councillor use such as protective equipment for use during site visits.

#### **Stationery**

- 9.4 Council will provide the following to councillors:
- 9.4.1 Electronic letterhead template, to be used only for correspondence associated with civic duties
  - 9.4.2 Electronic Christmas or festive message (if requested)
  - 9.4.3 Business cards (printed in-house).
- 9.5 Council will also from time to time provide additional stationery or branded items for councillor use.
- 9.6 The provision of other stationery required to furnish an off-site or home office is outlined in clause **6.57** of this policy.

#### **Administrative support**

- 9.7 Council will provide administrative support to councillors to assist them with carrying out their civic duties. Administrative support is provided to councillors by the Councillor Services **Office team** and support for the mayor is provided by the Mayor's Office.

- 9.8 As outlined in section 4, Council staff are to assist councillors with civic duties only and must not assist with matters of personal or political interest, including campaigning.

**Glen Street Theatre Complimentary Tickets**

- 9.9 Tickets to productions at Glen Street Theatre will be issued to councillors in accordance with the Glen Street Theatre Complimentary Tickets Policy.

**10 Additional facilities and/or expenses for the Mayor**

**Provision and use of a mayoral vehicle**

- 10.1 The mayor has the option of using and maintaining a private vehicle in accordance with the provisions of clauses 6.3 and 6.4 of this policy or Council may provide the option to the mayor of a suitable and appropriate vehicle (excluding any vehicle subject to the Australian Taxation Office's luxury car tax) for use by the mayor for all official, executive and social duties connected with the office of mayor and for occasional or full private use.
- 10.2 The Council cannot make a motor vehicle, owned or leased by the Council, available for the exclusive or primary use or disposition of a particular councillor other than a mayor.
- 10.3 The Council will:
- 10.3.1 provide servicing, maintenance, registration and insurance of a suitable vehicle
  - 10.3.2 provide all fuel, which may be charged against a fuel card, whilst the vehicle is used for Council business.
- 10.4 The vehicle will be registered and comprehensively insured by the Northern Beaches Council.
- 10.5 Special accessories where required, shall be provided, fitted, installed and removed at Council's cost.
- 10.6 The vehicle shall be available for the exclusive use of the mayor, and where available by any councillor attending council business and as approved by the mayor subject to the conditions of this policy.
- 10.7 Where private or personal use is on an occasional basis, the mayoral allowance will be reduced on a per kilometre basis, by the rate set by the Local Government (State) Award, and in accordance with a log submitted by the mayor on a monthly basis. Where full private or personal use is chosen, the mayoral allowance will be reduced, in accordance with Council's *Management Standard for Provision of Private and Take Home Use Vehicles (amended)*.
- 10.8 The following restriction shall apply to the use of the mayoral vehicle:
- 10.8.1 The vehicle shall only be driven by a properly licensed person, being:
    - the mayor
    - Council employee
    - a councillor of the Northern Beaches Council, with the mayor's consent
    - a member of the mayor's immediate family or nominated person so long as the mayor is a passenger in the car.
  - 10.8.2 The mayor shall not use, or allow the vehicle to be used, to compete in any car rally or competition

- 10.8.3 The vehicle is not to be used for any trading undertaking or for any activity where remuneration is received which is not directly related to Council business or activities of the office of mayor.
- 10.9 The mayor, if they intend to drive the vehicle, must show evidence of a current New South Wales driver's licence of an appropriate class, or equivalent, and be the holder of a licence for the duration of their use of the vehicle. If the mayor loses his/her licence or is suspended from driving, they must immediately forfeit use of or access to the mayoral vehicle or provide evidence of a properly licensed person who will be the driver of the vehicle whenever used by the mayor during such period.
- 10.10 Whenever the mayor has the control of the vehicle, the mayor must ensure that it is driven only by a responsible properly licensed person.
- 10.11 If the mayor drives or allows another person to drive the vehicle without a current driver's licence, or whilst disqualified for any reason, the Council may withdraw the vehicle from access by the mayor.
- 10.12 All traffic fines and penalties incurred by the mayoral vehicle will be paid by the driver. The mayor must keep a record of any drivers of the vehicle, other than the mayor, whom the mayor permits to drive the vehicle.
- 10.13 If the mayor or a properly licensed person, by their action, negates any motor vehicle insurance, that person will be responsible for the payment of costs as a consequence thereof.
- 10.14 The mayor always remains responsible for ensuring proper and adequate care and usage of the vehicle at all times including garaging and vehicle maintenance
- 10.15 The mayor must ensure all accidents /maintenance/repair issues are reported to Council's Fleet Management without delay.
- 10.16 If the mayor or a properly licensed person, whilst driving the vehicle, is convicted of drink-driving or an offence leading to licence suspension or loss in association with an accident involving the mayoral vehicle, the mayor will be required to pay the cost of associated repairs in the event that Council's insurers disclaim responsibilities on the grounds of such conviction, suspension or loss.
- 10.17 A parking space at Council's offices will be reserved for the mayor for use on official business, professional development and attendance at the mayor's office.

#### **Accommodation and office support**

- 10.18 Council will provide the mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and a meeting room.
- 10.19 In performing their civic duties, the mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the Chief Executive Officer or their delegate.
- 10.20 The number of exclusive staff provided to support the mayor and councillors will not exceed the number of full time equivalent staff identified in the adopted organisational structure and as provided in the adopted budget.
- 10.21 As outlined in section 4, staff who are appointed to the Mayor's Office or Councillor Services **Office team** are required to work on official business only, and not for matters of personal or political interest, including campaigns.

**Expenses related to civic duties including travel, attendance at events**

- 10.22 The mayor has an additional allocation of \$5000 for expenses incurred in association with undertaking professional development, attending approved conferences and seminars within NSW and interstate, representing Council at official meetings, and attending to matters related to the fulfilment of a councillor's civic duties. Refer to section 6.2.

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**Part D – Processes**

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**11 Approval, payment and reimbursement arrangements**

- 11.1 Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred where possible.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred for:
- 11.3.1 private vehicle use and local travel relating to civic duties and official business
  - 11.3.2 office expenses and out of pocket expenses
  - 11.3.3 carer costs
  - 11.3.4 technology and telecommunications expenditure.
- 11.4 Final approval for payments made under this policy will be granted by the Chief Executive Officer or their delegate.
- 11.5 All requests for reimbursement will be processed by a staff member and then reviewed and authorised by the Chief Executive Officer or their delegate.
- 11.6 The Chief Executive Officer or their delegate will provide a system for the request of reimbursements for councillors. This may include appropriate forms where councillors will be required to provide the relevant details required.

**Direct payment**

- 11.7 Council may approve and directly pay expenses. Requests for direct payment must be submitted through the appropriate system for assessment against this policy using the appropriate Council forms, with sufficient information and time to allow for the claim to be assessed and processed.

**Reimbursement**

- 11.8 All claims for reimbursement of expenses incurred must be made **by councillors** on the system or forms prescribed, supported by relevant information, appropriate receipts and/or tax invoices and be submitted to the Mayor's Office (for mayoral expenses) or the Councillor Services **Office team** (for councillors) for processing. **Receipts submitted without the appropriate form will not be processed.** There are two payments runs per month for the reimbursements of expenses.

**Advance payment**

- 11.9 Council may pay a cash advance for councillors attending approved conferences, seminars or professional development.
- 11.10 The maximum daily value of a cash advance is \$200 for a conference, seminar or professional development undertaking, up to a maximum of \$600.

- 11.11 Requests for advance payment must be submitted to the Chief Executive Officer or their delegate for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.12 Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- 11.12.1 a full reconciliation against the provisions of this policy of all expenses including appropriate receipts and/or tax invoices; and
  - 11.12.2 reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

#### **Notification**

- 11.13 If a claim is approved, Council will make payment directly or reimburse the councillor through accounts payable.
- 11.14 If a claim is refused, Council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

#### **Reimbursement to Council**

- 11.15 If Council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council may, with the approval of the Chief Executive Officer or their delegate, invoice the councillor for the expense; and
  - the councillor will be required to reimburse Council for that expense within 14 days of the invoice date.
- 11.16 If the councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the Chief Executive Officer or their delegate. The Chief Executive Officer or their delegate may elect to deduct the amount from the councillor's allowance (councillor fee).

#### **Timeframe for submitting claims for reimbursement**

- 11.17 Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. The acceptance of claims made after this time must be considered and approved by the Chief Executive Officer or their delegate.

### **12 Disputes**

- 12.1 If the councillor disputes a determination under this policy, the councillor should discuss the matter with the Chief Executive Officer or their delegate.
- 12.2 If the councillor and the Chief Executive Officer (or their delegate) cannot resolve the dispute, the councillor may submit a notice of motion to Council seeking to have the dispute resolved.

### **13 Return or retention of facilities**

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or the mayor ceasing to hold office.

#### **14 Publication**

- 14.1 This policy will be published on Council's website.

#### **15 Reporting**

- 15.1 Council will report on the provision of expenses and facilities to councillors as required in the [Local Government Act 1993](#) and [Local Government \(General\) Regulation 2021](#).
- 15.2 Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every twelve months and published in full on Council's website.

#### **16 Auditing**

- 16.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program with a regular audit to be scheduled within the Northern Beaches Council Strategic Internal Audit Plan.

#### **17 Breaches**

- 17.1 Suspected breaches of this policy are to be reported to the Chief Executive Officer or their delegate.
- 17.2 In accordance with the Northern Beaches Council Code of Conduct this Councillor Expenses and Facilities Policy is a policy of Council and must not be contravened.
- 17.3 Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the Northern Beaches Council Code of Conduct as detailed in the Code and in the Procedures for the Administration of the Code.

## PART E – Appendices

### Appendix I: Related legislation, guidance and policies

#### Relevant legislation and guidance:

- [Local Government Act 1993](#), sections 252 and 253
- [Local Government \(General\) Regulation 2021](#), Clauses 217 and 403
- Office of Local Government's [Guidelines for the payment of expenses and provision of facilities to Mayors and councillors in NSW](#)
- Office of Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Office of Local Government Circular 05-08 Legal Assistance for Councillors and Council Employees.

#### Related Council policies:

- Northern Beaches Council Code of Conduct
- Northern Beaches Council Management Standard for Provision of Private and Take Home Use Vehicles (amended)
- Northern Beaches Council Glen Street Theatre Complimentary Tickets Policy

### Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	food and beverages, <b>excluding alcohol</b> , provided by Council to support councillors undertaking official business
Act	the <a href="#">Local Government Act 1993</a> (NSW)
Annual Conference	Local Government NSW Annual Conference
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	the Code of Conduct adopted by Council or the Model Code if none is adopted
councillor	a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the mayor
Chief Executive Officer	the person referred to in the <i>Local Government Act 1993</i> as the general manager of a council and, in the case of the Northern Beaches Council, means the person referred to as the Chief Executive Officer of the Northern Beaches Council and includes their delegate or authorised representative
incidental personal use	use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	travel to other parts of NSW of more than two hours duration by private vehicle
maximum limit	the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
BYOD	Bring your own device

nominated person	the holder of a current NSW driver's licence who is nominated by the mayor, in writing to the Chief Executive Officer or their delegate, as a person who may regularly drive the mayoral vehicle whilst the mayor is a passenger in the vehicle.
official business	functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> <li>meetings of Council and committees of the whole</li> <li>meetings of committees facilitated by Council</li> <li>civic receptions hosted or sponsored by Council</li> <li>meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by Council.</li> </ul>
professional development	a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	the <a href="#">Local Government (General) Regulation 2021</a> (NSW)
term	the period from which a councillor or the mayor is in office – usually commencing from the councillor's inauguration and concluding on the day prior to the local government election – the term includes a caretaker period
year	the financial year, that is the 12 month period commencing on 1 July each year















#### Version Control

Version	Date	Version	Ref
1	22 November 2016	Northern Beaches Council Policy for Payment and Reimbursement of Expenses Incurred by, and the Provision of Facilities to the mayor, deputy mayor and Councillors - adopted	2016/358418
2	26 June 2018	Draft Councillor Expenses and Facilities Policy for Public Exhibition	2018/353965
3	28 August 2018	Councillor Expenses and Facilities Policy for adoption including minor amendment to include applications in ICT expenses	2018/534619
4	26 April 2022	Revision of allocations based on review of comparable councils in large metropolitan category as determined through the Local Government Remuneration Tribunal, clarification and update of clause interpretations and some administrative formatting. Adopted by Council	2022/093113
5	8 October 2024	Draft policy for Council's review	2024/471117
6	10 December 2024	Adopted by Council	2022/252481
7	July 2025	Draft policy for Council's review	



## Site Map - Manly Jazz 2025



Map Key	
	<b>Stages:</b>
	1. Beachfront
	2. Sydney Rd Stage
	3. Jazz Stars of the Future Stage
	4. St Mathews Church Stage
	Front of house Syd Rd & JSTF use Council marquee
	Back of House
	Information Tent – Event Head quaters
	First Aid
	Permanent bathrooms
	Storage Manly Library/ Rialto Lane and Town Hall
	Jazz Garden
	MANLY letters & Colouring Corner
	Arts & Craft Markets Fresh Food Markets
	Power
	Barriers
	Permanent Water stations
	Performer loading zone: 1. Cnr Raglan St & North Steyne at Road closure point 2. Central Avenue – Sydney Rd 3. The Corso - JSOTF 4. Darley Rd – St Matts



# MINUTES

## COMMUNITY SAFETY ADVISORY COMMITTEE

held in Manly Town Hall on

**THURSDAY 8 MAY 2025**

MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

**Minutes of the Community Safety Advisory Committee**

**held on Thursday 8 May 2025**

**in Manly Town Hall, commencing at 9:00am**

**ATTENDANCE:**

**Committee Members**

Cr Sue Heins	Frenchs Forest Ward – Mayor - Chair
Cr Rowie Dillon	Pittwater Ward
Cr Nick Beaugeard	Curl Curl Ward
Cr Robert Giltinan	Representing Narrabeen Ward
A/Supt Michelle Mathieson	Representing Superintendent John Duncan Northern Beaches Police Area Command
Doug Brooker	Northern Beaches Liquor Accord
Sarah Sweeney	Northern Beaches Mental Health Interagency
Graham Bargwanna	Representing Northern Sydney Housing and Homelessness Interagency
Melissa Palermo	Northern Sydney Local Health District
Anya Rowlandson	Representing Sydney North Health Network
Libby Paulsen	Community Representative – Frenchs Forest Ward
Lucy Band	Community Representative – Manly Ward
Mary Brearton	Community Representative – Narrabeen Ward
Kylie Ferguson	Community Representative – Pittwater Ward
Peta Garrett	Representing Dr Sophie Scamps MP Federal Member for Mackellar
Kim Preston-Hiney	Representing James Griffin MP State Member for Manly
Gypsy Bryant	Representing Michael Regan MP State Member for Wakehurst

**Council Officer Contacts**

Kelly Loveridge	Chief Operating Officer Representing Scott Phillips Chief Executive Officer
David Kerr	Director Community and Recreation
Kylie Walshe	Executive Manager Community, Arts and Culture
Azmeena Kelly	Executive Manager Environmental Compliance
Jeremy Smith	Executive Manager Parks & Open Space
Will Wrathall	Manager Community Development
Kath Young	Community Safety Coordinator
Helen Askew	Program Support Officer Community Development

**Visitors**

Detective Chief Inspector Michael Boutouridis	Northern Beaches Police Area Command
Maeva Masterson	Executive Manager Library Services
Alison Hamilton	Library Digital Services Manager
Liz Cordoba	Manager, Strategic and Place Planning
Rebecca Sio	Strategic and Place Planning
Phillip Devon	Manager Transport Network

MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

## 1.0 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past and present.

## 2.0 APOLOGIES

Representatives and visitors were welcomed to the meeting.

Apologies were received from

Zali Steggall OAM MP	Federal Member for Warringah
Jacqui Scruby MP	State Member for Pittwater
Cr Candy Bingham	Manly Ward
Cr Vincent De Luca OAM	Narrabeen Ward
Supt John Duncan	Northern Beaches Police Area Command
Eugene McGarrell	Northern Sydney Health Network, Northern Sydney PHN
Sarah Kingsbeer	Northern Sydney Housing and Homelessness Interagency
Sam King	Northern Beaches Youth Interagency
Michele Bell	Northern Sydney Community Network (Senior's sector)
Aileen Ogilvie	Northern Beaches Community Drug Action Team
Wendy Finianos	Community Representative – Curl Curl Ward
Scott Phillips	Chief Executive Officer

The following members were not in attendance

Matt Cross MP	State Member for Davidson
Representative	Northern Beaches Domestic Violence Network

## 3.0 DISCLOSURES OF INTEREST

There were no disclosures of pecuniary or non-pecuniary conflicts of interest.

## 4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 4.1 MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 13 FEBRUARY 2025

The minutes of the Community Safety Advisory Committee Meeting held on 13 February 2025, copies of which were previously circulated to all members, were confirmed as a true and correct record of the proceedings of that meeting.

Moved: Mary Breaton, seconded Gypsy Bryant

## 5.0 ACTIONS UPDATE

### 5.1 ACTIONS UPDATE

Progress against the action as included in the Agenda were noted by the Committee.

**MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025**

**MEETING OF 14 NOVEMBER 2024**

<b>ITEM NO.</b>	<b>ACTION</b>	<b>RESPONSIBLE OFFICER</b>	<b>PROGRESS</b>
6.4.1	The Liquor Accord engage with relevant stakeholders to investigate options for a community education campaign.	Doug Brooker	The Liquor Accord have engaged with Police on the 'banned from one, banned from all' initiative. Advice will be communicated to Committee as the Liquor Accord community education project progresses.

**MEETING OF 13 FEBRUARY 2025**

<b>ITEM NO.</b>	<b>ACTION</b>	<b>RESPONSIBLE OFFICER</b>	<b>PROGRESS</b>
6.1	Circulate information to Committee to support their response to concerns for mental health.	Supt Duncan	Completed
6.3.1	Link to information on existing AFZs to be circulated to Committee.	Kath Young	Completed
6.3.2	Advice on commencement of public exhibition of proposed AFZs be circulated to Committee.	Kath Young	Completed
6.4	Northern Beaches Youth Interagency to lead the consideration on the need to establish more legal graffiti walls across the Northern Beaches.	Sam King Will Wrathall	Discussed at the May Youth Interagency Meeting. A survey is being developed to seek input from young people on this matter. Survey outcomes will be reported to the 14 August 2025 meeting.
7.4.1	Special Rate Variation - Link to relevant reports to be circulated with minutes.	Kath Young	Completed

**6.0 AGENDA ITEMS**

**6.1 POLICE REPORT – A/SUPERINTENDENT MICHELLE MATHIESON**

Acting Superintendent Michelle Mathieson and Detective Chief Inspector Michael Boutouridis provided an update on Northern Beaches Police Area Command matters. It was requested the Committee hold in confidence discussion of policing matters which do not appear in these Minutes.

The Northern Beaches LGA Recorded Crime Statistics to December 2024 from the NSW Bureau of Crime Statistics and Research (BOCSAR) included in the Agenda were noted and further current information highlighted:

- Police noted the personal impact of crime that is not reflected by statistics.
- Domestic violence related assault: the statistical upward trend reflects local efforts to encourage the community to report incidents, including historical matters. Domestic violence

MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

continues to be a high priority for Northern Beaches Police Area Command. Each report is thoroughly investigated and resources allocated to address this issue, including Operation Amarok.

- Discussed that statistics should be considered over the long term, for example Break and Enter Dwelling incident count was 240 for the 12 month period to December 2024. This was compared to figures in 1999-2000 where the count was around 1900. It was noted that modern forensics and technology are identifying offenders and improved Police and Court systems are contributing to improved results. Police use all available resources from around the State to address crime e.g. Strikeforce Sweetenham in relation to Break and Enter Dwelling offences.
- Police are working with local retailers on strategies to decrease the risk of theft.
- The NSW Government is currently reviewing the operation of *doli incapax*, which is the legal presumption that children between the ages of 10 and 14 do not sufficiently understand the difference between right and wrong to be held criminally responsible.

## DISCUSSION

- Significant work is being undertaken by Licensing Police and the Northern Beaches Liquor Accord on implementing strategies to prevent the theft of alcohol from retailers.
- Seven Probationary Constables have recently joined the Northern Beaches Police Area Command and have been placed into vacant policing positions.
- The under reporting of domestic violence was discussed. Statistics indicate domestic violence incidents occur at least 26 times before the victim will call for assistance. A large number of non-government and government agencies provide support opportunities for those impacted.
- The sale of illegal tobacco was discussed. Community members are encouraged to report retailers suspected of selling illegal tobacco or vapes via the [NSW Health online portal](#). NSW Health Officers are responsible for investigating and seizing goods in these matters.

## 6.2 ENVIRONMENTAL COMPLIANCE REPORT

The Executive Manager Environment Compliance provided an overview and presentation on compliance and regulatory statistics.

Companion Animal Management for the period February to April 2025:

- 63 compliance actions were investigated in the period to with 16 infringements issued.
- 54 dog attacks were reported to Council, 12 of which occurred on private property.
- 299 proactive patrols were completed across beaches and parks with 9 penalties issued.
- Three information nights were held from March to May 2025 in conjunction with the Pets Professional Guild of Australia. The sessions held at Mona Vale, Dee Why and Belrose focussed on responsible pet ownership and dog park etiquette.
- Rangers and a local dog trainer attended two educational pop-up events in March at Rowland Reserve Bayview and North Curl Curl to provide educational information about responsible pet ownership.
- The NSW Office of Local Government recently undertook a review of the Companion Animals Act. Council made a submission advocating for a strengthening of statutory powers around the management of roaming cats, requirements for responsible dog ownership, training and education and strengthening provisions including penalties regarding the management of dogs.

School Zones

- 107 school patrols were conducted with 215 penalties issued around school zones.

Manly night patrols

- Ranger patrols reducing in line with the autumn/winter season.
- A reduction in statistics was noted.

MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

Arbovirus Sampling Program

- Council has continued partnering with NSW Health to deliver the mosquito monitoring program in the Warriewood wetlands.
- In March 2025, trapping identified the [Barmah Forest virus](#). A safety alert and media release advised the community of the risk and protection information.
- NSW Health will assess the final samples collected and advise Council of any further risks.

Proactive Compliance

- Get the Site Right blitz held on 20 March 2025
  - Officers inspected construction sites across the LGA to assess sediment and erosion control measures.
  - Campaign seeks to prevent pollution by highlighting the importance of securing building materials and education on best practice controls.
  - 71 sites were visited with no major concerns identified.
- Asbestos Awareness stall held in April 2025
  - Hosted at Bunnings Narrabeen to raise awareness on asbestos safety with focus on home renovations
  - The event attracted a lot of positive interest from tradies and local residents.
  - Council will continue to participate in this initiative and hold similar future events.

DISCUSSION

The early morning presence of dogs on beaches was raised. Reports from the community inform Ranger presence across the Northern Beaches.

Deregistration of dogs was discussed. Legislation includes a requirement for owners to advise Council of the death of their dog. Council has engaged with vets and the community to encourage reporting.

Council has made submissions to the NSW Office of Local Government in relation to the detrimental impact of cats on the environment and strengthening powers to manage cats in the community.

6.3 MANLY SPECIAL ENTERTAINMENT PRECINCT

Council's Strategic and Place Planning staff presented information on the proposed Manly Special Entertainment Precinct (SEP) and sought feedback on potential community safety issues.

At its meeting on 18 February 2025, Council resolved to seek grant funding from the NSW Government to establish a SEP trial in the Manly commercial centre. A SEP is a designated area where Council sets the maximum trading hours and entertainment sound controls in a precinct management plan, overriding existing planning controls, development consents and liquor licence conditions. The key features of a SEP include:

- Revised trading hours for all businesses within the precinct.
- Tailored sound controls for entertainment activity.
- Existing trading hour and sound control provisions in DA consents and liquor license conditions are turned off.
- Clear complaints and compliance processes.
- Benefits for eligible licensed venues (reduced licensing fees, extra hours of trading on nights with live performances).
- Comprehensive and mandatory stakeholder engagement.
- An "eyes wide open" clause to be inserted into planning certificates, acknowledging that the property is located in a vibrant precinct.

Early consultation identified community support for the concept of a SEP on the basis of increased



MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

liveliness and vibrancy, variety and quality of nighttime offerings, and potential benefits to the local economy and live music/creative industries.

Concerns identified by the community during early consultations included sound management, safety, and antisocial behaviour relating to alcohol consumption.

The proposal for a SEP in Manly is aligned with the [Manly Place Plan](#) has the intention of improving the variety of offerings in the night time economy. A grant application has been submitted and the outcome of the application will be known in late May 2025.

A number of regions across NSW are rolling out [NSW Government Special Entertainment Precincts](#) with the Enmore Road SEP being the first to be operational in December 2023.

## DISCUSSION

Should funding be granted, it is anticipated a trial would commence mid 2026 following public exhibition of proposed precinct management strategies. Evaluation during the 12-month trial period would include regular monitoring and further opportunity for input from the Committee.

The impact of SEPs on development applications and 24-hour liquor licenses was discussed. Additional work is being carried out by the Office of the 24-Hour Economy Commissioner and the next tranche of reforms is likely to address this matter.

In this planning phase, public transport considerations have been included. Council is required to consult with Transport for NSW to identify any gaps.

Police raised concerns about the potential for an increase in alcohol related violence and advised that a user pays model may need to be considered to meet any additional demand on their resources. It was also noted that while some policing response will be involved, Police are not the agency responsible for management of noise related issues and community education in this regard will ease any impact on them. It was also noted that not all activities will require Development Applications. Council is looking forward to consulting and working with Police and Liquor and Gaming on these issues.

All-ages and alcohol-free live music events in the area were discussed.

The [Inner West Council - Good Neighbour Policy](#) was raised. Council's Compliance team are in the process of developing a 'Good Neighbour Guideline' with the aim to support community members in resolving disputes.

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
6.3	Provide an update on the development of a Good Neighbour Guideline	Azmeena Kelly	13 November 2025

## 6.4 24/7 LIBRARY SERVICES

Council's Library Services staff provided an update on the progression of expanding 24/7 library services across the Northern Beaches network.

Following the successful implementation of the Forestville 24/7 Library Service, Council has assessed all sites to identify options for further expansion of the 24/7 library service.

Information on the proposed site for the next 24/7 Library Service was shared with the Committee. A range of membership and security considerations were outlined and Committee input on potential community safety issues was invited.

A report is being prepared for an upcoming Council meeting, with a view to initiating a new trial site



MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

in 2026.

## DISCUSSION

24/7 member requirements and the positive experience with customer behaviour at Forestville 24/7 were discussed.

It was noted that 24/7 Library members:

- are required to sign a Terms and Conditions agreement and attend an on-site induction session.
- are aged 16 years and over.
- 24/7 membership is not available to community members with Light membership.
- children under 16 may attend with a parent or guardian who is an adult 24/7 member and must be supervised at all times.
- duress alarms and other security features are available at the library to support 24/7 members.

The Library as a 'third space' (a community gathering space outside of home and school) for young people was discussed.

## 6.5 E-BIKE SAFETY

The Transport Network Manager provided an update on the NSW Parliament inquiry into the use of e-scooters, e-bikes and related mobility options.

Council provided a submission to the Parliamentary Inquiry and the [Inquiry Report](#) was released in February 2025. The NSW Parliamentary Inquiry produced 3 findings and 34 recommendations for the Government to respond. The NSW Government response is due in mid-May 2025.

Council's [e-bike safety](#) campaign including 'Know the e-bike code' was informed by market research that identified low levels of understanding of relevant road rules and safety matters among young people.

Rangers are not equipped to respond to e-bike matters however have been working with Police to deliver four beachfront education campaigns. Motorised scooters and modified e-bikes are currently illegal on roads and footpaths.

## DISCUSSION

The Committee discussed the feasibility of excluding e-bikes from specific areas for example at dog parks.

Council's Transport Team are working on another e-bike education campaign round with a view to launch during the summer period.

Discussed whether there is potential for inclusion of e-bike matters in existing cycle safety program such as the Federal [Ausbike](#) program for 5–12 year olds. Several schools are undertaking their own education campaigns in collaboration with Transport for NSW.

Police can only enforce what is regulated under legislation. There are age requirements for the issue of infringement notices which impact persons, particularly those under 16 years. Noted that *doli incapax*, as outlined at Agenda item 6.1, also relate to e-bike riding. Enforcement challenges related to safety of riders and Police were outlined.

MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE - 8 MAY 2025

**6.6 COMMUNITY SAFETY UPDATE**

Community safety matters, as included in the Agenda, were noted by the Committee.

An update on the Alcohol Free Zone (AFZ) Review 2025 was provided. The public exhibition of the proposal to establish AFZs has now closed, and a report is being prepared for Council's July 2025 meeting.

It was noted that the current Community Safety Plan which informs this Committee will expire in 2026. The review of the Plan is currently being planned and the Committee was advised that they will be engaged in consultation activities to assist the development of future direction.

The Primary Health Network is establishing the [Northern Sydney Wellbeing Collaborative](#) to bring together people across the health and social care sector, with community and local stakeholders to consider local health and social challenges and assist in the codesign of an early intervention response. The initiative will aim to create more connected, accessible, and person-centred services that address key health challenges locally, including chronic illness, mental health, aged care, alcohol and other drugs, and suicide prevention. To register your interest in joining the Northern Sydney Wellbeing Collaborative [click here](#).

Separately the Northern Sydney Local Health District is working towards a [Youth Mental Health Hub](#) at Brookvale, alongside the existing Safe Haven service. Community feedback on the design of the Hub can be provided at [Youth Mental Health Hub Feedback](#).

**7.0 GENERAL BUSINESS**

Nil

**SUMMARY OF ACTIONS**

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
5	Report on outcomes of the survey of young people on legal graffiti walls.	Sam King	14 August 2025
6.3	Provide an update on the development of a Good Neighbour Guideline	Azmeena Kelly	13 November 2025

*The meeting concluded at 11.05am*

This is the final page of the minutes comprising 9 pages  
numbered 1 to 9 of the Community Safety Advisory Committee  
held on Thursday 8 May 2025 and confirmed on Thursday 14 August 2025



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**Community and Stakeholder Engagement Report**

**Seaforth Oval Reserve draft Plan of Management (Stage 2 of 2)**

**Consultation period: 23 May 2025 to 6 July 2025**

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**Contents**

1.	Summary.....	2
1.1.	Key outcomes .....	3
1.2.	How we engaged .....	4
1.3.	Who responded.....	5
2.	Background .....	6
3.	Engagement objectives .....	6
4.	Engagement approach .....	7
5.	Findings .....	8
	Appendix 1 Verbatim community and stakeholder responses .....	16

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## 1. Summary

In 2024 a draft Seaforth Oval Reserve Plan of Management (draft PoM) was prepared to enable Council to improve sport and recreation opportunities at Seaforth Oval Reserve (the Reserve), to better meet community needs and to incorporate additional Crown land into the Reserve for a new intermediate to advanced level bike park.

The draft PoM has been guided by community feedback received during Stage 1 community and stakeholder engagement held in 2023, and is a site specific plan of management for Crown Reserve R89212 for which Council is Crown Land manager (the Reserve).

At its meeting held on 20 May 2025, Council resolved (Resolution 122/25) to publicly exhibit the draft PoM. In response the draft PoM was publicly exhibited for community feedback from 23 May 2025 to 6 July 2025. The large majority of the 116 submissions received during the public exhibition period were supportive of the draft PoM (see 1.1).

Comments from respondents supportive of the draft PoM included key themes such as; strong support for the proposed bike park, requests for improvements to sport and park facilities, Seaforth Community and Sporting Pavilion, playground, court and the overflow carpark and requests for more car parking at busy times, better traffic management and better bushland management.




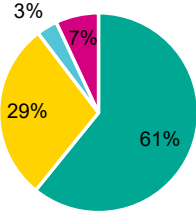

Some respondents supportive of the draft PoM were concerned about the lack of parking and traffic congestion when the Reserve is busy.

Comments from respondents not supportive of the draft PoM included key themes such as; prioritising Council's funding, diverting funds from the proposed bike park to other facilities, concerns the proposed bike park may lead to a loss of parking space and anti-social activities and impact nearby residents.

Some respondents commented on how important this Reserve is to the community.






This report provides details about the public exhibition of the draft PoM, analysis of the submissions and comments received, responses to key matters arising from this feedback and provides a link to a redacted verbatim list of the comments received (Appendix 1).

### 1.1. Key outcomes

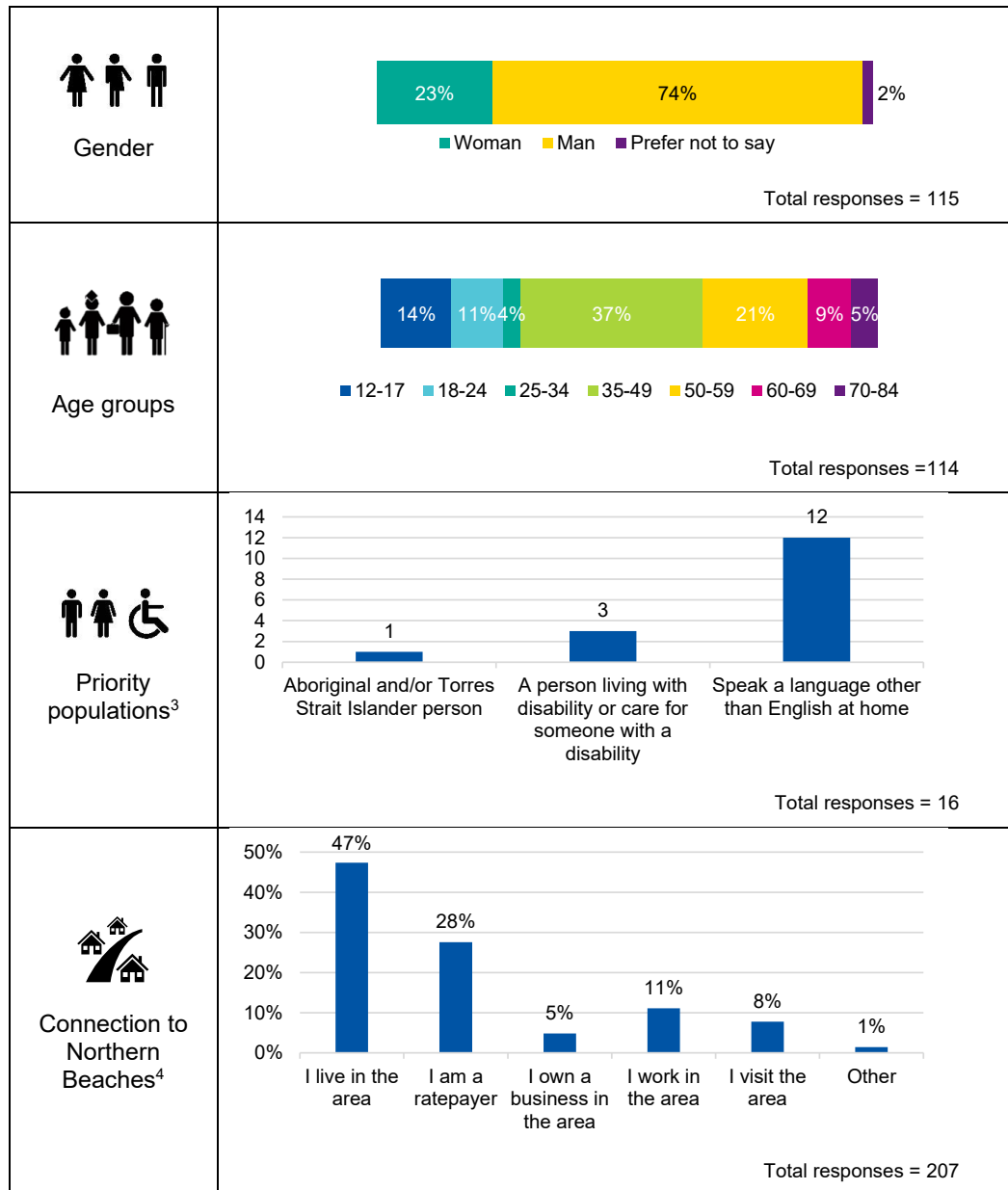
 Total unique responses	116 <sup>1</sup>	
 How responses were received	Submission form surveys Written responses (email/letter)	Completions: 116 Number received: 2
 Online sentiment question: How supportive of the draft PoM are you?	 <p> <span style="color: #008080;">■</span> Very supportive  <span style="color: #FFD700;">■</span> Somewhat supportive  <span style="color: #87CEFA;">■</span> Not very supportive  <span style="color: #FF00FF;">■</span> Not at all supportive </p> <p>Total responses = 116</p>	
 Feedback themes	<ul style="list-style-type: none"> <li>• Strong support for the proposed bike park</li> <li>• Support for better bushland management</li> <li>• Requests for parking and traffic improvements</li> <li>• Concerns about possible anti-social behaviour at the proposed bike park and impact on parking</li> <li>• Requests for improvements to the facilities at the Reserve including to the; sportsground and its facilities, park facilities, Pavilion, court and playground</li> <li>• Prioritise Council's funding</li> <li>• Support for the dog off-leash area</li> <li>• Community benefits of the Reserve.</li> </ul>	

<sup>1</sup> Where a respondent made more than one submission by emailing their submission in addition to completing the online form, these have been counted as 1 discrete submission.  
Where a respondent completed the online form more than once, these have been counted as 1 discrete submission. Sentiment from the most recent submission has been counted, however comments from all form completions have been included in Appendix 1 – Verbatim community and stakeholder responses.

## 1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 1,513	Visits: 2,120
 Print media and collateral	Media Release and News Story: 22 May 2025  Letterbox drop: postcode 2092  Site signs used: Yes  Easy Read PoM document	Distribution: 33 publications  Distribution: 305  Number of signs: 4  Available on Your Say page
 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions  Council (weekly) e-News: 3 editions  The Wave (disability) News  Email to respondents from Stage 1 engagement: 3  Targeted stakeholder emails: sports clubs and associations, local schools, NPWS, resident group, environmental groups and other users of the Reserve	Distribution: 22,059 subscribers  Distribution: 59,275 subscribers  Distribution: 1406 subscribers  Distribution: 366  Number: 19
 Book a call sessions	Sessions offered across 4 days	Number: 3 individual calls
 Key stakeholder engagement	Pop up community drop-in face to face sessions: 1  Phone calls: Yes	Attendance: 4  Number: 1

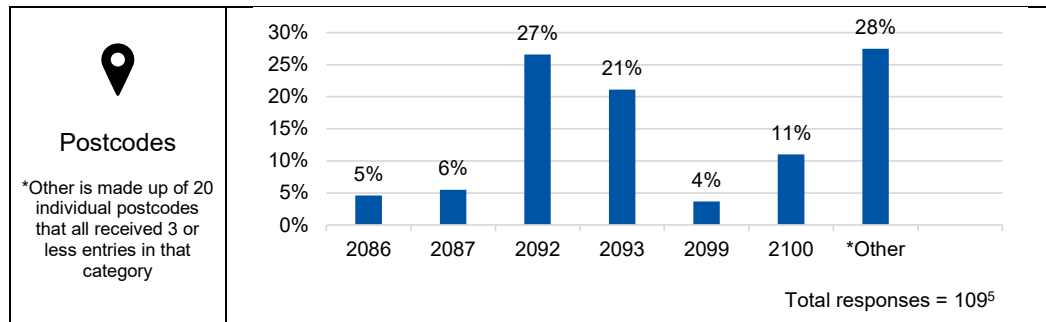
### 1.3. Who responded<sup>2</sup>



<sup>2</sup> Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

<sup>3</sup> Respondents could select more than one option.

<sup>4</sup> Respondents could select more than one option.



## 2. Background

In 2024 a draft Seaforth Oval Reserve Plan of Management (draft PoM) was prepared to enable Council to improve sport and recreation opportunities at Seaforth Oval Reserve (the Reserve), to better meet community needs and to incorporate additional Crown land into the Reserve for a new intermediate to advanced level bike park.

The draft PoM is a site specific plan of management for Crown Reserve R89212 for which Council is Crown Land manager (the Reserve).

From 25 August 2023 to Wednesday 27 September 2023 Stage 1 community and stakeholder engagement was undertaken to gather ideas for the draft PoM.

Feedback received along with Council's strategic directions guided the preparation of the draft PoM. The draft PoM was also prepared in accordance with the *Local Government Act 1993* (LG Act) and the *Crown Land Management Act 2016* (CLM Act).

In accordance with the LG Act the draft PoM was referred to the NSW Department of Planning, Housing and Infrastructure – Crown Lands (DPHI). The DPHI subsequently provided Council with its consent to publicly exhibit the draft PoM.

The outcomes of the Stage 1 community and stakeholder engagement along with the draft PoM were reported to Council at its meeting held 20 May 2025. Council subsequently resolved (Resolution 122/25) to publicly exhibit the draft PoM. In response the draft PoM was exhibited for community feedback from 23 May 2025 to 6 July 2025 (the exhibition period).

## 3. Engagement objectives

Community and stakeholder engagement aimed to:

- build community stakeholder awareness of participation activities to providing feedback on the draft PoM
- provide accessible information so the community and stakeholders can participate in a meaningful way
- provide balanced and objective information to assist the community to understand the draft PoM
- present the messaging in a sensitive way relative to the topic

<sup>5</sup> Not all responses included postcodes.



- identify community and stakeholder feedback
- communicate to community and stakeholders how their input was considered
- satisfy section 38 of the LG Act which 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 45 days from 23 May 2025 to 6 July 2025.

#### 4. Engagement approach

Community and stakeholder engagement for the draft PoM consisted of a series of activities that provided opportunities for community and stakeholders to contribute.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Strategy](#) (2022).

A project page<sup>6</sup> was established on our online engagement platform with information provided in an accessible and easy to read format. A full version and an easy read version of the draft PoM were made available on the project page.

The project was primarily promoted through our regular email newsletter (EDM) channels. The project was also promoted through on-site signage, a letter box drop to residents living nearby, emails to key stakeholders and direct emails to our existing database of those that made a response to Stage 1 engagement and requested notifications.

The project team offered 4 'book a call' blocks where the community could speak to them and they also encouraged the community to contact them if the times were not convenient. One community drop-in pop-up event on site was also organised.

It was important to offer a mix of face to face and online engagement options.

Feedback was captured through an online submission form embedded onto the project page. The form included a question that directly asked respondents for their level of support on the draft PoM. The response options were very supportive, somewhat supportive, not very supportive and not at all supportive.

Respondents were also able to leave a comment if they wished to explain or elaborate on their level of support or non-support, as well as any other feedback they wished to contribute. This was not compulsory. Email and written submissions were also invited.

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<sup>6</sup> <https://yoursay.northernbeaches.nsw.gov.au/plan-management-development-and-bike-park-seaforth-oval>

## 5. Findings

We received 116 discrete submissions during the public exhibition period with over 100 of these submissions including comments. The large majority of submissions and comments were supportive of the draft PoM. 90% of submissions supported the draft PoM (61% very supportive, 29% somewhat supportive) and 10% of submissions did not support the draft PoM (3% not very supportive and 7% not at all supportive).

Comments from respondents supportive of the draft PoM included key themes such as; strong support for the proposed bike park, requests for improvements to sport and park facilities, Seaforth Community and Sporting Pavilion, court, playground and the overflow carpark and requests for more car parking at busy times, better traffic management and better bushland management.

Some respondents supportive of the draft PoM were concerned about the lack of parking and traffic congestion when the Reserve is busy.

Comments from respondents not supportive of the draft PoM included key themes such as; prioritise Council's funding, divert funds from the proposed bike park to other facilities, concerns the proposed bike park may lead to a loss of parking space and anti-social activities and impact nearby residents.

Some respondents commented on how important this Reserve is to residents, visitors and sporting and community groups for sport, recreation and community activities and social connection.

A link to a redacted verbatim list of comments received is provided in Appendix 1.

The key themes arising from the review of the submissions and comments received and staff responses is set out in Table 1 below.

**Table 1: Public Exhibition of the Draft Seaforth Oval Reserve Plan of Management – Overview of Key Themes and Responses**

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
Support for the proposed bike park	<p>Comments received in support of the proposed bike park include:</p> <ul style="list-style-type: none"> <li>there's huge bike community</li> <li>there's a need for more bike facilities to help support the growing number of riders</li> <li>it is a way give back to the riding community who are looking for new places to ride, especially with the removal of unauthorised jumps at The Grove and Red Hill</li> <li>will help stop unsanctioned trails</li> <li>supports mental and physical health</li> <li>a great place for kids to hangout, get outdoors, ride, have fun and get away from gaming</li> <li>help get people off e-bikes and onto real bikes for real fun</li> </ul>	<ul style="list-style-type: none"> <li>Following consultation with riders a need was identified for an intermediate to advanced level bike park in the southern area of the Northern Beaches. A subsequent review of potential locations identified Seaforth Oval as a suitable location which was then confirmed through adoption of Council's <a href="#">Let's Play! Open Space and Outdoor Recreation Strategy and Action Plan 2022</a>.</li> <li>Should the Seaforth Oval Reserve Plan of Management (draft PoM) be adopted: <ul style="list-style-type: none"> <li>the proposed bike park will be designed for intermediate to advanced level riders</li> <li>a working group will be formed to assist Council with</li> </ul> </li> </ul>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> <li>more biking infrastructure will encourage people to explore nature on two wheels</li> <li>will fill the gap between the Wyatt Avenue and Bare Creek bike parks</li> <li>good location</li> <li>can ride there from home</li> <li>the bike park is an all-ages activity</li> <li>there are very limited intermediate level skill parks in the area to help riders progress to the skills needed to navigate Bare Creek.</li> <li>The Trash Free Trails community group are happy to help keep the proposed bike park trash free</li> </ul> <p>A variety of ideas were received for the bike park design including:</p> <ul style="list-style-type: none"> <li>design to enable riders to develop and progress skills</li> <li>consider designing more for intermediate rather than advanced riders</li> <li>consider smaller tabletops, jumps, drops, lips, rollable jumps and berms</li> <li>should be beginner to intermediate</li> </ul>	<p>the design of the bike park. This group will include representatives from riding groups and riders</p> <ul style="list-style-type: none"> <li>a volunteer program will be established to assist with the maintenance of the bike park</li> <li>the design elements suggested will be considered.</li> </ul> <p>No changes proposed to the draft PoM.</p>
Parking and traffic	<p>Comments were received about traffic and parking including:</p> <ul style="list-style-type: none"> <li>not enough parking when the Reserve is busy especially weekends</li> <li>support improvements to parking and the entry and exits</li> <li>parking and access has not been adequately addressed in the draft PoM</li> <li>traffic is dangerous and unsustainable at peak times</li> <li>parking needs improvement and overflow carpark to be better maintained and a better surface</li> <li>a new full sized basketball court could be used as an overflow carpark like the ones at the Forestville War Memorial Playing Fields</li> <li>traffic congestion in and out of the Reserve is a hazard on weekends</li> <li>new infrastructure should not be at the expense of car parking.</li> </ul>	<ul style="list-style-type: none"> <li>Should the draft PoM be adopted <ul style="list-style-type: none"> <li>a Traffic Management Plan (TMP) would be prepared to investigate the feedback received about insufficient parking and traffic congestion when the Reserve is busy and to provide options to address parking and traffic issues identified. The outcomes will inform future upgrades of the roads and carparks at the Reserve</li> <li>an upgrade of the overflow/informal car park will be considered when resources are available the design will consider a hybrid approach of formalised traffic lanes and grass parking bays.</li> <li>a portion of the bike park is planned to be located in an area south of the overflow carpark where Council stores work materials – the bike park</li> </ul> </li> </ul>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> <li>the bus stops and the Wakehurst Parkway/Burnt Street intersection needs better planning</li> <li>consider a multi-story carpark.</li> </ul>	<p>will be designed to minimise impact on the Reserve's overall parking capacity.</p> <ul style="list-style-type: none"> <li>Any upgrade to roads and car parks at the Reserve is subject to the availability of funding and obtaining Council approval and required environmental, planning or other approvals.</li> <li>A multi-story carpark is not being considered for the Reserve.</li> <li>Bus stops outside the Reserve and the intersection at Wakehurst Parkway/Burnt Street intersection are outside the draft PoM boundary. This matter has been forwarded to Council's Transport Network Team and Transport for NSW.</li> <li>The draft PoM has been amended to include consideration of upgrading the existing basketball court for dual use for parking and consideration in the design for the upgrade of the overflow car park a hybrid hard / soft surface treatment for better drainage and capacity (this follows a similar successful arrangement at Forestville War Memorial Playing Fields). No other changes proposed to the draft PoM.</li> </ul>
Natural environment, bushland and trails	<p>Comments were received about the natural environment, bushland and trails management including:</p> <ul style="list-style-type: none"> <li>support retention, protection of and caring for bushland, habitat, flora and fauna</li> <li>improve bushland trails including in the additional Crown land</li> <li>The Trash Free Trails community group are happy to provide volunteers to help care for the bushland.</li> </ul>	<ul style="list-style-type: none"> <li>Should the draft PoM be adopted, it is proposed: <ul style="list-style-type: none"> <li>to retain and enhance existing bushland areas through tree plantings, and to conserve and extend the tree canopy to create new shade as approved and when resources are available</li> <li>that bushland trails within the Reserve will be managed and maintained as required and improved as approved and when resources are available</li> <li>to continue supporting bushland volunteers.</li> </ul> </li> </ul> <p>No changes proposed to the draft PoM.</p>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
Don't support the proposed bike park	<p>A small number of comments received did not support the bike park for reasons including:</p> <ul style="list-style-type: none"> <li>• bike parks at Manly Vale and Belrose are underutilised</li> <li>• bushland at The Grove has been trashed by bike users</li> <li>• may impact/reduce parking</li> <li>• safety risk of riders riding in the carpark</li> <li>• re-allocate funds for the bike park to something the whole community can use, e.g. footpaths, courts, trails, carpark</li> <li>• bike community does not contribute ongoing fees like other clubs to use facilities and should purchase their own land</li> <li>• will attract unsavoury characters</li> <li>• overcrowding, environmental impacts, noise and impact amenity of local residents.</li> </ul>	<ul style="list-style-type: none"> <li>• Following consultation with riders a need was identified for an intermediate to advanced level bike park in the southern area of the Northern Beaches. A subsequent review of potential locations identified Seaforth Oval as a suitable location which was then confirmed through adoption of Council's Open Space and Outdoor Recreation Strategy and Action Plan 2022.</li> <li>• The bike park is identified in Council's Delivery Program 2025-29. Detailed design and works are proposed to commence in 2025-26 should the draft PoM be adopted, and will be funded from Developer Contributions.</li> <li>• Funding for the ongoing maintenance of the bike park would be considered through Council's annual budget process. The proposed volunteer maintenance will assist with reducing the cost of bike park maintenance.</li> <li>• Crime Prevention through Environmental Design Principles will inform design of the bike park – consideration will be given to increasing passive surveillance from within the Reserve.</li> <li>• Key aspects of the location of the proposed bike park: <ul style="list-style-type: none"> <li>- there are no homes on the northern or western boundaries of the location</li> <li>- homes situated south of the Reserve are separated from the location by over 5 hectares of bushland (in the Reserve and Garigal National Park)</li> <li>- homes situated east of the Reserve are separated from the location by Wakehurst Parkway and well-established vegetation.</li> <li>- a portion of the bike park is planned to be located in an area south of the overflow carpark where Council stores</li> </ul> </li> </ul>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		<p>work materials – the bike park will be designed to minimise impact on the Reserve's overall parking capacity.</p> <ul style="list-style-type: none"> <li>It is considered likely that many users of the proposed bike park will ride to the Reserve rather than drive.</li> <li>Consultation has been undertaken with the Northern Beaches Police Area Command who did not object to the development of a bike park at this location.</li> <li>The bike park will be a public recreation facility accessible to the community on a casual basis without a booking. No fees are planned to be charged for casual use of the bike park. This arrangement aligns with casual use access to other outdoor public facilities in Council's open spaces such as playgrounds, basketball courts and fitness equipment.</li> </ul> <p>No changes proposed to the draft PoM.</p>
Requests for improvements to facilities	<p>Comments were received for improvements to facilities at the Reserve, including:</p> <ul style="list-style-type: none"> <li>request for an upgraded new full sized multi-use basketball court with timed solar lighting for night use</li> <li>current court needs improving</li> <li>there are basketball teams looking for places to train</li> <li>request for netball courts</li> <li>add a large rebound wall to practice kicking or hitting balls</li> <li>request for synthetic playing surface for use in all weather and for a variety of sports including soccer, hockey and AFL</li> <li>upgrade playground for kids 1-12 years old, and new equipment such as swings, slides, climbing structures and trampolines</li> <li>fix field drainage issues</li> <li>increase the size of sportsfields</li> </ul>	<ul style="list-style-type: none"> <li>Should the draft PoM be adopted, it is proposed to: <ul style="list-style-type: none"> <li>expand and upgrade the existing basketball court when funds are available. Consideration will be given to making the court multi-purpose, to include netball rings and netball court markings and to consider use for parking. There is not the available space at the Reserve to establish additional new courts</li> <li>should Council provide its approval, consider the feasibility of lighting the existing court following community consultation</li> <li>consider new and upgraded equipment including for younger children at the existing playground when it is due for renewal.</li> </ul> </li> </ul>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
	<ul style="list-style-type: none"> <li>• sportsfield becomes dust bowl over winter as over-used</li> <li>• consider Pavilion upgrades including a new public café / bar</li> <li>• request for a fitness gym, tennis courts</li> <li>• support improvements to sport and recreation facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• It is not proposed to convert the natural turf sportsfields at the Reserve to synthetic. There are other more suitable Regional and District Council sportsgrounds that could be considered.</li> <li>• Drainage for the sportsfields was upgraded in November 2024.</li> <li>• The sportsfields are inspected regularly to ensure playing surfaces are suitable for sport. Sportsfields are renovated including with returfing as needed, annually after the winter sports season.</li> <li>• Council's Open Space and Outdoor Recreation Strategy and Action Plan 2022 sets out Council's priorities for new recreation facilities. The Strategy proposes a bike park at this Reserve, it does not propose a fitness gym or tennis courts for this Reserve.</li> <li>• The sportsfields at the Reserve are line marked in accordance with field size standards for each sport and in consultation with sporting clubs.</li> <li>• Due to the environmental impacts the sportsfields cannot be expanded into the adjoining bushland within the Reserve. Further, Council is not in support of removing bushland and important environmental habitat in this Reserve for more sportsfields.</li> <li>• It is not proposed in the draft PoM to support development of a new permanent café/bar at the Reserve given the cost to establish such permanent facilities and there has been no identified need. Nonetheless mobile food and café operators may apply to Council for approval to operate at the Reserve.</li> <li>• The draft PoM has been amended to add that, should Council provide its approval, the feasibility of lighting the existing court following community consultation be considered.</li> </ul>

Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		No other changes proposed to the draft PoM.
Community benefits of the Reserve	<p>Comments were received about the benefits the Reserve provides to the community including:</p> <ul style="list-style-type: none"> <li>the Reserve plays a critical role in the community</li> <li>allows young people and adults to be active and get outdoors</li> <li>outdoor activities and sport are important for a healthy and happy community.</li> </ul>	<ul style="list-style-type: none"> <li>Social interaction and participation in sport, recreation, community activities and volunteering at the Reserve provides potential benefits including improved mental and physical well-being, reduced social isolation, and increased feelings of belonging and purpose.</li> </ul> <p>No changes proposed to the draft PoM.</p>
Dog off-leash use of the Reserve	<p>Comments were received supporting the existing dog off-leash area at the Reserve including:</p> <ul style="list-style-type: none"> <li>provides opportunities for social interactions for dogs and their owners</li> <li>there are not enough off-leash areas on the Northern Beaches.</li> </ul> <p>Other responses received about dogs include:</p> <ul style="list-style-type: none"> <li>protect the turf cricket wicket from dogs, e.g. with a soft mesh fence</li> <li>a request for dog training facilities</li> <li>don't support dogs on the sportsground.</li> </ul>	<ul style="list-style-type: none"> <li>Council will liaise with the cricket club / association that uses the Reserve about practicable ways of preventing dogs from the turf cricket wicket.</li> <li>Permanent dog training facilities for the Reserve are not proposed in the draft PoM as they are incompatible with the current uses of the sportsground.</li> </ul> <p>No changes proposed to the draft PoM.</p>
Council funding	<p>A small number of responses referred to Council funding including:</p> <ul style="list-style-type: none"> <li>developments should be shelved until Council can afford them</li> <li>improvements aren't necessary at the moment.</li> </ul>	<ul style="list-style-type: none"> <li>Should the draft PoM be adopted actions in the adopted PoM are unfunded until confirmed in Council's Delivery Program for operational or capital funding. Funding for these actions will be considered as required during budget reviews and the annual process for developing Council's Delivery Program and budgets. External grants would also be sought to fund the actions in the draft PoM as opportunities arise.</li> </ul> <p>No changes proposed to the draft PoM.</p>
More activities and events at the Reserve	<p>Comments were received about expanding recreation activities and events at the Reserve, e.g. art exhibitions, men's clubs, fitness activities, yoga</p>	<ul style="list-style-type: none"> <li>The Pavilion and the Reserve can be booked by individuals and groups for community activities and events such as art exhibitions, men's club, fitness activities and the like. Information about how to apply for a booking is available on Council's website.</li> </ul>



Theme	What we heard - issues, suggestions, requests and other considerations raised	Responses
		No changes proposed to the draft PoM.

## Appendix 1 Verbatim community and stakeholder responses\*

To view a list of the submissions and verbatim comments, click the link below, or copy and paste into your browser:

[https://hdp-au-prod-app-nthbch-yoursay-files.s3.ap-southeast-2.amazonaws.com/9117/5506/1650/Appendix\\_1\\_Verbatim\\_community\\_and\\_stakeholder\\_Draft\\_Seaforth\\_Oval\\_Reserve\\_Plan\\_of\\_Management.pdf](https://hdp-au-prod-app-nthbch-yoursay-files.s3.ap-southeast-2.amazonaws.com/9117/5506/1650/Appendix_1_Verbatim_community_and_stakeholder_Draft_Seaforth_Oval_Reserve_Plan_of_Management.pdf)

Document administration	
Version	1.0
Date	18 August 2025
Approval	Content provided by the Open Space Planning Team, August 2025 Report reviewed by Community Engagement Team August 2025 Report reviewed, updated and approved by Manager Open Space Planning 19 August 2025 Responsible Manager: Damian Ham, Manager Open Space Planning
Status	Draft
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

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



# **Seaforth Oval Reserve**

## **Final Draft Plan of Management**

September 2025



## **CONTENTS**

Acknowledgement of Country .....	5
1.0 KEY INFORMATION.....	6
2.0 INTRODUCTION .....	8
Purpose of the Plan of Management .....	8
Preparing this Plan of Management.....	9
Change and review of Plan of Management.....	10
Community consultation for the Plan of Management .....	10
3.0 LAND DESCRIPTION.....	12
Owner of the land .....	15
Geology and soils .....	15
Landforms and drainage.....	15
Flora and fauna.....	15
Bushfire prone land .....	15
4.0 BASIS FOR MANAGEMENT .....	18
Categorisation of the land .....	18
Guidelines and core objectives for management of community land .....	20
Restrictions on management of Crown land .....	20
Council's planning framework.....	21
Key relevant controls.....	21
Local Environment Plan .....	21
NSW Biodiversity Values .....	23
5.0 DEVELOPMENT AND USE .....	25
Current use of the land.....	25
Permissible uses / future uses .....	26
List of Category sections .....	26
Express authorisation of leases and licences and other estates.....	26
Leases and licences authorised by the Plan of Management .....	27
Time periods for leases or licences .....	27
Short-term licences and agreements .....	28
Leases and Licences for Natural Areas .....	29
Native title and Aboriginal land rights considerations in relation to leases, licences and other estates ...	30
6.0 MANAGEMENT OF LAND – BY CATEGORY.....	31
Park and Sportsground.....	31
Guidelines and core objectives.....	32
Key issues for Park and Sportsground .....	33
Management framework for Park and Sportsground.....	34
Current use of the land .....	34

Permissible uses / future uses.....	34
Express authorisation of leases, licences and other estates – Park and Sportsground.....	37
Natural Area – Bushland .....	40
Native flora .....	40
Native fauna.....	40
Guidelines and core objectives for Natural Areas.....	42
Key issues for Natural Area - Bushland .....	43
Management framework for reserves categorised as Natural Area – Bushland .....	44
Current use of the land .....	45
Permissible uses / future uses.....	45
Express authorisation of leases, licences and other estates: Natural Area –.....	46
7.0 ACTION PLAN .....	49
Actions for Park and Sportsground Categories.....	50
Actions for Natural Area – Bushland Category .....	68
Actions for Whole of Reserve – All Categories .....	72
APPENDICES .....	81
Appendix 1: Contextual background to the LGA.....	82
Appendix 2: Condition description of land and buildings .....	83
Appendix 3: Plan of Management Legislative Framework.....	107
Local Government Act 1993 .....	107
Crown Land Management Act 2016 .....	108
Native Title Act 1993.....	109
Other state and Commonwealth legislation.....	110
Appendix 4: Current lease and licenses for the Reserve.....	114
Appendix 5: Council strategic documents .....	115
Appendix 6: Aboriginal interests in Crown land .....	118
Native Title .....	118
Aboriginal Land Rights .....	118
Appendix 7: Amendments this PoM makes to the Seaforth Oval, Keirle Park and Tania Park Plans of Management 2004 .....	119

## **FIGURES**

Figure 1: Land to which this PoM applies .....	7
Figure 2: Seaforth Oval Reserve site plan .....	13
Figure 3: Seaforth Community and Sporting Pavilion.....	14
Figure 4: Playground and BBQ Area at the Reserve and Landscaping (foreground) .....	14
Figure 5: Bushfire prone land at the Reserve .....	17
Figure 6: Category map for the land under this PoM .....	19
Figure 7: Manly LEP 2013 Land Use Zones for the Reserve .....	22
Figure 8: Land with high biodiversity value within the PoM .....	24
Figure 9: Basketball half court and overflow carpark (background).....	31
Figure 10: Natural Area - Bushland within the Reserve.....	322
Figure 11: Cricket practice nets at the Reserve .....	32
Figure 12: Native Vegetation Mapping .....	411
Figure 13: Section of fenced Duffys Forest TEC at the Reserve.....	444

## **TABLES**

Table 1: Details about land covered by this PoM .....	6
Table 2: Process steps for preparing this PoM .....	9
Table 3: Core objectives and guidelines for the Park and Sportsground categories .....	333
Table 4: Purposes/uses which may occur on land categorised as Park and Sportsground .....	35
Table 5: Development permitted to facilitate uses on land categorised as Park and Sportsground .....	36
Table 6: Leases, licenses and other estates and purposes for which they may be granted for community land categorised as Park and Sportsground .....	37
Table 7: Core objectives and guidelines for Natural Areas and sub-category of Bushland.....	422
Table 8: Permissible use and development of community land categorised as natural Area - Bushland..	466
Table 9: Leases, licenses and other estates and purposes for which they may be granted for community land categorised as Natural Area - Bushland.....	477
Table 10: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park and Sportsground .....	50
Table 11: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Bushland.....	688
Table 12: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park, Sportsground and Natural Area –.....	722

Version Date	Date	Reviewed by
V1 draft	13/06/24	Northern Beaches Council - Environment & Climate Change, Parks & Open Space Business Units
V2 draft	05/12/24	NSW Department of Planning, Housing and Infrastructure – Crown Lands
V3 draft	08/01/25	Northern Beaches Council - Environment & Climate Change, Parks & Open Space Business Units
V4 draft for public exhibition	9/05/25	Northern Beaches Council - Parks & Open Space Business Unit Endorsed by Council for public exhibition at its meeting of 20 May 2025
V5 draft for public exhibition	22/5/25	Northern Beaches Council - Parks & Open Space Business Unit
V6 Final draft for adoption	9/9/2025	Northern Beaches Council - Parks & Open Space Business Unit  Final draft prepared for 16 September 2025 Council meeting for consideration of adoption
Adopted	TBC	TBC

This document has been prepared with assistance from CGM Planning.



## Acknowledgement of Country

Northern Beaches Council acknowledges the Traditional Custodians of this land and shows respect to all Aboriginal people. We acknowledge the Elders past, present and emerging and the spirits and ancestors of the Clans that lived in this area.

DRAFT



## 1.0 KEY INFORMATION

This site-specific Plan of Management (PoM) has been prepared by Northern Beaches Council (Council) and provides direction as to the use, management and development of Crown reserve R89212 known as Seaforth Oval Reserve (the Reserve, also referred to in this PoM as the 'land'), being a Council-managed Crown reserve as set out in Table 1 below and illustrated in Figure 1.

The PoM is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* (CLM Act) and Section 36 of the *Local Government Act 1993* (LG Act), which require community land to be managed in accordance with a PoM applying to the land.

The PoM also provides the framework for Council to follow in relation to the express authorisation of leases and licences and other estates on the land.

Pursuant to Section 41 of the LG Act the adoption of this PoM amends the Plans of Management for Seaforth Oval, Keirle Park and Tania Park 2004 as set out in Appendix 7.

The effect of the amendment is that the Plans of Management for Seaforth Oval, Keirle Park and Tania Park 2004 will no longer apply to the land the subject of this PoM.

*Table 1: Details about land covered by this PoM*

<b>Reserve Name</b>	Seaforth Oval
<b>Reserve Number</b>	R89212
<b>Owner of the Land</b>	Crown Lands (State of NSW)
<b>Manager of the Land</b>	Northern Beaches Council is Crown land manager
<b>Reserve purpose</b>	Public Recreation
<b>Gazettal dates</b>	28 June 1974 and additional land added to R89212 on 16 May 2025
<b>Land parcels</b>	Lot 7300 DP 1126103 Lot 2710 DP 752038
<b>Parish</b>	Manly Cove
<b>County</b>	Cumberland
<b>Suburb</b>	Seaforth
<b>Area (Hectares)</b>	About 8.97 hectares
<b>LEP zoning Manly Local Environmental Plan 2013</b>	RE1 - Public Recreation C2 – Environmental Conservation SP2 – Classified Road
<b>Assigned category/categories</b>	Park, Sportsground, and Natural Area Bushland
<b>Native Title Claim/Determination</b>	Not Applicable



Figure 1: Land to which this PoM applies

## 2.0 INTRODUCTION

This site-specific PoM has been prepared for the Reserve to, among other things guide the future use, management and development of the Reserve including to protect vegetation, support ongoing community use, incorporate additional Crown land and to enable the construction of an intermediate to advanced level bike park, subject to and consistent with any Council approval(s).

The land is located within the Northern Beaches Local Government Area (LGA) and is bordered to the west, north and south primarily by Garigal National Park with Wakehurst Parkway to the east. The extent of the land to which this PoM applies and the proposed location of the future bike park is presented (to be subject to further assessment and approval) in the Site Plan at Figure 2 within the locational context of adjoining land uses. An overview of the LGA, which provides further context to this PoM, is presented in Appendix 1.

### Purpose of the Plan of Management

The LG Act requires a PoM to be prepared for all public land that is classified as 'community land' under that Act.

The CLM Act requires council managers appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the LG Act. Council is required to adopt PoMs for all Crown land managed by Council as community land. Relevantly, this includes Seaforth Oval Reserve.

It follows that a PoM is required for Council to fulfil its land management functions for the Reserve under the LG Act and CLM Act.

A PoM is an important management tool which is prepared by Council in consultation with the community. It outlines land features and clarifies how Council will manage, use and develop the land in the future. A PoM provides a transparent and coordinated approach to public land management.

Community land may include a wide variety of properties, ranging from small recreation reserves to iconic parks and in some instances buildings. Community land supports important aspects of community life and is valued and appreciated by residents and visitors to the Northern Beaches.

The LG Act requires that community land is categorised as natural area, park, sportsground, area of cultural significance, or general community use. A PoM can be prepared for general application across the LGA (generic) or for a specific site or sites (site-specific).

The purpose of this PoM is to:

- contribute to Council's broader strategic goals and objectives as set out in the Northern Beaches Community Strategic Plan 2040 (2040 CSP) and Towards 2040 Local Strategic Planning Statement (Towards 2040 LSPS);
- enable a specific area of the Reserve to be used for the construction of an intermediate to advanced level bike park subject to and consistent with any further Council approval(s) required;
- support the implementation of Council's open space, recreation and environmental strategies;
- update commitments regarding the current and future use of the Reserve and its management, in consultation with the community to ensure that the site and facilities continue to meet the needs of users;
- provide a basis for effective day to day decision making;
- provide an overview/description of existing assets and facilities and how these facilities will be managed;
- set guidelines for permissible uses to guide future activities within the site area;
- expressly authorise leases, licences, and other estates;

- integrate the interests of Council (as manager) with residents and visitors to the Reserve and future users of the land; and
- ensure compliance with the LG Act and the CLM Act.

Further information about the legislative context of Crown reserve PoMs can be found in Appendix 3 of this document.

## Preparing this Plan of Management

This PoM was prepared in accordance with the CLM Act and LG Act and with reference to Crown Lands' "Developing Plans of Management for community land Crown reserves" 2024 guideline and the Crown Lands site-specific PoM template. Table 2 illustrates the process undertaken by Council in preparing this PoM.

*Table 2: Process steps for preparing this PoM*

<b>Step 1</b> <ul style="list-style-type: none"> <li>- Investigations, analysis, reviews</li> <li>- Community engagement stage 1 - Idea gathering</li> </ul>	<ul style="list-style-type: none"> <li>• Review of Environmental Factors (REF) prepared for the proposed bike park.</li> <li>• Liaison with Crown lands regarding additional Crown land being incorporated into R89212 Seaforth Oval Reserve.</li> <li>• Literature and data review, site audit and analysis completed.</li> <li>• Stage 1 community consultation and idea gathering undertaken and Community Engagement Report developed.</li> </ul>
<b>Step 2</b> <ul style="list-style-type: none"> <li>- Preparation of the Draft PoM</li> </ul>	<ul style="list-style-type: none"> <li>• Draft PoM prepared - findings from step 1 considered.</li> <li>• The draft PoM written to meet the minimum requirements outlined in Section 36(3) of the LG Act and identifies the owners of the land.</li> <li>• Activities (including tenure and development) to be undertaken on the Reserve are expressly authorised in the draft PoM to be lawfully authorised.</li> <li>• Written advice obtained from a qualified native title manager that the draft PoM and the activities under the draft PoM comply with the <i>Native Title Act 1993 (Cth)</i> (NT Act).</li> </ul>
<b>Step 3</b> <ul style="list-style-type: none"> <li>- Seek the landowner's approval to publicly exhibit</li> </ul>	<ul style="list-style-type: none"> <li>• Draft PoM referred to the NSW Government Department of Planning, Housing and Infrastructure (DPHI) as the landowner, for approval to publicly exhibit the draft PoM under Section 39 of the LG Act, and to seek the Minister's consent to adopt the draft PoM pursuant to Clause 70B of the <i>Crown Land Management Regulation 2018</i> (the CLM Regulation).</li> <li>• A copy of the Review of Environmental Factors (REF) for the proposed bike park was also provided to DPHI.</li> <li>• Government Gazette 16 May 2025 incorporated additional Crown land into R89212 and the additional land is included in the draft PoM.</li> </ul>
<b>Step 4</b> <ul style="list-style-type: none"> <li>- Public exhibition of Draft PoM</li> <li>- Community engagement stage 2</li> </ul>	<ul style="list-style-type: none"> <li>• Council's approval sought to publicly exhibit the draft PoM.</li> <li>• Council is required to publicly notify and exhibit PoM under Section 38 of the LG Act.</li> <li>• A public hearing is not required for this PoM as per Section 40A for the LG Act (Exemption under Clause 70A of the CLM Regulation).</li> <li>• The draft PoM exhibited in accordance with Council's approval to publicly exhibit the draft PoM. The REF made publicly available during the public exhibition period to enable the bike park to be understood, in accordance with Section 38(4) of the LG Act.</li> <li>• At the conclusion of the public exhibition period a community engagement report prepared.</li> <li>• Public exhibition of the draft PoM was undertaken</li> </ul>



<b>Step 5</b> - Prepare draft final PoM	<ul style="list-style-type: none"> <li>Consider findings of Stage 2 Community Engagement and prepare a Community Engagement Report.</li> <li>Prepare a final draft PoM taking community feedback into account.</li> </ul>
<b>Step 6</b> - Adopting the Plan of Management	<ul style="list-style-type: none"> <li>Present the draft final PoM and Stage 2 Community Engagement Report to Council for consideration to adopt the final draft PoM in accordance with the LG Act, CLM Act and EPA Act.</li> </ul>
<b>Step 7</b> - Implement (ongoing)	<ul style="list-style-type: none"> <li>Publish adopted PoM including on Council's website.</li> <li>Send a copy of the adopted PoM to the DPHI.</li> <li>Commence implementation in line with priorities, when funding and resources are available and granting of any required environmental, planning or other approval(s).</li> </ul>

## Change and review of Plan of Management

Council will review the PoM and related actions and update it as required to ensure that the land is managed in accordance with the PoM and aligns with community needs.

The community will have an opportunity to participate in reviews of this PoM as per Council's community engagement policy at the time.

## Community consultation for the Plan of Management

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

A PoM must be exhibited with other matters necessary to enable the PoM and its implications to be understood.

A public hearing will not be required in respect of the PoM as it will not alter the categorisation of Council owned community land, and the assigning of initial categories of Crown land is permitted without a public hearing: Section 40A of the LG Act; Section 70A of the CLM Regulations.

Council's community engagement for this PoM (and for proposed changes and future reviews) has been and will be undertaken in accordance with its obligations under the LG Act and Council's Community Engagement Policy (2022) and Community Engagement Strategy (2022) or relevant policies at the time of engagement.

Council Community Engagement Strategy (2022) details Council's principles and approach to delivering community engagement on Council led projects. Under this Strategy a Community and Stakeholder Engagement Plan, that is in keeping with the Policy and the Strategy, was prepared and implemented for community engagement on this PoM.

Council's Community Engagement Policy (2022) defines Council's commitment to engaging with the Northern Beaches community on Council led projects. Under this policy community engagement was required for this PoM.

Input was initially sought from the community including key stakeholders to guide the development of this PoM (based on a Community and Stakeholder Engagement Plan). Stage 1 community consultation was undertaken between 25 August and 27 September 2023. 512 submissions were received. Key themes from what we heard include:

- General support for the proposed bike park.

- Parking and traffic issues in particular during high use times.
- Requests for improvements to parking and traffic infrastructure and management.
- Requests for improved sports, park and recreation facilities.
- Requests for improvements to the Community and Sporting Pavilion and associated amenities.
- Protection of flora and fauna and more tree planting.
- Many respondents highlighted how well-used and important this Reserve is to residents, visitors and sporting and community groups for sport, recreation and community activities.

The PoM was prepared following consideration of the feedback received during this Stage 1 community consultation.

In accordance with Section 39 of the LG Act, prior to being placed on public exhibition, the PoM was referred to DPHI, as representative of the State of NSW and owner of the land covered by this PoM (as set out in Table 1 above). DPHI subsequently provided Council with its consent to exhibit the PoM. Following the resolution of Council made at its Ordinary Meeting on 20/05/2025 (Resolution 122/25), the PoM was exhibited from 23/05/2025 to 06/07/2025 in accordance with Section 38 of the LG Act.

The large majority of submissions and comments received during the Stage 2 community consultation were supportive of the draft PoM. In response to the review of this feedback amendments were incorporated into this PoM that were considered minor and not substantial.

### 3.0 LAND DESCRIPTION

The Reserve comprises Crown land as detailed in Table 1. See also Figure 1 Land to which this PoM applies and Figure 2 Site Plan for location and information about the use of the land.

The Reserve is bordered to the west, north and south primarily by Garigal National Park with Wakehurst Parkway to the east.

The Reserve includes a District level sportsground (known as 'Seaforth Oval') and sports facilities and the Seaforth Community and Sporting Pavilion (the Pavilion), including community and sporting club rooms and amenities (Figure 3), and a main (northern) car park. The Reserve is accessed from Wakehurst Parkway at signalised traffic lights at the Burnt Street intersection.

The Reserve has been used for many years by the community for sports training and competition, recreation activities such as walking, jogging, dog walking (off-leash on the grassed sportsfield area). An important component of the Reserve is a park area comprising a playground (Figure 4), BBQ facilities (Figure 4) and a basketball half court supplemented by an overflow (southern) carpark.

The Reserve provides a valuable entryway and buffer area to the Garigal National Park. There is a track head and walking path entry from the Reserve to the National Park, as well as a bushland buffer to the National Park at the southern end of the Reserve. Portions of the bushland contain Duffys Forest Threatened Ecological Community (TEC) (listed under the *Biodiversity Conservation Act 2016*), which is documented in the Natural Area section of this PoM.

Further details on the condition and use of the land can be found in Section 5.



Figure 2: Seaforth Oval Reserve site plan





*Figure 3: Seaforth Community and Sporting Pavilion*



*Figure 4: Playground and BBQ Area at the Reserve and Landscaping (foreground)*

## Owner of the land

The area of the PoM comprising R89212 was originally part of James William Bligh's purchase of 61 acres on 9 April 1857. The land including R89212 was resumed by notice on 3 January 1907 for the purposes of Storage of Gunpowder and other Explosives.

R89212 was reserved for Public Recreation by notification on 28 June 1974 and additional Crown land was added to R89212 as per Government Gazette notice 16 May 2025. This land is classified as community land and has been categorised in accordance with the LG Act as Park, Sportsground and Natural Area Bushland.

The Reserve is Crown land owned by the NSW Government and Council is Crown land manager. Further details specific to the land to which this PoM applies to is outlined in Table 1.

## Geology and soils

The Reserve is surrounded by a varied landform of steep slopes, ridges and deep valleys with areas of sandstone outcrops, cliffs and wetland. The adjoining Garigal National Park is 2,150 hectares in area and encompasses the upper reaches of Middle Harbour including Bantry Bay, and part of the catchment of Narrabeen Lakes. Garigal National Park provides a link between Sydney Harbour bushland, Manly Warringah War Memorial State Park and Ku-ring-gai Chase National Park.

The Reserve and adjoining Garigal National Park lie primarily on Hawkesbury sandstone, a Triassic sandstone which covers large areas of the Sydney Basin. The soils of the area are derived from a Wianamatta Shale Cap overlying Hawkesbury Sandstone. Soils derived from sandstone are mostly shallow and sandy, highly erosive, and low in nutrients such as phosphorous.

The Reserve was formed by a cut/fill operation with additional fill reportedly imported from the Spit or Roseville Bridge cutting works. Drilling carried out as part of the environmental assessment during preparation of a former plan of management for the Reserve in 2004 found topsoil overlying fill. The fill material consisted mostly of light brown sand mixed with clays and small stones and did not contain metal, glass or other garbage. No evidence of contamination was detected.

## Landforms and drainage

The Reserve, due to its primary use as a sportsground, is relatively flat. Drainage is installed on the sportsfields. Spread of weeds is managed through Council's ongoing sportsfield management programs.

## Flora and fauna

The vegetation of the Reserve consists of grassed sportsfields and the Duffys Forest TEC. Several vegetation communities in Garigal National Park are remnants of formerly widespread vegetation types that have local and regional significance, in particular the sandstone swamp, mallee woodland, tall open forest, floodplain wetland and rainforest have a restricted distribution in the Sydney area.

Of particular importance are several areas of the Duffys Forest TEC. These areas have been actively managed by Council particularly since 2004 and are detailed further in Section 6.

## Bushfire prone land

Bush fire prone land is defined as an area of land that can support a bush fire or is likely to be subject to bush fire attack, as designated on a bush fire prone land map (BFPLM).

The Northern Beaches BFPLM was certified by the NSW Rural Fire Service on 7 August 2020 and covers the LGA.

The purpose of a BFPLM is to identify land that is at risk from bush fire. It also triggers additional

planning and development controls on bush fire prone land for new development or building work.

The different colours identify an area as Category 1, 2 or 3 Fire Prone Vegetation or within a specified distance (Buffer) of that vegetation. Category 1 is considered the highest risk for bushfire and includes forest, woodland and heaths and requires a 100 metre buffer zone.

Seaforth Oval sportsground and car parks within the Reserve are mapped as a vegetation buffer (yellow) area. The remainder of the Reserve and the surrounding Garigal National Park is mapped as Vegetation Category 1 (red) on the BFPLM - see Figure 5. Established fire trails, emergency access and asset protection zones remain in place within the National Park. The use of the Oval for helicopter access for emergency situations and training will be maintained.

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Figure 5: Bushfire prone land at the Reserve (Based on source: Bushfire Prone Land Mapping 2020)

## 4.0 BASIS FOR MANAGEMENT

Council intends to manage the land in line with:

- the assigned categorisation of community land;
- the LG Act guidelines and core objectives for community land;
- restrictions on management of Crown land under the CLM Act;
- Council's strategic objectives and priorities;
- development and use of the land as outlined in Chapter 6 of the LG Act; and
- any other applicable legislation.

### Categorisation of the land

All community land is required to be categorised as one or more of the following categories. Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

The LG Act defines five categories of community land.

- **Park** – for areas primarily used for passive recreation.
- **Sportsground** – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- **General community use** – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- **Cultural significance** – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- **Natural area** – for all areas that play an important role in the area's ecology. This category is further categorised into bushland, escarpment, foreshore, watercourse and wetland categories.

There are three community land categories applied to the land in this PoM:

- Park;
- Sportsground; and
- Natural Area – Bushland.

Figure 6 maps these category areas for the Reserve.





Figure 6: Category map for the land under this PoM

## Guidelines and core objectives for management of community land

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Northern Beaches area. The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

The management of community land is governed by the categorisation of the land, its reservation or dedication purpose, and the core objectives of the relevant category of community land. Council may then apply more specific management objectives to community land, though these must be compatible with the purpose and core objectives for the land.

The guidelines for categorisation of community land are set out in the *Local Government (General) Regulation 2021* (the LG Regulation). The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the Park, Sportsground, and Natural Area – Bushland categories applicable to the Reserve and for which Council has had regard, are set out in this PoM.

## Restrictions on management of Crown land

Council is the Crown land manager of the Reserve described in Table 1 of this PoM and is required to manage it in accordance with the CLM Act and conditions imposed by the Minister administering the CLM Act.

The use of the land described in this PoM must:

- be consistent with the purpose for which the land was dedicated or reserved;
- consider native title rights and interests and be consistent with the provisions of the NT Act;
- consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists;
- consider and not be in conflict with any interests and rights granted under the CLM Act; and
- consider any interests held on title.

This PoM is consistent with the principles and objectives of the CLM Act (see Appendix 3), and compliant with any CLM Act terms of appointment as Crown Land Manager, or Crown Land Manager land management rules. It is generally a condition attached to the Crown land manager appointment notice that management of Crown land must adhere to the code of conduct adopted under Section 440 of the LG Act.

At the date of this PoM, there is one State-wide Crown land management rule that applies to the Northern Beaches LGA.

This gazetted rule was made under s 3.15 of the CLM Act. It states that:

*Crown land managers cannot, under any act (including the LG Act), grant any lease or licence authorising:*

- *the installation or construction of communication infrastructure on Crown land;*
- *the placement of communication infrastructure on Crown land;*
- *the use of communication infrastructure that is located on Crown land; or*
- *access to communication infrastructure that is located on Crown land.*

*However, the rule does not prevent the holder of a holding granted by the Minister for Lands & Forestry subletting of communication infrastructure located on Crown land in accordance with the conditions of a holding granted by the minister.*

The Reserve is not burdened by any easements as identified on Deposited Plans. The CLM Act imposes restrictions, including the requirement for Ministerial consent, in relation to the transfer and other dealings in respect of the Reserve.

## Council's planning framework

Council, in consultation with the community, has endorsed the CSP 2040 and 2040 LSP. These plans identify the priorities and aspirations of the Northern Beaches community and have a direct influence on the objectives, uses and management approach covered by this PoM.

Responses to key strategies and actions relevant to this PoM are outlined in Appendix 5.

## Key relevant controls

### Local Environment Plan

The Reserve is zoned RE1 Public Recreation, C2 Environmental Conservation and SP2 Infrastructure under the *Manly Local Environmental Plan 2013* (LEP) (see Figure 7). Development and management of the land must consider the objectives of the current and any future LEP zoning and balance these against the objectives of the PoM categories of Natural Area Foreshore, Park and Sportsground.

Reference should be made to the latest version of the LEP, accessible on the NSW legislation website, for up to date controls and for a complete list of clauses applying to development on the land. Council will prioritise the protection and management of areas with high environmental values including bushland areas, core habitat, wildlife corridors and threatened ecological communities.





Figure 7: Manly LEP 2013 Land Use Zones for the Reserve

### **NSW Biodiversity Values**

The NSW Biodiversity Values (BV) Map is facilitated by the NSW State Government and identifies land with high biodiversity value, particularly sensitive to impacts from development and clearing. The BV Map includes land within the Reserve that contains Duffys Forest TEC (see Figure 8).

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Figure 8: Land with high biodiversity value within the PoM

## 5.0 DEVELOPMENT AND USE

This PoM provides a framework to use and manage the site in a manner aligned with community needs and identified priorities within Council's strategies and plans (see Section 4.0).

The adoption of this PoM is one prerequisite to the use and management of community land. In addition, the site must also be used in accordance with any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land. As such the EPA Act applies to the use and development of the site. Consideration must be given to:

- the need to obtain development consent under Part 4 of the EPA Act if development consent is required under the EPA Act, or comply with the conditions of development consent granted under Part 4 of the EPA Act; and
- the need to undertake an environmental assessment under Division 5.1 of the EPA Act when carrying out or approving an activity provided for under this PoM.

Council has a clearly structured suite of planning and management documents that provide a strategic and operational framework for the management of the land, facilities and uses.

Key documents:

- Towards 2040 LSPS
- 2040 CSP
- Delivery Program (4 years)
- Operational Plan (Annual)

This PoM has also drawn upon the following:

- Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy 2040
- Council's Walking Plan 2019
- Bushland and Biodiversity Policy and Action Plan 2021
- Let's Play! Open Space & Outdoor Recreation Strategy & Action Plan 2022
- Relevant Council reports and related resolutions from Council meeting held 27 October 2020 (Resolution 285/20)
- Relevant Plans of Management
- Environmental Review under Part 5 EPA Act – Seaforth Oval Bike Park
- Council Policy – D70 Urban Dog management
- Asset Management Strategy and Plans
- Manly Local Environmental Plan 2013

### Current use of the land

Each relevant category section of this PoM (see Section 6) contains information about the existing use of the Reserve within that area, including the condition of the Reserve and structures, use of the Reserve and structures, and current leases and licences for the use of the Reserve.

The Pavilion is booked for regular and casual use by groups such as Meals on Wheels and Men's Kitchen Association and for small functions. There is currently one licence for the Seaforth Football Club.

The sportsfields and facilities are booked for seasonal use such as winter season football training and games, summer cricket training and games, Little Athletics, schools sport and recreation and for occasional events.

The sportsfield area has been made available by Council and used as a dog off-leash area for many years and no changes are proposed to this use on the sportsfield area within the sportsground land.

A list of current user agreements is at Appendix 4.

## Permissible uses / future uses

Council encourages a wide range of uses of its community land. The use of community land is often supported by ancillary development including sports facilities such as field lighting, community facilities such as community and amenity buildings and recreation facilities such as playgrounds.

These permitted uses and developments are also contingent on whether they are permitted by the LEP and any relevant Council and State policies that prescribe development with or without consent and whether required approvals have been obtained or required environmental assessment has been undertaken.

## List of Category sections

The permissible uses and future uses for the following categories of land are outlined in Section 6.0 Management of land - by category:

- Park;
- Sportsground; and
- Natural Area Bushland.

## Express authorisation of leases and licences and other estates

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. The term 'other estates' includes other interests, charges, rights or titles in relation to the land (an example is easements).

Council may enter into a range of leases, licences, agreements, and/or other arrangements (including permits) or create other estates, as specified in Section 46(1) of the LG Act in order to authorise and manage the use and development of the Reserve appropriately and effectively.

The agreements and arrangements authorised by this PoM are intended to support and encourage a range of uses permissible under the PoM.

Council supports and encourages a range of uses of the Reserve, which enhances the level of activation and enjoyment of the space. Each proposal will be reviewed to ensure it is compatible with this PoM, Council policies and planning controls. Community feedback on proposals will be sought when required. Any lease, licence, agreement or other estate must be for use consistent with this PoM, the purpose of the Reserve, the assigned categorisation and zoning of the land, relevant trusts and be in the best interests of the community, and enable, wherever practicable, shared use of community land.

When considering whether to enter into a lease, licence, agreement or other estate, Council will consider matters including community benefit, compatibility with this PoM and Council's strategic directions, plans and policies, community and social impacts, and the capacity of the community land itself and the local area.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In other instances a licence or short-term licence or hire agreement may be a more appropriate form of agreement.

Exclusive occupation or use of the Reserve is only permitted by way of a lease, licence or other estate under s.47 or 47A of the LG Act, subject to limited exceptions under the LG Act. Section 46 of the LG Act permits Councils to grant a lease, licence or other estate in respect of community land for:

- the provision of public utilities and works associated with or ancillary to public utilities; or
- the purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other

public utility provider.

Council is responsible for bookings of community land and open spaces within its LGA and, generally, Council seeks to encourage a broad and appropriate range of uses to meet community need.

Fees will be charged in accordance with Council's adopted fees and charges at the time or as approved by Council.

## Leases and licences authorised by the Plan of Management

This PoM **expressly authorises** the granting of leases, licences and other estates over the Reserve covered by the PoM, provided that:

- the purpose is consistent with the purpose for which the Reserve was dedicated or reserved;
- the purpose is consistent with the core objectives for the applicable category of the Reserve;
- the lease, licence or other estate is for a permitted purpose listed in the LG Act or LG Regulation;
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the NT Act;
- where the land is subject to a claim under the *Aboriginal Land Rights Act 1983* (ALR Act) the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted;
- the lease, licence or other estate is granted and notified in accordance with the provisions of the LG Act or the LG Regulation; and
- the issue of the lease, licence or other estate will not materially harm the use of the Reserve for any of the purposes for which it was dedicated or reserved.

Tables in the relevant sections of this PoM further identify the purposes for which leases and licences may be issued over the Reserve and the maximum duration of leases, licences and other estates.

## Time periods for leases or licences

The granting of any lease, licence or other estate is subject to the provisions of Part 2, Division 2 of the LG Act.

The maximum period for any lease or licence is 30 years (including any option) and Minister's consent is required if the lease/licence exceeds 21 years (Section 47(5)(b) of the LG Act). Unless exempt by the regulations, all such leases, licences or grant of other estate must be advertised and the community notified in accordance with the provisions of Sections 47 and 47A of the LG Act.

Where the term of a lease, licence or other estate is for a period of less than 5 years, the proposed lease, licence or other estate will be notified and exhibited in the manner prescribed by Section 47A of the LG Act and those provisions of Section 47 of the LG Act as specified in Section 47A will apply.

Council must call tenders for leases or licences over 5 years, unless the lease or licence is to be granted to a non-profit organisation, (Section 46A(3) of the LG Act).

A lease cannot be sublet other than for the same purpose as the original lease or if the sublease falls within the exceptions listed in LG Regulation Clause 119.

Council must notify and exhibit a proposed lease or licence in accordance with Section 47 of the LG Act as follows:

- give public notice of the proposal;
- place a notice of the proposal on the proposed land;



- notify owners or occupiers of adjoining land;
- notify owners or occupiers of land in the vicinity of the land in the site if the Council believes that the land “is the primary focus of the person’s enjoyment of community land”;
- consider submissions made about the proposal; and
- refer the proposal to the Minister for Local Government if Council has received an objection to the proposal.

Under Section 47(5) of the LG Act, where the proposed lease or licence is for a period greater than 5 years it must be referred to the Minister if:

- the Council has received an objection to the proposed lease or licence; or
- the lease or licence exceeds 21 years (including taking into account any option period).

If the proposed lease or licence is for a period of less than 5 years, it must also be referred to the Minister if the Council receives a request for referral from the Minister: Section 47A(2)(c) of the LG Act.

### Short-term licences and agreements

Short-term licences and bookings may be used to allow the council to program different uses of community land at different times, allowing the best overall use.

Fees for bookings will be charged in accordance with Council’s adopted fees and charges at the time.

This PoM **expressly authorises** the granting of leases, licences or other estate for short-term casual purposes over the Reserve as prescribed in Clause 116 of the LG Regulation namely:

- the playing of a musical instrument, or singing, for fee or reward;
- engaging in a trade or business;
- the playing of a lawful game or sport
- the delivery of a public address;
- commercial photographic sessions;
- picnics and private celebrations such as weddings and family gatherings; and
- filming sessions.

provided the use or occupation does not involve the erection of any building or structure of a permanent nature.

Section 2.20 and Section 3.17 of the CLM Act also permit Crown land managers to grant a short-term licence over dedicated or reserved Crown land (Crown reserves) for any prescribed purpose, as set out in Clause 31 of the CLM Regulation.

This PoM **expressly authorises** Council to issue short-term licences (for up to 12 months) under Section 2.20 of the CLM Act over the Reserve for the prescribed purposes listed in Clause 31 of the CLM Regulation.

Short-term licences granted under Section 2.20 of the CLM Act are authorised for the following prescribed purposes set out in Clause 31(1) of the CLM Regulation:

- |                                    |  |
|------------------------------------|--|
| • access through a reserve         | • low intensity commercial activities (e.g. commercial fitness training) |
| • advertising                      | • markets  |
| • catering                         | • meetings, public address (speeches)                                    |
| • community, training or education |  |

- emergency occupation
- entertainment, including low scale performance or art e.g. performance arts
- environmental protection, conservation or restoration or environmental studies
- exhibitions
- filming (as defined in the LG Act)
- functions
- hiring of equipment
- and/or distributing pamphlets e.g. charity, environment groups
- shows
- site investigations
- stalls for community or charity fund raising
- sporting, community and organised recreational activities
- storage

Pursuant to Clause 31(2) of the CLM Regulation, in addition to any other condition to which a short term licence granted under Section 2.20 of the CLM Act is subject, the condition that the relationship of landlord and tenant is not created between the parties is also prescribed.

Pursuant to Clause 31(3) of the CLM Regulation, the period of one year is prescribed as the maximum term for which a short-term licence may be granted under Section 2.20 of the CLM Act (including any further term available under an option or holding over provision).

## Leases and Licences for Natural Areas

The LG Act imposes restrictions on the ability of Council to grant leases, licences or other estates over community land categorised as Natural Area and further sub-categorised as Bushland, Wetland, Escarpment, Watercourse or Foreshore.

Council may only grant a lease, licence or other estate over Natural Area category land if:

- it is authorised under the PoM;
- the purpose is consistent with the core objectives for that category of land;
- the uses of the land are consistent with the Reserve's purpose(s); and
- the lease/ licence is for a purpose specified in Section 47B of the LG Act (as below).

Section 47B(4) of the LG Act restricts the grant of a lease, licence or other estate that would enable the erection or use of **structures or buildings**, to the following:

- walkways;
- pathways;
- bridges;
- causeways;
- observation platforms; or
- signs.

In addition to the structures and buildings set out in Section 47B(4), Section 47B(5) of the LG Act permits Council to authorise the erection and use of buildings or structures for the following purposes:

- information kiosks;
- refreshment kiosks (but not restaurants);
- work sheds or storage sheds required in connection with the maintenance of the land; or



- toilets or rest rooms.

While these structures are permitted to be constructed on community land categorised as Natural Area, a development application may also be required prior to their construction in accordance with the EPA Act and any applicable environmental planning instruments.

It is noted, however, that the legislation does not restrict the use of the land or the issue of a lease or licence in a Natural Area where such use does not involve the erection or use of structures and buildings, such as walking tours, environmental tours, bush care and other similar uses.

### **Native title and Aboriginal land rights considerations in relation to leases, licences and other estates**

When planning to grant a lease or licence, the council must comply with the requirements of the NT Act and have regard for any existing claims made on the land under the ALR Act.

It is the role of Council to engage or employ a native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see Appendix 6 for more information).

In regard to the adoption of the PoM and the activities contained within it, it is the opinion of Council's Native Title Manager that the PoM complies with the applicable provisions of the NT Act.

The ALR Act was introduced in NSW to compensate Aboriginal people in NSW for dispossession of their land. Aboriginal communities in NSW can claim land to compensate them for historic dispossession of land and to support their social and economic development.

Any actions that would burden a title over land and affect a freehold transfer of land, such as entering a lease or construction and development, may not be permitted whilst the land is subject to an unresolved Aboriginal land claim.

The Reserve is not known to be the subject of any current Aboriginal land claim.

## 6.0 MANAGEMENT OF LAND – BY CATEGORY

### Park and Sportsground

This section combines the management of the Park and Sportsground category land within the Reserve while acknowledging the key differences.

The Park category land is a contiguous area of land that starts at the northern end of the playground and also includes a basketball half court (Figure 9), the overflow car park and the proposed bike park area.

The Sportsground category land comprises much of the northern half of the Reserve and is the site of Seaforth Oval sportsfields and sports facilities, the Pavilion and public amenities.

This land is surrounded by Natural Area Bushland (Figure 10) category land to the south and east/north east, with the Garigal National Park bordering the land on the north and eastern sides.

In the winter season Seaforth Oval includes two lit full-size rectangular sportsfields and lit junior and mini sportsfields and in the summer season a lit senior cricket oval with a natural turf wicket and junior ovals with synthetic wickets. Cricket practice nets (Figure 11) with synthetic pitches are located at the north-western corner of the Oval. The Seaforth Oval sportsfield area is fenced on 3 sides.

A telecommunications tower is located at the western edge.

The eastern edge of the Sportsground category land is dominated by the Pavilion, main car park area and public amenities that includes seating, a BBQ and shade structures. The main car park provides for approximately 80 vehicles.

The Pavilion has two levels with the upper level comprising a main hall that adjoins a canteen/food and beverage service area and a kitchen. The upper level also provides a club administration room, toilets and an outdoor covered deck that overlooks the sportsground. The lower floor comprises public toilets, change rooms and storage areas and a kiosk.

See Figure 6 for a map showing the applied categories.



Figure 9: Basketball half court and overflow car park (background)



Figure 10: Natural Area - Bushland within the Reserve



Figure 11: Cricket practice nets at the Reserve

**Guidelines and core objectives**

Table 3 sets out the guidelines and core objectives for the Park and Sportsground categories.

*Table 3: Core objectives and guidelines for the Park and Sportsground categories*

<b>CATEGORY</b>	<b>Core objectives – LG Act</b>	<b>Guidelines for categorisation - LG Regulation</b>
PARK	<ul style="list-style-type: none"> <li>• Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities</li> <li>• Provide for passive recreational activities or pastimes and for the casual playing of games</li> <li>• Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management</li> </ul>	Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others
SPORTSGROUND	<ul style="list-style-type: none"> <li>• Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games</li> <li>• Ensure that such activities are managed having regard to any adverse impact on nearby residences</li> </ul>	Land used primarily for active recreation involving organised sports, recreation or playing outdoor games

### **Key issues for Park and Sportsground**

Some of the key issues for the Park and Sportsground categories are summarised below and are addressed within the action plan (see Section 7) through three primary areas of focus: development and use, planning and design and management framework.

- Development and Use
  - Future development and use
  - Buildings, facilities and infrastructure
  - Traffic, vehicular access and parking capacity
  - Events and other bookings
  - Signage and advertising
  - Dogs in public places
  - Permitted and prohibited uses e.g. Alcohol Prohibited Areas and Alcohol Free Zones
- Planning and Design
  - Landscape Character
  - Public access and multiple use
  - Equity of access
  - Relationship to surrounding land uses
  - Culture and heritage
- Management Framework
  - Environmental management and sustainability
  - Maintenance, renewal and upgrade of land, structures and facilities
  - Booking systems, fees and charges, conditions of hire



- Amenity provision
- Lighting, fencing and security
- Sportsground and recreation facilities maintenance
- Safety and risk management

### **Management framework for Park and Sportsground**

Council provides a range of sports, recreation and community facilities including sportsfields, buildings, parking, playground, basketball half court and other infrastructure. It manages their day to day use, maintenance and upgrades as required. The Pavilion is currently occupied by the Seaforth Football Club on a term period licence that also provides for community use of the main hall, kitchen, toilets and balcony, generally during week days and the non-winter sports season. The Club's licence delegates agreed responsibility for maintenance of the facility to the Club and Council is responsible for agreed capital upgrades and maintenance of assets and infrastructure outside the premises.

The Pavilion, the fields and facilities are available for bookings via an online process. Council also undertakes a seasonal expression of interest process for use of the sportsfields and related infrastructure e.g. field lights for the winter and summer sports season.

Council's fees and charges for use of the Park and Sportsground category land (and facilities on that land) are approved and published annually by Council and available on Council's website.

Council has a wet weather sportsfields management process that applies to its sportsfields including at the Reserve.

### **Current use of the land**

#### **Condition of the land and structures**

A list of the main facilities and a condition description of the Park and Sportsground category land and structures is at Appendix 2.

#### **Use of the land and structures**

The Park category land playground and court are currently used by individuals, groups and families for informal recreation and small gatherings. There is also an informal overflow car park on this land.

The Park category land also provides a thoroughfare walking track to link the Natural Area Bushland area to the south with the Garigal National Park entrance and track head at the north of the main car park.

The Sportsground category land is predominantly used for football (soccer) in winter and cricket and little athletics in summer. The land is also used casually for fitness and recreation, as well as a dog off-leash area (on the sportsfield area for many years, no changes are proposed to this use on this area), play, and community or sporting events. The sportsfields are also used for helicopter access for emergency situations and training. The Pavilion is also located on this land and is used for a range of sport, recreation and community purposes.

### **Current leases and licences**

There are no leases, licences or hiring/bookings for the Park category land at the time of adoption of this PoM.

A list of licences and agreements for the Sportsground category land is available at Appendix 4.

### **Permissible uses / future uses**

The general types of uses which may occur on the Park and Sportsground category land are set out in

detail in Table 4. The general forms of development for the Park and Sportsground category land are set out in detail in Table 5.

The scale and intensity of these permissible uses and developments will be determined in context with this PoM, Council assessment and development approvals, leasing and licensing that are consistent with the Reserve purposes, category core objectives and any identified carrying capacity of the proposed site or locations.

The anticipated uses and associated development identified in the tables are intended to provide a general guide and are subject to future assessment and approvals as may be necessary.

The terminology used is not intended to impose an exact meaning. For example, a reference to 'football' includes any variations of that game. It is anticipated that new sports may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of 'active recreation' enjoyed by the community. References such as 'field', or 'court', are not intended to exclude other sporting surfaces.

Specific future use and development proposed for the Park and Sportsground categories including an intermediate to advanced level bike park is set out in tables 4 and 5, subject to future assessment and approvals as may be necessary. The proposed location of the future bike park can be viewed on the Reserve Site Plan (Figure 2).

This PoM will address a key action from Council resolution (285/20) that Council:

- "4. Seek suitable sites for a new bike park in the local area in consultation with riders and a report be provided to Council to be included in the 2021/22 budget."*

Council's research, including for the Sportsgrounds Strategy (2017) and Let's Play! Open Space and Outdoor Recreation Strategy and Action Plan (2022), has identified that our community generally values:

- Accessible, functional and high quality sports facilities for a diverse range of sports, for all ages and for all genders.
- A variety of sport, recreation and community experiences.
- Open space for casual recreation.
- Equitable access to and management of our open spaces and sporting facilities
- Environmentally sympathetic development and management.

The creation of an intermediate to advanced level bike park is an action in Let's Play! Open Space and Outdoor Recreation Strategy and Action Plan - December 2022.

The anticipated uses and associated development identified in tables 4 and 5 are intended to provide a general guide and are subject to future assessment and approval as may be necessary.

*Table 4: Purposes/uses which may occur on land categorised as Park and Sportsground*

<b>Purpose/Use, such as...</b>	<b>PARK</b>	<b>SPORTSGROUND</b>
Organised and unstructured sport, community and recreational activities compatible with the nature of the particular land, facilities and other uses	✓	✓
Providing multipurpose buildings and facilities including publicly accessible ancillary areas, such as toilets	✗	✓
Intermediate to advanced level bike park	✓	✗
Recreational use, such as picnics and private celebrations	✓	✓

Community events and gatherings including sporting events, festivals, concerts, parades, markets, fairs, exhibitions and the like	✓	✓
Providing a location for, and supporting the gathering of groups for a range of social, cultural and recreational purposes	✓	✓
Low-intensity commercial activities (for example recreational equipment hire, mobile food vendors)	✓	✓
Relevant commercial uses associated with sport and recreation use / facilities including return and earn container scheme and infrastructure	✓	✓
Helicopter access for emergency situations	✓	✓
Filming and photographic projects	✓	✓
Public address (speeches)	✓	✓
Car parking associated with the land's uses including electric vehicle charging stations (advertisement not permitted)	✓	✓
Dogs may be permitted off-leash on the sportsfield area on sportsground land as approved by Council	✗	✓
Note: Some of the purposes/uses listed above require a permit / approval from Council.		

*Table 5: Development permitted to facilitate uses on land categorised as Park and Sportsground*

<b>Development permitted to facilitate uses, such as</b>	<b>PARK</b>	<b>SPORTSGROUND</b>
Development for the purpose of conducting and facilitating organised sport (both amateur and professional, training, competition, events), for example:	✓	✓
Sportsfields (e.g. and not limited to, AFL, rugby union, rugby league, cricket, football, track and field athletics, baseball, softball) Facilities for sports training, e.g. cricket nets, batting cages Professional rooms for hire associated with sportsgrounds and the reserve purpose of public recreation Gymnasiums, exercise classes and activities	✗	✓
Small scale commercial uses, e.g.: sports recreation tuition and health, sports physiotherapy and related activities	✓	✓
Development for the purposes of active recreation such as play equipment, exercise equipment, bike facilities, outdoor multi-use-courts, lighting, basketball courts and the like	✓	✓
Development for the purposes of active recreation such as a bike park	✓	✗
Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, locker areas, toilets, showers, bins, storage and first aid areas	✓	✓
Development to support community events and gatherings including sporting events, festivals, concerts, parades, markets, fairs, exhibits and the like – including lighting, access to power, seating, security, sound system, temporary or permanent structures	✓	✓

Development permitted to facilitate uses, such as	PARK	SPORTSGROUND
Development for the purposes of improving access, amenity and the visual character of the Reserve, for example paths, public art, shade structures, park furniture, hard and soft landscaped areas	✓	✓
Car parking and loading areas	✓	✓
Café or refreshment areas (kiosks, mobile food vendors) including external seating	✓	✓
Appropriate commercial development and use that is sympathetic to and supports use, for example hire of recreation equipment or sports, recreation, community classes, tuition	✓	✓
Signage - locational, directional, information and regulatory signage including heritage and cultural interpretation	✓	✓
Advertising structures and signage (such as A-frames and banners) that: <ol style="list-style-type: none"> <li>1. relate to approved uses/activities</li> <li>2. are discreet and temporary</li> <li>3. are approved by the council and meet any relevant guidelines, policies</li> </ol>	✓	✓
Water-saving initiatives such as stormwater harvesting, rain gardens and swales	✓	✓
Energy-saving initiatives such as solar lights and solar panels	✓	✓

### **Express authorisation of leases, licences and other estates – Park and Sportsground**

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Park and Sportsground, listed in Table 6. The facilities on community land may change over time, reflecting the needs of the community. The anticipated uses and associated development identified below are intended to provide a general guide and are subject to future assessment and approvals as necessary.

*Table 6: Leases, licenses and other estates and purposes for which they may be granted for community land categorised as Park and Sportsground*

Type of tenure	Maximum term	Purpose for which tenure may be granted
Lease	Up to 30 years pursuant to LG Act S46  Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.	<ul style="list-style-type: none"> <li>• Use and management of recreation facilities, sportsfields, facilities and buildings</li> <li>• Administration, management and administration areas associated with the facility or land</li> <li>• Hire or sale of recreational or sporting equipment associated with the facilities</li> <li>• Outdoor café/kiosk seating and tables</li> <li>• Electric vehicle charging stations (where suitable and not subject to signage unless related to reserve purpose)</li> <li>• Emergency services purposes</li> <li>• Return and earn container scheme and infrastructure</li> </ul>



Type of tenure	Maximum term	Purpose for which tenure may be granted
Licence	<p>Up to 30 years pursuant to Section 46 of the LG Act.</p> <p>Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.</p>	<ul style="list-style-type: none"> <li>• Use and management of recreation facilities, sportsfields, facilities and buildings</li> <li>• Health and fitness goods and services for sportsgrounds users and visitors</li> <li>• Administration, management and administration areas associated with the facility or land</li> <li>• Hire or sale of recreational or sporting equipment</li> <li>• Mobile vendors</li> <li>• Undertaking commercial activities associated with permitted activities</li> <li>• Markets, festivals, fairs</li> <li>• Exhibitions and similar events and gatherings</li> <li>• Electric vehicle charging stations (where suitable and not subject to signage)</li> <li>• Emergency services purposes</li> <li>• Return and earn container scheme and infrastructure</li> </ul>
Short-term licence	<p>Terms consistent with:</p> <ul style="list-style-type: none"> <li>• General and ad hoc short-term or casual licences: as issued ad hoc with Council formal application process, permissions and/or approvals; and</li> <li>• Section 4 of the LG Act and Clauses 116 and 117 of the LG Regulation; and</li> <li>• for Crown land, Sections 2.20 and 3.17 of the CLM Act and Clause 31 of the CLM Regulation.</li> </ul>	<ul style="list-style-type: none"> <li>• Sporting training, competition, fixtures and events</li> <li>• Ceremonies (for example welcome to country)</li> <li>• Access on / through a reserve</li> <li>• Advertising</li> <li>• Broadcasting or filming of sporting fixtures, events</li> <li>• Community events and festivals, concerts, parades, markets, fairs, exhibitions, auctions and similar activities,</li> <li>• Commercial photographic sessions and filming (as defined in the LG Act)</li> <li>• Delivery of a public address</li> <li>• Emergency occupation</li> <li>• Entertainment</li> <li>• Formal and informal recreation uses and facility specific fixtures and events</li> <li>• Hiring of equipment</li> <li>• Leisure, sport, recreation and fitness training and classes</li> <li>• Picnics and private celebrations such as weddings and family gatherings</li> <li>• Playing of a musical instrument, or singing, for fee or reward</li> <li>• Playing of a lawful game or sport</li> <li>• Public performances</li> <li>• Return and earn container scheme and infrastructure</li> <li>• Sales</li> <li>• Shows</li> <li>• Site investigations</li> <li>• Storage associated with facility, events, sport or use agreements</li> </ul>

Type of tenure	Maximum term	Purpose for which tenure may be granted
Other estates	<p>As legally required or permitted</p> <p>Up to 30 years pursuant to Section 46 of the LG Act.</p> <p>Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.</p>	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

## Natural Area – Bushland

The Natural Area - Bushland category areas are predominantly located along the southern and eastern sides of the Reserve. See Figure 6 for a map showing the applied categories.

### Native flora

The bushland vegetation at the Reserve can be broadly described as Sydney Coastal Dry Sclerophyll Forest. The vegetation around the Oval perimeter / drainage lines and stockpile areas are largely 'weeds' or 'disturbed vegetation' that form a buffer to Garigal National Park.

Bushland vegetation found at the Reserve includes the following Plant Community Types (PCTs):

- Coastal Sandstone Gully Forest  
Dominate species: Sydney Peppermint, Smooth-barked Apple, Red Bloodwood shrubby open forest on slopes of moist sandstone gullies, and
- Sydney Ironstone Bloodwood-Silvertop Ash Forest (Duffys Forest)  
Dominate species: Red Bloodwood, Silvertop Ash, Stringybark open forest on Ironstone

Duffys Forest (Bloodwood-Silvertop Ash Forest) is listed as a TEC under the NSW *Biodiversity Conservation Act 2016*. The distribution of PCTs including Duffys Forest TEC are shown in Figure 12 Native Vegetation Mapping.

Duffys Forest TEC is an ecological community that occurs on the ridgetops, plateaus, upper slopes and occasionally mid slopes on Hawkesbury sandstone geology, typically in association with laterite soils and soils derived from shale and laminite lenses. It has the structural form predominantly of open forest to woodland. The Duffys Forest TEC is confined to a small area on the urban/bushland interface in northern Sydney. With an extensively fragmented distribution today, its original extent was approximately 1450 ha, of which 16%, or approximately 240ha is thought to remain.<sup>1</sup>

### Native fauna

An ecological survey of the vegetation limited to the southern edge of the Reserve was undertaken in 2003 and provides a list of flora and fauna observed at a point in time.

No threatened species were recorded in this area however foraging resources present include for the Glossy Black-cockatoo, Powerful Owl, Grey-headed Flying-fox, and Microchiropteran Bats.<sup>2</sup> Further threatened fauna with potential habitat within the Reserve and adjoining National Park include (but are not limited too) Red Crowned Toadlet, Eastern Pygmy Possum and Heath Monitor.

Non threatened wildlife that occur within Natural Area - Bushland category of the Reserve include a variety of native birds, mammals and reptiles. Common bird species observed in the Reserve include Masked Lapwing, Australian Magpie, and Noisy Myna with a greater variety of birds frequenting the bushland areas. Native mammal species are known to include Brushtailed Possum, Ringtail Possum, Brown Antechinus, Bush Rat, Long-nosed Bandicoot and Short-beaked Echidna. Reptiles which may be observed include the Eastern Blue-tongue Lizard, Eastern Water Dragon, Lace Monitor and Diamond Python.

<sup>1</sup> Office of Environment and Heritage Website 23 July 2023

<sup>2</sup> Seaforth Oval Flora and Fauna Survey 2003



Figure 12: Native Vegetation Mapping  
(Source: NSW Office of Environment and Heritage Mapping 2016)

### Guidelines and core objectives for Natural Areas

Bushland is defined in Clause 107 of the LG Regulation as land containing primarily native vegetation that is the natural vegetation or a remainder of the natural vegetation of the land, or although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality.

Table 7 outlines the core objectives for natural areas and the sub-category of Bushland and related guidelines for categorisation, as per Section 36E and 36J respectively of the LG Act, as follows:

*Table 7: Core objectives and guidelines for Natural Areas and sub-category of Bushland*

CATEGORY	Core objectives – LG Act	Guidelines for categorisation - LG Regulation
Natural Area	<ul style="list-style-type: none"> <li>• Conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area</li> <li>• Maintain the land, or that feature or habitat, in its natural state and setting</li> <li>• Provide for the restoration and regeneration of the land</li> <li>• Provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion</li> <li>• Assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the <i>Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i>.</li> </ul>	Land should be categorised as a natural area under Section 36(4) of the LG Act if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under Section 36(5) of the LG Act.
Bushland sub-category	<ul style="list-style-type: none"> <li>• ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna of the land and other ecological values;</li> <li>• protect the aesthetic, heritage, recreational, educational and scientific values of the land;</li> <li>• manage the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures to minimise or mitigate disturbance caused by human intrusion;</li> <li>• restore degraded bushland;</li> <li>• protect existing landforms</li> </ul>	<p>(1) Land that is categorised as a Natural Area should be further categorised as bushland under Section 36(5) of the LG Act if the land contains primarily native vegetation and that vegetation—</p> <p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>(b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p> <p>(2) Such land includes—</p> <p>(a) bushland that is mostly</p>

CATEGORY	Core objectives – LG Act	Guidelines for categorisation - LG Regulation
	<p>such as natural drainage lines, watercourses and foreshores;</p> <ul style="list-style-type: none"> <li>• retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term; and</li> <li>• protect bushland as a natural stabiliser of the soil surface.</li> </ul>	<p>undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</p> <p>(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</p> <p>(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>

### **Key issues for Natural Area - Bushland**

Management of the land in the Natural Area Bushland category is guided by Council's Bushland and Biodiversity Policy, action plans, strategic directions and relevant legislation.

Key issues for the bushland areas within the Reserve include:

- increased soil nutrients, stormwater runoff and dog faeces;
- weed infestation particularly along verges or boundaries with other uses;
- rubbish dumping;
- dieback of Eucalypts along the southern verge to Seaforth Oval;
- unauthorised bike and walking trails;
- feral animal control;
- managing vegetation to minimise risk for users of the sportsground;
- maintaining the post and rail boundary fence to Seaforth oval;
- Harbour to Hawkesbury walking track maintenance and erosion control; and
- managing bushfire risk.

The NSW Department of Environment and Heritage has prepared a Priorities Action Statement (PAS) to promote the recovery of threatened species and the abatement of key threatening processes in New South Wales. The Priorities Action Statement identifies a number of broad strategies to help threatened plants and animals recover in New South Wales. Each of these strategies have more specific priority actions within them.



Key management sites for Duffys Forest TEC are being identified by the NSW Government and other program partners, where feasible, cost-effective and beneficial management actions can be undertaken, subject to required approvals. Council works to preserve and improve all Duffys Forest TEC within the Northern Beaches, including at Seaforth Oval (Figure 13).

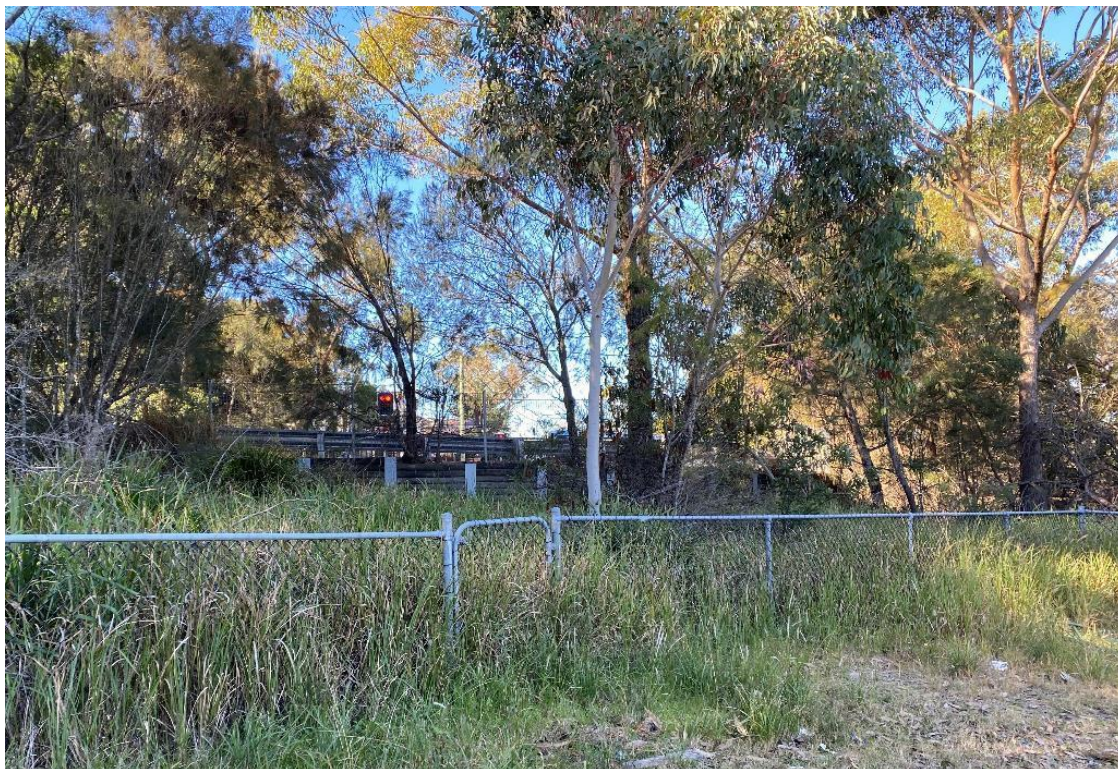


Figure 13: Section of fenced Duffys Forest TEC at the Reserve

### Management framework for reserves categorised as Natural Area – Bushland

The management framework for land categorised as Natural Area - Bushland at the Reserve is guided, in particular, by the following Council documents, which may be updated from time to time:

- Protect. Create. Live Northern Beaches Environment and Climate Change Strategy 2040;
- Bushland and Biodiversity Policy 2021 & Bushland and Biodiversity Action Plan 2021; and
- Northern Beaches Bush Fire Management Policy 2021.

Council aims to protect, enhance and restore local bushland and biodiversity and the unique value they have on the Northern Beaches. This includes enhancing the condition of bushland by protecting our local native plants and animals, as well as restoring ecosystems so they are healthy, resilient and valued by the community. Biodiversity assets protected under the Bushland and Biodiversity Policy include – but are not limited to – core habitat, wildlife corridors, urban bushland and important habitat features such as hollows and old-growth trees. Council's response to the management of invasive species (weeds and pest animals) is also set out in this Policy and applies to the vegetation within the site. The bushland within the Reserve is identified as having biodiversity value and any development within this area must consider and obtain any necessary approvals by the LEP, *Biodiversity Conservation Act 2016* or other relevant legislation. Council's Bush Fire Management Policy 2021 also applies to the site.

Exclusionary practices for both people and non-native flora and fauna within the bushland areas and the implementation of Council policies will ensure the protection of native flora and fauna across the PoM area.

## **Current use of the land**

### **Condition of the land and structures**

Section 36(3A)(a) of the LG Act requires the PoM to include a description of the condition of the land and structures on adoption of the plan.

The condition of the land and vegetation is described under Section 6. A condition description report is in Appendix 2.

### **Use of the land and structures**

The Natural Area - Bushland category land is used by the community and groups for recreational and environmental nature experiences including walking, nature appreciation, limited cycling and occasional events.

The land is an important environmental buffer for Garigal National Park helping to protect ecological biodiversity and habitat in the National Park.

The land provides walking track linkages to the National Park and beyond. Walkers can enter the Reserve near the Wakehurst Parkway Bus stop, as part of the Harbour to Hawkesbury Trail and the Manly to Seaforth Trail, cross through the Reserve to enter into the National Park to the north.

Walking tracks to the north, accessed from the Reserve's main car park, are the Seaforth to Natural Bridge Track, Timber Getters track, Bantry Bay track and Bluff (Lookout) trail and Engraving trail. A district cycle way link for bikes also commences here linking the Reserve and Frenchs Forest using the existing fire trail parallel to Wakehurst Parkway.

There are no formal structures or buildings in the Natural Area Bushland land except for some signage and fencing.

### **Current leases and licences**

There are no leases or licences in the Natural Area - Bushland category land.

### **Permissible uses / future uses**

The general types of uses which may occur on community land categorised as Natural Area – Bushland and the forms of development generally associated with those uses, are set out in detail in Table 89 The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in Table 8 are intended to provide a general guide and are subject to future assessment and approval as necessary.



*Table 8: Permissible use and development of community land categorised as natural Area - Bushland*

Purpose/Use, such as...	Development to facilitate uses, such as...
<ul style="list-style-type: none"> <li>• Preservation of the council's natural heritage including the identified Duffys Forest TEC</li> <li>• Preservation of biological diversity and habitat</li> <li>• Providing a location for relaxation and passive informal recreation</li> <li>• Walking/hiking/running</li> <li>• Guided bushwalks and interpretive tours</li> <li>• Mountain bike riding on designated trails and within designated areas</li> <li>• Environmental and scientific study</li> <li>• Bush regeneration works</li> <li>• Carbon sequestration</li> <li>• Bio-banking</li> <li>• Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna.</li> <li>• Fire hazard reduction.</li> <li>• Connection to Country activities and cultural heritage interpretation</li> <li>• Soil erosion and water quality works</li> <li>• Low impact recreation, health or sporting events and temporary infrastructure to support events.</li> <li>• If approved by Council, and subject to compliance with relevant legislation including the <i>Companion Animals Act 1998</i> (the CA Act),               <ul style="list-style-type: none"> <li>• dogs permitted on-leash on designated trail(s)</li> <li>• dogs prohibited in designated area(s)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Visitor facilities (sympathetic to the area): toilets, picnic tables, BBQs, sheltered seating areas, lighting</li> <li>• Low-impact walking and cycling trails</li> <li>• Water-saving initiatives such as rain gardens, swales and sediment traps</li> <li>• Bridges, observation platforms</li> <li>• Work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>• Interpretive, locational, information, directional and regulatory signage, information kiosks</li> <li>• Fencing, gates and bollards</li> </ul>

### **Express authorisation of leases, licences and other estates: Natural Area – Bushland**

Natural Area categories have specific restrictions on leasing and licensing of land - see Section 5 for details on restrictions.

This PoM **expressly authorises** the issue of leases, licences and other estates over the land categorised as Natural Area – Bushland, listed in Table 9. The facilities on community land may change over time, reflecting the needs of the community. The anticipated uses and associated development identified below are intended to provide a general guide.

*Table 9: Leases, licenses and other estates and purposes for which they may be granted for community land categorised as Natural Area - Bushland*

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
Lease	Up to 30 years pursuant to Section 46 of the LG Act.  Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.	<ul style="list-style-type: none"> <li>• Walkways, pathways, bridges, causeways</li> <li>• Observation platforms, signs</li> <li>• Information kiosk</li> <li>• Kiosk selling light refreshments but not restaurants</li> <li>• Connection to Country activities and cultural heritage interpretation</li> <li>• Work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>• Carbon sequestration</li> <li>• Bio-banking</li> <li>• Soil erosion and water quality management</li> </ul>
Licence	Up to 30 years pursuant to Section 46 of the LG Act.  Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.	<ul style="list-style-type: none"> <li>• Walkways, pathways, bridges, causeways</li> <li>• Observation platforms, signs</li> <li>• Information kiosk</li> <li>• Kiosk selling light refreshments but not restaurants</li> <li>• Guided walking tours, guided interpretive tours</li> <li>• Environmental and scientific study and surveys or similar</li> <li>• Connection to Country activities and cultural heritage interpretation</li> <li>• Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna.</li> <li>• Work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• Portable toilets</li> <li>• Fire hazard reduction</li> <li>• Soil erosion and water quality works</li> <li>• Temporary erection or use of any building or structure necessary to enable a filming project or other approved and permissible events to be carried out</li> </ul>
Short-term licence	<p>Terms consistent with:</p> <ul style="list-style-type: none"> <li>• General and ad hoc short-term or casual licences: as issued ad hoc with Council formal application process, permissions and/or approvals; and</li> <li>• Section 4 of the LG Act and Clauses 116 and 117 of the LG Regulation; and</li> <li>• for Crown land,</li> </ul>	<ul style="list-style-type: none"> <li>• Scientific studies and surveys or similar</li> <li>• Guided walking tours, guided interpretive tours</li> <li>• Environmental and scientific study</li> <li>• Connection to Country activities and cultural heritage interpretation</li> <li>• Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna.</li> <li>• Fire hazard reduction</li> <li>• Soil erosion and water quality works</li> <li>• temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>• low impact recreation, health or sporting events and temporary infrastructure to support event</li> </ul>

Type of tenure arrangement	Maximum term	Purpose for which tenure may be granted
	Sections 2.20 and 3.17 of the CLM Act and Clause 31 of the CLM Regulation.	
Other estates	<p>As legally required or permitted up to 30 years pursuant to Section 46 of the LG Act.</p> <p>Council requires the Minister's consent for a term greater than 21 years: Section 47(5)(b) of the LG Act.</p>	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

## 7.0 ACTION PLAN

Section 36 of the LG Act requires that a PoM for community land details:

- objectives and performance targets for the land
- the means by which the council proposes to achieve these objectives and performance targets
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

**Table 10** sets out these requirements for community land categorised as Park and Sportsground.

**Table 11** sets out these requirements for community land categorised as Natural Area – Bushland.

**Table 12** sets out these requirements relevant for the whole reserve, including land categorised as Park, Sportsground and Natural Area – Bushland.

The implementation of each of the actions identified in Tables 10, 11 and 12 is dependent on resourcing and funding, feasibility research and obtaining any necessary approval, licence, authorisation or permission. The provisions of other statutes may apply to the implementation of each action.

In particular, the EPA Act applies to the use and development of the land the subject of this Action Plan. Prior to carrying out Actions identified in this Plan, it may be necessary to:

- obtain development consent under Part 4 of the EPA Act. Any conditions of development consent granted under this Part will need to be complied with; or
- undertake an environmental assessment under Division 5.1 of Part 5 of the EPA Act and comply with the requirements of any approval granted in respect of the proposed action.

## Actions for Park and Sportsground Categories

Table 10: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park and Sportsground

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>1. Development and Use</b>			
<b>1.1 Future development and use</b>	<p>Future development and use is consistent with community needs and Council's strategic directions including at the time of writing the Sportsgrounds Strategy 2017 and the Let's Play! Open Space and Outdoor Recreation Strategy 2022, Community Centres Strategy 2021 (the Strategies) and adopted PoM and other relevant Council strategies, strategic directions and priorities and outcomes of any required planning, environmental and other approvals.</p> <p>Increase sustainable capacity of the sportsfields to cater for more use.</p>	<ul style="list-style-type: none"> <li>• Development and use is consistent with this PoM, community needs and Council's strategies, policies, directions, priorities and approvals.</li> <li>• Access to sportsfields (including via seasonal allocations), the Pavilion building is based on, among other things, needs and data.</li> <li>• Consider improvements to sportsfield playing surfaces that will increase sportsfields capacity for more use and implement where feasible and when funds are available.</li> </ul>	<ul style="list-style-type: none"> <li>• Development and use is consistent with community needs, strategies, policies, priorities, directions and approvals.</li> <li>• Bookings for access to sportsfields and the Pavilion building is based on needs and data.</li> <li>• Increased capacity of the sportsfields.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>1.2 Bike park</b>	Develop an intermediate to advanced style bike park with required ancillary facilities.	<ul style="list-style-type: none"> <li>Plan and design an intermediate to advanced style bike park in consultation with riders and other stakeholders.</li> <li>Construct an intermediate to advanced style bike park with required ancillary facilities when funding available and as approved.</li> </ul>	<ul style="list-style-type: none"> <li>An intermediate to advanced style bike park is constructed.</li> <li>Bike racks, seating and repair station and other required ancillary bike park facilities installed in proximity to the bike park.</li> </ul>
		<ul style="list-style-type: none"> <li>Provide seating, bike racks and a bike repair station in proximity to the bike park.</li> <li>Provide storage for some equipment used to maintain the bike park, as part of the Pavilion building or another location if feasible and when funding is available and as approved.</li> <li>Crime Prevention Through Environmental Design (CPTED) principles to be applied in the design and management of the bike park area.</li> </ul>	<ul style="list-style-type: none"> <li>Storage provided for some equipment used to maintain the bike park.</li> <li>CPTED principles to be applied in the design and management of the bike park area.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>1.3 Buildings, facilities and infrastructure</b>	Provide public park facilities for the Reserve to meet community need.	<ul style="list-style-type: none"> <li>Consider needs for more public seating, picnic tables, shelters, bike racks (in proximity to the sportsfields), drinking fountains/water refill stations, BBQs, bins and install as approved and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>New public park facilities installed.</li> </ul>
	<p>Provide sportsfields and sporting infrastructure that meets user needs and required standards.</p> <p>Increase the sustainable capacity of the sportsfields and sporting infrastructure to enable more and higher use.</p>	<ul style="list-style-type: none"> <li>The sportsfields (and surrounds) and sporting infrastructure are maintained, renewed and upgraded (as required) to the required standards and in alignment with user needs.</li> <li>Install a new natural turf cricket wicket.</li> </ul>	<ul style="list-style-type: none"> <li>Sportsfields and sporting infrastructure meet the required standards.</li> <li>Sportsfields playing surfaces have increased resilience and capacity.</li> <li>New natural turf cricket wicket installed.</li> </ul>
	<p>Improve the efficiency of sportsfields lighting.</p> <p>Improve the resilience and capacity of all sportsfields</p> <p>Upgrade the court for multi-use recreation and if agreed for parking and to increase its capacity and quality</p> <p>Consider additional cricket practice nets</p>	<ul style="list-style-type: none"> <li>Provide additional cricket practice nets if needed and when funding is available.</li> <li>Upgrade the existing basketball court including: <ul style="list-style-type: none"> <li>installation of a multi-use hoop / line marking for basketball and netball use</li> <li>expansion of the court to full size if feasible</li> <li>design to enable use for car parking (if required,</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Basketball court upgraded including installation of a new multi-use hoop and line marking, expansion of size, use for parking (if approved), lighting (if approved)</li> <li>Sportsfields lighting expanded, upgraded and made more efficient.</li> </ul>



Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>note court primary use is for recreation)</p> <ul style="list-style-type: none"> <li>- lighting (if approved by Council following community engagement)</li> <li>- when funding available.</li> </ul> <ul style="list-style-type: none"> <li>• Upgrade, expand sportsfields lighting including with new technology to improve effectiveness, efficiency and performance when funding is available.</li> <li>• Upgrade sportsfields playing surfaces to increase resilience and capacity and to enhance recovery after rain - when funding is available.</li> </ul>	
	Review power needs for the sportsground and the Pavilion building, and implement required upgrades	<ul style="list-style-type: none"> <li>• Review energy management practices and identify opportunities for improvement – including sportsfields and other lighting, supply for events and for the Pavilion building. Implement approved improvements where feasible and when funds are available.</li> </ul>	<ul style="list-style-type: none"> <li>• Savings in energy consumption.</li> <li>• Energy requirements met for users.</li> <li>• Energy management improvements implemented.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
	<p>Provide a Pavilion building (and facilities) that meets user needs and required standards.</p> <p>Improve the quality and access of the amenities in the pavilion building including change rooms and toilets.</p>	<ul style="list-style-type: none"> <li>• The Pavilion building (and facilities) is maintained and cleaned to the required standards.</li> <li>• Consider the provision of expanded and additional Pavilion storage for sports groups, community groups and other users based on need including for bike park maintenance equipment - if feasible, approved by Council and when funding is available.</li> <li>• Consider improvements to the amenity facilities including change rooms and toilets to make them more female and family friendly and more accessible.</li> <li>• Improvements to the pavilion building including increasing the capacity and quality of the upper level to be considered in response to community needs and implemented where feasible and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>• The Pavilion building is maintained and cleaned to the required standards.</li> <li>• Expanded and additional storage in the Pavilion provided for sports, community groups and other users including for the bike park where approved.</li> <li>• Amenity and other facilities including change rooms and toilets are improved to be more female and family friendly, more accessible and of a higher quality</li> <li>• Improvements to the pavilion building including increasing the capacity and quality of the upper level considered and implemented where approved.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
	Provide additional temporary or permanent storage for sportsfield users that meets user needs and required standards.	<ul style="list-style-type: none"> <li>Consider the provision of expanded and new storage (temporary and permanent) for sports and community groups to meet user needs on suitable areas within the Reserve including on the sportsground and or that is located close to facilities e.g. close to the cricket nets/sportsfields - if feasible, approved by Council and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>Expanded and new storage (temporary and permanent) provided for sports groups, community groups and other users that meets user needs on the sportsground area</li> </ul>
<b>1.4 Traffic, vehicular access and parking</b>	Provide safe, effective and efficient vehicle, cycling and pedestrian facilities and infrastructure for users and visitors.	<ul style="list-style-type: none"> <li>Review vehicle, cycling, pedestrian facilities and infrastructure and use including completing a Traffic Management Plan and identify opportunities to improve safety, capacity, access and connectivity and identify opportunities to provide more parking particularly at peak use times. As part of the review consider drop off zones and identify feasible opportunities outside the Reserve including along Wakehurst Parkway.</li> <li>Implement outcomes of the review including infrastructure and management improvements as approved and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>Complete reviews of vehicle, cycling, pedestrian facilities and infrastructure and use.</li> <li>A Traffic Management Plan prepared and infrastructure and management improvements implemented as approved and when funds are available</li> <li>Improved vehicle, pedestrian and cycling access, safety, capacity, efficiency and connectivity particularly at peak use times.</li> <li>Parking capacity improved in particular at peak use times.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<ul style="list-style-type: none"> <li>Upgrade the overflow car park area to improve safety and functionality – including completing a review of the feasibility of removing or redesigning the water tank in this area and if feasible, approved and funded implement and install new parking spaces in its place</li> <li>Consider for the upgrade of the overflow car park a hybrid hard/soft surface treatment to assist with drainage and capacity</li> </ul>	
<b>1.5 Dogs in public places</b>	<p>Continue to provide a dog off-leash area on the sportsfield area within the sportsground category land and within the fenced area.</p> <p>Provide ancillary facilities for the dog off-leash area.</p> <p>Community are informed about the access and restrictions related to dogs.</p>	<ul style="list-style-type: none"> <li>Dogs continue to be permitted off-leash on the sportsfield area within the sportsground category land within the fenced area.</li> <li>Consider temporary time restrictions for dogs on the sportsfield area including but not limited to during Council approved bookings as approved by Council.</li> <li>Dogs are prohibited from the bike park area as approved.</li> <li>Install a dog water dispenser within or adjacent to the</li> </ul>	<ul style="list-style-type: none"> <li>Dog waste bag dispensers installed and bags provided as needed.</li> <li>Dog water dispenser installed.</li> <li>Sportsfields area perimeter fencing and gates prevent dogs off-leash entering into the bushland and other areas adjoining the sportsfields area.</li> <li>Sign information is current, accurate and easy to read.</li> <li>Signage is updated, replaced and new installed as required.</li> <li>Community are informed about</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>sportsfields area (in a location that does not impede sport and recreation activities).</p> <ul style="list-style-type: none"> <li>• Install new and or upgrade existing wayfinding, information and regulatory signage regarding dogs.</li> <li>• Install dog waste bag dispenser(s) (in location(s) that do not impede sport and recreation activities). Provide dog waste bags for the dispensers as needed.</li> <li>• Monitor compliance and take actions as required regarding dogs.</li> <li>• Maintain, upgrade the sportsfields area perimeter fencing and gates as needed to prevent dogs off-leash from entering off-leash into the adjoining bushland and other areas.</li> </ul>	<p>access and restrictions related to dogs.</p> <ul style="list-style-type: none"> <li>• Consideration given to prohibiting dogs in specific areas and implemented as approved.</li> <li>• Consideration given to time restrictions (including but not limited to during Council approved bookings) for when dogs are permitted off-leash on the sportsfields area.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>2. Planning and Design</b>			
<b>2.1 Landscape Character</b>	Improve landscape connectivity.	<ul style="list-style-type: none"> <li>Landscape and open space improvements focus on integrated landscape connectivity that enhances environmental values and sustainable use.</li> </ul>	<ul style="list-style-type: none"> <li>Improved landscape connectivity.</li> </ul>
	Improve landscape amenity, aesthetics, and environmental values.	<ul style="list-style-type: none"> <li>Conserve existing shade tree canopy and selectively extend to create new shade particularly in open space areas.</li> <li>Retain and enhance existing native tree and landscape plantings for habitat, shade and amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Improved landscape amenity.</li> <li>Existing shade tree canopy conserved and selectively extended to create new shade.</li> </ul>
	Trees, vegetation and shrubs health maintained, and public risk managed.	<ul style="list-style-type: none"> <li>Tree, vegetation and shrub maintenance meets required standards.</li> </ul>	<ul style="list-style-type: none"> <li>Trees, vegetation and shrubs maintained to the required standards.</li> </ul>
	Outdoor park furniture and facilities including seats, tables (covered and uncovered), drinking fountains and BBQs provided to meet community needs.	<ul style="list-style-type: none"> <li>Review outdoor spaces and determine outdoor park furniture and facility provision required to meet community needs and install as agreed and when resources are available.</li> </ul>	<ul style="list-style-type: none"> <li>New and upgraded outdoor park furniture and facilities are provided to meet community needs.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>2.2 Public access and multiple use</b>	Amenities including change rooms and toilets are accessible and suitable particularly for families, female users, different age groups and abilities and sports users.	<ul style="list-style-type: none"> <li>Review amenities including change rooms and toilets and identify opportunities to improve the accessibility and suitability for families, female users and people of different age groups and abilities and sports users.</li> <li>Implement outcomes of the review as approved and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>Review amenities including change rooms and toilets conducted.</li> <li>Outcomes of the review implemented as approved by Council.</li> <li>Amenities and changes rooms are more accessible and more suitable for families, female users and people of different age groups and abilities and sports users.</li> </ul>
	Sportsfields area and sportsfields facilities, open space and the Pavilion building facilities are managed and developed as multi-use.	<ul style="list-style-type: none"> <li>Multi-use is considered when planning facility improvements.</li> <li>Sportsfields area and sportsfields facilities, open space and the Pavilion building facilities are managed primarily as multi-use facilities and to meet community needs.</li> </ul>	<ul style="list-style-type: none"> <li>A diversity of uses are accommodated based on need.</li> </ul>
<b>2.3 Relationship to surrounding land uses</b>	Minimise impacts on nearby residents from sport, recreation and community use, capital works projects and maintenance.	<ul style="list-style-type: none"> <li>Council's booking agreements include conditions to limit potential impacts on nearby residents.</li> <li>Nearby residents informed in a timely manner about major</li> </ul>	<ul style="list-style-type: none"> <li>Council's booking agreements include conditions to limit potential impacts on nearby residents.</li> <li>Hirers / users abide by Council's booking agreements terms and</li> </ul>



Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>events and major capital works projects.</p> <ul style="list-style-type: none"> <li>Implement appropriate traffic management plans (where required) for events and capital works projects to minimise impacts on users and nearby residents.</li> </ul>	<p>conditions of use.</p> <ul style="list-style-type: none"> <li>Traffic management plans implemented.</li> <li>Nearby residents informed about major events and major capital works projects in a timely manner.</li> </ul>
<b>3. Management Framework</b>			
<b>3.1 Environmental management and sustainability</b>	Improved environmental sustainability.	<ul style="list-style-type: none"> <li>Identify opportunities to improve environmental sustainability via improvements to management practices and facilities / infrastructure and implement where approved and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>Investigation undertaken to identify opportunities to improve environmental sustainability via improvements to management practices and facilities / infrastructure undertaken.</li> <li>Outcomes of the investigation implemented where approved.</li> </ul>
	Reduction in operational costs for energy and water use through sustainability initiatives.	<ul style="list-style-type: none"> <li>Energy and water use efficiency practices and systems improved where feasible.</li> </ul>	<ul style="list-style-type: none"> <li>Reduction in operational costs for energy and water use through sustainability initiatives.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
	Limit dispersal of fertiliser and pesticides into less robust environmental systems via stormwater or ground run off, and limit human contact from aerial or surface exposure.	<ul style="list-style-type: none"> <li>Apply Council's Integrated Pest Management Program at the Reserve.</li> </ul>	<ul style="list-style-type: none"> <li>Council's Integrated Pest Management Program is applied at the Reserve.</li> </ul>
<b>3.2 Maintenance and upgrade of land, structures and facilities</b>	Maintain, renew, upgrade the Pavilion building, sportsground and sports infrastructure, park area, bushland area, car parking / road ways and other assets (built and natural) to required standards.	<ul style="list-style-type: none"> <li>Implement planned and reactive maintenance and renewals for the Pavilion building, sportsground and sports infrastructure, park area, bushland area, bike park, car parking / road ways and other facilities / infrastructure / assets (built and natural): <ul style="list-style-type: none"> <li>to meet community needs and as per Council's strategic directions, operational plan and delivery program and in accordance with Council's Asset Management Strategy and Asset Management Plans.</li> </ul> </li> <li>Implement upgrades of facilities, infrastructure and natural assets and installation of new facilities and infrastructure: <ul style="list-style-type: none"> <li>to meet community needs and as per Council's strategic</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Asset maintenance, renewals (for built and natural assets) meets required standards and community needs.</li> <li>Asset upgrades and new (for built and natural assets) meet required standards and community needs.</li> <li>Public notification and community engagement undertaken in accordance with requirements.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>directions, operational plan and delivery program and in accordance with Council's Asset Management Strategy and Asset Management Plans.</p> <ul style="list-style-type: none"> <li>Public notification and community engagement (where required) is undertaken as per Council's directions and community engagement strategy and policy.</li> </ul>	
	Grass, turf and sportsfields maintained to required standards	<ul style="list-style-type: none"> <li>Grass, turf and sportsfields maintained to required standards</li> </ul>	<ul style="list-style-type: none"> <li>Grass, turf and sportsfields maintained to required standards</li> </ul>
	Maintain, renew, upgrade the playground in park area to required standards.	<ul style="list-style-type: none"> <li>Maintain, renew, upgrade the playground: <ul style="list-style-type: none"> <li>to meet community needs and as per Council's strategic directions, operational plan and delivery program and in accordance with Council's Asset Management Strategy and Asset Management Plans</li> <li>in alignment with the Let's Play! Open Space and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Maintain, renew, upgrade the playground to required standards.</li> <li>New shade installed as approved.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>Outdoor Recreation Strategy and Action Plan 2022.</p> <ul style="list-style-type: none"> <li>Consider shade for the playground and install if feasible and when funding is available.</li> </ul>	
<b>3.3 Amenity Provision</b>	Amenities meet required standards.	<ul style="list-style-type: none"> <li>Amenities are maintained and cleaned to the required standards and to meet user needs.</li> <li>Amenities are open to users and visitors when the bike park, sportsground, the Pavilion building and open space areas are available for use and particularly at high periods of use – exceptions at Council’s discretion include for required works and for safety.</li> <li>Amenities are open to users and visitors when there are approved events.</li> </ul>	<ul style="list-style-type: none"> <li>Amenities are maintained and cleaned to the required standards and meet user needs.</li> <li>Amenities are open to users and visitors and for approved events.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>3.4 Lighting, fencing and security</b>	Manage potential impacts of sportsground and park use on adjacent natural areas.	<ul style="list-style-type: none"> <li>• Maintain perimeter fencing and vegetation planting as required.</li> <li>• Provide clear and structured ingress and egress points and tracks to provide for any required movements.</li> </ul>	<ul style="list-style-type: none"> <li>• Sportsground perimeter fencing and vegetation planting maintained as required.</li> <li>• Ingress and egress points and tracks maintained as required.</li> </ul>
	Improve visitor and user safety via lighting improvements particularly at the Pavilion building and main car park.	<ul style="list-style-type: none"> <li>• Review safety lighting and implement outcomes where feasible and when funding is available.</li> <li>• Prioritise lighting safety at the Pavilion building and main car park.</li> <li>• Consider CPTED principles in the review, planning, design and implementation of safety lighting.</li> </ul>	<ul style="list-style-type: none"> <li>• Lighting needs reviewed and outcomes implemented as agreed</li> <li>• CPTED principles considered in the review, planning, design and implementation of safety lighting.</li> </ul>
	Continue to permit sport and recreation use in the evening.	<ul style="list-style-type: none"> <li>• Permit sport and recreation use in the evening with lights whilst minimising impacts on nearby residents.</li> <li>• Council has discretion to determine the hours of use of sportsfields lighting (which is to be in accordance with</li> </ul>	<ul style="list-style-type: none"> <li>• Sport and recreation use permitted in the evening with lights as per approvals.</li> <li>• Sportsfields lighting users abide by Council's terms and conditions.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		relevant regulations, directions, approvals).	
	Limit the impact of night lighting on nearby residential properties.	<ul style="list-style-type: none"> <li>Consider new technology to minimise light spill.</li> <li>Review lighting infrastructure as required and upgrade as required to minimise impacts and ensure required standards are met.</li> </ul>	<ul style="list-style-type: none"> <li>Lighting infrastructure meets the required standard.</li> <li>Sportsfields lighting users abide by Council's terms and conditions.</li> <li>Community feedback.</li> </ul>
<b>3.5 Sportsground maintenance</b>	Provide sportsfields, sports infrastructure and sports facilities that meet required standards.	<ul style="list-style-type: none"> <li>Sportsfields, sports facilities and sports infrastructure: <ul style="list-style-type: none"> <li>are maintained to meet community needs and in accordance with Council's Asset Management Strategy and Plan, Delivery Program and annual Operational Plan.</li> <li>meet the required standards.</li> </ul> </li> <li>Watering of sportsfields undertaken as required and according to specific water restrictions that may be in place.</li> <li>Review water management</li> </ul>	<ul style="list-style-type: none"> <li>Sportsfields, sports facilities and sports infrastructure meet the required standards.</li> <li>Water management improvements implemented.</li> <li>User feedback.</li> <li>Wet weather process implemented.</li> </ul>

Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<p>practices and identify opportunities for improvement – including irrigation and drainage. Implement approved improvements where feasible and when funds are available.</p> <ul style="list-style-type: none"> <li>• During wet weather Council can at its discretion restrict use of the sportsground.</li> <li>• The hours of operation of the sportsground can be restricted at Council's discretion.</li> </ul>	
<b>3.6 Recreation facilities (bike park) maintenance</b>	Provide a high quality intermediate to advanced bike park and ancillary facilities.	<ul style="list-style-type: none"> <li>• Bike park and bike park ancillary facilities: <ul style="list-style-type: none"> <li>- are maintained to meet user needs and in accordance with Council's Asset Management Strategy and Plan, Delivery Program and annual Operational Plan.</li> <li>- meet the required standards and CPTED principles.</li> </ul> </li> <li>• During wet weather Council can at its discretion restrict use of the bike park.</li> <li>• The hours of operation of the bike can be restricted at Council's discretion.</li> </ul>	<ul style="list-style-type: none"> <li>• Bike park and bike park ancillary facilities meet the required standards.</li> <li>• User feedback.</li> <li>• Community feedback.</li> <li>• Wet weather process implemented.</li> </ul>



Management Issues LG Act	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>3.7 Safety and risk management</b>	Provide effective emergency access particularly for the sportsground and the Pavilion building.	<ul style="list-style-type: none"> <li>• Provide effective emergency access particularly for the sportsground and the Pavilion building that meets required standard.</li> <li>• Undertake improvements to emergency access management and facilities / infrastructure as required and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>• Emergency access is effective and meets required standards.</li> <li>• Improvements to emergency access management and facilities / infrastructure undertaken as approved.</li> </ul>

## Actions for Natural Area – Bushland Category

Table 11: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Bushland

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>4. Maintain biodiversity within a changing climate</b>			
<b>4.1 Conservation Management</b>	Conserve and manage the Duffys Forest TEC and any threatened species in accordance with all relevant legislation and Council policies and strategic directions.	<ul style="list-style-type: none"> <li>Undertake appropriate actions to conserve and manage the Duffys Forest TEC.</li> <li>Protect and preserve wildlife habitat such as hollow bearing trees.</li> <li>Continue to manage bushland assets according to best practice prioritising weed control and revegetation in areas of highest biodiversity value.</li> </ul>	<ul style="list-style-type: none"> <li>No net loss of Duffys Forest TEC vegetation.</li> <li>Bushland assets and biodiversity and bushland resilience managed according to relevant legislation and Council policies and strategic directions.</li> </ul>
	Biodiversity Assessments undertaken as required.	<ul style="list-style-type: none"> <li>Biodiversity Assessments undertaken as required.</li> </ul>	<ul style="list-style-type: none"> <li>Biodiversity assessment completed as required.</li> </ul>
	Manage unauthorised trails.	<ul style="list-style-type: none"> <li>Audit trails in the additional land that was added to the Reserve.</li> <li>Close unauthorised bike and walking trails as approved by Council to reduce environmental</li> </ul>	<ul style="list-style-type: none"> <li>Audit completed and recommendations implemented as resources are available and in line with any legislation and environmental and other approvals.</li> <li>Unauthorised tracks and trails closed as</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		impacts and/or for safety. <ul style="list-style-type: none"> <li>• Install regulatory and information signage about unauthorised bike and walking trails as required.</li> </ul>	approved by Council. <ul style="list-style-type: none"> <li>• Regulatory and information signage about unauthorised trails installed as required.</li> </ul>
<b>4.2 Fire Management</b>	Continue to implement Council's fire management regimes	<ul style="list-style-type: none"> <li>• Implement and update Bush Fire Management Plans in accordance with relevant legislation and Council directions and policies.</li> <li>• Manage Asset Protection Zones and fire trails as required.</li> </ul>	<ul style="list-style-type: none"> <li>• Bush Fire Management Plans and actions implemented and updated as approved.</li> <li>• Asset Protection Zones and fire trails managed as required.</li> </ul>
<b>4.3 Weed and Pest Management</b>	Manage weed from adjoining areas into Duffys Forest TEC.	<ul style="list-style-type: none"> <li>• Undertake weed control works in the Duffys Forest TEC in accordance with this PoM and best practice as resources allow.</li> </ul>	<ul style="list-style-type: none"> <li>• Weed control work undertaken as required</li> </ul>
	Manage and suppress weeds, pests, disease and pathogens in bushland	<ul style="list-style-type: none"> <li>• Prioritise invasive plant control, particularly where weeds threaten key biodiversity assets.</li> <li>• Monitor weed, pest, disease and pathogen incursions and address in line with relevant Council directions and policies and as resources allow.</li> <li>• Target weeds to reduce competition with native plants and improve the habitat value of the bushland areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Site monitoring undertaken and recorded to determine resilience and effectiveness of strategies</li> <li>• Invasive plant control undertaken successfully within the bushland area</li> <li>• Decrease in species and cover of weeds in bushland areas.</li> <li>• Increase in habitat value of the bushland</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
		<ul style="list-style-type: none"> <li>Implement best practice approaches.</li> </ul>	
		<ul style="list-style-type: none"> <li>Target feral animals that may occur on the site to minimise among other things the introduction and spread of weeds, and loss of seedlings.</li> </ul>	<ul style="list-style-type: none"> <li>Stray cats and dogs managed as per relevant Council policy</li> <li>Feral animals targeted and controlled as appropriate</li> </ul>
<b>4.4 Dogs</b>	Minimise the potential for dogs to damage flora and fauna.	<ul style="list-style-type: none"> <li>Consider prohibiting dogs from the bushland area except for specific trail(s) where consideration to be given to permitting dogs on-leash on specific trails(s) and implement if approved.</li> <li>Install new and or upgrade existing wayfinding, information and regulatory signage regarding dogs.</li> <li>Maintain and or upgrade the sportsground perimeter fencing and gates as needed to prevent dogs off-leash from entering the adjoining bushland and other areas.</li> </ul>	<ul style="list-style-type: none"> <li>Level of compliance by dog owners with the rules regarding dogs.</li> <li>Ranger monitoring and actions</li> <li>Sign information is current, accurate and easy to read.</li> <li>Existing wayfinding, information and regulatory signage regarding dogs upgraded as required and new signage installed as required.</li> <li>Sportsground perimeter fencing prevents dogs off-leash entering into the adjoining bushland areas.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>5.Community Use and Recreation</b>			
<b>5.1 Amenity</b>	<b>Improve</b> amenity and facilitate community use and enjoyment of the natural area bushland category land by among other things improving connectivity to and from other areas of the Reserve.	<ul style="list-style-type: none"> <li>Prepare a plan to improve pedestrian access and connectivity through and within the reserve which includes consideration of upgrading existing paths, trails and new paths and trails and implement in accordance with the outcome of any required environmental assessment and Council approval when funds are available.</li> </ul>	<ul style="list-style-type: none"> <li>Complete a plan to improve pedestrian access and connectivity.</li> <li>Improved pedestrian access and connectivity.</li> </ul>
<b>6. Maintenance of land, vegetation and structures</b>			
<b>6.1 Maintenance</b>	Assets and infrastructure are maintained at the required Council standard(s).	<ul style="list-style-type: none"> <li>Maintenance of built and natural assets is undertaken in accordance with Council's Asset Management Plans and Strategy and Council's Delivery Program and annual Operational Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Maintenance of built and natural assets is undertaken in accordance with Council's Asset Management Plans and Strategy and the Delivery Program and annual Operational Plan.</li> <li>Alignment with community needs</li> </ul>
<b>6.2 Landscape materials</b>	Landscape materials used the Natural Area - Bushland Category land.	<ul style="list-style-type: none"> <li>Landscape materials used for works including landscaping are suitable for areas including bushland and bush regeneration areas.</li> </ul>	<ul style="list-style-type: none"> <li>Landscape materials are suitable for the intended use and the locations.</li> </ul>

## Actions for Whole of Reserve – All Categories

Table 12: Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Park, Sportsground and Natural Area –

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>7. Management framework</b>			
<b>7.1 Bookings</b>	The use of the Reserve is managed equitably and in accordance with this PoM, relevant legislation and Council directions, strategies and policies and bookings processes.	<ul style="list-style-type: none"> <li>Booked use of the reserve is managed through Council's booking processes (except where leases, licences and other estates apply).</li> <li>The use of the Reserve is managed equitably and in accordance with this PoM, relevant legislation and Council directions, strategies and policies and bookings processes.</li> </ul>	<ul style="list-style-type: none"> <li>Booked use of the reserve is managed through Council's booking processes (except where leases, licences and other estates apply).</li> <li>The use of the Reserve is managed equitably and in accordance with relevant legislation and Council directions, strategies and policies.</li> </ul>
<b>7.2 Leases and Licences</b>	The use of the Reserve is managed equitably and in accordance with relevant legislation and Council directions, strategies and policies.	<ul style="list-style-type: none"> <li>The use of the Reserve is managed equitably and in accordance with relevant legislation and Council directions, strategies and policies.</li> <li>Leases and licenses comply with relevant legislation including the LG Act.</li> </ul>	<ul style="list-style-type: none"> <li>The use of the Reserve is managed equitably and in accordance with relevant legislation and Council directions, strategies and policies.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>7.3 Lighting, fencing and security</b>	Lighting, fencing, security and related facilities and infrastructure are managed, maintained and upgraded to meet required standards.	<ul style="list-style-type: none"> <li>• Crime Prevention Through Environmental Design (CPTED) Principles are applied in the design of new lighting, fencing, security and related infrastructure and for the upgrade of existing facilities and infrastructure.</li> <li>• Review lighting, fencing, security facilities and related infrastructure (including their management) and undertake improvements to meet required standards as approved and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>• CPTED Principles applied.</li> <li>• Lighting, fencing, security facilities and related infrastructure (including their management) meets required standards.</li> </ul>



Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>7.4 Safety and risk management</b>	Public safety management and risk management is effective, consistent and prioritised and meets Council's requirements.	<ul style="list-style-type: none"> <li>• Council's Risk Management Framework and policies, directions and practices relevant to safety are appropriately implemented for the Reserve.</li> <li>• Crime Prevention Through Environmental Design (CPTED) Principles are applied in the design and construction of upgrades and new facilities / infrastructure / assets (natural and built) and for the management of the Reserve.</li> <li>• Undertake a safety audit (including of lighting) and implement improvements where approved and when funding is available.</li> <li>• Erect notices under relevant legislation to permit and prohibit activities as approved.</li> </ul>	<ul style="list-style-type: none"> <li>• Council's Risk Management Framework and policies, directions and practices relevant to safety are implemented for the Reserve.</li> <li>• Crime Prevention Through Environmental Design (CPTED) Principles applied.</li> <li>• Undertake a safety audit (including of lighting) and implement approved improvements.</li> <li>• Erect notices under relevant legislation to permit and prohibit activities as approved.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>7.5 Stormwater and overland flows</b>	<ul style="list-style-type: none"> <li>Stormwater infrastructure is maintained and upgraded (as approved) to the required Council standards.</li> <li>Manage water quality of overland flows from into the bushland areas.</li> </ul>	<ul style="list-style-type: none"> <li>Storm water management actions are implemented to among other things maintain water quality and prevent pollution or nutrients affecting bushland areas.</li> <li>Maintain stormwater infrastructure to the required Council standards.</li> <li>Identify opportunities to improve stormwater infrastructure and other stormwater quality controls e.g. through water sensitive urban design (WSUD) features and implement where feasible and when funds are available and as approved by Council.</li> </ul>	<ul style="list-style-type: none"> <li>Stormwater infrastructure is maintained and upgraded (as approved) to the required Council standards.</li> </ul>
<b>8.Cultural Heritage</b>			
<b>8.1 Aboriginal heritage</b>	Protect Aboriginal sacred sites and special places as required.	<ul style="list-style-type: none"> <li>Engage with Council's Aboriginal Heritage Office regarding relevant matters.</li> <li>Protect Aboriginal sacred sites and special places in accordance with relevant legislation and Council's directions, strategies and policies.</li> </ul>	<ul style="list-style-type: none"> <li>Engaged with Council's Aboriginal Heritage Office regarding relevant matters.</li> <li>Protected Aboriginal sacred sites and special places in accordance with relevant legislation and Council's directions, strategies and policies.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>9. Access and Accessibility</b>			
<b>9.1 Improve access</b>	Improve accessibility and inclusivity.	<ul style="list-style-type: none"> <li>• Tracks in the bushland maintained to an appropriate standard.</li> <li>• Tracks managed and improved to enable better accessibility to bushland areas.</li> <li>• Investigate options to install a pathway down the hill (located north of the Pavilion building) to improve access and implement where feasible and when funds are available and as approved by Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Tracks maintained to an appropriate standard.</li> <li>• Improved accessibility of tracks in bushland.</li> </ul>
	Improvements to pedestrian, bike movement and circulation.	<ul style="list-style-type: none"> <li>• Investigate options to improve pedestrian, rider safety and circulation (including links with the National Park) and implement where feasible and when funds are available and as approved by Council.</li> <li>• Update Council's online walking trail map, including opportunities to promote Garigal National Park trails.</li> <li>• Liaise with the NSW National Parks and Wildlife Service and</li> </ul>	<ul style="list-style-type: none"> <li>• Improved pedestrian, rider safety and circulation including improved links between Garigal National Park and the Reserve.</li> <li>• Accurate and current online walking, riding and trail maps publicly available.</li> </ul>

		Transport for NSW regarding the potential to create / formalise improved linkages between Garigal National Park and the Reserve.	
	Required access is provided for operational and emergency vehicles and equipment.	<ul style="list-style-type: none"> <li>Review access for operational and emergency vehicles and equipment and implement findings of the review where feasible and when funding is available.</li> </ul>	<ul style="list-style-type: none"> <li>Access for operational and emergency vehicles and equipment meets required standards.</li> </ul>
<b>9.2 Equity of access</b>	Create and maintain open spaces and facilities that provide equal opportunity to participate in activities and experiences at the Reserve.	<ul style="list-style-type: none"> <li>Undertake an audit of accessibility and implement findings as agreed and when resources are available.</li> <li>Facilitate disability inclusion and access through improvements to the open spaces and facilities at the Reserve when funds are available and as approved by Council including: Improved existing and provision of new unisex and accessible toilets.</li> </ul>	<ul style="list-style-type: none"> <li>Amenities reviewed and approved improvements implemented.</li> <li>Accessibility and inclusivity of open spaces and facilities at the Reserve is improved.</li> <li>Audit of accessibility completed and approved findings implemented.</li> <li>Access standards are met.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>10.Fencing and Boundary Management</b>			
<b>10.1 Fencing</b>	<p>Reduce unauthorised access and activities in adjoining areas.</p> <p>Improved safety of users of the adjoining areas.</p> <p>Protect adjoining bushland.</p>	<ul style="list-style-type: none"> <li>• Maintain existing sportsground fencing to: <ul style="list-style-type: none"> <li>- ensure that off-leash dogs are prevented from entering the adjoining bushland area</li> <li>- reduce the incidence of sports balls entering the adjoining bushland area</li> <li>- prevent sportsground activities occurring in the bushland area</li> <li>- define the boundary between the sportsground and bushland area</li> </ul> </li> <li>• Limit access to areas of Duffys Forest to minimise damage to vegetation and this TEC.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduced incidence of unauthorised access and activities in the bushland areas.</li> <li>• Sportsground fencing meets required standards.</li> </ul>
<b>10.2 Boundary Management</b>	Protect bushland areas.	<ul style="list-style-type: none"> <li>• Effective fencing/border/edging is provided between the sportsground and adjoining bushland area.</li> </ul>	<ul style="list-style-type: none"> <li>• Effective fencing/border/edging is provided between the sportsground and adjoining bushland area.</li> </ul>
<b>11.Community Use and Recreation</b>			
<b>11.1 Community activities and involvement</b>	Residents and local community groups participate in volunteering.	Promote and support opportunities for residents, visitors and local community groups to participate in volunteering.	<ul style="list-style-type: none"> <li>• Volunteer participation.</li> </ul>

Management issues LG ACT	Objectives and performance targets S.36(3)(B)	Means of achievement of objectives S.36(3)(C)	Manner of assessment of performance S.36(3)(D)
<b>12. Decision making not addressed in this PoM</b>			
<b>12.1 Matters outside this PoM</b>	To facilitate decision making outside of the scope of this PoM that are relevant to the Reserve.	<ul style="list-style-type: none"> <li>Consideration is given to referring to this Plan of Management when Council is making land management decisions outside of the scope of this PoM that are relevant to the Reserve.</li> </ul>	<ul style="list-style-type: none"> <li>Consideration is given to referring to this Plan of Management when Council is making land management decisions outside of the scope of this PoM that are relevant to the Reserve.</li> </ul>
<b>13. Signage</b>			
<b>13.1 Signage</b>	<p>Wayfinding, regulatory, information and other signage is current, accurate, easy to read, consistent with the character of the reserve and meets the needs of users and Council.</p> <p>Community and users are informed about the Reserve.</p>	<ul style="list-style-type: none"> <li>Review existing signs and sign infrastructure including in the sportsground area, bushland area, car park / road area, bike area and the Pavilion building.</li> <li>Based on the outcomes of the review               <ul style="list-style-type: none"> <li>Update / replace existing signs</li> <li>install new signs when funds are available.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Signs are updated, replaced and new signs installed as required.</li> <li>Signage information is current, accurate, easy to read.</li> <li>Signage is consistent with the character of the Reserve.</li> <li>Signage infrastructure is well presented and well maintained.</li> <li>Community and users are informed about the Reserve.</li> </ul>

		<ul style="list-style-type: none"> <li>• Signage information is to be current, accurate, easy to read.</li> <li>• Signage to be located appropriately and not to impede usual sport, recreation and community use.</li> <li>• Signage to be consistent with the character of the Reserve.</li> <li>• Signage to address matters including but not limited to; Alcohol Prohibited Areas, Alcohol Free Zones, restrictions for dogs, sportsfields use (particularly during wet weather) and environmental matters.</li> <li>• Upgrade Garigal National Park trail head entry signage information and infrastructure within the Reserve when funds are available.</li> <li>• Information on signage to be replicated as needed on Council's website.</li> </ul>	<ul style="list-style-type: none"> <li>• Garigal National Park trail head entry signage information is current, accurate, easy to read and sign infrastructure upgraded as required.</li> </ul>
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## APPENDICES

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## Appendix 1: Contextual background to the LGA

Northern Beaches is a unique combination of urban and natural landscapes and coastline on the north-eastern seaboard of Metropolitan Sydney.

The LGA is bound by the Pacific Ocean to the east, Sydney Harbour to the south and Broken Bay and Hawkesbury River to the North at Barrenjoey Head. The inland boundary follows Middle Harbour then encompasses considerable portions of Garigal National Park and most of Ku-ring-gai Chase National Park and along Cowan Creek to the most northern point at Broken Bay.

In 2021, some 272,184 people called the Northern Beaches home.

Our population is forecast to reach over 304,000 people by 2036, with steady growth in all age groups. Those aged 35- 49 will remain the dominant group at 21% and around 65,000 people. The greatest change will be in ages 60 and over, growing by almost 30% or 16,000 people.<sup>3</sup>

Our community vision is: -

*Northern Beaches - a safe, diverse, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.*

Our open coast spans over 80 kilometres, with 24 ocean beaches, aquatic reserves, intertidal protection areas and two surfing reserves. Approximately 15,500 hectares of bushland is located in national parks, Council managed reserves, NSW Government-owned land, schools, golf courses and in private ownership.

The LGA's open space is a key form of social infrastructure that forms the recreational grid and includes our beaches, public parks, including formalised spaces for civic, outdoor or recreation activities, and sporting areas for organised sports, including sportsgrounds, courts and greens, and golf courses.

The Northern Beaches access to extensive natural areas that are primarily protected for conservation also serve recreational uses including walking, cycling, horse trails and picnic areas.<sup>4</sup>

These open spaces contribute to both the local and greater Sydney recreation and green grids that provide connectivity between places that benefit the movement of wildlife and people through nature.

Significant recreation connections include the Palm Beach to Manly Coast Walk and key sections of the Bondi to Manly and Harbour to Hawkesbury walks and an extensive network of cycle paths.

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<sup>3</sup> Northern Beaches - Community Strategic Plan 2040

<sup>4</sup> Towards 2040 LSPS







## Appendix 2: Condition description of land and buildings







### Condition and Use table for Seaforth Oval PoM

Council's Asset Management system TechOne condition rating is 1-10. The following descriptions are used and have been applied:

- Excellent = 1
- Good = 2-3
- Average = 4-5-6
- Below Average = 7-8
- Poor = 9-10

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Item and Description	Primary Use	Condition
Bushland including Duffys Forest	Wildlife refuge and corridor, environmental outcomes, help prevent soil erosion, shade and aesthetics.	Variable Average – Good
		
Seaforth Community and Sporting Pavilion	Sport, community related events and functions, meetings and casual hire.	Excellent
		

Item and Description	Primary Use	Condition
		
		

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Item and Description	Primary Use	Condition
Change Rooms	Home games, competition and training, sport, community, recreation related events/activities, council events, meetings and school events.	Good
		
Amenities	Sport, community, recreation related events/activities, Council events, meetings, school events and public use.	Good
		

86

Item and Description	Primary Use	Condition
Fields	Sport training and competition, school sport, community recreation and events.	Good
		
		

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87




Item and Description	Primary Use	Condition
Cricket nets & wickets	<ul style="list-style-type: none"> <li>• Sport training and competition</li> <li>• School sport</li> <li>• Community recreation and casual use</li> </ul>	Excellent
		
Goal posts	<ul style="list-style-type: none"> <li>• Sport training and competition, school sport</li> <li>• Community recreation and casual use</li> </ul>	Good
		








Item and Description	Primary Use	Condition
Irrigation system 	Watering sportsfields, park areas and open spaces.	Good
Lighting system 	Lighting sportsfields for sport training and competition and community events.	Good  



Item and Description	Primary Use	Condition
Playground	Community recreation	Excellent
		
Basketball court and backboard	Community recreation	Poor
		

Item and Description	Primary Use	Condition
Car park	Parking for community events and meetings, people involved in sport training and competition, school sport, community recreation and spectators.	Good
		
Overflow car park	Occasional parking when formal car park is full, for people involved in sport training and competition, school use and events.	Average

Item and Description	Primary Use	Condition
		
Internal roads	Access to the sports field and facilities, community building, community events, sport training and competition, spectators, school sport and community recreation.	Good
		
Pathways	Pedestrian and cycling access to the sportsfields	Good






Item and Description	Primary Use	Condition
	and facilities and events / activities / sport and a thoroughfare to adjoining areas.	
		
Steps	Access to the sports field, community building and facilities	Good

Item and Description	Primary Use	Condition
		
Seats	<ul style="list-style-type: none"> <li>Public, community, school and sports use</li> <li>Aesthetics</li> </ul>	variable average to good
		
Shelter	Shade, Protection from environmental elements,	Good



Item and Description	Primary Use	Condition
	public, community, school and sports use.	
		
		

Item and Description	Primary Use	Condition
Paving	Access and community safety.	Good
		
Water tanks	Storage and collection of water for irrigation.	Good



Item and Description	Primary Use	Condition
		
Retaining walls	Landform support	Good
		
Pits and pipes	<ul style="list-style-type: none"> <li>Transporting irrigation water, storm water, sewerage</li> <li>Holds runoff stormwater</li> </ul>	Good









Item and Description	Primary Use	Condition
		
Fences	<ul style="list-style-type: none"><li>• Park definition</li><li>• Facility definition</li><li>• Safety</li><li>• Security and protection of adjoining bushland</li></ul>	Variable average to good
		

Item and Description	Primary Use	Condition
		
Gates	Access control and security	Good
		
Bollards	<ul style="list-style-type: none"> <li>Creates a perimeter and guides traffic</li> <li>Marks boundaries, safety and security</li> </ul>	Good

Item and Description	Primary Use	Condition
		
Public BBQ	Public, community, school and sports use	Excellent
		
Defibrillator	Medical emergencies	Excellent




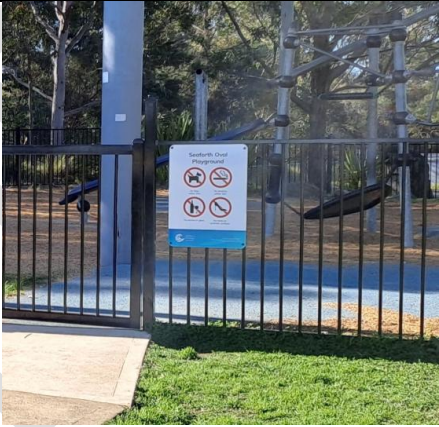


Item and Description	Primary Use	Condition
 A photograph of an Automated External Defibrillator (AED) mounted on a brown corkboard. Above the AED is a small white sign with a red heart and the letters 'AED'. To the left of the AED is a small white sign with the letters 'ORS'. The AED is green and black with a white heart and a lightning bolt symbol.		
Taps	To access water	Variable average to good
 A photograph of a tap in a garden. The tap is a small, green, rectangular device mounted on a metal post. It is located next to a concrete path and a grassy area. The tap is currently closed.		
Landscaping and gardens	<ul style="list-style-type: none"><li>Aesthetics</li></ul>	Variable average to good

Item and Description	Primary Use	Condition
	<ul style="list-style-type: none"> <li>• Wildlife refuge and corridor</li> <li>• Shade</li> <li>• Prevent soil erosion</li> <li>• Environmental outcomes</li> </ul>	
		
		



Item and Description	Primary Use	Condition
		
Plaques	Memorials	Average
		
Signs	<ul style="list-style-type: none"> <li>Information</li> </ul>	Variable average to good

Item and Description	Primary Use	Condition
	<ul style="list-style-type: none"> <li>Wayfinding, locational, trail head, interpretative</li> <li>Regulatory</li> </ul> 	
		

104

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Item and Description	Primary Use	Condition
		
Bins	Public, community, school and sports use	Good
		
Meter boxes	Power supply	Good



Item and Description	Primary Use	Condition
		

## Appendix 3: Plan of Management Legislative Framework

### Local Government Act 1993

Section 35 of the *Local Government Act 1993* (LG Act) provides that community land can only be **used** in accordance with:

- the plan of management applying to that area of community land, and
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land,
- b) the objectives and performance **targets** of the plan with respect to the land,
- c) the means by which the council proposes to **achieve** the plan's objectives and performance targets,
- d) the manner in which the council proposes **to assess its performance** with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- a) must include a description of:
  - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
  - (ii) the use of the land and any such buildings or improvements as at that date, and
- b) must:
  - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
  - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
  - (iii) describe the scale and intensity of any such permitted use or development.

Note: photographs of buildings/structures located on the reserve should be considered. Council should also consider including a rating system for building/structures.

Land is to be categorised as one or more of the following:

- a) a natural area
- b) a sportsground
- c) a park
- d) an area of cultural significance
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland
- b) wetland
- c) escarpment
- d) watercourse

- e) foreshore
- f) a category prescribed by the regulations.

Additionally, under Section 36 of the LG Act, a site-specific PoM must be made for land declared:

- as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (Sections 36A(2) and 36B(3))
- by council to contain significant natural features (Section 36C(2))
- by council to be of cultural significance (Section 36D(2)).

### Classification of public land

The LG Act requires classification of public land into either 'community' or 'operational' land (Section 26). The classification is generally made for council-owned public land by the council's Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the *Crown Land Management Act 2016* (CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act.

Classification of land has a direct effect on the council's ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted PoM. In addition, community land is subject to strict controls relating to leases and licences (Sections 45, 46, 46a and 47) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council-owned public land will generally be achieved by a Local Environmental Plan (LEP) or by a resolution of council in accordance with Sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the Minister administering the CLM Act.

### Crown Land Management Act 2016

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, as appointed Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

#### Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

#### Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

#### Native Title Act 1993

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council’s dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a) granting leases, licences, permits, forestry rights, easements or rights of way over the land
- b) mortgaging the land or allowing it to be mortgaged

- c) imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land
- d) approving (or submitting for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Native Title rights must be assumed to remain in existence if the relevant land is not 'excluded land' under the CLM Act, because native title rights have not been:

- extinguished by Native Title Tribunal Determination under the NT Act; or
- surrendered through an Indigenous Land Use Agreement (ILUA); or
- protected under Section 24FA of the NT Act; or
- compulsorily acquired; and
- a native title certificate has not been issued under the CLM Act.

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. As such, the written advice of a native title manager is required. The advice must state if the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act occurring.

In regard to the adoption of the PoM and the activities contained within it, it is the opinion of Council's Native Title Manager that the PoM complies with the applicable provisions of the NT Act.

## **Other state and Commonwealth legislation**

### **NSW state legislation**

#### ***Environmental Planning and Assessment Act 1979***

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

#### ***Aboriginal Land Rights Act 1983***

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal peoples in NSW. It recognises the need of Aboriginal peoples for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

#### ***National Parks and Wildlife Act 1974***

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

#### ***Biodiversity Conservation Act 2016***

**Note:** This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

The Department of Climate Change, Energy, the Environment and Water advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under Section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

#### ***Biosecurity Act 2015***

An act to provide for the prevention, elimination, minimisation and management of biosecurity risks including pests, weeds and disease.

#### ***Rural Fires Act 1997***

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

#### ***Water Management Act 2000***

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social,

111



economic, cultural and heritage aspects social and economic benefits to the state will result from the sustainable and efficient use of water.

#### ***Heritage Act 1977***

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

#### **Commonwealth legislation**

##### ***Environmental Protection and Biodiversity Conservation Act 1999***

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

##### ***Telecommunications Act 1997***

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

#### **State Environmental Planning Policies**

##### ***State Environmental Planning Policy (Biodiversity and Conservation) 2021***

This policy deals with a range of environmental matters including the clearing of native vegetation in urban and village areas subject to particular zonings.

##### ***State Environmental Planning Policy (Transport and Infrastructure) 2021***

This planning policy lists development allowed with consent or without consent on community land.

##### ***State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

This SEPP specifies exempt and complying development which may be carried out without the need for development consent under the Environmental Planning and Assessment Act 1979 on certain public land. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

##### ***State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011***

This aims to protect quality of surface water and the ecosystems that depend on it and requires that any development would have a neutral or beneficial effect on water quality.

#### **Other relevant legislation, policies, and plans**

- *Catchment Management Authorities Act 2003, NSW*
- *Companion Animals Act 1998, NSW*
- *Disability Discrimination Act 1992, Cth*
- *Local Land Services Act 2013, NSW*
- *Pesticides Act 1999, NSW*
- *Protection of the Environment Operations Act 1997, NSW*
- *Retail Leases Act 1994, NSW*
- *Soil Conservation Act 1938, NSW*
- *NSW Invasive Species Plan 2023-2028*

- *National Local Government Biodiversity Strategy*
- *NSW Biodiversity Conservation Policies and Guidelines*
- *A Vegetation Management Plan for the Sydney Region (Green Web Sydney)*
- *Australian Natural Heritage Charter*

DRAFT

## Appendix 4: Current lease and licenses for the Reserve

Current leases, licences and other agreements for the Reserve include:

### Leases

- Nil

### Licences:

- Seaforth Football Club for the Seaforth Community and Sporting Pavilion – expired licence on contractual holdover terms since 2017.

### Bookings - Sportsfields and Sports facilities:

The following is an indicative list of users of the sportsfields, cricket nets and cricket ovals which vary between winter and summer seasons and from year to year.

- Winter Pre-season - Seaforth Football Club, training
- Winter Season - Manly Warringah Football Association, training and competition
- Summer Pre-season - Northern Beaches Cricket Council, training
- Summer Season - Seaforth Little Athletics, Northern Beaches Cricket Council, training and competition
- School terms - Primary School Sporting Association (PSSA) and local schools, competition and play
- Events

### Bookings - Seaforth Community and Sporting Pavilion

Regular hirers may vary, currently include; Meals on Wheels and the Men's Kitchen Association.

Casual hirers (on request) may vary, currently include:

- Small functions
- Church groups

Agreements for telecommunications facilities: Any agreements are directly with the State.

## Appendix 5: Council strategic documents

Council has a clearly structured suite of planning and management documents that provide a strategic and operational framework for the management of public land, facilities and uses. The objectives, performance targets and the use and management of the Reserve have been informed by the following key documents:

- Northern Beaches Community Strategic Plan 2040;
- Towards 2040 Local Strategic Planning Statement (LSPS);
- Asset Management Plans;
- Delivery Program (4 years); and
- Operational Plan (Annual).
- Environment and Climate Change Strategy 2040;
- Council's Walking Plan;
- Sportsgrounds Strategy 2017;
- Bushland and Biodiversity Policy and Action Plan 2021;
- Let's Play! Open Space and Outdoor Recreation Strategy and Action Plan 2022
- Bushland Management Plan for the Duffys Forest Endangered Ecological Community around Reserve Carpark 2007.
- Local Environment Plans.

### Northern Beaches Community Strategic Plan 2040

The 2040 CSP is about who we are, what we value and how we want to live now and in the future. It sets our direction to what we aspire to be, as a community, by 2040.

The CSP sits at the top of Council's integrated planning and reporting framework. It defines our community's vision and sets the direction for all Council's activities, including funding, service levels and projects.<sup>5</sup>

The CSP comprises a community vision and eight community outcomes which are each supported by an aspiration, goals and clear strategies to achieve the goals.

These eight community outcomes address the environmental, social, economic and civic priorities of the community. They are interdependent, reflecting the opportunities and challenges in achieving the community's aspirations for the future.

Our community vision is: -

Northern Beaches - a safe, diverse, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.

The following community outcomes are particularly relevant to this site-specific PoM (Table 12).

**Table 12: Community outcomes of the Northern Beaches Community Strategic Plan 2040**

<sup>5</sup> Northern Beaches Community Strategic Plan 2040  
V6 Draft – Northern Beaches Council Seaforth Oval Reserve Plan of Management September 2025.

<b>Community Strategic Plan Outcomes</b>	<b>Response</b>
<p><b>Outcome: Protection of the environment</b></p> <p>Aspiration: Our community aspires to enhance and protect the natural and built environment from the risks and impacts of global and local pressures</p> <p>Goal 1 - Our bushland, coast and waterways are protected for their intrinsic value</p> <p>Goal 2 - Our environment is resilient to natural hazards and climate change</p> <p>Goal 3 - Our community is well-supported in protecting and enhancing the environment to ensure safe and sustainable use</p>	<p>The PoM sets out actions to protect and enhance the site's environmental values while providing for ongoing use and enjoyment of the reserve in a safe and sustainable manner.</p>
<p><b>Outcome: Community and belonging</b></p> <p>Aspiration: Our community aspires to care for each other, ensuring that people feel safe, supported, included, and have diverse opportunities for a rich cultural and social life</p> <p>Goal 7 - Our diverse community is supported to participate in their chosen cultural life</p> <p>Goal 8 - Our community feels safe and supported</p> <p>Goal 9 - Our community is inclusive and connected</p>	<p>The Reserve provides spaces for organised sport, community use and informal recreation activities including bush walking, casual play and an off-leash dog area for exercise.</p>
<p><b>Outcome: Good governance</b></p> <p>Aspiration: Our community aspires to have a Council that is trusted, respected and responsive to the needs of the Northern Beaches community</p> <p>Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community</p> <p>Goal 20 - Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community</p>	<p>Council's Community Engagement Policy and Strategy at the time will apply to community engagement undertaken for this PoM.</p> <p>Decisions made regarding the proposal for an intermediate to advance level bike park will be made by Council in accordance with the relevant planning and environmental legislative requirements.</p>
<p><b>Outcome: Partnership and participation</b></p> <p>Aspiration: Our community aspires to achieve better outcomes through genuine engagement and collaboration</p> <p>Goal 21 - Our community is engaged in decision making processes</p> <p>Goal 22 - Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community</p>	<p>The exhibition of this PoM and its adoption will provide direction as to the use, management and development of this Reserve into the future.</p> <p>Through this process people can be engaged in planning and decision-making.</p>

## **Towards 2040 Local Strategic Planning Statement**

Towards 2040 is Northern Beaches Council's local strategic planning statement (LSPS). It guides land use planning for the Northern Beaches over the next 20 years.

Towards 2040 LSPS integrates State directions and includes a 20-year vision, planning priorities, principles, actions to help achieve the priorities and measures of success and an implementation program to determine whether priorities have been achieved.

Four themes of sustainability, infrastructure and collaboration, liveability and productivity shape the strategic framework of Towards 2040 LSPS.

The Sustainability theme direction of Landscape provides for the management of beaches, waterways and bushland in the LGA and confirms the value of these assets to the community.

Direction - Landscape - Green urban environments and an expansive Metropolitan Rural Area connected to a network of high quality open space and healthy, protected bushland, coast and waterways.

The priorities relevant to this PoM are:

- Healthy and valued coast and waterways;
- Protected and enhanced bushland and biodiversity;
- Protected scenic and cultural landscapes;
- An inclusive, healthy, safe and socially connected community;
- High quality open space for recreation.<sup>6</sup>

The LGA's environmental and recreational attributes are perhaps the most critical element of the Northern Beaches lifestyle.<sup>7</sup>

Council reports against the Towards 2040 LSPS measures and 2040 CSP through the existing Integrated Planning and Reporting framework under the LG Act every four years.

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<sup>6</sup>Towards 2040 - Local Strategic Planning Statement

<sup>7</sup> Ibid

V6 Draft – Northern Beaches Council Seaforth Oval Reserve Plan of Management September 2025.



## Appendix 6: Aboriginal interests in Crown land

Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal peoples of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

The management of Crown land can be impacted by the *Native Title Act 1993* (Cth) and the *Aboriginal Land Rights Act 1983* (NSW).

### Native Title

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth *Native Title Act 1993* (NT Act).

Native title does not transfer the land to the native title holder, but recognises the right to land and water, by providing access to the land and if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a PoM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the Crown lands website.

### Aboriginal Land Rights

The *Aboriginal Land Rights Act 1983* (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders).

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning, Housing and Infrastructure is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

At the time of preparing this PoM, there are no known Aboriginal land claims over the land.

## Appendix 7: Amendments this PoM makes to the Seaforth Oval, Keirle Park and Tania Park Plans of Management 2004

Pursuant to Section 41 of the LG Act the adoption of this PoM amends the Plans of Management for Seaforth Oval, Keirle Park and Tania Park 2004 so that the Plans of Management for Seaforth Oval, Keirle Park and Tania Park 2004 no longer apply to the land the subject of this PoM. The document will then be known as the Plans of Management for Keirle Park and Tania Park 2004. The amendments to be made to the Plans of Management for Seaforth Oval, Keirle Park and Tania Park 2004 to reflect this are detailed below:

Section of the Seaforth Oval, Keirle Park and Tania Park PoM 2004	Amendment Note: Amendments are shown in this table as <b>bold and underlined for insertions or struck through for deletion.</b>
Title (page 1)	Plans of Management for <del>Seaforth Oval</del> , Keirle Park and Tania Park.
Header (all pages)	PLANS OF MANAGEMENT FOR <del>SEAFORTH OVAL</del> , KEIRLE PARK AND TANIA PARK
Index (pages 3 – 6)	<p><del>5 SEAFORTH OVAL.....34</del> and delete 5.1 to 5.8.2 under this heading. <del>SEAFORTH OVAL.....103</del> <del>PREPARATION OF PLAN OF MANAGEMENT FOR SEAFORTH OVAL.....114</del> <del>COMMUNITY FORUM.....114</del></p> <p>Under List of Figures: Figure 1.1 LOCATION OF <del>SEAFORTH OVAL</del>, KEIRLE PARK AND TANIA PARK.....11</p> <p><del>FIGURE 5.1: LOCATION OF SEAFORTH OVAL....34</del> <del>TABLE 5.1: CONDITION &amp; USE OF LAND, BUILDINGS &amp; IMPROVEMENTS AT SEAFORTH OVAL.....41</del> <del>PLATE 5.1: SEAFORTH OVAL PLAYING FIELDS...37</del> <del>PLATE 5.2: SEAFORTH OVAL CARPARK.....39</del></p> <p>Note to be inserted under PLATE 7.5 stating: This Plan of Management was amended pursuant to Section 41 of the <i>Local Government Act 1993</i> by the adoption of the Seaforth Oval Reserve Plan of Management adopted [insert date].</p>
EXECUTIVE SUMMARY (page 7)	Manly Council resolved to prepare Plans of Management for Seaforth Oval, Keirle Park and Tania Park. <b>These Plans of Management were amended with the adoption of the Seaforth Oval Reserve Plan of Management and relevant references to Seaforth Oval have been removed.</b> <del>All three</del> Both parks are experiencing...
Process (pages 8 – 9)	<ul style="list-style-type: none"> <li>Convening a Project Team for <del>each of the three</del> both parks, comprising.....</li> </ul>

V6 Draft – Northern Beaches Council Seaforth Oval Reserve Plan of Management September 2025.

	<ul style="list-style-type: none"> <li>Convening a Project Steering Committee for <del>each of the three</del> <b>both</b> parks, comprising.....</li> </ul> <p>Sections 2, 3 and 4 relate to <del>all three</del> <b>both</b> parks:</p> <ul style="list-style-type: none"> <li>Section 4 – This section outlines the <i>Implementation and Review</i> common to <del>all three</del> <b>both</b> parks, including.....</li> </ul> <p><i>Sections 5, 6 and 7 include specific information related to <del>each of the three</del> <b>both</b> parks including.....</i></p> <ul style="list-style-type: none"> <li><del>Section 5 – Seaforth Oval</del></li> </ul>
1.1 Background (page 10)	<p>Manly Council has resolved to prepare Plans of Management for Seaforth Oval, Keirle Park and Tania Park. <b>As stated in the Executive Summary these Plans of Management were amended with the adoption of the Seaforth Oval Reserve Plan of Management and relevant references to Seaforth Oval have been removed.</b></p> <p><del>All three</del> <b>Both</b> parks are experiencing significant.....</p>
1.2 Land to which this Plan of Management applies (page 10)	<p>These Plans of Management apply to <del>three</del> <b>two</b> of Manly's parks: <del>Seaforth Oval</del>, Keirle Park and Tania Park.</p> <p>The location of the <del>three</del> <b>two</b> parks that are subject of the Plans of Management is shown in Figure 1.1.</p>

NEW FIGURE 1.1



Figure 1.1: Location of ~~Seaforth Oval~~, Keirle Park and Tania Park

V6 Draft – Northern Beaches Council Seaforth Oval Reserve Plan of Management September 2025.

<b>Section of the Seaforth Oval, Keirle Park and Tania Park PoM 2004</b>	<b>Amendment</b> Note: Amendments are shown in this table as <b>bold and underlined for insertions or struck through for deletion</b> .
1.4 Process of preparing this Plan of Management (page 12)	<ul style="list-style-type: none"> <li>Convening a Project Team for each of the <del>three</del> <b>two</b> parks, comprising of Council Officers...</li> <li>Convening a Project Steering Committee for each of the <del>three</del> <b>two</b> parks, comprising of Councillors and...</li> </ul> <p>As <del>each</del> <b>both</b> of the parks include Crown land, the Draft Plan.....</p>
1.5 Contents of these Plans of Management (pages 13 – 14)	<p><i>Sections 2, 3 and 4</i> relate to <del>all three</del> <b>both</b> parks:</p> <p><i>Section 4-</i> This section outlines the Implementation and Review common to <del>all three</del> <b>both</b> parks, including....</p> <p><i>Sections 5, 6 and 7</i> include specific information related to <del>each of the three</del> <b>both</b> parks including.....</p>
2.1 State government legislation 2.1.1 Introduction (page 15)	<p>As <del>the three</del> <b>both</b> parks are wholly or part Crown public reserves vested in Manly Council trustee for their care, control and management, the <i>Crown Lands Act 1989</i> applies to the management of <del>the three</del> <b>both</b> parks.</p> <p>.....Council has requested that Plans of Management be prepared for <del>Seaforth Oval,</del> Keirle Park and Tania Park.</p>
2.1.4 Crown Lands Act 1989 (pages 16 – 17)	<p><b>All three Both</b> parks covered by these Plans of Management.....</p> <p>Manly Council has the ongoing responsibility to provide care, control and management of Crown land in <del>the three</del> <b>both</b> parks in accordance with the <i>Crown Lands Act 1989</i>.</p> <p>As such, management of <del>the three</del> <b>both</b> parks is administered...</p> <p>The Reserve Trust for <del>all three</del> <b>both</b> parks is as a corporate manager.</p>
4.2.3 Authorisation of future leases and licences (page 27)	To comply with the Local Government Act, this Plan of Management must clearly specify what leases, licences and other estates are authorized within these <del>three two</del> <b>both</b> parks.
4.2.4 Occupation of community land (page 28)	<p>Occupation of community land by leases, licences and other estates that apply to these <del>three two</del> <b>both</b> parks are set out in.....</p> <p>In respect of community land in general, a lease, licence or other estate may only be granted within these <del>three two</del> <b>both</b> parks in Manly for:</p>
4.2.6 Granting of easements, licences and other estates by tender (page 29)	Leases and licences applying to these <del>three two</del> <b>both</b> parks in Manly for which tenders must be called are for:
4.2.8 Occupation of parks in Manly other than by leases or licence (page 30)	<p>The exclusive occupation or use of these <del>three two</del> <b>both</b> parks in Manly is only permitted for the purposes of:</p> <p>However, exclusive occupation or use of part of these <del>three two</del> <b>both</b> parks in Manly is permitted:</p>

4.5 Resourcing (page 31)	....these Plans of Management for <del>Seaforth Oval</del> , Keirle Park and Tania Park.
4.5.3 Section 94 Contributions (page 32)	<del>A portion of RTA/DIPNR land has recently been redeveloped for new housing close to Seaforth oval, which will contribute funds for park improvements.</del>
4.5.4 Partnerships (pages 32 – 33)	In addition, Council can continue its partnership with the NSW National Parks and Wildlife Service with regard to <del>both Seaforth Oval and</del> Tania Park.
4.5.5 Rental income (page 33)	Towers were erected in <del>Seaforth Oval and</del> Tania Park in 2002, and.....
5 SEAFORTH OVAL (pages 34 – 56)	Delete all text and images: pages 34 – 56.
SEAFORTH OVAL POM PROJECT STEERING COMMITTEE (page 105)	Delete all text and tables: pages 105 – 107.
PREPARATION OF PLAN OF MANAGEMENT FOR SEAFORTH OVAL (page 114)	Delete all text: page 114.
SEAFORTH OVAL COMMUNITY FORUM (pages 117 – 118)	Delete all text: pages 117 - 118.
SEAFORTH OVAL – Flyer Summary (pages 122 – 123)	Delete all text: pages 122 – 123.

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**NSW Police Force**

D/2025/981550

21 August 2025

CEO  
Northern Beaches Council  
725 Pittwater Rd,  
DEE WHY NSW 2099

To whom it may concern,

**Request for Alcohol Prohibited Areas – NYE 2025 & Australia Day 2026**  
**As per Section 632A Local Government Act 1993**

I seek your assistance to have Alcohol Prohibited Area's implemented on the Northern Beaches during significant dates.

These dates include:

- **New Year's Eve 2025 – 2026**  
**Location:** Rowland Reserve Bayview from 6:00am, 31st December 2025, to 6:00am, 1st January 2026.
- **Australia Day 26th January 2026**  
**Location:** All reserves and parks within the Northern Beaches from 6:00am, 26<sup>th</sup> January 2026 to 6:00am, 27th January 2026.

Police strongly believe the implementation of APA's in the above mentioned areas, will positively affect the local community, and reduce anti-social behaviour which is often brought on with the consumption of alcohol in these areas.

Police do not object to the action to suspend the APA at Manly Oval from 5:00pm to 8:30pm on Thursday 4<sup>th</sup> December 2025 for the annual Christmas Choral Concert. This is a family orientated event with no previous alcohol related incidents recorded.

Kind Regards,



Superintendent John P Duncan  
Commander  
NORTHERN BEACHES PAC

**Northern Beaches Police Area Command**

Dee Why Police Station Cnr Fisher Rd & St David Ave DEE WHY NSW  
2099 Telephone 02 9971 3399 Facsimile 02 9971 3366 TTY 02 9211  
3776 (Hearing/Speech impaired)

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OFFICIAL



File Ref. No: FRN25/2560 – BFS25/3305 - 8000042712  
TRIM Ref. No: D25/67609  
Contact: [REDACTED]

17 June 2025

General Manager  
Northern Beaches Council  
PO Box 82  
MANLY NSW 1655

Email: [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
MIXED USE BUILDING  
208 PITTWATER ROAD, MANLY ("the premises")**

Fire and Rescue NSW (FRNSW) received correspondence on 18 May 2025 concerning the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Lower ground floor restaurant has no fire detector system, and reports of no fire separation between residential units above.*
- *They use a pizza oval and commercial kitchen and worried about families above with no sprinklers or smoke alarms.*
- *Was notified that units have been fitted with smoke alarms, although we were unable to verify.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 5 June 2025.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Page 1 of 4

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**OFFICIAL**

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

**COMMENTS**

The following items were identified during the inspection:

1. Compartmentation and Separation

- 1A. FRNSW have been advised of significant cracking within the first-floor slab of the building. It is considered that this is likely to compromise the required fire separation between the ground floor and the first floor, contrary to the requirements of Clause C3D10 of the National Construction Code Volume 1 2022 (NCC).
- 1B. A number of service penetrations through the first-floor slab above the rear car park area were noted as being non-compliant, contrary to the requirements of Clause C4D15 of the NCC.

In this regard, excessive gaps around core holes were noted, poorly installed fire collars and no protection for PVC pipes.

2. Egress

- 2A. The electrical switchboard located in the path of travel to the exit at the base of the stairs was not enclosed in non-combustible construction and was not adequately sealed against the passage of smoke, contrary to the requirements of Clause D3D8 of the NCC.
- 2B. The latch operating device to the front exit door at the base of the stairs did not incorporate a lever handle capable of allowing the door to be opened by a single-handed downward action, contrary to the requirements of Clause D3D26 of the NCC.
- 2C. The placement of the bollards at the bottom of the stairs in the rear car park do not prevent them being blocked by parked vehicles, contrary to the requirements of Clause D2D15 of the NCC.
- 2D. The last flight at the bottom of the stairs in the rear car park were not provided with a handrail, contrary to the requirements of Clause D3D22 of the NCC.

**OFFICIAL**

3. Services and Equipment

3A. Emergency Lighting

- A. The path of travel connecting the front and rear stairs along the northern side of the building was not provided with emergency lighting, contrary to the requirements of Clause E4D2 of the NCC.
- B. Access to the restaurant on the ground floor was not available at the time of the inspection. Accordingly, it is unknown whether the area is required to be provided with emergency lighting as per the requirements of Clause E4D2 of the NCC.

3B. Exit Signs

- A. The exit sign fitting located above the rear stairs did not incorporate a "running man" pictorial, contrary to the requirements of Clause E4D8 of the NCC and AS 2293.1-2018.

3C. Portable Fire Extinguishers

- A. Portable fire extinguishers were not provided within 10 metres of every entrance door to all sole-occupancy units, contrary to the requirements of Clause E1D14 of the NCC.

- 4. A current Annual Fire Safety Statement was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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. Ensure the fire safety measures serving the premises are being regularly maintained and that an Annual Fire Safety Statement is being provided to both the Council and FRNSW.
- c. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

OFFICIAL

Please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call [REDACTED] if there are any questions or concerns about the above matters. Please refer to file reference FRN25/2560 – BFS25/3305 - 8000042712 regarding any correspondence concerning this matter.

Yours faithfully

[REDACTED]

[REDACTED]

Senior Building Surveyor  
Fire Safety Compliance Unit

OFFICIAL



11 July 2025

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

To Whom It May Concern

**Re: Notice of Intention to Give an Order (No. 1) (Fire Safety Audit)**  
**Premises: 208 Pittwater Road MANLY NSW 2095**  
**Reference No: [REDACTED]**

It has been brought to the attention of Fire & Rescue NSW & Council that the abovementioned premises may be deficient in terms of fire safety provisions.

Once Council is aware that an existing building is deficient in certain aspects of fire safety, it has a duty of care to ensure that the building provides an acceptable level of fire safety to the occupants of the building.

Accordingly, please find attached a *Notice of Intention to Issue a Fire Safety Order* for the premises requiring that a Fire Safety Audit be conducted and that Items 1 to 4 from the Fire & Rescue NSW Inspection Report dated 17 June 2025 be addressed.

All owners and other interested persons must be advised of the Notice of Intention.

If you require any further information in relation to this matter, please contact Council's Senior Building Surveyor, [REDACTED] on 1300 434 434 during normal business hours between 9:00am to 5:00pm or by [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Yours faithfully

[REDACTED]

[REDACTED]  
**Senior Building Surveyor (Fire Safety)**

■ [REDACTED]  
[REDACTED]  
■ [REDACTED]  
[REDACTED]

*Under The Environmental Planning and Assessment Act, 1979 (NSW)  
Section 9.3, Schedule 5 PART 2 (FIRE SAFETY ORDER NO: 1)*

<b>DATE:</b>	11 July 2025
<b>TO WHOM:</b>	Proprietors of Strata Plan 52426
<b>PREMISES:</b>	208 Pittwater Road MANLY NSW 2095

Prior to the Order being given you may make representations to Council on or before **11 August 2025**.

- (1) why the Order should not be given;
- (2) the terms of the Order;
- (3) the period of compliance with the Order.

In making representations you may be represented by a barrister, solicitor or agent. Alternatively, you may ignore this Notice and an Order will be given either in the same terms as intended or with modified terms.

**DESCRIPTION OF THE ORDER THE COUNCIL INTENDS TO GIVE:**

## ORDER NO.1

**TERMS OF THE ORDER (TO DO WHAT):**

1. Engage the services of a Registered Building Surveyor (unrestricted or all classes of buildings) to carry out a Building Code of Australia (BCA) Fire Safety Audit of the premises and also address Items 1 to 4 from the Fire & Rescue NSW Inspection Report dated 17 June 2025. The Audit shall be based on inspection(s) of the building in terms of the deemed-to-satisfy fire safety provisions.





2. Having regard to the Fire Safety Performance Requirements of the Building Code of Australia, the **Registered Building Surveyor** is to incorporate the results of the Fire Safety Audit of the premises into a Report, Strategy and Recommendations in order to provide an adequate provision of fire safety to prevent fire, suppress fire, prevent the spread of fire and ensure or promote the safety of persons in the event of fire.
3. The Fire Safety Audit of the property must specifically cover all relevant clauses within section C, D and E of the current Building Code of Australia, reflecting compliance, non-compliance or not applicable in the circumstances and a suitable checklist is to accompany the Report.
4. A Schedule of existing and proposed Essential Fire Safety measures including their Standard of Performance must be included in the Strategy.
5. The Report and Recommendations must be submitted to Council for its consideration and approval prior to implementation of any proposed works.
6. A proposed timetable of works is to accompany the Recommendations.
7. Any BCA performance-based solutions prepared by other stakeholders to address fire safety matters in the premises must be fully reviewed by the suitably qualified Registered Building Surveyor, accepted, incorporated and annexed into the final **BCA Fire Safety Audit Report**.

**REASONS FOR THE ORDER:** (Schedule 5, Part 4, clause 5 of the Act)

Council & FRNSW have been made aware that the existing provisions for fire safety or fire safety awareness are not adequate to prevent fire, suppress fire or prevent the spread of fire or ensure the safety of persons in the event of fire.

**PERIOD OF COMPLIANCE WITH THE ORDER**

**Within Ninety (90) days. (Submission of Fire Safety Audit to Council)**

**FAILURE TO COMPLY WITH THE ORDER**

OFFENCE

It is an offence against the *Environmental Planning and Assessment Act 1979* (NSW) not to comply with any Order: see Part 9, of Division 9.3, Clause 9.37 of the *Environmental Planning and Assessment Act 1979* (NSW). In the event that an Order is issued and you do not comply, Council may issue penalty infringement(s) or commence Court Proceedings to compel compliance and / or undertake a criminal prosecution.

PENALTY

The maximum penalty for non-compliance with this order is (a) in case of a corporation \$5 million, and for a continuing offence a further \$50,000 for each day the offence continues; or (b) in the case of an individual \$1 million, and for a continuing offence a further \$10,000 for each day the offence continues: see Part 9, Division 9.6, Clause 9.52 of the *Environmental Planning and Assessment Act 1979* (NSW).

t 1300 434 434  
e council@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au  
PO Box 82 Manly NSW 1555  
ABN 57 294 295 198

Dee Why Office:  
725 Pittwater Road  
Dee Why NSW 2099

Mona Vale Office:  
1 Park Street  
Mona Vale NSW 2103

Manly Office:  
1 Balgrove Street  
Manly NSW 2095



#### EXECUTION OF ORDER BY COUNCIL

If you fail to comply with the terms of an Order Council may do all such things as are necessary or convenient to give effect to the terms of the Order, including the carrying out of any work required by the Order, and may, among other things, recover from you the costs incurred by Council in so doing: see Part 11, Clause 34 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

#### **COMPLIANCE COST NOTICE**

Pursuant to clause 37, Schedule 5, Part 12 of the *Environmental Planning and Assessment Act 1979* and clauses 283 and 284 of the *Environmental Planning and Assessment Regulation 2001* Council may issue a compliance cost notice on you to pay all or any reasonable costs and expenses incurred by Council in connection with:

- (a) monitoring action under the order, and
- (b) ensuring that the order is complied with, and
- (c) any costs or expenses relating to an investigation that leads to the giving of the order, and
- (d) any costs or expenses relating to the preparation or serving of the notice of intention to give an order, and
- (e) any other matters associated with the Order.

The maximum amount that may be required to be paid under a compliance cost notice for costs or expenses relating to the preparation or serving of the notice of the intention to give order is \$750.

#### **RIGHT OF APPEAL AGAINST ORDER**

If you wish to appeal against an Order you must appeal to the **Land and Environment Court**, Level 4, 225 Macquarie Street, Sydney NSW 2000, within **28 days** after the service of the Order on you: see Part 8, Division 8.5, Clause 8.18 of the *Environmental Planning and Assessment Act 1979*.

#### **OTHER ORDERS**

This Order does not prejudice Council's entitlement to serve other Orders on the premises and this Order does not regularize any illegal building works or unauthorized Use of the premises.



**Senior Building Surveyor (Fire Safety)**

t 1300 434 434  
e council@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au  
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## Community and Stakeholder Engagement Report

### Land Dealings Policy (draft)

Consultation period: 23 May to 23 June 2025

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#### Contents

1.	Summary.....	2
1.1.	Key outcomes .....	2
1.2.	How we engaged .....	2
1.3.	Who responded.....	3
2.	Background .....	4
3.	Engagement objectives .....	4
4.	Engagement approach .....	5
5.	Findings .....	5
	Appendix 1 Verbatim community and stakeholder responses .....	7




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## 1. Summary

This report outlines the outcomes of community and stakeholder engagement as part of a proposal to introduce a new Council Land Dealings Policy.

The feedback collected during consultation indicated the draft Policy lacked specific detail, however, no objections were raised for the draft Policy.

### 1.1. Key outcomes

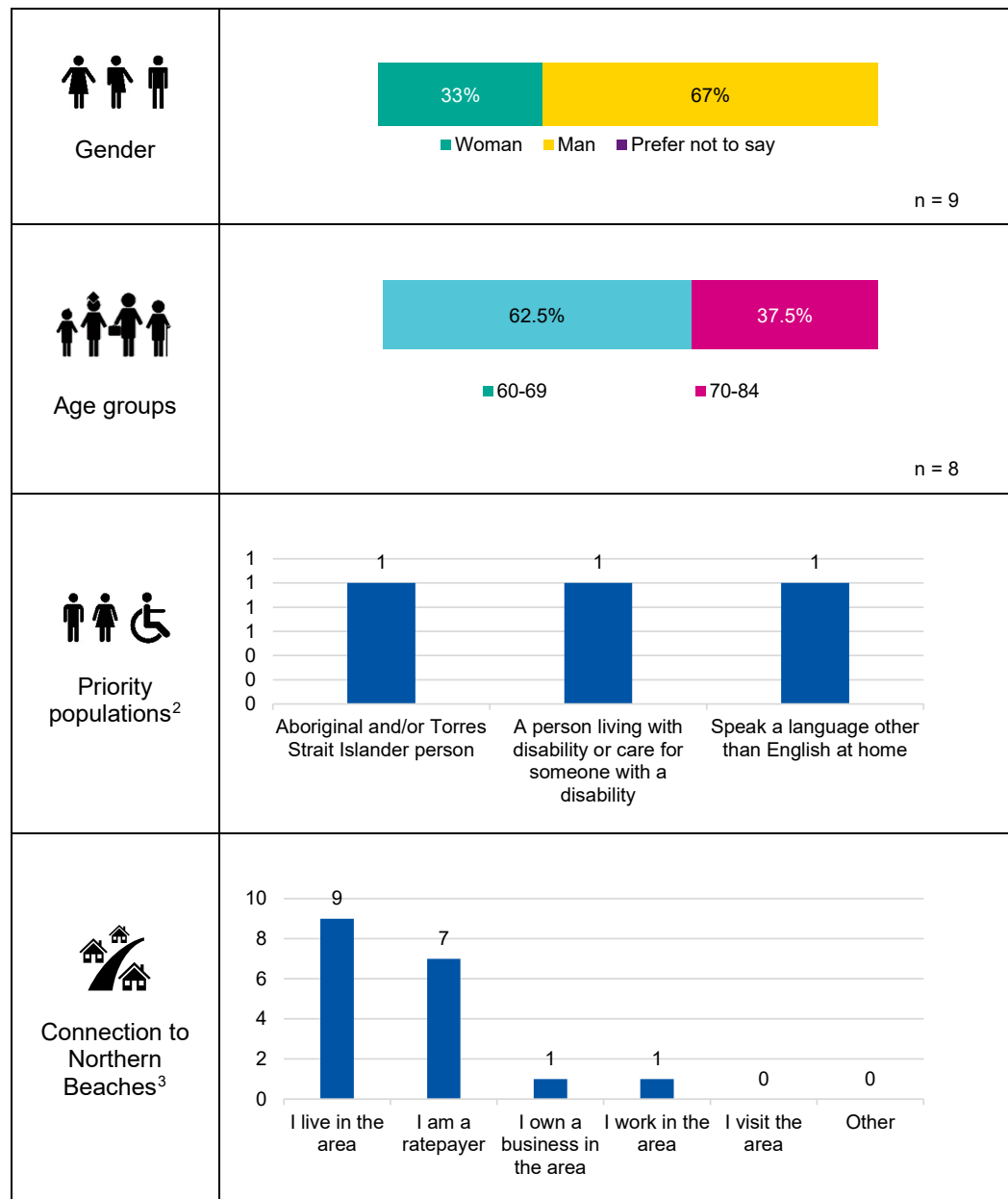
 Total unique responses	9*	
 How responses were received	Submission form Written responses (email / letter)	Completions: 9 Number received: 0
 Feedback themes	Request more information to comment on.  Competing outcomes for best value.  Incorporating more on community consultation.	Suggest shorter review cycle of Policy.  Confidentiality of some Land Dealings.  Key steps or decision-making criteria.

### 1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 498	Visits: 421
 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions  Council (weekly) e-News: 1 edition	Distribution: 22,407 and 22,355 subscribers  Distribution: 57,973 subscribers

\*Not every respondent made a comment in addition to answering the sentiment question

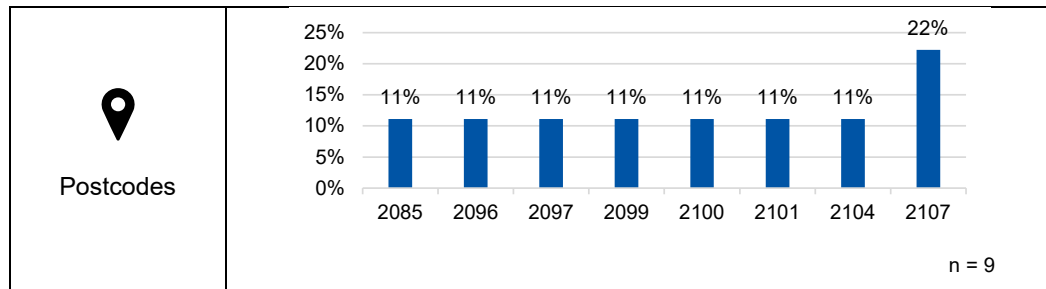
### 1.3. Who responded<sup>1</sup>



<sup>1</sup> Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

<sup>2</sup> Respondents could select more than one option.

<sup>3</sup> Respondents could select more than one option.



## 2. Background

The Land Dealings Policy is an integral part of our adopted Property Management Framework<sup>4</sup>(PMF). The Policy has been developed to ensure Land Dealings are conducted transparently, accountably, and in the best interests of the community. It outlines the key principles for undertaking land dealings

On 20 May 2025, Council resolved to place the draft Land Dealings Policy on public exhibition for a minimum of 28 days with the outcome reported to Council. If adopted, the Policy will replace 5 policies of the 3 former Councils:

- Property Acquisition and Disposal – Negotiation on Purchase Price Policy – PL 810
- Surplus Road Reserve Disposal Policy – PL 820
- Property Management Policy No. 200
- Land – Disposal of Surplus Policy No. 92
- Public Reserves and Other Lands - Resumption for Public Utilities Policy No. 56

Land assets will be subject to ongoing review in relation to their purpose, usability, viability, and overall community benefit, in accordance with this Policy and the Property Management Framework.

## 3. Engagement objectives

Community and stakeholder engagement aimed to:

- build community and stakeholder awareness of participation activities regarding the draft Land Dealings Policy
- provide clear, accessible information so the community and stakeholders can participate in a meaningful way ensuring that people understand how they can contribute and how their input will be considered
- communicate to community and stakeholders how their input was incorporated into the final Policy and decision-making process by the outcomes from engagement
- provide vulnerable and marginalised groups access to the engagement process.

<sup>4</sup> <https://files-preprod-d9.northernbeaches.nsw.gov.au/nbc-prod-files/documents/policies-register/property-management/property-management-framework/property-management-framework-apr2022.pdf?1751413995>

#### 4. Engagement approach

Community and stakeholder engagement for the Land Dealings Policy (draft) was conducted between 23 May and 23 June 2025, and consisted of activities that provided opportunities for community and stakeholders to contribute.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Strategy](#) (2022).

A project page<sup>5</sup> was established on our engagement platform with information provided in an accessible and easy-to-read format.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the project page.

An open-field comments box provided community members a space to provide any feedback they wished to contribute regarding the draft Policy.

Email and written comments were also invited.

#### 5. Findings

Feedback collected during consultation indicated the draft Policy lacked detail, however, no objections were raised for the draft Policy.

One respondent suggested further clarity be provided in the Policy on how "best value" is assessed, particularly where financial, social, and environmental outcomes may compete.

**Table 1: Issues, change requests and other considerations**

Theme	Issues, change requests and other considerations raised	Council's response
Level of detail	Respondent stated the Policy lacks detail such as specific steps and processes.	Specific steps and processes are included in the related Land Dealings Guidelines which will be available for public information following the adoption of the Land Dealings Policy.
Competing outcomes for "best value"	Suggestions for more clarity on how "best value" is assessed, particularly where financial, social, and environmental outcomes may compete.	Specific steps and processes are included in the related Land Dealings Guidelines which will be available for public information following the adoption of the Land Dealings Policy. This generally includes formally reporting a proposal to the elected Council for consideration which includes financial, social and environmental considerations.

<sup>5</sup> <https://yoursay.northernbeaches.nsw.gov.au/draft-land-dealings-policy>



Theme	Issues, change requests and other considerations raised	Council's response
Incorporating community consultation into the Policy	For Land Dealings that may significantly impact local residents or public land use, the Policy could include reference to community consultation requirements.	Specific steps and processes are included in the related Land Dealings Guidelines which will be available for public information following the adoption of the Land Dealings Policy. This generally includes formally reporting a proposal to the elected Council for consideration which includes information of consultation conducted where possible and the results.
Key steps or decision-making criteria	Suggestions for high-level overview of key steps or decision-making criteria within the policy itself would improve accessibility and understanding rather than just in the Guidelines.	Specific steps and processes are included in the related Land Dealings Guidelines which will be available for public information following the adoption of the Land Dealings Policy.
Policy review cycle	To ensure the policy remains current and responsive given the evolving nature of planning legislation and community priorities, a shorter review cycle was suggested.	The proposed review date is in 4 years. Given the specific steps and processes are included in the related Land Dealings Guidelines which can be reviewed more often, a 4-year review cycle is considered appropriate. The Policy can be reviewed sooner if required.
Confidentiality	Suggestions confidential land dealings be made known to residents to enable them to make their own investigations.	Preserving the confidentiality of some proposals may outweigh the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information could jeopardise some of the proposals.

During the consultation, Council received the following question (within feedback).

**Table 2:** Question raised and Council's response.

Question raised in feedback	Council's response
Will you act on the feedback provided by the community?	Council always welcomes community feedback when placing a new proposal on public exhibition. Feedback is considered prior to making a recommendation to Council.

## Appendix 1 Verbatim community and stakeholder responses\*

Number	Submission
1	Yes; the 'Land Dealings Guidelines' states it 'outline the specific steps and processes that Council will follow when undertaking various Land Dealings' yet NONE of those specific steps are provided - how can anyone make any comment on these or this 'policy'
2	I cannot see how that document adds any value to rate payers or any one else who wants to understand how Council deals with land. Apart from some motherhood statements in Policy Principles it doesn't say anything. How about detailing a process on how Council acquires or sells land assets.
3	Will you actually take any notice of what is done in these survey. As when we did the rate rise one you did not take any notice and did what you wanted. Extremely dissatisfied with the whole process as you took no notice.
4	I think it lacks details. Making references to other policies is of no help. The policy should be demonstrating the policy application of the various impacting rules.
5	I generally support the draft Land Dealing Policy.
6	I support the Draft Land Dealings Policy.
7	Recently a new playground was installed in Fielding St, a small cul de sac. The land was hardly ever used, even now with the park, It is barely used. , there is not many children in this street. Grass has grown wild and if Council are so determined to install so many new parks, then they must be maintained. In this case, I honestly think it was a waste of Council funds.
8	Overall, the policy presents a clear commitment to transparency, accountability, and community benefit. I commend the emphasis on aligning land dealings with strategic outcomes and recognising Council's role as a custodian of public assets. However, I offer the following suggestions for consideration: It would be helpful to provide further clarity on how "best value" is assessed, particularly where financial, social, and environmental outcomes may compete. The policy references related Land Dealings Guidelines, but a high-level overview of key steps or decision-making criteria within the policy itself would improve accessibility and understanding. Additional clarity on delegation limits under Section 377 of the Local Government Act 1993—perhaps with examples—could help stakeholders better understand governance requirements. Consideration could be given to incorporating a brief section on community consultation, especially for dealings that may significantly impact local residents or public land use. Finally, given the evolving nature of planning legislation and community priorities, a shorter review cycle (e.g. every three years) might ensure the policy remains current and responsive.
9	Confidential and private land dealing titles (location) should be made known to residents to enable them to make their own investigations,

*\*Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.*

Document administration	
Version	1.0
Date	1 July 2025
Approval	Content provided and approved by Property, Commercial & Tourist Assets Team. Responsible manager: Stephen Venter
Status	Final
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.



## **Draft Council Policy NB-P-42 Land Dealings**

### **Purpose**

From time-to-time Northern Beaches Council (Council) undertakes Land Dealings. This Policy is an integral part of Council's adopted Property Management Framework, ensuring that Land Dealings are conducted transparently, accountably, and in the best interests of the community.

### **Policy Principles**

Further to the guiding principles outlined in Council's adopted Property Management Framework, Land Dealings shall be undertaken in accordance with the following principles:

- To identify, manage and mitigate the risk associated with Land Dealings.
- To ensure Land Dealings are conducted in an open, transparent, impartial and accountable manner.
- To provide the best value for Council and the community in Land Dealings, noting that best value may include financial, social and environmental benefits.
- To help achieve the best strategic outcomes for Council and the community.
- To acknowledge Council is the custodian of public assets and is required to effectively account for and manage such public assets.

### **Scope and Application**

This policy applies to Land Dealings.

Certain Land Dealings are not delegable under section 377 of the Local Government Act 1993 and require a formal resolution of the elected Council.

This Land Dealings Policy operates alongside Council's Planning Agreements Policy and Affordable Housing Policy. Where a proposal involves the transfer of land to Council in accordance with those Policies, each proposal, where required, will be reported to the relevant Council Committees and the elected Council for consideration.

Land assets will be subject to ongoing review in relation to their purpose, usability, viability, and overall community benefit, in accordance with this Policy and the Property Management Framework.

### **Related Land Dealings Guidelines**

The Land Dealings Guidelines outline the specific steps and processes that Council will follow when undertaking various Land Dealings. The Guidelines provide detailed direction on the implementation of the principles outlined in this Policy.

### **Council's Property Portfolio and any New Proposals**

Proposals for Land Dealings, where required, will be reported to the relevant Council Committees and the elected Council for consideration in accordance with Council's adopted Property Management Framework.

Confidential reporting may be necessary under certain circumstances where there may be legal, commercial or privacy/safety issues should the information be made publicly available.

Reports to Council will provide comprehensive details of the proposal to support informed decision making.

### **References and related documents**

- Policy Framework NB-P-01
- *Local Government Act 1993*
- *Roads Act 1993*
- *Conveyancing Act 1919*
- *Real Property Act 1900*
- *Environmental Planning and Assessment Act 1979*
- *Land Acquisition (Just Terms Compensation) Act 1991*
- *Encroachment of Buildings Act 1922*
- Regulations under each of the above Acts
- Independent Commission Against Corruption [ICAC], Direct Negotiations, May 2006
- Planning Agreements Policy
- Affordable Housing Policy
- Community Strategic Plan
- Local Strategic Planning Statement
- Contributions Plans
- Local Environment Plans (LEPs)
- Any other legislation or statutory instruments applicable to this Policy.

### Community Strategic Plan

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

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

### Definitions

- Land Dealing means the disposal (sale) of land, acquisition (purchase) of land, easements, rights of carriageway and covenants in respect of land.

### Responsible Officer

Executive Manager Property, Buildings & Beach Services

### Review Date

2029

### Revision History

Policy number	Date	Detail	TRIM #
NB-P-42	May 2025	Draft policy for Council consideration	2018/719449



## Property Acquisition and Disposal - (Negotiation on Purchase Price)

### 1. The purpose of this policy is

To provide for the purchase and sale of property by Council.

### 2. Policy statement

From time to time Council undertakes the purchase or sale of property. The Local Government Act reserves authorisation of such sales and purchases to Council.

Sale and purchase of property requires negotiation between the purchaser and vendor. This policy provides the guidelines within which these negotiations may take place.

### 3. Principles

Council seeks to provide flexibility in negotiation of prices for purchase or sale of property. Negotiation can proceed in the following circumstances:

- Where Council has adopted a S94 Plan and a specific property is identified as being suitable for purchase.
- Where Council has adopted an Open Space Acquisition Plan and a specific property is identified as being suitable for purchase.

In these circumstances, the General Manager is empowered to:

- Seek valuation of the property and communicate details to key stakeholders involved in the purchase.
- Engage in negotiations with key stakeholders involved in the purchase or sale of a property

and to report to the Council to allow a formal decision to be taken.

Where the Council has formally resolved to purchase a property, the General Manager has discretion to offer the vendor (if necessary) up to ten per cent (10%) above the independent valuation of the property obtained prior to negotiations commencing, and to finalise the purchase.

Where the Council has formally resolved to dispose of property, the General Manager has discretion to accept offers within 5% of the independent valuation advice/reserve price, and to finalise the sale.

### 4. Amendments

This policy was previously known as 6.4.07. This policy has been renumbered to GOV-PL 810. GOV-PL 810 supersedes FIN-PL 316.

### 5. Authorisation

The Property Acquisition and Disposal – Negotiation on Purchase Price policy GOV-PL 810 was authorised by Council on 14/8/1984.





## GOV-PL 810

The policy was amended on 19 July 2005

The policy is due for review on 19 July 2007.

### **6. Who is responsible for implementing this policy?**

General Manager

### **7. Document owner**

Director Corporate Services.

### **8. File number**

175.010.000.

### **9. Legislation and references**

*S377 Local Government Act 1993*

#### **9.1 Definitions**

None.



**GOV-PL 820**

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## **SURPLUS ROAD RESERVE DISPOSAL POLICY**

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### **1. The purpose of this policy is**

To provide a procedural framework for appropriate disposal of Council owned or controlled surplus road reserves.

### **2. Policy statement**

In cases where roads have been realigned or reconstructed, leaving residues of land between the new and old alignments, and where Council recommends, Council will offer land residues and road reserve, deemed to be surplus to Council's future requirements, to the open market or the adjacent land owners if appropriate.

#### **2.1 – Determination of Appropriate Disposal**

Where it is deemed by Council that land is surplus to its needs, in determining whether it is appropriate to dispose of the land to an adjacent land owner, Council must establish that the market is limited to an adjoining owner and this must be considered having regard to independent valuation advice by Councils current approved panel of contract valuers and to Councils LEP & DCP together with a recommendation by the members of Councils Property Management Panel. Final adoption for disposal is subject to Councils approval and must be consistent with the NSW Local Government Act 1993 & the NSW Roads Act 1993.

#### **2.2 – Determination of Value**

2.2.1 Any identified surplus lands proposed for disposal must be sold on a highest and best use basis, the value for which shall be determined by independent valuation advice by Councils current approved panel of contract valuers.

2.2.2 Where land is proposed to be sold to an adjoining owner, the valuation in determining sale price shall be carried out on an added value basis to the adjoining land. The before & after method of valuation shall be used to determine the enhancement value to the adjoining land and the difference shall determine the value. Where transfer will enhance adjoining site to subdivision or greater density this will be taken into consideration within the valuation.

2.2.3 Where the land is assessed to be disposed of via an open market sale this will be carried out by way of Public Auction. Council's current approved panel



## GOV-PL 820

of contract valuers will set the reserve. This document shall remain commercial in confidence prior to any sale of the property.

### **2.3 – Matters to be Considered in Determining Disposal of Land to an Adjoining Owner**

2.3.1 – Establishment that the market is limited to a single adjoining owner.

2.3.2 – Sale price has been determined in accordance with Clause 2.2 of this Policy.

2.3.3 – All Councils disposal costs are met by the purchaser and shall be paid up front upon application. This is not limited to but includes valuation fees, transfer costs, legal fees & council officers time in dealing with the matter (in line with Property Teams current schedule of fees).

2.3.4 – The Purchaser is responsible for their acquisition costs.

2.3.5 – Establishment that transfer to the land to a private purchaser shall not inhibit access to other adjoining lands.

2.3.6 – The applicant should be made aware that Council gives no Guarantee in relation to any potential development value of the land and that any DA application will be viewed at arms length on its merits in Line with the current Warringah LEP

2.3.7 – Where applicable the applicant should be able to demonstrate that the purchase of surplus road reserve shall enhance the adjoining site in respect of access, car parking or landscaping.

2.3.8 - The property must be adjacent to road reserve, or clear nexus established.

### **2.4 Matters to be Considered in Determining Disposal of Land by Open Market Sale**

2.4.1 – Auction reserve shall be determined in accordance with Clause 2.2 of this Policy.

2.4.2 - The Purchaser is responsible for their acquisition costs.

2.4.3 - Establishment that transfer to the land to a private purchaser shall not inhibit access to other adjoining lands.

2.4.4 - The applicant should be made aware that Council gives no Guarantee in relation to any potential development value of the land and that any DA



## GOV-PL 820

application will be viewed at arms length on its merits in Line with the current Warringah LEP.

### **2.5 General Matters to be Considered in Determining Disposal of Land**

2.5.1 – Council shall not incur any expense in the consequent relocation of fences/ structures.

#### **2.5.2 – The current use of the land, including any planned future Council requirements.**

2.5.3 – Any services on or under the land owned by the various service authorities or companies and consideration given to sustaining the services if council disposes of the property.

2.5.4 – Likely possible future Council uses for the land. Examples of this are not limited to, but include, green corridors, open space, car parking, pedestrian way and widening or creation of sealed roadway.

2.5.5 – Existing traffic volumes

2.5.6 - Determining that projected traffic growth and residential development in the area is minimal and future road widening on the road is unlikely to be required.

2.5.7 - Adequate road reserve is still available after any sale for the provision of a future footpath & nature strip or other considered public purpose.

2.5.8 - Where there is an encroachment upon the road reserve and this comes to the attention of Council, the encroacher is required to sign a lease, remove the encroachment or make an application to purchase the road reserve at Councils determination.

2.5.9 - Any funds resulting from the sale must be allocated in accordance with the Local Government Act 1993 & the NSW Road Act 1993.

### **3. Amendments**

GOV-PL 820 supersedes FIN-PL 210. GOV-PL 820 supersedes policy number 4.2.04. This policy was last amended on 14/8/84, as recorded in *Council Minute Number 799*.

Amendments to the policy were adopted on 27/06/06



## GOV-PL 820

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#### 4. Authorisation

The Surplus Road Reserve Disposal Policy was authorised by Council on 14/8/84.

The policy was reviewed and amendments adopted on 27/06/07

The policy is due for review on 27/06/09.

#### 5. Who is responsible for implementing this policy?

Director, Corporate Services.

#### 6. Document owner

Director, Corporate Services.

#### 7. Dataworks Reference

Corporate Management – Public Office (Standards)

#### 8. Legislation and references

Roads Act 1993

##### 8.1 Definitions

None.



Council Policy – No 200  Version: 1	Adopted:	OM16.11.15
	Amended	

**TITLE:** PROPERTY MANAGEMENT POLICY

**STRATEGY:** To create, acquire, maintain, enhance and manage assets in line with best practice

**BUSINESS UNIT:** Corporate Development & Commercial

**RELEVANT LEGISLATION:**

Council's property activities will be managed within the legislative parameters of the:

- Local Government Act, 1993
- Valuation of Land Act, 1916
- Environmental Planning and Assessment Act, 1979
- Residential Tenancies Act, 2010
- Land Acquisition (Just Terms Compensation) Act, 1991
- Roads Act, 1993
- Retail Lease Act, 1994
- Crown Lands Act, 1989
- Environment Protection and Biodiversity Conservation Act, 2000
- National Parks and Wildlife Conservation Act, 1975
- Telecommunications Act, 1997
- Real Property Act, 1900
- Conveyancing Act, 1919
- Residential Parks Act, 1998
- Strata Scheme Management Act, 1996
- Government Information (Public Access) Act 2009
- Any other legislation applicable in a matter.

**RELATED POLICIES:** *Leases over Council Owned or Controlled Land (Policy 195)*

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1) **Objective**

The objective of this policy is to:

- Respond to the Community Strategic Plan of providing effective property and land management
- Facilitate effective management of Council's property assets.
- Establish the underpinning principles of equity and transparency in Council's property dealings.
- Ensure that all dealings in property matters relating to Council owned property or property acquisitions by Council are handled within legislative requirements.
- Support the objective of using Council's property portfolio to create additional forms of income that would support on-ground works into the future for the benefit of the community
- Facilitate local business activity where appropriate.

- That the community would be consulted with when dealing with Council property using councils Community Engagement Framework

## 2) **Policy Statement**

The purpose of the Property Management Policy is to establish the principles for effective management of all Council's property activities and dealings to achieve the best outcome for the Pittwater community.

## 3) **Statutory Obligations**

Council's property activities will be managed within the legislative parameters of the:

- Local Government Act, 1993
- Valuation of Land Act, 1916
- Environmental Planning and Assessment Act, 1979
- Residential Tenancies Act, 2010
- Land Acquisition (Just Terms Compensation) Act, 1991
- Roads Act, 1993
- Retail Lease Act, 1994
- Crown Lands Act, 1989
- Environment Protection and Biodiversity Conservation Act, 2000
- National Parks and Wildlife Conservation Act, 1975
- Telecommunications Act, 1997
- Real Property Act, 1900
- Conveyancing Act, 1919
- Residential Parks Act, 1998
- Strata Scheme Management Act, 1996
- Government Information (Public Access) Act 2009
- Any other legislation applicable in a matter.

## 4) **Property Activities**

In the context of this policy, corporate property activities include:

1. Reclassification of Council land – Community
2. Sale of Council land – Operational
3. Acquisition of property for Council purposes
4. Sale of Council Road Reserve
5. Addition, modification or removal of encumbrances on Council owned land- Community
6. Addition, modification or removal of encumbrances on Council owned land- Operational
7. Addition, modification or removal of Council encumbrance on privately owned land
8. Lease & Licence on Council owned/managed property/building - Community
9. Lease & Licence on Council owned/managed property/building - Crown
10. Lease & Licence on Council owned/managed property/building - Operational
11. Management Agreements on Council owned/managed property/building
12. Annual Facility Licence Agreements.

The above Property Activities, numbers 1 to 12 will have a flow diagram (workflow) outlining the procedure Council Officers will follow to manage each of these property dealings. These workflow diagrams will be reviewed and updated by Council Officers on a regular basis to ensure procedures are kept up to date.

## 5) **Asset Management Approach**

In managing its land and property asset portfolio, Council's challenge is to determine whether its asset portfolio meets the strategic objectives of the organisation.

Council's portfolio will be reviewed and assessed on a regular basis to ensure the highest and best use of the facility is being achieved.



The objective of this approach is to minimise cost and maximise usage of its assets so that Council's asset portfolio is managed and maintained to a standard that benefits the whole community now and into the future.

**6) 6. Professional Services**

- i) **Valuations** – In the case of acquisitions and disposals or where a valuation report is required, Council Officers will engage a registered Valuer from its tendered panel to ensure accuracy and transparency. Valuers will be fully qualified and have experience in the following areas: commercial & residential property valuation; rental determinations; easement valuations, statutory valuation; asset valuation; compulsory acquisition as well as other specialised valuations. Valuations directed by Council remain the property of Council and are commercial in confidence.  
A second valuation can be obtained at the discretion of Senior Management or Council. This can be assessed on a case by case basis.
- ii) **Legal Services** – Council Officers will engage legal services from its tendered panel when required to ensure Council's interests are protected. The panel will be fully qualified and have experience in sales, acquisition, leasing and licensing transactions as well as complex land dealings.

**7) 7. Property Strategy**

Under this Policy, all property owned by the Council will fall into one of the following three classes which describe the primary purpose for which the property is held. Properties within each class will not necessarily be static and may be re-classified following a review by the Council. Any dealings will need to be resolved by Council.

**(i) Held for Community Purposes**

This class includes property held for administration, operations, recreation, and/or infrastructure usage. Where appropriate, consideration will be given to leasing improvements to not-for-profit community groups at a subsidised rental (e.g. community halls, clubrooms, community centres, libraries, toilets/change rooms, drainage sites, and parks/public open spaces etc.). Property held for *Community Purposes* will generally not be considered available for liquidation. However, there may be some instances where property held in this class may be transacted for a greater community benefit.

**(ii) Held for Capital Appreciation**

This class includes property which is either undeveloped or underdeveloped, but which is not held for *Community Purposes*. Property held for *Capital Appreciation* will be developed for income when market conditions are favorable and the development risk is considered to be acceptable.

Alternatively, these properties will be liquidated to take advantage when market conditions are favourable. In general, income from any improvements should be maximised and property in this category will not be made available for community usage (e.g. vacant lots, underdeveloped sites etc.).

**(iii) Held for Income Generation**

This class includes property where the maximisation of the income stream is considered to be the primary objective. Property held for *Income Generation* will be developed to the highest and best use of the site. Leases and agreements will be set by reference to market levels, with regular reviews, depending on the circumstances. In general, subsidised rentals will not be considered for properties within this class (e.g. car parks, commercial buildings etc.).

It should be noted that whilst these classifications are intended to capture all property owned and managed by the Council, it is recognised that not all property will fit exactly within these

classes. Appropriate discretion therefore, will be used by Council when dealing with any such property activities (including hiring, leasing/licensing, liquidating etc.).

## 8) **Property Transaction Types**

### (i) **Sale of Council Owned Land (Figures 1&2)**

Council owned land must be classified as, "Operational" or "Community". In accordance with the provisions of the *Local Government Act, 1993* land classified, as "Operational" is saleable; however, "Community" land cannot be sold without first being reclassified and rezoned following a resolution of Council. The reclassification of community land is achieved by an amending LEP.

Property sales may include sale of Council surplus land and property, airspace and stratum. To be able to strategically manage its land sales activities, it is necessary for Council to establish a Property Disposal and Investment Program (PDIP). The key principles guiding a decision to sell a property asset is that Council will only consider a sale under the following circumstances:

- If the property is not being used for the purpose intended at the time of Council's purchase (subject to acquisition notice being approved by the Governor).
- If the property is not serving an operational or community need.
- If the property is not facilitating Council's service delivery objectives.
- If the property disposal would result in better outcomes for the local community.

If the property does not provide the expected return and represents a risk to Council, the key principles in disposal of these assets are:

- Council will dispose of property assets using a process that is transparent and equitable to all interested parties.
- Generally Council will not sell property which has future development potential for community facilities or commercial return.
- Council will identify the most appropriate marketing strategy for each sale on a case by case basis.

### (ii) **Acquisition of Land or Property (Figure 3)**

Council may decide to purchase land and property for statutory, public or investment/redevelopment purposes. For example, Council could acquire land for road widening, road opening, recreational and sporting facilities, parks and reserves, bushland and environmental conservation, investment, redevelopment, subdivision and resale, or development of community facilities purposes.

The key principles in the acquisition of land and property are:

- After identifying a property for acquisition for a council function and public purpose, Council will:
  - Firstly make its best endeavours to negotiate with the owner a fair and reasonable price in accordance with the directive of Office of Local Government.
  - Only if agreement cannot be reached will Council pursue compulsory acquisition (under Section 187 of *Local Government Act 1993*) if the acquisition has strategic importance or is very important for the local community.
- Where Council decides to purchase operational land at auction, it will be resolved in a closed Council meeting so the decision and proposed purchase price will not be publicised prior to auction.

### Land Swaps

Under certain circumstances Council may enter into Land Swap transactions with landowners to achieve a broad community benefit. Pittwater Council has many examples of this form of

transaction, contributing positively to Council's existing land holding (e.g. Ingleside Escarpment).

The following principles will always be taken into account;

- There will be no net disadvantage to Council in the transaction in relation to the area of open space acquired or sold.
- Independent valuations will be undertaken in all instances.
- Council may receive land swap proposals from landowners or may be the proposer of such transaction.
- In some instances there may be a need for financial settlement in addition to the actual land being swapped.

**(iii) Sale of Council Road Reserves (Figure 4)**

Road Reserve enquiries regarding closure of a public road/or portion of a public road are typically made by a land owner/s, or may be identified through a development application.

As the local road authority, Council will consider all applications within the following principles:

- Status of Road Reserve (e.g. Crown or Local Road, made or unmade) will need to be determined by a Council Officer as some are not suitable for sale.
- All adjoining property owners and relevant authorities will be notified by Council following receipt of application.
- Management of an application for road closure benefiting an individual or company will be cost neutral to Council. Application fees and charges applied by Council will be based on full cost recovery.
- The market rate will be determined by an independent Valuer and will provide the basis of the sale price of a public road/portion of public road.

It is important to note that Council is required to submit a formal application to the New South Wales Trade and Investment Crown Lands for road closure approval, registration and gazettal. Once this has taken place, Council will be in a position to sell the land via a contract for sale to the applicant.

**(iv) Encumbrances - Rights of Way & Easements etc. (Figures 5,6,7)**

Council may add, modify or removal an easement over its land in favour of a private land owner. Council may also require easements over private land. Encumbrances can be for different purposes such as rights of way, drainage, sewerage, electricity, utility and any other specific purposes. The addition, modification or removal of easements or rights of way may be initiated through scenarios including but not limited to:

- A conditional DA approval on Council owned land.
- A proposed development adjoining Council land.
- Council's proposed drainage system.
- Council's existing pipes under the surface of the land.

The key principles in effective management of encumbrances are:

- Council will advise and negotiate (if required) with the private landowners affected by Council's proposed works.
- Council will negotiate a fair and reasonable package with the private landowner(s) who seek to create an easement over Council owned land provided that the proposed easement would not detrimentally affect the objectives of the land and the applicant agrees to fairly and reasonably compensate Council.
- Council will relinquish encumbrances if:
  - The encumbrance is no longer required or serving Council's objectives.
  - All associated costs are paid for by the other party.
  - Council's interests are protected.

**(v) Tenure Arrangements – Lease, Licence & Management Agreements (Figures 8-12)**

Under this Policy, standard tenure arrangements will apply to lease, licence and management agreements granted by Council for Council owned and managed properties. This will be done in accordance with sections 46, 46A & 47 of the Local Government Act 1993.

An annual facility licence agreement will be issued on a case by case basis, where there is no current agreement in place. This is considered to be a short term arrangement to ensure both parties' responsibilities are clearly outlined and interests are protected.

For lease, licence and management agreements on Crown Land where Pittwater Council acts as Trust Manager, prior approval will be obtained from NSW Trade & Investment Crown Lands, in accordance with the *Crown Lands Act 1989*.

**1) Tenure Guidelines - Legal Framework**

The following key principles will guide Council's approach to tenure arrangements;

- Council acknowledges its obligation to provide and maintain its properties to meet community needs for present and future generations.
- Council recognise and support the contribution made by community groups in achieving an active and sustainable community.
- Council encourages the use of its properties by organisations that provide a community benefit.
- Council promotes tenure arrangements that are consistent, transparent and equitable.
- Council promotes tenure arrangements which allow access to the property by the wider community.
- Council promotes tenure arrangements that contribute to the financial viability of Council.

**2) Tenure Guidelines - Groups**

The following tenure guidelines are intended to apply to leases and licenses for all groups within each category. It is recognised however, that some groups (especially *Not-for-Profit Community Groups*) may be constrained by specific circumstances and Council will apply appropriate discretion in determining tenure arrangements for these groups.

• **Commercial Organisations**

In general, *Commercial Organisations* will be permitted to lease or license facilities which are located on property held for *Capital Appreciation* or property held for *Income Generation* or in certain circumstances on *Community Land*.

As such, income received from the lease or license should be maximised. Subsidised rental should not be considered.

If on community land, Council is obliged to undertake tenders for the leasing or licensing for terms over 5 years where dealing with a for profit lessee in accordance with Section 46A of Local Government Act 1993.

Rental will be based on a market rate, determined with the guidance from a licensed Valuer selected from Councils tendered panel or a market appraisal obtained from a local agent. Rents will be reviewed every 12 months in line with the terms of the lease/licence agreement.

These can be broken up into further sub categories:

- a) Commercial Operations - Restaurants, Kiosks and any other fully commercial enterprise run for commercial gain on operational land.

However, if the commercial operations are located on Community land, it must comply with the provisions of section 46, 46A and 47 of the Local Government Act 1993.

### COMMERCIAL OPERATIONS

ANNUAL LEASE/LICENCE FEE	At commercial rates determined by market valuation.
MAXIMUM TERM	Twenty Years (10 + 10)
OTHER COSTS	All outgoings, including but not limited to telephone, water usage, electricity (where separately metered), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee
LEGAL COSTS	Lessee

- b) Sporting Clubs – Commercial – Examples include Golf Clubs, Bowling Clubs etc.

These clubs are in receipt of membership fees, green fees, poker machine income and income from sale of alcohol and catering.

### SPORTING CLUBS – COMMERCIAL

ANNUAL RENT	At commercial valuation based on comparable rents paid by similar clubs in the Sydney metropolitan region.
MAXIMUM TERM	Ten years (5 + 5) however terms greater than ten years can be sought with the provision of a business plan that demonstrates capital expenditure that may need to be amortised over a period greater than ten years.
OTHER COSTS	All outgoings, including but not limited to telephone, water usage (if applicable), electricity (where separately metered), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee
LEGAL COSTS	Lessee

- **Commercial Telecommunication Carriers**

Although considered to be carrying out commercial activities, *Telecommunications Carriers* are differentiated from *Commercial Organisations* due to their unique powers under the *Telecommunications Act 1997* (as detailed in 'Council's role and statutory obligations' above). The *Telecommunications Act 1997* does provide for an entitlement to compensation. For this purpose, carriers generally negotiate to pay a form of 'rental' and occupy their sites under a lease or license agreement. Due to the nature of the *Telecommunications Act 1997*, carriers are permitted to lease/license land located on property held for Community Purposes, Capital Appreciation or Income Generation. Tenure arrangements for Telecommunications Carriers therefore will be determined on a case-by-case basis and Council will seek an access fee from Carriers requesting co-location of another carrier.

- **Government Departments/Agencies**

Leases and licenses held by *Government Departments/Agencies* can range from neighborhood child health centres to large departmental offices. Consequently, depending on the purpose for which the lease/license is to be used, *Government Departments/Agencies* may be permitted to lease or license facilities which are located on property held for *Community Purposes*. In general, *Government Departments/Agencies* will be treated in the same manner as *Commercial Organisations*; however, subsidised rental may be granted on a case-by-case basis depending on the purpose for which the property is to be used. In addition, other formal agreements, memorandums-of-understanding or past obligations etc. may necessitate special tenure arrangements.

- **Not-for-Profit Community Groups**

Not-for-Profit Community Groups are those whose charter, constitution, articles of association or equivalent identify the purpose of the organisation as being not-for-profit and perform activities within Pittwater Council. In general, Not-for-Profit Community Groups will only be permitted to lease or license facilities held for Community Purposes that have a perceived benefit to the Pittwater community. As such, where appropriate, these organisations will be granted a lease or license at a subsidised rate in recognition of their perceived benefit to the community.

These can be broken up into a further two sub categories:

1. **Community Based Services**- Examples include Surf Clubs, KU Kindergarten, Scout and Guide organisations etc.
2. **Sporting Clubs- Non Commercial** - Examples include Football clubs (all codes), Equestrian, Swimming etc.

# 1. COMMUNITY BASED SERVICES

RENT	Subject to negotiation
MAXIMUM TERM	Twenty One Years
OTHER COSTS	The tenant is responsible for all outgoings, including but not limited to telephone, electricity (where separately metered), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee

LEGAL COSTS	Each party to bear their own legal costs.
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This group will receive the greatest discount or subsidy and will include community groups that service the local community.

In the case of approved commercial operations within community based service leased areas, Council will receive a minimum 20% of the gross income from the operator to be utilised by Council for the maintenance of the associated reserve and infrastructure.

At the date of adoption of this policy clubs running commercial facilities without prior formal Council approval shall, at Council's discretion, be required to either cease the operation or enter into an Agreement with Council to return 20% of the income received from the facility to Council as above.

## 2. SPORTING CLUBS – NON COMMERCIAL

ANNUAL RENT	As per Council's Fees & Charges
MAXIMUM TERM	Ten years (5 + 5) however terms greater than ten years can be sought with the provision of a business plan that demonstrates capital expenditure that may need to be amortised over a period greater than ten years.
OTHER COSTS	All outgoings, including but not limited to telephone, electricity (where separately metered), water usage (where applicable), cleaning, repairs and maintenance to the interior part of the tenancy including hard wired electrical appliances.
BUILDING INSURANCE	Lessor
CONTENTS INSURANCE	Lessee
PUBLIC LIABILITY INSURANCE	Lessee
WHS LIABILITY & WORKERS COMPENSATION	Lessee
LEGAL COSTS	Each party to bear their own legal costs.

This group will pay a nominal fee, as per Council's Fees and Charges, subject to annual CPI increases to partially offset the cost of ongoing lease administration and includes recreational or community groups that provide a service to the community but non-the-less have fund raising potential and are not reliant solely on grant income or subsidisation.

End.





<b>Policy – No 92</b>	<b>Adopted:</b>	<b>OM: 03.03.1997</b>
	<b>Reviewed:</b>	<b>OM: 03.06.2013</b>
	<b>Amended:</b>	<b>OM: 20.06.2011</b> <b>OM: 17.10.2011</b>
	<b>Revoked:</b>	

**TITLE:** LAND – DISPOSAL OF SURPLUS

**STRATEGY:** Business Management

**BUSINESS UNIT:** Corporate Strategy & Commercial

**RELEVANT LEGISLATION:** None

**RELATED POLICIES:** None

#### **Objective**

To regulate the disposal of surplus public land.

#### **Policy Statement**

Council will consider the sale of surplus properties as and when they are identified provided:-

1. the property does not form part of a long term strategic initiative.
2. it can be clearly demonstrated that the initial use proposed for the property is not likely to be achieved and/or that priorities have changed to the extent that the proposed use of the site will not be fulfilled.
3. that its disposal will benefit the wider community.
4. subject to consideration of any alternative use or community benefit arising from the retention of the land in its vacant form e.g. public reserve for access purposes or open space.



<b>Policy – No 56</b>	<b>Adopted:</b>	<b>OM: 03.03.1997</b>
	<b>Reviewed:</b>	<b>OM: 03.06.2013</b>
	<b>Amended:</b>	<b>OM: 20.06.2011, OM: 17.10.2011</b>
	<b>Revoked:</b>	

**TITLE:** PUBLIC RESERVES AND OTHER LANDS – RESUMPTION FOR PUBLIC UTILITIES

**STRATEGY:** Business Management

**BUSINESS UNIT:** Corporate Strategy & Commercial

**RELEVANT LEGISLATION:** None

**RELATED POLICIES:** None

#### **Objective**

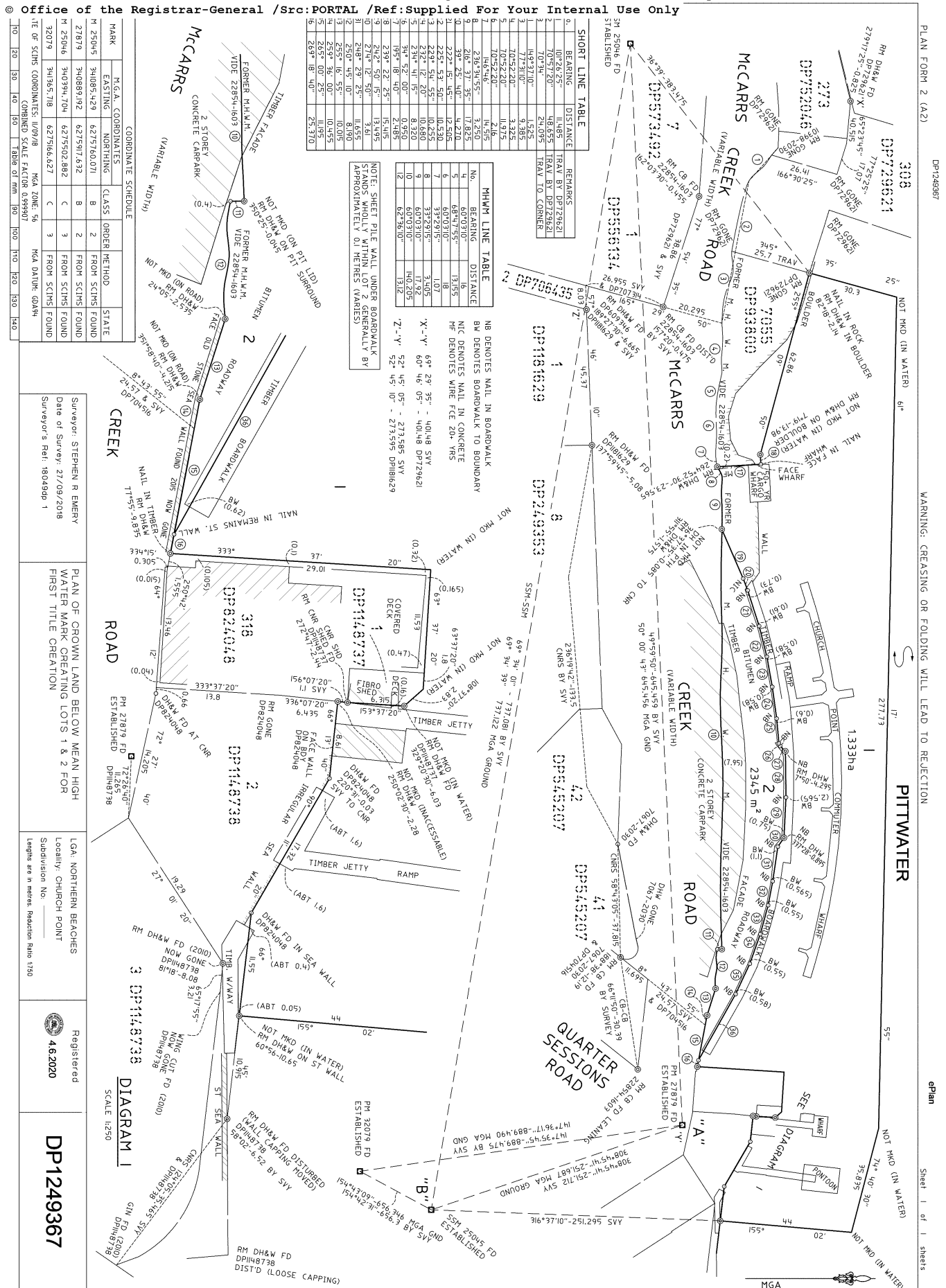
To ensure adequate compensation for loss of public assets.

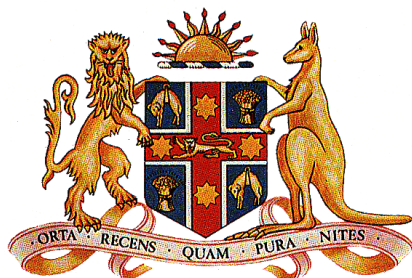
#### **Policy Statement**

That where land owned by the Council as a Public Reserve or other is to be resumed by an authority to accommodate its facility, the council seek appropriate compensation to be determined by Market Valuation.

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# *Government Gazette*

of the State of

New South Wales

**Number 208 - Crown Land**

**Friday, 30 May 2025**

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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It can also contain local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of each page of the notice and can be used as a reference for that notice. For example, [NSWGG-2024-10-1].

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ISSN 2201-7534

By Authority  
Government Printer

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**NSW Government Gazette No 208 of 30 May 2025**

VESTING OF TRANSFERABLE CROWN LAND IN A LOCAL COUNCIL

Pursuant to Section 4.6 of the *Crown Land Management Act 2016*, the transferable Crown land specified in Column 1 hereunder is vested in the local council specified in Column 2 as operational land, subject to any reservations and exceptions specified in Schedule 2.

The Hon Stephen Kamper, MP  
Minister for Lands and Property

Schedule 1		
Column 1	Column 2	Column 3
being Lot 2 DP 1249367 Notified: 4 June 2020, Folio 2/1249367	Northern Beaches Council	1012329 Pittwater Regional Crown Reserve  56146 Beds of All Rivers  1011268 Beds of All Rivers

- Schedule 2
- The land specified in Schedule 1 excludes all minerals which are reserved to the Crown.
  - The land specified in Schedule 1 is subject to the reservations for the purposes specified in Column 3 of Schedule 1.
  - The land specified in Schedule 1 is taken to be acquired by the local council specified in Column 2 of Schedule 1 under the *Local Government Act 1993*.
  - Pursuant to Section 4.9(2) of the *Crown Land Management Act 2016*, the vesting of the land specified in Schedule 1 takes effect subject to any native title rights and interests existing in relation to the land immediately before the vesting.
  - Pursuant to Section 4.9(3) of the *Crown Land Management Act 2016*, the land specified in Schedule 1 cannot be sold or disposed of in any way.



To: The Chief Executive Officer  
Northern Beaches Council

### Notice of Motion to Rescind or Alter a Resolution

in accordance with s372(1) of the Local Government Act, 1993.

Passed By Council on 15 July 2025

We give notice of the following motion to rescind or alter a resolution of Council:

"That Council's resolution relating to Item No 7.1, point/s \_\_\_\_\_

adopted at the Council Meeting held on 15 July 2025 be rescinded".

### Notice of Replacement Motion

in accordance with clauses 18.3 to 18.14 of the Northern Beaches Council Code of Meeting Practice.

Should the motion to rescind or alter a resolution be adopted we give notice that it is our intention to move the following motion:

In the interests of transparency, and good governance,  
and noting that another organisation is already  
running a similar program for free in the  
Sutherland Shire, that Council calls for  
Expressions of Interest for free,  
and report the matter  
back to Council in September.

Vincent De Luca OAM  
Name of Councillor

ROBERT GILBERTSON OAM  
Name of Councillor

Mandeep Singh  
Name of Councillor



Signature of Councillor

15 July 2025  
Date

15 JULY 2025  
Date

15/July/2025  
Date

ITEM 7.1 NORTHERN BEACHES COUNCIL MEETING - 15 JULY 2025

**ITEM 7.1      MAYORAL MINUTE NO 7/2025 - STUDENT BICYCLE LICENCE  
SCHEME**

**PURPOSE**

The purpose of this mayoral minute is to seek a resolution to participate in Bicycle NSW's Student Bicycle Licence Scheme to help improve bike rider safety and awareness as an interim response to the ongoing E-bike concerns raised by the community.



**Sue Heins  
MAYOR**

**RECOMMENDATION**

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.



**ITEM 7.1 NORTHERN BEACHES COUNCIL MEETING - 15 JULY 2025**

**BACKGROUND**

In recent years, bike riding has grown in popularity on the Northern Beaches, particularly since e-bikes have become more readily available, and predominantly among young people. E-bikes have improved accessibility, making everyday trips easier for people of all ages and abilities, increasing the reach of destinations and reducing the challenges of topography compared to conventional bicycles.

However, the community continues to raise its concerns about e-bikes, pedestrian conflict and rider behaviour. At a state level, there is currently no consistent bicycle education or awareness programs for schools in NSW and I believe that it is critical that young people have a basic understanding of road rules, safety measures and bicycle use etiquette.

To address this gap, Bicycle NSW is currently offering to work with local councils and schools through a Student Bicycle Licence Scheme.

This program involves a basic online testing process to ensure students can demonstrate basic competencies in bicycle safety, road rules and etiquette which would result in a digital licence including named recognition of Council.

Council's primary role would be to promote this scheme to schools within the area and to enable schools through the provision of this new tool to improve road safety education. It will be up to each school as to how it chooses to implement the licensing scheme with its respective communities; for example, if they wish to make this mandatory for students who ride to school.

Council would have access to uptake data which will inform the effectiveness of the scheme and may inform future input to Bicycle NSW on the program. It is anticipated that, should this be supported, this initiative will be ready for the start of Term 4, 2025 and staff have advised that this work can be undertaken within current operational budgets.

Cycling is an important part of our local transport solution, being an environmentally friendly, cost effective and efficient transport option for short to medium trips. I see this as an important addition to Council's response to promote safe bike riding and ensure a safer road environment for all users.

<b>TRIM file ref</b>	2025/453745
<b>Attachments</b>	1 Bicycle NSW Schools Bicycle Licence Proposal February 2025 (Included In Attachments Booklet)

ITEM 7.1 NORTHERN BEACHES COUNCIL MEETING - 15 JULY 2025



## Bicycle NSW

### Student Bicycle Licence Council Proposal

#### Background

Bicycle NSW has been promoting bicycle use, behaviour change and effective bicycle user environments since it was established as a member based organisation in 1976. Since then, Bicycle NSW has been responsible for many active transport infrastructure outcomes and positively supporting thousands of people of all ages to utilise bicycles as active transport and for recreational purposes. It is critical for students to have a basic understanding of road rules, safety measures and bicycle use etiquette in order to ride their bicycle to and from school safely.

At a state level, there is no consistent bicycle education and awareness campaigns or programs for School in NSW. Several Councils are proactively tackling a number of these challenges at a local level including e-bike user behaviour through education and awareness to ensure local e-bike users and the community are safe.

Bicycle NSW is offering to further develop and broaden this outstanding local work by offering a basic testing process to ensure students can demonstrate basic competencies in bicycle safety, road rules and etiquette.

#### Student Bicycle Licence Scheme

The Student Bicycle Licence Scheme is a digital licence which students would receive on their smart phones once they correctly complete a series of questions. This platform would be provided on the Bicycle NSW website and a direct link provided to Councils to share with their schools. The students would then need to access the link, complete basic information and answer some questions before being eligible for their digital Bicycle Licence (see mocked up licence below). Bicycle NSW could provide all schools and students to Council and the schools for confirmation (a T&C would make this clear to the student). A parent or guardian email address would also be collected to ensure they are notified of the bicycle licence. Schools may or may not wish to make this mandatory for students who ride to school (i.e ban students riding without a licence). Councils could also opt to include the program in their existing schools programs as well as to elevate its status if they undertake bike skills or proficiency courses. For example, a Gold Licence or similar could be included.

The questions would be based around road rules relevant to bicycle riding, bicycle safety and etiquette. This would be approximately 15 questions and Bicycle NSW can provide an initial draft for Council to provide feedback and input into.

Benefits of a student bicycle licence scheme include:

- Strongly addresses a collective and shared duty of care of Schools, students, parents, Councils and Government. NB: Primary duty of care lies with the parents /carers.
- Helps to provide an initial and base level engagement for schools and active travel to schools
- Delivers a state consistent program by a respected and established not for profit peak body. This prevents the risk of each council and or school doing their own thing which is inefficient and inconsistent.
- Helps to create a better bicycle riding environment for all bicycle users which is key objective of Bicycle NSW.

(02) 9704 0800 | [info@bicyclensw.org.au](mailto:info@bicyclensw.org.au) | [www.bicyclensw.org.au](http://www.bicyclensw.org.au)  
Gadigal Country, Level 9, 66 Goulburn Street, Sydney NSW 2000  
ABN 26 511 801 801

ITEM 7.1 NORTHERN BEACHES COUNCIL MEETING - 15 JULY 2025

P 2/3



What will Bicycle NSW deliver?

- Input and feedback to the licence questions.
- An online bicycle licence scheme and a link for Council to promote.
- Participation and usage data (likely through an excel spreadsheet)
- Any maintenance, trouble-shooting or technical support as the platform requires.
- General support and promotion of the bicycle licence scheme.
- Council logo and named recognition.
- Potentially additional ideas and suggestions from Council which can easily be achieved by Bicycle NSW within the context of the project's time and resources.

What will Council deliver?

- Input and feedback to Bicycle NSW.
- Ongoing promotion of the licence scheme to their local schools.
- Content and photos for further information and guidance (not essential).
- Payment of invoice.

### Investment

The development and implementation of this program isn't cost effective to deliver in one council area. Therefore, Bicycle NSW proposes to develop the program and implement it in at least 3-4 councils initially. As the platform will be integrated into existing Bicycle NSW software, the internal setup and software development and testing is significantly more cost effective and is estimated to be approximately \$14,000.

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**ITEM 7.1 NORTHERN BEACHES COUNCIL MEETING - 15 JULY 2025**

P 3/3

Bicycle NSW will cover these setup and development costs by proportioning the costs across 4 councils or \$3,500 plus GST per council (or \$2,975 for a council member, \$15 discount). Ongoing maintenance and management fees are estimated at \$600 per annum after year one (or \$500 for a council member).

For transparency, please note that Bicycle NSW would recover staffing and resourcing costs in year two by offering the same program to other Councils to also use. This will ensure the program benefits a number of councils and also remains financially sustainable.

**What does success look like after year 1?**

- Thousands of students in receipt of a digital bicycle licence.
- Greater understanding and reduced complaints/conflicts in and around school travel environments.
- Test and learn to grow/enhance the scheme into future years and complete a brief report on the achieved outcomes.

**Timeline**

Bicycle NSW would like to begin rolling this program out in Term 2 2025. We therefore seek support from Councils as soon as possible so we can engage the software developers as soon as possible.

**The Future**

It continues to be an exciting time for increasing active transport in NSW. With rapidly growing bicycle infrastructure, safer riding environments and growing adoption, we will see a cultural shift in Australia. We want to ensure this shift is safe and we look forward to continuing to work in collaboration with Councils to deliver a safer riding culture.

After feedback, Bicycle NSW would be very pleased to further develop and refine options within this proposal to deliver maximum value and impact for your Council.



To: The Chief Executive Officer  
Northern Beaches Council

### Notice of Motion to Rescind or Alter a Resolution

in accordance with s372(1) of the Local Government Act, 1993.

Passed By Council on 19 August 2025

We give notice of the following motion to rescind or alter a resolution of Council:

"That Council's resolution relating to Item No 13.1, point/s \_\_\_\_\_

adopted at the Council Meeting held on 19 August 2025 be rescinded".

### Notice of Replacement Motion

in accordance with clauses 18.3 to 18.14 of the Northern Beaches Council Code of Meeting Practice.

Should the motion to rescind or alter a resolution be adopted we give notice that it is our intention to move the following motion:

That outdoor dining be permitted ~~can~~ to continue in Rialto Lane, subject to payment of Council's fees and charges.

Vincent De Luca AM  
Name of Councillor

Robert Giltinan OAM  
Name of Councillor

Mandeep Singh  
Name of Councillor

19 August 2025.  
Date

19 August 2025  
Date

19 August 2025  
Date

TRIM: 2017/338901

ITEM 13.1 NORTHERN BEACHES COUNCIL MEETING - 19 AUGUST 2025

**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.

**ITEM 13.1 NORTHERN BEACHES COUNCIL MEETING - 19 AUGUST 2025**

**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



**ITEM 13.1 NORTHERN BEACHES COUNCIL MEETING - 19 AUGUST 2025**

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.

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



ITEM 13.1 NORTHERN BEACHES COUNCIL MEETING - 19 AUGUST 2025





ITEM 13.1 NORTHERN BEACHES COUNCIL MEETING - 19 AUGUST 2025

