

Statutory Returns



Section 428 (3) Preparation of report

This Annual Report has been developed in accordance with the guidelines referred to in the Local Government Act 1993, Integrated Planning and Reporting Guidelines (s406), the Local Government (General) Regulation 2005 (s217), and the most up to date Office of Local Government Annual Report checklist (published on 30 June 2021).

s428 (4) (a) Financial statements

Audited financial statements for the year 2020/21 are at page 194 of this Annual Report.

s428 (4) (b) Other information

This report includes other information in line with the Integrated Planning and Reporting Guidelines, the Local Government Act 1993 and other legal requirements.

s428 (5) Send to the Minister

A copy of this annual report is on Council's website and a link provided to the Minister.

s54P (1) Particulars of any environmental upgrade agreement entered into by the Council

Council did not enter into any environmental upgrade agreements in the 2020/21 financial year.

Special Rate Variation Guidelines 7.1 - Implementation of special rates and levies

The Northern Beaches Council has sustained the approved rates paths of its former councils until the end of 2020/21 in accordance with the Local Government (Council Amalgamations) Proclamation 2016 and the Local Government Amendment Act 2019.

All the former Councils (Pittwater, Warringah and Manly) had variations applying to their rates. Where appropriate, movements in the receipt and expenditure of these funds are included in the Annual Financial Statements. Note that 2017/18 was the last year of the former Warringah Council Special Rate Variation.

Manly Environment Levy

As part of reporting, the former Manly Council set aside part of an ordinary rate increase in 1997, to fund priority environmental projects that enhance Manly's environment. In 2020/21 an amount of \$901,249 was spent in the former Manly Local Government Area on priority environmental projects, including bush regeneration works, coast and waterways management and environmental sustainability.

Manly Business Special Rate

- Manly Business Centre Improvement

This special rate applies to properties in the Manly Central Business District (CBD) area, to provide for ongoing and proposed capital and maintenance works in the Manly business centre, The Corso and beachfront.

During 2020/21 the income raised was \$1,219,216. An amount of \$1,216,923 was spent on capital and maintenance works, as well as tourism, events and business support. Capital works included hostile vehicle mitigation, tree maintenance, cleansing and litterbin services. Tourism and business support included the Manly Mainstreet Place coordinator, activations and workshops, the Manly Visitor Information Centre and events such as Manly Jazz and Taste of Manly. The balance of the money will be kept in reserve for projects in the next financial year.

Manly Business Special Rate

- Balgowlah Business Centre Improvement

This special rate applies to properties in the Balgowlah commercial area, to provide for ongoing and proposed capital and maintenance works, including the off-street carparks in Condamine Street.

During 2020/21 the income raised was \$87,901. An amount of \$22,920 was spent on staged paving renewal in the Balgowlah shops and the balance was reserved for future projects in the business centre.

Former Pittwater Council

Special Rate Variation

In June 2011, IPART approved the former Pittwater Council's application for a Special Rate Variation. This resulted in an increase in rates over three years (2011-2014) to generate approximately \$38.4 million in funds. These funds are for infrastructure works and environmental programs to be delivered over a 10-year period.

In 2020/21 an amount of \$6,990,274 was spent in the former Pittwater Local Government Area on the following capital projects:

Table 1

Pittwater Improvement Program 2020/21

Capital	\$	Operational	\$
Road resheeting	1,300,000	Bushland and waterways	450,000
Car park renewal	150,000	Biodiversity protection	65,000
New footpaths	951,745	Community bushcare	25,000
Bike Plan implementation	50,000	Managing natural hazards	295,000
Energy savings initiatives	181,253	Keeping villages and surrounding areas beautiful	132,543
Water saving and re-use initiatives	38,228	Facilities and services at beaches (extension of Lifeguard services)	130,000
Foreshores renewal	140,000		
Stormwater and flood mitigation	380,000	Operational Total	1,097,543
Mona Vale Library refurbishment	10,326	Grand Total	6,990,274
Mona Vale Town Centre place making infrastructure	494,410		
Sportsfield renewal	55,000		
Newport Beach Basketball court	99,413		
Rockpool renewals	69,374		
Scotland Island roads and drainage improvements	237,213		
Wharves works	621,087		
Mona Vale Surf Life Saving Club	12,392		
Playground renewal	40,000		
Environmentally Sensitive Land	1,062,290		
Capital Total	5,892,731		

Clause 132 Rates and charges written off for the period of 2020/21

	\$
Rates abandoned (postponed)	23,237.38
Interest abandoned (postponed)	6,912.41
Interest abandoned (other)	9,950.08
Mandatory pension rebate	2,490,971.38
Voluntary pension rebate (rates)	149,319.96
Voluntary pension rebate (waste)	334,998.65
Total	3,015,389.86

(c) 32 seminars, circulars and other activities were delivered as part of the ongoing professional development program of the Councillors.

Clause 217(1) (a) Overseas visits

During 2020/21, no overseas visits were made by Councillors, Council staff or other people representing Council.

Clause 186 Councillor induction training and professional development

- (a) There were no induction training programs or refreshers in 2020/21.
- (b) The following Councillors participated in ongoing professional development by engaging in these activities:

	Participants	Name of program
Professional development	Cr Amon Cr Grattan Cr Sprott Cr Walton	Membership - Australian Institute of Company Directors (AICD)
	Cr Bingham Cr Ferguson	LGNSW Webcast - Prevent Sexual Domestic & Family Violence - 14, 17 and 21 September 2020
	Cr Heins Cr Bingham Cr Sprott Cr White	LGNSW Annual Conference - Online - 23 November 2020
	Cr Sprott Cr Walton	LGNSW Destination and Visitor Economy Conference - Port Macquarie - 26-28 May 2021

Clause 217 (1) (a1) Payment of expenses of, and the provision of facilities to, Councillors in relation to their civic functions

An amount of \$50,162 was incurred for provision of fees, facilities and expenses for the Mayor and Councillors. Details are below.

Facilities and expenses	\$
Provision of dedicated office equipment allocated to Councillors	5,423
Telephone calls made by Councillors	13,325
Attendance of Councillors at conferences and seminars	6,281
The provision of induction training and professional development for Mayor and other Councillors	880
Training of councillors and provision of skill development	0
Interstate visits by councillors, including transport, accommodation and other out-of-pocket travelling expenses	0
Overseas visits by councillors, including transport, accommodation and other out-of-pocket travelling expenses	0
Expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for the Mayor and Councillors	553
Expenses involved in the provision of care for a child of, or an immediate family member of a Councillor	0
Other expenses	23,700
Total	50,162
Fee	\$
Mayoral	88,600
Councillors	456,150
Total	544,750

Clause 217 (1) (a2) Major contracts

The following table shows details of each contract awarded for amounts greater than \$150,000 including:

- name of contractor (except employment contracts – contracts of service)
- nature of goods or services supplied
- total amount payable

Contractor's name	Description	Total value ex GST
All Waterfront Constructions Pty Ltd	Reconstruction and maintenance - Taylors Point tidal pool	\$157,610
Ally Civil Engineering	Avalon Netball Courts civil works	\$192,035
Ally Property Services Pty Ltd	Collaroy Beach all ability access ramp works	\$398,475
Ally Property Services Pty Ltd	Pathway Construction at Wingara Reserve, Belrose and Catalpa Reserve, Avalon Beach	\$183,191
Ally Property Services Pty Ltd	Phillip Road, Mona Vale – road and drainage improvements (2020/21)	\$214,356
Apunga	Burnt Bridge Creek Reserve	\$151,950
ARCADIS AUSTRALIA PACIFIC PTY LIMITED	Review of existing information and biodiversity survey	\$169,645
Australian Bushland Restoration Pty Ltd	Upper Middle Creek contract	\$195,000
Bayteck Pty Limited	North Curl Curl Community Centre public amenities	\$255,590
Bedrule Pty Ltd 1140336	Installation stormwater inclined trash trap Howell Close, Newport	\$352,355
Bedrule Pty Ltd 1140336	Fern Creek high voltage undergrounding	\$516,620
Carfax Commercial Constructions Pty Ltd	Bushfire upgrade works at the conference centre building, Currawong State Park	\$194,742
Downer EDi Works	Services for the recycling of street sweepings and residual	\$233,000
Enter Building Group Pty Ltd	Clontarf Reserve playground upgrade	\$528,977
Esri Australia Pty Ltd	ESRI – enterprise license	\$765,000
Ethos Urban Pty Ltd	Brookvale Structure Plan	\$220,958

Contractor's name	Description	Total value ex GST
Favro Constructions	Apex Park amenities	\$212,091
Favro Constructions	Sewer upgrade – Mona Vale Beach	\$357,727
GPM Constructions Pty Ltd	Bell and Carols Wharf upgrades (construction)	\$2,200,608
GPM Marine Constructions Pty Ltd	Fairy Bower stormwater outlet renewal works	\$275,662
Grindley Interiors Pty Ltd	Queenscliff Surf Club lift & internal alterations	\$1,028,004
Grindley Interiors Pty Ltd	Redevelopment of Long Reef Surf Life Saving Club & associated community facilities	\$7,494,000
Haskoning Australia Pty Ltd	Narrabeen Lagoon entrance management strategy	\$207,100
Hill PDA	Property consultancy services	\$240,000
Infigen Energy Markets Pty Limited	Northern Beaches Council renewable electricity power purchase	\$2,900,000
Inter-Chillers Pty Ltd	Air conditioning system upgrade at Glen Street Theatre	\$348,500
iQ3 Pty Ltd	Anti-virus software upgrade to cloud (SaaS)	\$292,725
James Bennett Pty Limited	Northern Beaches library books and resource materials	\$4,500,000
Kronos Australia Pty Ltd	People Central project - Kronos clock hardware	\$163,401
Larsen & Toubro Infotech Ltd	People Central program test analysts and integration lead services	\$440,640
Murphys Facilities Services P/L	Stairs and balcony upgrade works at South Narrabeen Surf Life Saving Club	\$201,880
Optimal Stormwater Pty Ltd	North Steyne gross pollutant trap	\$530,950
OZPAVE (AUST) PTY LTD	Curl Curl netball courts renewal	\$241,305
Planet Footprint Pty Ltd T/A Azility	Utility account management, monitoring and reporting service	\$168,600
Pure Security Pty Ltd	Pure Security 2021 services and software renewal	\$186,472
Quality Management and Constructions Pty Ltd	Manly CBD public space protection	\$902,031
REES Electrical Pty Ltd	JJ Melbourne Hills BMX lighting renewal	\$202,100
Rogers Construction Group Pty Ltd	2020 Lakeside Caravan Park amenities refurbishment	\$225,177

Contractor's name	Description	Total value ex GST
SCP Consulting Pty Ltd	Boondah Road upgrades (design)	\$202,620
Service Management Specialists Pty Ltd	IT service management review services	\$397,198
SMC Marine Pty Ltd	Tidal pool renewal project - Forty Baskets tidal pool	\$462,745
Soil Conservation Service	Collaroy Beach seawall temporary stabilisation works	\$183,000
Specialised Pavement Services Pty Ltd	Services for street sweeping (Pittwater)	\$169,248
Surf Life Saving Services Pty Ltd	Provision of lifeguard services	\$3,769,070
Telstra Corporation Ltd	MS Teams unified communications as a services (UCaaS) telecommunications agreement	\$207,979
The Glascott Group P/L	St David Avenue park, Dee Why	\$1,377,355
Total Earth Care Co	Prosperity wetland design and construct wetland works	\$570,530
Twenty Four Seven	Avalon Golf Club Creative Art Studio and Workshop conversion	\$444,182
Westbury Constructions Pty Ltd	Lionel Watts eastern amenities and clubhouse upgrades	\$1,042,076
WhatFix Pty Ltd	Digital adoption solution	\$158,720
Total		\$37,033,200

Clause 217 (1) (a3) Legal proceedings

During period 2020/21 the following expenses were incurred in relation to legal proceedings:

	\$
Total Expenditure	\$9,648,800*
Costs Recovered	(\$140,726)
Net	\$9,508,074

* This figure reflects expenditure on legal proceedings and includes the \$6.75 million settlement of the Whistler Street Carpark matter.

The following matters were finalised:

Address/Matter	Court	Result
31 Bellara Road & 66 Powderworks Road, Narrabeen	Class 1 Land & Environment Court	Appeal upheld with amended plans
11 Adelaide Street, Balgowlah	Class 1 Land & Environment Court	Dismissed
11 Ocean Road, Palm Beach	Class 1 Land & Environment Court	S34 Agreement
21 Whistler Street, Manly	Class 1 Land & Environment Court	S34 Agreement
1955 Pittwater Road, Bayview	Class 1 Land & Environment Court	S34 Agreement
41 Warriewood Road, Warriewood	Class 1 Land & Environment Court	Dismissed
5 Dalley Street, Queenscliff	Class 1 Land & Environment Court	S34 Agreement
67 Seaforth Crescent, Seaforth	Class 1 Land & Environment Court	Appeal Upheld and Order Modified
87 Narrabeen Park Parade, Narrabeen	Class 1 Land & Environment Court	S34 Agreement
Lot 2506 Bundaleer Street, Belrose	Class 1 Land & Environment Court	S34 Agreement
118 Bower Street, Manly	Class 1 Land & Environment Court	S34 Agreement
68A Queenscliff Road, Queenscliff	Class 1 Land & Environment Court	Discontinued
82-84 Bower Street, Manly	Class 1 Land & Environment Court	Discontinued
82-84 Bower Street, Manly	Class 1 Land & Environment Court	Discontinued
61 Cutler Road, Clontarf	Class 1 Land & Environment Court	Appeal upheld with amended plans
205 Riverview Avenue, Avalon Beach	Class 1 Land & Environment Court	Discontinued
181 Forest Way, Belrose	Class 1 Land & Environment Court	S34 Agreement

Address/Matter	Court	Result
55 Wheeler Parade, Dee Why	Class 1 Land & Environment Court	S34 Agreement
22 Ramsay Street, Collaroy	Class 1 Land & Environment Court	Appeal upheld with amended plans
1106 Pittwater Road, Collaroy	Class 1 Land & Environment Court	Dismissed
13 Bungendore Road, Ingleside	Class 1 Land & Environment Court	Discontinued
5 Birdwood Road, Collaroy	Class 1 Land & Environment Court	S34 Agreement
6 Gladys Avenue, Frenchs Forest	Class 1 Land & Environment Court	Appeal upheld with amended plans
691 Pittwater Road, Dee Why	Class 1 Land & Environment Court	Discontinued
16 Upper Gilbert Street, Manly	Class 1 Land & Environment Court	S34 Agreement
8 Lady Penrhyn Drive, Beacon Hill	Class 1 Land & Environment Court	Dismissed
22 Redman Road, Dee Why	Class 1 Land & Environment Court	Dismissed
1 Namba Road, Duffys Forest	Class 1 Land & Environment Court	Discontinued
14 Wyatt Avenue, Belrose	Class 1 Land & Environment Court	Appeal upheld with amended plans
72 Carrington Avenue, Curl Curl	Class 1 Land & Environment Court	Dismissed
16 Gladys Avenue, Frenchs Forest	Class 1 Land & Environment Court	Appeal upheld with amended plans
15 Monash Crescent, Clontarf	Class 1 Land & Environment Court	S34 Agreement
20 Westminster Avenue, Dee Why	Class 1 Land & Environment Court	Appeal upheld with amended plans
12 Killawarra Road, Duffys Forest	Class 1 Land & Environment Court	Discontinued
95 Wimbledon Avenue, North Narrabeen	Class 1 Land & Environment Court	S34 Agreement
24 Aitken Avenue, Queenscliff	Class 1 Land & Environment Court	Appeal upheld with amended plans
515 Pittwater Road, Brookvale	Class 1 Land & Environment Court	S34 Agreement
27 Kevin Avenue, Avalon	Class 1 Land & Environment Court	Dismissed
15 Addison Avenue, Manly	Class 1 Land & Environment Court	S34 Agreement
22 Stuart Street, Manly	Class 1 Land & Environment Court	Appeal upheld with amended plans
Lot 100 Meatworks Avenue, Oxford Falls	Class 1 Land & Environment Court	Appeal upheld with amended plans

Address/Matter	Court	Result
18 Alexander Street, Collaroy	Class 1 Land & Environment Court	Appeal upheld with amended plans
18 Alexander Street, Collaroy	Class 1 Land & Environment Court	Appeal upheld with amended plans
173-175 Riverview Avenue, Avalon Beach	Class 1 Land & Environment Court	Dismissed
173-175 Riverview Avenue, Avalon Beach	Class 1 Land & Environment Court	Dismissed
2191 Pittwater Road, Church Point	Class 1 Land & Environment Court	Discontinued
626 Pittwater Road, Brookvale	Class 1 Land & Environment Court	S34 Agreement
626 Pittwater Road, Brookvale	Class 1 Land & Environment Court	Order revoked in light of S34 Agreement
15 Winsome Avenue, North Balgowlah	Class 1 Land & Environment Court	Dismissed
54 Bardo Road, Newport	Class 1 Land & Environment Court	S34 Agreement
28 Carrington Parade, Freshwater	Class 4 Land & Environment Court	Discontinued
134 Headland Road, North Curl Curl	Class 4 Land & Environment Court	Dismissed against Council
Station Beach, Palm Beach	Class 4 Land & Environment Court	Declarations that Council's decisions were invalid
14 Patey Street, Dee Why	Class 4 Land & Environment Court	Discontinued
22 Curl Curl Parade, Curl Curl	Class 4 Land & Environment Court	Summons withdrawn & CDC revoked
Compensation Claim	Civil & Administrative Tribunal	Dismissed
Application against GIPA decision No. 3	Civil & Administrative Tribunal	Decision affirmed
9-15 Central Avenue, Manly	Civil & Administrative Tribunal	Dismissed
Application against GIPA decision No. 4	Civil & Administrative Tribunal	Dismissed
Jacksons Road, Warriewood	Local Court	Conviction and fine
Careel Head Road, Avalon Beach	Local Court	Conviction and fine
Tipperary Road, Killarney Heights	Local Court	Conditional release order with no conviction
Griffin Road, North Curl Curl	Local Court	Conviction and fine
Dog Attack	Local Court	Good behaviour bond
Forest Way, Mona Vale Road	Local Court	Conviction and fine

Address/Matter	Court	Result
Orchard Street, Warriewood	Local Court	Conviction and fine
Personal Injury Claim	Personal Injury Commission	Council rehabilitation provider to remain
Unlawful Termination Claim	Fair Work Commission	Dismissed
10 Dakara Drive Frenchs Forest - Public Liability Claim	Supreme Court	Judgment for the Plaintiff
Personal Injury Claim	District Court	Judgment for the Plaintiff
Application against Council regarding Dangerous Dog	Supreme Court	Dismissed
Whistler Street Carpark	Supreme Court	See statement below*

* Following mediation before the Hon Keith Mason AC QC, the dispute between Built Athas and Northern Beaches Council relating to the development of Manly Council's Whistler Street Car Park has been resolved by the parties, without admission of liability by any party, on terms that Council pay to Built Athas \$6,750,000 in full and final settlement of all matters in dispute. The terms of the settlement are otherwise confidential.

The following matters have not been finalised and are ongoing

Address/Matter	Court
89 Wyadra Avenue, Freshwater	Class 1 Land & Environment Court
6 Brighton Street, Freshwater	Class 1 Land & Environment Court
255 Condamine Street, Manly Vale	Class 1 Land & Environment Court
27 Bellevue Avenue, Avalon Beach	Class 1 Land & Environment Court
11 May Road & 613-615 Pittwater Road, Dee Why	Class 1 Land & Environment Court
14 Kangaroo Street, Collaroy Plateau	Class 1 Land & Environment Court
1 Bilambee Lane, Bilgola Plateau	Class 1 Land & Environment Court
4 Harvey Road, Ingleside	Class 1 Land & Environment Court
27 Alan Avenue, Seaforth	Class 1 Land & Environment Court
11 Lewis Street, Balgowlah Heights	Class 1 Land & Environment Court
14 Kangaroo Street, Collaroy Plateau	Class 1 Land & Environment Court
1 Bilambee Lane, Bilgola Plateau	Class 1 Land & Environment Court
4 Harvey Road, Ingleside	Class 1 Land & Environment Court
27 Alan Avenue, Seaforth	Class 1 Land & Environment Court

Address/Matter	Court
11 Lewis Street, Balgowlah Heights	Class 1 Land & Environment Court
4 Collaroy Street & 1 Alexander Street, Collaroy	Class 1 Land & Environment Court
67 Why Parade, Dee Why	Class 1 Land & Environment Court
163 Pacific Road, Palm Beach	Class 1 Land & Environment Court
46 Boyle Street & 81 Griffiths Street, Balgowlah	Class 1 Land & Environment Court
34-36 Bardo Road, Newport	Class 1 Land & Environment Court
2B Francis Street, Dee Why	Class 1 Land & Environment Court
1129 Pittwater Road, Collaroy	Class 1 Land & Environment Court
2 Macpherson Street, Warriewood	Class 1 Land & Environment Court
29 Peacock Parade, Frenchs Forest	Class 1 Land & Environment Court
181 Allambie Road, Allambie Heights	Class 1 Land & Environment Court
633 Warringah Road, Forestville	Class 1 Land & Environment Court
633 Warringah Road, Forestville	Class 1 Land & Environment Court
26 Roger Street, Brookvale	Class 1 Land & Environment Court
28 Lockwood Avenue, Belrose	Class 1 Land & Environment Court
307 Sydney Road & 12 Boyle Street, Balgowlah	Class 1 Land & Environment Court
27-29 North Avalon Road, Avalon Beach	Class 1 Land & Environment Court
107 Clontarf Street, Clontarf	Class 1 Land & Environment Court
107 Clontarf Street, Clontarf	Class 4 Land & Environment Court
Church Point Carpark	District Court
Dangerous Dog Order	Local Court
Dog Attack	Local Court
Dog Off Leash	Local Court
Dangerous Dog Order	Local Court
Appeal against GIPA Decision No. 1	Civil & Administrative Tribunal
Appeal against GIPA Decision No. 2	Civil & Administrative Tribunal
Workers Compensation Claim	Personal Injury Commission

**Clause 217 (1) (a4) and Act s67,
67(2)(b) Work on private land**

Council resolution number	Summary of resolution	Summary of work carried out	Approved amount charge and amount subsidised by Council
161/21	Council resolved to undertake works in a creek in Mona Vale and to remove sediment and weeds to improve water drainage through the area.	Carrying out of periodic maintenance works within the natural watercourse at 2, 4, 6, 10 and 12 Polo Avenue, Mona Vale to facilitate effective stormwater flow in that area	\$3,700 (ex GST) wholly subsidised by Council
162/21	Council resolved to carry out works adjacent to Fern Creek to facilitate access to the area for Rural Fire Service vehicles in the event of a future bushfire emergency.	Carrying out of work on private land owned by the Catholic Diocese of Broken Bay at Mater Maria College, 5 Forest Road, Warriewood, to connect the Fern Creek crossing	\$12,000 (ex GST) wholly subsidised by Council

Clause 217 (1) (a5) Grants

The total amount contributed or otherwise granted by the Council in 2020/21 under section s356 of the Act was \$8,151,065. A summary of the recipients of the grant by program is below.

Fund name	\$
Barrenjoey High School Performance Space (Stronger Communities Fund - round 2)	50,000
Community and cultural development grants	919,200
COVID-19 – Community response grants	76,938
COVID-19 - Community centre rent subsidies	20,536
COVID-19 - Property rental subsidies	1,854,555
COVID- 19 Sporting fee subsidies	513,872
COVID-19 Rates and domestic waste subsidy	4,375,010
Heritage grants	12,688
Eco School grants	39,564
Community Event grants & sponsorship	188,702
Sport and recreation infrastructure grants	100,000
Total	8,151,065

Clause 217 (1) (a6) External bodies that exercised functions delegated by Council

The Northern Beaches Local Planning Panel (NBLPP) operates independently to determine development applications.

The panel consists of the chair, two planning professionals and one community representative. During the year 38 NBLPP meetings were held, where 126 matters were determined.

Clause 217(1) (a7) Council controlled corporations, partnerships, trusts, joint ventures, syndicates or other bodies

Council holds a controlling interest in Kimbriki Environmental Enterprises Pty Ltd (KEE) as the major shareholder (96.16% of shares), with the remaining shares held by Mosman Council.

KEE operates a recycling and waste disposal centre at Kimbriki Road, Terrey Hills - the Kimbriki Resource Recovery Centre. KEE commenced operation on 1 July 2009 following the necessary authorisations pursuant to sections 358 and 625 of the Local Government Act.

Clause 217(1) (a8) Corporations, partnerships, trusts, joint ventures, syndicates or other bodies in which the Council participated during the year

Northern Beaches Indoor Sports Centre

Council is represented on the Board of Management of the Northern Beaches Indoor Sports Centre responsible for overseeing the operation of a regional multipurpose indoor sports centre at Narrabeen Sports High School. The Board is a limited guarantee non-profit company consisting of representatives from the Council, the Department of Education, the Department of Sport and Recreation and local sporting groups.

Aboriginal Heritage Office

Council supports this Office and its work in conserving over 1,000 indigenous cultural sites across Northern Sydney. It plays an important role in education and awareness of the area's significant Aboriginal cultural heritage. The Partnership along with the Memorandum of Understanding is with North Sydney, Willoughby, Lane Cove, Strathfield, Kur-ring-gai and Northern Beaches Councils.

Environmental management

Council participates in partnerships to manage the environment and related incidents with:

- Sydney Coastal Councils Group (member)
- Grant projects funded by Local Land Services
- Grant projects funded by Department of Planning, Industry and Environment
- Grant projects funded by the Environmental Trust
- Northern Beaches Local Emergency Management Committee (member)
- Northern Beaches Bush Fire Management Committee (member)
- Narrabeen Lagoon State Park Advisory Committee (member)
- Currawong State Park Advisory Committee (member)
- Manly Warringah War Memorial State Park Advisory Committee (member) - Manly Dam
- Partnership with UNSW Water Research Laboratory, School of Civil and Environmental Engineering, recent projects include SMART beaches, Fairy Bower wave overtopping modelling, drone surveys of coast and beach monitoring

- Partnership with Australian Research Council (Australian storm wave damage and beach erosion Early Warning System Project)
- Floodplain Management Australia – (member and financial contributor)
- Regional Emergency Management Committee (member)
- Floodplain Risk Management Committee
- Sustainability Advantage (member) – Department of Planning, Industry and Environment
- Resilient Sydney (member)
- Cities Power Partnership – Local Government network – part of the Climate Council

Council also supports two charitable environmental trusts that provide opportunities for funding important environmental projects. These are:

- Pittwater Environmental Trust: established in 2006, this is managed and operated by a separate organisation, being the Pittwater Environment Foundation, to support important environmental projects in the former Pittwater Local Government Area
- Warringah Trust for the Acquisition of Environmentally Sensitive Lands: established in 2011 the Trust collect funds from the public to promote the protection and enhancement of the natural environment including the conservation of indigenous flora and fauna and key pieces of sensitive land to achieve this objective.

Premsure

Council was a member of Premsure along with Waverley and Woollahra Councils. Premsure was a Local Government Mutual Self Insurance Pooling Group for Public Liability/Professional Indemnity Insurance. The scheme was in wind down mode for some years, managing existing claims up to 31 October 1999 for the insured Councils (which included the former Manly Council). All claims have now been finalised and the remaining funds are due to be distributed to those remaining in the Pool based on actuarial advice. Northern Beaches Council's distribution is \$74,112.

Clause 217(1) (a9) Equal Employment Opportunity Activities

Council fully embraces the principles of Equal Employment Opportunity (EEO) and is committed to building a diverse and inclusive workplace where the skill, perspectives and experiences of our people are valued and respected. Key achievements in this reporting year include:

- Launched an online Privacy module (LGNSW online module)
- Developed and customised the Northern Beaches Privacy module

Other initiatives are continuing and contribute to our ongoing commitment to EEO:

- Embedding EEO into our recruitment and on-boarding modules provided online
- Running the following online training modules for staff
 - o Disability Awareness
 - o Family and Domestic Violence Awareness
 - o A Respectful Workplace
 - o Code of Conduct Training
- LGBTIQ+ training in partnership with an external provider

Clause 217 (1) (b) General Manager (Chief Executive Officer) Remuneration Package

The total remuneration package of the Chief Executive Officer is as follows:

	\$
Salary	464,130
Bonus, performance or other payments	0
Employer's superannuation contribution or salary sacrifice	24,442
Value of non-cash benefits	9,410
Fringe benefits tax paid	15,277
Total	513,259

Clause 217 (1) (c) Senior Staff Remuneration Package

The total remuneration of all senior staff members (other than the Chief Executive Officer) is as follows:

	\$
Value of salary	1,899,810
Amount of bonus, performance or other payments	0
Amount for employer's contribution to superannuation or salary sacrifice	138,059
Value of non-cash benefits	22,962
Fringe benefits tax paid	61,176
Total	2,122,007

Clause 217 (1) (e) Annual Charge for Stormwater Management Services

A Stormwater Management Service Charge funds additional investigations and activities towards improving stormwater quality, managing stormwater flows and flooding, and harvesting and reusing stormwater.

This was levied on applicable lands in the former Pittwater and Manly Council local government area (LGA) during 2020/21. This included rateable urban land categorised as residential or business (excluding vacant land).

The income and expenditure of the Stormwater Management Service Charge for 2020/21 is below.

Former Manly LGA	\$
Income	346,902
Expenditure	346,902

Former Pittwater LGA	\$
Income	534,526
Expenditure	1,028,377

The funds were used for:

- CCTV investigations into the piped stormwater system and associated repairs
- Installation of the North Steyne gross pollutant trap (GPT)
- Stormwater drainage improvement, including pipe replacements and pit upgrades
- Design and development of stormwater quality improvement devices
- Stormwater pit repair, replacement and upgrades to help reduce flooding issues

Clause 217 (1) (e1) Annual Charge for Coastal Protection Services

No charges were levied for the provision of coastal protection services under Section 496B (1) of the Local Government Act 1993.

Clause 217 (1) (f) Companion Animals Act 1998 and Companion Animals Regulation 2018

The following is a report of the Council's activities during the year in relation to enforcing, and ensuring compliance with, the provisions of the Companion Animals Act 1988 (CA Act) and the Companion Animal Regulation 2018.

Chapter 16 of the Guidelines contains information about what is to be included:

Council seizures of cats and dogs

During this reporting period, Council seized zero (0) cats and eight (8) dogs.

Dog attack reporting

Council is required to report attacks to the Office of Local Government, via the Companion Animals register, within 72 hours of notification of an attack. A total of 329 incidents were reported within the Council area in 2020/21.

Funding spent on companion animal management and activities

A sum of \$280,903 was spent on pound service fees during the reporting period. Note: this sum excludes salary costs.

Community education programs and strategies to promote and assist the de-sexing of dogs and cats

Council promotes the de-sexing of dogs and cats through its educational activities including the promotion of de-sexing in publications, such as 'Canine Connect', and face to face at activities such as 'Dog Day' events. Also follow up with owners who have not registered their pets. Due to weather and COVID-19 restrictions some of these events were cancelled.

Strategies to seek alternatives to euthanasia for unclaimed animals

Council has a commercial arrangement with two local veterinary practices to act as our pound. The contracts provide that any animals impounded are to be reunited with their owners and where this is impossible, suitable animals are rehomed.

We also have ongoing arrangements with the Animal Welfare League, Cat Protection Society and RSPCA to take unclaimed dogs and cats that are suitable for rehoming (i.e. not dangerous). This information is reviewed and updated on our internet pages and promoted by Council teams to assist customers with their enquiries.

Off-Leash areas provided in the Council area

Northern Beaches Council has 28 unleashed dog exercise areas.

Our aim is to provide high quality places for residents and visitors to take their dogs for a walk and let them off the leash safely, while also protecting our natural environment and considering the needs of the wider community.

Expenditure of the fund for managing and controlling companion animals

During the reporting year, Council used the fund for the following:

	\$
Pound fees and professional services	280,903
Promotional costs	0
Materials/consumables	0
Other	0
Total	280,903

Section 12

There are no projects that satisfy the reporting criteria in 2020/21.

Section 8 (2) Report on Compliance

Educational services:

Council produces a monthly Disability Newsletter with a circulation of over 1,300.

Consultation and liaison with carers:

Council provides programs and projects for disability awareness, including the monthly Disability Newsletter and annual Inclusion Award as part of the Northern Beaches Local Business Awards.

In response to COVID-19, Council was unable to coordinate a face-to-face Carers Week program in October 2020 and instead collaborated with other Northern Sydney Councils and the Northern Sydney Local Health District to present five 'Conversations with Carers' webinars.

Council also coordinated two 'Meet Your Local Seniors Groups Expos' for Seniors Festival in April 2021, which included local services and activities of interest to carers of people who are frail and/or aged.

Council developed a Dementia Friendly Communities Organisation Action Plan, approved by Dementia Australia and the local Northern Beaches Dementia Alliance and Advisory Group including people with lived experience and their carers. This Action Plan includes over 20 targeted actions, many of which seek ongoing input and involvement from the local Alliance.

Council community development staff were available to provide information and referral to carers, taking over 250 calls annually in relation to services for seniors and people with disability.

Council's Meals on Wheels service supports carers in their role by providing nutritional and affordable meal options as well as coordinating community restaurants each week when not affected by NSW Public Health Orders.

Staff who are carers

Council is continuing its program of harmonisation of its human resources policies.

Council's Culture, Values and Behaviours Program, as well as our Diversity and Inclusion Policy ensure that our employees are valued and respected for their diverse backgrounds, experiences and perspectives. A Disability Awareness online learning module has been developed to educate all staff on general awareness of disabilities and the disadvantages People with Disability may face.

A Working from Home policy provides flexibility for employees to balance their work and personal responsibilities. There are also a number of other flexible working options available to employees, including employees with carer responsibilities. These include part-time work, job sharing, working from home and flexible working hours.

S13 (1) Report on Implementation

This section reports on Council's fourth year of implementing its Disability Inclusion Action Plan, and will be provided to the Minister for Disability Services and the NSW Disability Council. The Plan and our disability information hub can be found at northernbeaches.nsw.gov.au/services/disability

We continued implementing the plan to help create a more inclusive and accessible community. Amongst many ongoing actions, 11 actions were completed this year, with good progress in all focus areas. In total, 46% of the actions have now been completed (i.e. 36 of 78). Of the remaining 42 actions, 28 are considered to be ongoing programs.

Focus Area 1: Develop positive community attitudes and behaviours

Mandatory training on inclusion and disability awareness is included in induction for new staff, and is being rolled out for existing staff. This training was developed with the Human Rights Commission and experts in job access, inclusive culture and behaviours. We encourage businesses to be inclusive of people with assistance animals, by providing direct advice to food businesses and providing guidance in our newsletters and website. Our first Access and Inclusion Award also recognised inclusive businesses in the 2020 Northern Beaches Local Business Awards, and there were even more applicants for the 2021 award, to be judged later this year. We are also developing Event Accessibility and Inclusion Guidelines.

Council uses positive images of people with disability in its media and publications. By using fonts that are bold or are a larger size on signage and in publications, the messages are more visually accessible.

More infographics and video footage are being used on website and social media to enhance the viewer experience.

Our inclusive programs include those run by the events team, community development, children's centres, libraries, Coastal Environment Centre, bushcare, plant nursery, and aquatic centres. Free native plants were delivered to residents homes during COVID, in the Backyard Habitat program. This expanded program also catered to many residents with mobility issues that are unable to participate in bush regeneration, but can provide habitat in their own yards.

Key Council events and community engagement are planned with accessibility in mind e.g. amenities, ramps, parking and viewing areas. Physical and online access are provided for all formal Council meetings, to enable full participation by the public and Councillors. Other accessible events this year included:

- Big community events such as Open Air Cinema, Christmas Choral Concert, Sun Run, ANZAC Day Ceremony, Citizenship Ceremony, Australia Day, Solar Expo and National Tree Day
- Promotion of International Day of People with Disability (IDPWD) in December 2020, including links to national website of events near you or online
- An exhibition at the Manly Art Gallery and Museum in May 2021 included braille text
- The library service children's program has Inclusive Story Times. During COVID shut down periods Children's programs were adapted to online inclusive programs. The service also held promotional activities for Mental Health Awareness Week and International Day of People with Disability.

Focus Area 2: Create liveable communities

Accessibility audits were conducted in various parks, reserves, parking stations, buildings and facilities to help prioritise sites for improvements works. Pedestrian Access and Mobility Plans (PAMPs) are detailed audits of the pedestrian network and provide recommended improvements to provide connectivity and accessible for all users. PAMPs have been prepared for Avalon and Manly, with works commencing as funding becomes available.

The Northern Beaches Accessibility Map shows accessible facilities and buildings, amenities, playgrounds, rock pools and more. Now available on our website, it will continue to be developed as other infrastructure is audited and works are completed.

This year accessibility works were completed on various paths, kerbs, bus stops, carparks, amenities, playgrounds, surf clubs, rock pool ramps, libraries and other buildings. New buildings underway which will be fully accessible are Long Reef and Mona Vale Surf Clubs, as well as Warriewood Community Centre currently in the planning stage. Disability inclusion is now embedded in our planning and project management frameworks for future Council plans and works, including broader plans to encourage affordable and adaptable housing in the community.

Community Development staff attend regular networks with local services including other levels of government and ongoing implementation of the NDIS. Our disability liaison staff direct key community programs, advocacy and host our online disability information hub. We provide a regular disability newsletter to 1,300 readers on our programs, information and events, as well as promoting advocacy and partnerships.

The Library Service provides inclusive programs and activities. During COVID lockdowns we expanded online Children's programs and the Home Library Service (delivering over 41,000 items during lockdown) which provide even greater inclusion ongoing for those with mobility issues. Regular children's programs now include sign language resources and online broadcasts. More e-Audio resources are on offer.

All our Children's Services are inclusive and accessible, with Council's commitment to this in our new Children's Services Strategy and Inclusion Policy. This includes children with additional needs, socio-economic and other challenges – this year 18 children with high support needs received quality education and care through Council services

The Coastal Environment Centre provides a range of adaptable school programs and activities to cater for accessibility needs, as well as specialised programs for children living with disability. Our community and school videos have both captions and text to provide visual information. All online and web education resources and events meet accessibility standards.

Focus Area 3: Support access to meaningful employment

Our new Integrated Volunteer Management Framework ensures that each volunteer role has clearly defined duties, assisted by the Volunteer Coordinator to determine roles that are tuned to their capabilities. A wide range of flexible opportunities and meaningful roles are on offer, including ongoing training and support, for all people including those living with disability. The environmental volunteer program for bush regeneration works very closely with Bushlink, a non-government organisation employing young people with intellectual disabilities.

The volunteer programs through Bushcare, community nurseries and the Coastal Environment Centre are all-inclusive, providing sustainable and social outcomes to all participants.

We are also developing more inclusive and flexible employment practices for the Council workforce. Our 'Working Remotely Toolkit' launched in 2020 assists in overcoming some of the access barriers to our facilities. It provides for tailored, flexible working arrangements. Council is committed to building a diverse and inclusive workforce that is representative of the community in which we live. We ensure that every stage of our recruitment and selection process is fair, transparent and based on merit.

For wider employment across the region, our Local Strategic Planning Statement adopted in 2020 is guiding the development of commercial centres, and includes specific actions for access and inclusion to help increase local employment opportunities.

Focus Area 4: Improve access to Council services through better systems and processes

Ongoing reviews and accessibility training have improved our online information, forms and booking systems for consistency, readability and ease of use. All new Council documents placed online meet online accessibility standards for visual content and readability, including the use of a range of formats. Media such as video is developed with audio descriptors, transcripts and closed captions. Easy-read versions are provided for selected topics and audiences.

Our website is compliant with industry guidelines for web accessibility. We continued to make more information and services available online for all residents, providing greater inclusion for accessing services and keeping informed during major incidents:

- Accessibility map of villages and town centres
- Emergency preparedness map
- Rate payer emergency SMS communication tool e.g. fire, storm or flooding incidents
- Nine more services online to apply and/or pay for
- Online calculators for rates harmonisation and some fees
- More online bookings available
- Library service App and online feedback
- Noise App to record and report noise

Our Library website was improved to enhance user experience and accessibility. A monthly library E-newsletter is sent to all customers, as well as printed copies delivered to Home Library Service customers. Customer Service Centres continue to provide computers for customers' use at the centres, as an alternative to paper forms. Customer Service is also fully accessible 24/7 for assistance by phone call or online requests.

Our Disability Newsletter continues to provide a platform to promote the availability of accessible systems, processes and formats.

Section 7.5 (5) Voluntary Planning Agreement

Table 1

Planning agreements in force during 2020/21:

Application No.	Description of works	Other party to VPA	Primary street address	Date executed	Status
DA 2007/1249	Provision of Town Square Works; pedestrian connection and works; dedication of land in stratum for road widening on Pittwater Road (bus setback area).	Karimbla Properties (No. 41) Pty Ltd (Developer) and Meriton Properties Pty Ltd (Guarantor)	884-896 Pittwater Road, Dee Why	12/12/2008 and amended 06/09/2018	Executed
VPA2018/0001	Payment of a cash contribution and obligations relating to undergrounding 33kV powerlines and construction of roads and stormwater infrastructure.	Frasers Property AHL Limited	9, 11, 12 and 13 Fern Creek Road	29/07/2019	Executed
VPA2020/0001	Construction of road surface and retaining wall to function as a turning bay; dedication of land 101sqm containing the turning bay	Keenwill Property Limited Robert Corless	31 Belara Avenue North Narrabeen	12/11/2020	Executed
VPA2020/0002	Dedication of land containing works required by Roads Maritime Services conditions to DA	Warringah Road Developments Pty Ltd	723 Warringah Road Forestville	1 July 2021	Executed

**Section 220Zt (2) Reporting on Recovery
and threat abatement plans**

Council is not identified in any plans
under this section of the Act.

Swimming Pools Act 1992 & Swimming Pools Regulation 2018

Act section 22F (2) Swimming Pool Inspections and Regulation clause 23

The following report details inspections of private swimming pools during the reporting period:

- 0 inspections of tourist and visitor accommodation
- 4 inspections required of premises with more than two dwellings
- 30 inspections rental premises inspections
- 207 inspections that resulted in issuance of a certificate of compliance
- 17 inspections that resulted in issuance of a certificate of non-compliance

Act Section 125 (1) and Regulation, Clause 8, Schedule 2

This report includes qualitative information on the Council's proactive disclosure program, and statistical information on formal access applications.

Clause 8(a): Details of the review carried out during the reporting year and the details of any information made publicly available by the agency as a result of the review

The Council continually reviews its proactive release program to identify the kinds of information that we make publicly available. This primarily occurs through extensive publication on Council's website. During the reporting period, this program resulted in the release of information relating to Council services, events, community issues, planning and development services and environmental matters.

Clause 8(b): The total number of access applications received (including withdrawn applications but not including invalid applications)

Council received a total of 74 applications.

Clause 8(c): The total number of access applications received that were refused either wholly or partly, because the application was for the disclosure of information for which there is conclusive presumption of overriding public interest against disclosure in accordance with Schedule 1 to the Act (information)

Schedule 1

Number of applications refused – wholly or partly

	Wholly	Partly	Total
Number of applications refused	0	0	0

Clause 8 (d) Statistical information about access applications

Table A

Number of applications by type of applicant and outcome*

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn	Total
Media	1	0	0	0	0	0	0	0	1
Members of Parliament	0	0	0	0	0	0	0	0	0
Private sector business	5	1	0	0	0	0	0	0	6
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	5	14	0	0	0	0	0	0	19
Members of the public (other)	20	28	0	0	0	0	0	0	48
Total	31	43	0	0	0	0	0	0	74

*More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

Table B

Number of applications by type of application and outcome

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn	Total
Personal information applications*	2	0	0	0	0	0	0	0	2
Access applications (other than personal information applications)	29	32	0	0	0	0	0	0	61
Access applications that are partly personal information applications and partly other	0	11	0	0	0	0	0	0	11
Total	31	43	0	0	0	0	0	0	74

*A **personal information application** is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

Table C

Invalid applications

Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	0
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	0
Invalid applications that subsequently became valid applications	0

Table D

Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act

	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	2
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0
Total	2

*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application).

Table E

Other public interest considerations against disclosure: matters listed in table to section 14 of Act

	Number of times consideration used*
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	0
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0
Total	0

*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application).

Table F
Timeliness

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	69
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	5
Total	74

Table G
Number of applications reviewed under Part 5 of the Act (by type of review and outcome)

	Decision varied	Decision upheld	Total
Internal review	0	1	1
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by NCAT	0	1	1
Total	0	2	2

*The Information Commissioner does not have the authority to vary decisions but can make recommendations to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner

Table H
Applications for review under Part 5 of the Act (by type of applicant)

	Number of applications for review
Applications by access applicants	1
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0
Total	1

Table I
Applications transferred to other agencies under Division 2 of Part 4 of the Act (by type of transfer)

	Number of applications transferred
Agency-initiated transfers	0
Applicant-initiated transfers	0
Total	0

Privacy And Personal Information Protection Act 1998

The Privacy and Personal Information Protection Act 1998 provides for the protection of personal information and for the protection of the privacy of individuals generally. It establishes twelve information protection principles which cover the collection, storage, use and disclosure of (and access to) personal information.

There were two Privacy review applications received by Council during the period 2020/21.

Act Section 31 and Regulation 2011
Clause 4 - Reports by Public Authorities

Report for NSW Ombudsman for the
 period 2020/21, from Council's Internal
 Audit and Complaints Resolution Team:

No. of public officials who made public interest disclosures to your public authority	1
No. of public interest disclosure received by your public authority	2
No. disclosures on corrupt conduct	1
No. disclosures on maladministration	1
No. disclosures on serious and substantial waste	0
No. disclosures on government information contravention	0
No. disclosures on pecuniary interest contravention	0
No of public interest disclosures that have been finalised in this reporting period	2
Have you established an internal reporting policy?	Yes
Has the head of your public authority taken action to meet their staff awareness obligations?	Yes
Staff undertaking that they have read and understood your organisation's internal reporting policy. Training provided by your organisation	This process is part of an ongoing education and awareness program