



# Statutory returns

## Local Government Act 1993

### 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 26/9/2018).

### Section 428 (4) (a) Financial statements

Audited financial statements for the year 2019/20 are at page 174 of this annual report.

### Section 428 (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.

### Section 428 (5) Send to the Minister

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

### Section 54P (1) Particulars of any environmental upgrade agreement entered into by the Council

Council did not enter into any environmental upgrade agreements in the 2019/20 financial year.

### Section 508 (2) and 508A Implementation of special rates and levies

The Northern Beaches Council is sustaining the approved rates path 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 2019/20 an amount of \$1,257,639 was spent in the former Manly local government area on priority environmental projects, including the installation of solar power on Manly Andrew Boy Charlton Aquatic Centre.

### 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 2019/20 the income raised was \$1,224,870. This amount was fully expended on capital and maintenance works. This included works such as the new playground on The Corso, bike racks at the wharf, tree maintenance, security cameras and various construction and maintenance projects across the CBD.

### 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 2019/20 the income raised was \$85,895.

These funds will be spent in the 2020/21 financial year on renewal works within the Balgowlah commercial area.

### 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 \$38.4m in funds. These funds are for infrastructure works and environmental programs to be delivered over a 10-year period.

In 2019/20 an amount of \$3,429,443 was spent in the former Pittwater Local Government Area on the following capital projects:

	\$
Foreshores renewal program	337,688
Rockpool renewal program	132,671
Scotland Island roads and drainage improvements	12,787
Road resheeting	1,100,000
Carpark renewal	150,000
New footpaths	542,762
Mona Vale Library – upgrades	42,696
Energy savings initiatives program	38,747
Water saving and re-use initiatives	48,969
Place making infrastructure	209,826
Bike plan implementation – new	140,279
Wharves works program	14,998
Bells Wharf renewal	32,397
Sportsgrounds – new and upgrades	6,558
Foreshores – new and upgrades	140,000
Newport Beach basketball court	11,629
North Narrabeen rockpool amenities	379,826
Newport Surf Life Saving Club	87,611

In addition, an amount of \$987,457 supported the following programs:

	\$
Bushland and waterways	485,000
Biodiversity protection	100,000
Community bushcare	25,000
Managing natural hazards	175,000
Facilities and services at beaches (extension of lifeguard services)	125,000
Keeping villages and surrounding areas beautiful	77,457

### Clause 132 Rates and charges written off for the period of 2019/20

	\$
Rates abandoned (postponed)	1,877.64
Interest abandoned (postponed)	10,523.98
Interest abandoned (other)	14,914.11
Mandatory pension rebate	2,500,691.17
Voluntary pension rebate (rates)	139,260.97
Voluntary pension rebate (waste)	306,781.56
<b>Total</b>	<b>2,974,049.43</b>

#### Clause 217 (1) (a) Overseas visits

Details, including purpose of overseas visits by Councillors, Council staff or other persons representing Council (including visits sponsored by other organisations) are provided here:

- Two staff members accompanied students to Odawara, Japan, on a cultural exchange visit in September - October 2019.

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

An amount of \$659,225 was incurred for provision of fees, facilities and expenses for the Mayor and Councillors. Details are over the page.

<b>Facilities and expenses</b>	<b>\$</b>
Dedicated office equipment to Councillors (including computers)	3,685
Communication charges (including phone calls, facsimile and internet)	21,109
Seminars and conferences attended by Councillors	24,529
Councillor training and skills development	1,136
Interstate travel 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 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 Mayors and Councillors	2,150
Expenses involved in the provision of care for a child of, or an immediate family member of, a Councillor	0
Other expenses	61,866
<b>Total</b>	<b>114,475</b>
<b>Fees</b>	<b>\$</b>
Mayoral	88,600
Councillors	456,150
<b>Total</b>	<b>544,750</b>

### 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

Contractors' name	Description	Total value ex GST \$
United Resource Management Pty Ltd	Domestic waste collection services	160,000,000
Airmaster Australia Pty Ltd	Service contract for air conditioning & ventilation	900,000
Kooo Hong Min And Seong Ok Min t/as Flying Fox Café	Lease and operation of the village park cafe mona vale	400,000
Pittwater Animal Hospital Pty Ltd Collaroy Veterinary Services	Agreement for operation of an animal pound	1,250,000
Modern Teaching Aids Pty Ltd	Purchase of children's services products	800,000
Shellkote Pty Ltd t/as Enviro Clean & Capture	Pavement cleaning services	1,235,240
WMAwater	Manly to Seaforth catchments floodplain risk management study and plan	154,500
Hunter Valley Training Company	Services for provision of a traineeship program	1,560,000
GJ's Landscapes Pty Ltd	Landscaping works package for new pathway, retaining walls and drainage at Currawong Beach	470,151
Terroir Pty Ltd	Consultancy services for architectural services Warriewood Valley Community Centre	285,000
Maxpak Australasia Pty Ltd	Dog waste bags	210,000
TDN Security Pty Ltd	Cash collection services	435,150
Maxwell Property & Construction Group t/as Max Build	Beacon Hill community centre - works completion	1,000,000
Dezign Interiors	Nolan Reserve amenities - works completion	1,374,550

<b>Contractors' name</b>	<b>Description</b>	<b>Total value ex GST \$</b>
The Glascott Group Pty Ltd	Frenchs Forest showground and carpark upgrade	1,449,477
Prime Group Australia Pty Ltd	Gutter and roofing inspection, cleaning, condition reporting	705,000
Waratah Eco Works	Seaforth - Balgowlah Heights bushland restoration project	256,300
Data#3 Ltd	Microsoft enterprise agreement	2,780,833
Northern Fencing Specialists Pty Ltd	North Narrabeen reserve baseball fencing upgrades	225,827
Ozpave (Aust) Pty Ltd, Downer EDI Works Pty Ltd, Bitupave Ltd t/as Boral Asphalt, State Asphalt Services Pty Ltd	2019/20 Road construction, asphalt materials and services program	5,400,000
Prophatable Hospitality Pty Ltd	Lease and fit out of the cafe at Little Manly Beach, Manly	350,000
GPM Constructions Pty Ltd	Tidal pool renewal project - Forty Baskets and Little Manly	322,123
Toolijooa Pty Ltd	Manly scenic walkway bushland restoration project	232,340
Toolijooa Pty Ltd	Burnt Bridge Creek bushland restoration project	228,700
Sydney Bush Regeneration Company	McKay Reserve bushland restoration project	232,000
Toolijooa Pty Ltd	Deep Creek area reserves project and Deep Creek burn prep	152,000
ATCO Structures & Logistics Pty Ltd	Balgowlah Oval amenities	765,765
Undercover Landscapes Pty Ltd	Manly Dam playground	220,800
WebVine Consulting Pty Ltd	Intranet In A Box using Microsoft Sharepoint online modern sites	180,000
Favro Constructions	Manly Corso playground structure	180,000
Dragonfly Environmental	Cromer-Beacon Hill bush regeneration and hazard reduction	160,000



<b>Contractors' name</b>	<b>Description</b>	<b>Total value ex GST \$</b>
Toolijooa Pty Ltd	Allenby Park area bush regeneration and hazard reduction	220,000
Able Liquid Waste Pty Ltd	Effluent removal services (sewer pit pumping)	325,000
Presence of IT Pty Ltd	Services to implement sap ec payroll and rostering time and attendance by Kronos	834,550
Tract Consultants Pty Ltd	Millers Reserve synthetic upgrade concept and detailed design	203,721
Romba Pty Ltd	Allambie Heights oval new playground and multipurpose court landscape works	160,833
OzPave (Aust) Pty Ltd	Mona Vale Beach carpark kerb and gutter and drainage improvements, Mona Vale	159,378
Twenty Four Seven	Reub Hudson sports amenities renewal	307,728
Kuga Australia Pty Ltd	Five grid connected solar photovoltaic systems to Council site	161,050
Australian Bushland Restoration Pty Ltd	Ingleside Chase bushland restoration	222,000
Australian Bushland Restoration Pty Ltd	Careel Bay bushland restoration	209,000
Australian Bushland Restoration Pty Ltd	Narrabeen-Elanora bushland restoration	211,200
Terra Australis Regeneration	Manly Dam southern park bush regeneration	160,000
Dragonfly Environmental	Narrabeen and Attunga projects	150,000
Steelworks Engineering Pty Ltd	Design and construction of Lidwina - Teresa place pedestrian bridge	187,800
Quayclean Australia Pty Ltd	Cleaning services for all Council public and sports amenities	1,947,054
AFMR Pty Ltd t/as Solo Services Group	Cleaning services for Council building in central areas	261,886
Quayclean Australia Pty Ltd	Cleaning services for Council buildings and Glen Street in central areas	790,564

<b>Contractors' name</b>	<b>Description</b>	<b>Total value ex GST \$</b>
Quad Services Pty Ltd	Cleaning services for Council buildings northern areas	260,792
Enviro-LCS Pty Ltd	Hygiene services for Council buildings north, south, central areas	291,693
Ally Property Services Pty Ltd	Kerb and gutter renewal program 2019/20 - Frenchs Forest ward	150,000
OzPave (Aust) Pty Ltd	Kerb and gutter renewal program 2019/20 - Manly ward	150,000
Statewide Civil Pty Ltd	Sportsfield and carpark works, 3 Boondah Road, Warriewood	1,670,067
Westbury Constructions Pty Ltd	East Esplanade Reserve public amenities	477,632
Westbury Constructions Pty Ltd	LM Graham Reserve sports amenities	545,658
Lloyd Drilling Constructions Pty Ltd	Clontarf Reserve seawall and bleachers	719,990
Carfax Commercial Constructions Pty Ltd	Major building works package including alterations and additions	1,686,915
SMC Marine Pty Ltd	Tidal pool renewal project - Forty Baskets tidal pool	462,745
Terra Australis Regeneration	Manly Dam northern park bush regeneration	160,000
Park Agility Pty Ltd	Park agility wayfinder signage	333,564
Bedrule Pty Ltd	Installation of inclined stormwater trash rack, Howell Close	352,355
Green Guys Group	Installation of solar photovoltaic cells on the roof of Manly Andrew 'Boy' Charlton Aquatic Centre	381,888
Grindley Interiors Pty Ltd	Major building and office fit out works at 52 Raglan Street, Manly	633,004
Revolution Action Sport Concepts Pty Ltd	North Curl Curl skate park	220,000
Play Workshop	Dunbar Park playground upgrade	150,000

<b>Contractors' name</b>	<b>Description</b>	<b>Total value ex GST \$</b>
Total Earth Care Co	Fern Creek creek works	193,470
Surf Life Saving Services Pty Ltd	Provision of lifeguard services	3,769,070
Bayteck Pty Ltd	Bilarong Reserve public amenities renewal	180,120
Rogers Construction Group Pty Ltd	Lakeside caravan park amenities refurbishment	225,177
Murphys Facilities Services Pty Ltd	Narrabeen Beach Surf Life Saving Club – remedial works	189,014
Allen Jack & Cottier Architects Pty Ltd	Urban design study to inform new local environmental plan and development control plan	184,500
Furnass Landscaping Enterprises Pty Ltd	Killarney Heights commercial centre landscape works	191,159
Murphys Remedial Builders Pty Ltd	Stairs and balcony upgrade works at South Narrabeen Surf Life Saving Club	201,880
Bendelta Pty Ltd	Leadership behaviours and culture development program	226,875
<b>Total</b>		<b>204,435,088</b>

### Clause 217 (1) (a3) Legal proceedings

During period 2019/20 the following expenses were incurred in relation to legal proceedings:

	<b>\$</b>
Expenditure	3,200,966
Less costs recovered	185,434
<b>Total</b>	<b>3,015,532*</b>

\* This figure reflects expenditure on legal proceedings. The figure on legal fees at Note 5 of the Annual Financial Statements also includes expenditure on legal advice.

**The following matters were finalised:**

<b>Matter / Address</b>	<b>Court</b>	<b>Result</b>
43-45 North Steyne, Manly	Class 4 Land & Environment Court	Judgment for the applicants
79 Cabbage Tree Road, Bayview	Class 1 Land & Environment Court	Upheld with amended plans
257 Whale Beach Road, Whale Beach	Class 4 Land & Environment Court	Discontinued
5 Fitzell Place, Brookvale	Class 1 Land & Environment Court	Upheld with amended plans
257 Whale Beach Road, Whale Beach	Class 1 Land & Environment Court	S34 Agreement
Lot 1113 Oxford Falls Road, Frenchs Forest	Class 1 Land & Environment Court	Upheld with amended plans
80 Prince Alfred Parade, Newport	Class 4 Land & Environment Court	Discontinued
66 Alexander Street, Manly	Class 1 Land & Environment Court	Dismissed
54 Ellery Parade, Seaforth	Class 1 Land & Environment Court	Discontinued
2 Palm Beach Road, Palm Beach	Class 1 Land & Environment Court	S34 Agreement
613-615 Pittwater Road and 11 May Road, Dee Why	Class 1 Land & Environment Court	Upheld with amended plans
34 Beach Street, Curl Curl	Class 1 Land & Environment Court	Discontinued
1 Gondola Road, Narrabeen	Class 1 Land & Environment Court	S34 Agreement
2 Park Street, Mona Vale	Class 1 Land & Environment Court	S34 Agreement
4 Prince Street, Newport	Class 2 Land & Environment Court	Discontinued
71 & 71A Queenscliff Road, Queenscliff	Class 1 Land & Environment Court	Upheld with amended plans
57 Robertson Road, Scotland Island No. 1	Class 1 Land & Environment Court	Order upheld with amendments
57 Robertson Road, Scotland Island No. 2	Class 1 Land & Environment Court	Dismissed
31 Bellara Road and 66 Powderworks Road, Narrabeen	Class 1 Land & Environment Court	Upheld with amended plans

<b>Matter / Address</b>	<b>Court</b>	<b>Result</b>
11 Manly Road, Manly	Class 1 Land & Environment Court	Discontinued
57-59 Northcott Road, Cromer	Class 1 Land & Environment Court	Upheld with amended plans
70 McCarrs Creek Road, Church Point	Class 1 Land & Environment Court	Discontinued
23-29 Pacific Parade, Dee Why	Class 1 Land & Environment Court	Discontinued
69 Middleton Road, Cromer	Class 1 Land & Environment Court	Dismissed
26 Frenchs Forest Road East, Frenchs Forest	Class 1 Land & Environment Court	S34 Agreement
22 Frenchs Forest Road East, Frenchs Forest	Class 1 Land & Environment Court	S34 Agreement
14 Ponsonby Parade, Seaforth	Class 1 Land & Environment Court	S34 agreement
139 Allambie Road, Allambie Heights	Class 1 Land & Environment Court	Upheld with amended plans
316 Hudson Parade, Clareville	Class 1 Land & Environment Court	Discontinued
10 Naree Road, Frenchs Forest	Class 1 Land & Environment Court	Upheld with amended plans
2129 Pittwater Road, Church Point	Class 1 Land & Environment Court	S34 Agreement
Pittwater Road, Brookvale	Local Court	Conviction and fine
South Creek Road, Cromer	Local Court	Conditional release order
Dog attack	Local Court	Conviction and fine
The Strand, Dee Why	Local Court	Conviction and fine
Dog attack	Local Court	Conviction and fine
Pringle Avenue, Belrose	Local Court	Conviction and fine
Dog attack	Local Court	Conviction and fine
Failure to comply with court order	Local Court	Conviction and fine

<b>Matter / Address</b>	<b>Court</b>	<b>Result</b>
Dog attack	Local Court	Conviction and fine
Oceanview Road, Freshwater	Local Court	Conviction and fine
Parking – appeal severity of fine	Local Court	Conviction and fine
9 Painters Parade, Dee Why	Local Court	Conviction and fine
Rodborough Road, Frenchs Forest	District Court	Judgment for the plaintiff
Dakara Drive, Frenchs Forest	District Court	Judgment for the plaintiff
Ponderosa Parade, Mona Vale	District Court	Judgment for the plaintiff



**The following matters have not been finalised and are ongoing:**

<b>Matter / Address</b>	<b>Court</b>
691 Pittwater Road, Dee Why	Class 1 Land & Environment Court
20 Westminster Avenue, Dee Why	Class 1 Land & Environment Court
134 Headland Road, Curl Curl	Class 4 Land & Environment Court
27-29 North Avalon Road, Avalon Beach	Class 1 Land & Environment Court
181 Forest Way, Belrose	Class 1 Land & Environment Court
68A Queenscliff Road, Queenscliff	Class 1 Land & Environment Court
28 Carrington Parade, Freshwater	Class 4 Land & Environment Court
72 Carrington Parade, Curl Curl	Class 1 Land & Environment Court
22 Stuart Street, Manly	Class 1 Land & Environment Court
16 Upper Gilbert Street, Manly	Class 1 Land & Environment Court
5 Dalley Street, Queenscliff	Class 1 Land & Environment Court
6 Gladys Avenue, Frenchs Forest	Class 1 Land & Environment Court
22 Ramsay Street, Collaroy	Class 1 Land & Environment Court
5 Birdwood Avenue, Collaroy	Class 1 Land & Environment Court
15 Addison Avenue, Manly	Class 1 Land & Environment Court
118 Bower Street, Manly	Class 1 Land & Environment Court
13 Bungendore Street, Ingleside	Class 1 Land & Environment Court
11 Ocean Road, Palm Beach	Class 1 Land & Environment Court
61 Cutler Road, Clontarf	Class 1 Land & Environment Court
107 Clontarf Street, Clontarf	Class 4 Land & Environment Court



Matter / Address	Court
24 Aitken Street, Queenscliff	Class 1 Land & Environment Court
22 Redman Road, Dee Why	Class 1 Land & Environment Court
15 Monash Crescent, Clontarf	Class 1 Land & Environment Court
27 Kevin Avenue, Avalon	Class 1 Land & Environment Court
Station Beach, Palm Beach	Class 1 Land & Environment Court
21 Whistler Street, Manly	Class 4 Land & Environment Court
12 Killawarra Road, Duffys Forest	Class 1 Land & Environment Court
14 Wyatt Avenue, Belrose	Class 1 Land & Environment Court
11 Adelaide Street, Balgowlah	Class 1 Land & Environment Court
15 Winsome Avenue, North Balgowlah	Class 1 Land & Environment Court
118 Bower Street, Manly	Class 1 Land & Environment Court
1106 Pittwater Road, Collaroy	Class 1 Land & Environment Court
87 Narrabeen Park Parade, Mona Vale	Class 1 Land & Environment Court
55 Wheeler Parade, Dee Why	Class 1 Land & Environment Court
307 Sydney Road and 12 Boyle Street, Balgowlah	Class 1 Land & Environment Court
Lot 100 Meatworks Avenue, Oxford Falls	Class 1 Land & Environment Court
515 Pittwater Road, Brookvale	Class 1 Land & Environment Court
8 Lady Penrhyn Drive, Beacon Hill	Class 1 Land & Environment Court
Lot 2506 Bundaleer Road, Belrose	Class 1 Land & Environment Court
18 Alexander Street, Collaroy – Lot 8	Class 1 Land & Environment Court

<b>Matter / Address</b>	<b>Court</b>
18 Alexander Street, Collaroy – Lot 9	Class 1 Land & Environment Court
1955 Pittwater Road, Bayview	Class 1 Land & Environment Court
16 Gladys Avenue, Frenchs Forest	Class 1 Land & Environment Court
41 Warriewood Road, Warriewood	Class 1 Land & Environment Court
95 Wimbledon Avenue, North Narrabeen	Class 1 Land & Environment Court
67 Seaforth Crescent, Seaforth	Class 1 Land & Environment Court
58 Laitoki Road, Terrey Hills	Land & Environment Court
Unlawful termination claim	Fair Work Commission
Consumer & Commercial	NCAT
Appeal against GIPA decision No. 1	NCAT
Appeal against GIPA decision No. 2	NCAT
Tipperary Road, Killarney Heights	Local Court
Orchard Street, Warriewood	Local Court
Griffin Road, North Curl Curl	Local Court
Careel Head Road, Avalon Beach	Local Court
Jacksons Road, Warriewood	Local Court

### Clause 217 (1) (a4) Work on private land

Council undertook work on private land in accordance with Section 67 of the Local Government Act at 48a Consul Road, Brookvale. A sum of \$1,653 ex GST was spent on restoring damage caused during a geotechnical stabilisation project on the upper reaches of Greendale Creek. The total amount for the work was subsidised by Council.

### Clause 217 (1) (a5) Grants

The total amount contributed or otherwise granted by the Council in 2019/20 under section s356 of the Act was \$3,548,924. The grant programs and the funding amount is presented in the table below.

Fund name	\$
Stronger Communities Fund - Round 2	1,038,853
Community and Cultural Development Grants	952,026
COVID-19 - Community response grants	108,040
COVID-19 - Community centre rent subsidies	37,807
COVID-19 - Property rental subsidies	1,097,072
Creative Community Support Grant	104,482
Eco School Grants	3,558
Community Event Grants and Sponsorship	121,404
Sport and Recreation Infrastructure Grants	85,682
<b>Total</b>	<b>3,548,924</b>

### Clause 217 (1) (a6) External bodies

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

The panel consists of four panel members, the chair, two planning professionals and one community representative. During the year 28 NBLPP meetings were held, where 106 matters were determined.

### Clause 217 (1) (a7) Council controlled companies

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) Partnerships, cooperatives and joint ventures

#### 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 works towards the conservation of 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)
- Manly Warringah War Memorial State Park Advisory Committee (member) - Manly Dam
- Partnership with UNSW

- 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) - NSW 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 the 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.

#### Premature

Council is a member of Premature, a Local Government Mutual Self Insurance Pooling Group for Public Liability/Professional Indemnity Insurance. The winding up of the fund is currently in progress with a view to distributing the available surplus funds to members.



### 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:

- The development and deployment of our Employer Value Proposition.
- Gained accreditation as a White Ribbon Workplace
- Implemented our new recruitment and onboarding online modules
- Developed and implemented the following online training modules:
  - Disability Awareness
  - Family and Domestic Violence Awareness
  - A Respectful Workplace

- Updated online Code of Conduct Training
- We partnered with an external provider to run LGBTIQ+ training

All of these initiatives contribute to our ongoing commitment to EEO.

### Clause 217 (1) (b) General Manager (Chief Executive Officer) remuneration package

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

\$

Salary	459,869
Bonus, performance or other payments	0
Superannuation	24,978
Value of non-cash benefits	10,903
Fringe benefits tax paid	16,342
<b>Total</b>	<b>512,092</b>

### 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:

	\$
Total value of salary	1,862,268
Total amount of termination payments	0
Total amount of bonus, performance or other payments	0
Total amount for superannuation	136,779
Total value of non-cash benefits	26,051
Total fringe benefits tax paid	56,597
<b>Total</b>	<b>2,081,695</b>

### 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). This included rateable urban land categorised as residential or business (excluding vacant land).

The income and expenditure of the Stormwater Management Service Charge for 2019/20 is below:

<b>Former Manly local government area</b>	<b>\$</b>
Income	345,757
Expenditure	345,757
<b>Former Pittwater local government area</b>	<b>\$</b>
Income	532,872
Expenditure	507,430

The funds were used for:

- CCTV investigations into the piped stormwater system and associated repairs
- Purchase of a new Gross Pollutant Trap (GPT) device for Manly
- Stormwater drainage improvement, including pipe replacements and pit upgrades
- Design and development of flood mitigation works for severely affected areas
- 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 1998 and the Companion Animal Regulation 2018, in accordance with the Office of Local Government 'Guideline on the exercise of functions under the Companion Animals Act' (October 2015, under review).

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

#### **16.1.2 (a) Impounded animals**

During this reporting period, Council seized zero cats and five dogs.

#### **16.1.2 (b) Reporting dog attacks to the Department**

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 370 incidents were reported within the Council area.

#### **16.1.2 (c) Expenditure on companion animal management and activities**

A sum of \$385,697 was spent on pound service fees during the reporting period.

Note: this sum excludes salary costs.

#### **16.1.2 (d) Community education programs and strategies to assist in 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.

#### **16.1.2 (e) 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.

#### **16.1.2 (f) Off-leash areas provided in the Council area**

Northern Beaches Council has 29 off-leash 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.

#### 16.1.4 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	385,697
Promotional costs	132
Materials/consumables	4,806
Other	3,681
<b>Total</b>	<b>394,316</b>

Council received \$4,000 from the NSW State Government in May 2020 and the money was shared equally between the two pounds based on unprecedented effects of COVID-19. The funding was provided by the NSW Government to ensure that Council pounds, or facilities that are used by Councils to undertake their pound function, continue to operate and maintain the welfare of animals in their care. The money provided is to be used for food for the animals, staffing costs and/or vet bills, capital works, including minor site upgrades and maintenance works, or for purchasing of new equipment.



## Environmental Planning and Assessment Act 1979

### Section 7.5 (5) Voluntary planning agreements

The following planning agreements were in force during 2019/20:

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 06/09/18	Executed
PP0002/16	Payment of a cash contribution and obligations relating to undergrounding 33kV powerlines and construction of roads and stormwater infrastructure.	Frasers Property AHL Ltd	9, 11, 12 and 13 Fern Creek Road, Warriewood	29/07/2019	Executed

**Section 125 (1) and Regulation 2018 Clause 8**

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

**Clause 7 (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 7 (b): The total number of access applications received (including withdrawn applications but not including invalid applications)**

Council received a total of 61 applications.

**Clause 7 (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).**

The number of applications refused - wholly or partly - are listed in the table below and as a percentage of all applications that were received:

	Primary street address	Date executed	Total
Number of applications refused	1	0	1
Percentage of total	2%	0%	2%

**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	0	1	0	0	0	0	0	0	1
Members of Parliament	0	0	0	0	0	0	0	0	0
Private sector business	3	1	0	0	0	0	0	0	4
Not for profit organisations or community groups	0	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	3	13	1	5	1	0	0	0	23
Members of the public (other)	9	19	1	2	0	1	0	1	33
<b>Total</b>	<b>15</b>	<b>34</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>61</b>

\*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.

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**	0	0	0	0	0	0	0	0	0
Access applications (other than personal information applications)	13	30	2	4	1	1	0	1	52
Access applications that are partly personal information applications and partly other	2	4	0	3	0	0	0	0	9
<b>Total</b>	<b>15</b>	<b>34</b>	<b>2</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>61</b>

\*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.

\*\*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	1
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
<b>Total</b>	<b>1</b>

\*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
<b>Total</b>	<b>0</b>

\*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)	59
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	1
<b>Total</b>	<b>60*</b>

\*One application was withdrawn, as noted in Table A.

**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	2	0	2
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of Act	0	0	0
Review by NCAT	0	0	0
<b>Total</b>	<b>2</b>	<b>0</b>	<b>2</b>

\* The Information Commissioner does not have the authority to vary decisions but can make recommendations to the original decision-maker.

**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)	1
<b>Total</b>	<b>2</b>

**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
<b>Total</b>	<b>0</b>

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 2019/20.

### Public Interest Disclosure Act 1994

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

Report for NSW Ombudsman for the period 2019/20, from Council's Complaints Resolution Team:

No. of public officials who made public interest disclosures to your public authority	0
No. of public interest disclosures received by your public authority	0
No. disclosures on corrupt conduct	0
No. disclosures on maladministration	0
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	0
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 an ongoing education and awareness program

## Capital Expenditure Guidelines 2010 - Division of Local Government Department of Premier and Cabinet

### Section 12

These guidelines apply to capital projects for infrastructure facilities, including renovations and extensions that are expected to cost in excess of 10% of Council's annual ordinary rate revenue or \$1 million, whichever is the greater (GST exclusive).

There are no projects that satisfy the reporting criteria in 2019/20.

## Fisheries Management Act 1994

### Section 220Zt (2) Reporting on recovery and threat abatement plans

No recovery and threat abatement plans have been developed by Council in the reporting period.

## Swimming Pool Act 1992

### Section 22F (2) Swimming pool inspections

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

- Six inspections of tourist and visitor accommodation
- Five inspections required of premises with more than two dwellings
- 134 inspections that resulted in issuance of a certificate of compliance
- 136 inspections that resulted in issuance of a certificate of non-compliance



### Section 8 (3) Report on compliance

#### Educational services

Council produces a monthly disability newsletter with a circulation of over 1,400, and the Northern Beaches Seniors Directory, with 6,000 copies distributed in 2019/20.

#### Consultation and liaison with carers

Council provides programs and projects for disability awareness, including the monthly disability newsletter, and an Inclusion Award as part of the Northern Beaches Local Business Awards. See the next item on the Disability Inclusion Action Plan for other related initiatives.

We coordinated a calendar of events for National Carers Week in October 2019, including funding a key event and working with other key local services to coordinate activities. We also ran a successful Way to Wellbeing Expo for Seniors Festival in February 2020 which included activities and stalls of interest to carers of people who are frail and/or aged.

Council community development staff were available to provide information and referral to carers, taking over 300 calls annually in relation to services for seniors and people with disability. Our directory for seniors and carers on the Northern Beaches, identifying local services, supports and activities, is available on our website, customer service centres and libraries.

Council's Meals on Wheels service supports carers in their role by providing nutritional and affordable meal options as well as coordinating community restaurants in three different locations across the Northern Beaches.

#### 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.

### Section 13 (1) Report on implementation

#### Disability Inclusion Action Plan - Progress Report 2019/20

This section reports on Council's third year of implementing its Disability Inclusion Action Plan, and will be provided to the Minister for Disability Services and the NSW Disability Council. The Action Plan is reviewed and updated every four years. The Plan and our disability information hub can be found at [northernbeaches.nsw.gov.au/services/disability](http://northernbeaches.nsw.gov.au/services/disability)

We continued implementing the plan to help create a more inclusive and accessible community. Amongst many ongoing actions, 12 actions were completed this year, with some great progress across all focus areas.

#### **Focus Area 1: Develop positive community attitudes and behaviours**

A new staff learning module was developed on disability awareness, with content from the Human Rights Commission and experts in job access, inclusive culture and behaviours. Staff across five teams were trained in accessible and inclusive events. Our inclusive programs include those run by the events team, community development, children's centres, libraries, environmental educators, bushcare and aquatic centres. This year we held the Disabled Surfing Competition at Collaroy Beach in our accessibility precinct. Our Access and Inclusion Award will recognise inclusive businesses in the 2020 Northern Beaches Local Business Awards, later in the year. We are also developing a business seminar on inclusive employment practices.

#### **Focus Area 2: Create liveable communities**

This focuses on creating accessible services, facilities and infrastructure. This year four new accessible playgrounds were completed at Lionel Watts Reserve (Belrose), Manly Dam, Tania Park (Balgowlah Heights) and Birdwood Park (North Narrabeen). New accessible amenities include North Narrabeen rockpool, sports facilities at Nolans Reserve and Balgowlah Oval, Queenscliff

Surf Life Saving Club, Beacon Hill Community Centre, Jacka Park (Freshwater) and Bilarong Reserve (Narrabeen). Various paths, kerbs, bus shelters and trails have been improved, and the final section of the Narrabeen Lagoon Trail circuit was completed as an accessible boardwalk.

Disability inclusion is now embedded in our planning and project management frameworks for future plans and works, including plans to encourage affordable and adaptable housing. Our disability liaison staff direct key community programs, advocacy, host the disability information hub on our website and provide a regular newsletter for the community.

#### **Focus Area 3: Support access to meaningful employment**

We provide a wide range of opportunities for volunteering and student placements, including for people with disability – key areas include libraries, community services and the Coastal Environment Centre. Our Local Strategic Planning Statement will guide the development of commercial centres, and includes specific actions for access and inclusion to help increase local employment opportunities. We are also developing more inclusive and flexible employment practices for the Council workforce.

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

Ongoing reviews have improved our online forms and booking systems for consistency, readability and ease of use. All new Council documents online are meeting new 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.

Customer Service Centres continue to provide computers for customers' use as an alternative to paper forms. Our website is compliant with industry guidelines for web accessibility to a high standard, and our library website was improved to enhance user experience and accessibility.