

AGENDA

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

Tuesday 22 October 2019

Beginning at 6:00pm for the purpose of considering and determining matters included in this agenda.



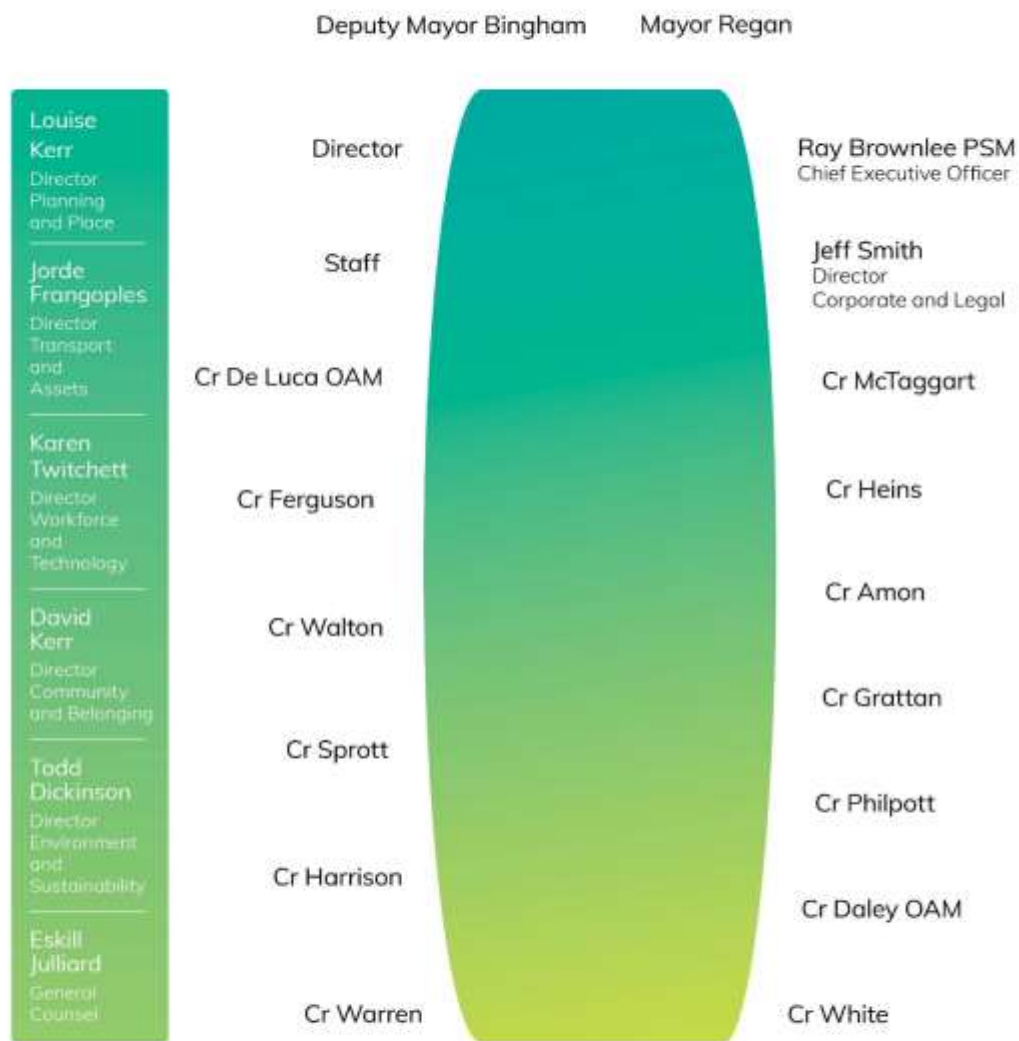
Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 22 October 2019
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

In accordance with Part 6 of the Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 24 SEPTEMBER 2019

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 24 September 2019, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 16/2019 - WASTE COLLECTIONS - CHRISTMAS
TRIM FILE REF	2019/585531
ATTACHMENTS	NIL

BACKGROUND

As we approach the end of the year and the festive season only months away, I would like Council to give consideration to assisting our community in dealing with the excess waste that occurs at this time.

While we remain focused on our continued commitment to helping our community reduce our impact on the environment, I believe we should recognise that this is a unique time of the year with families celebrating Christmas and the holiday period and unavoidably generating more waste than at other times.

While I understand it may be difficult to schedule additional collections across the whole Northern Beaches at this stage, I ask that options are provided for the community in December 2019 and January 2020 that allow for residents to be able to dispose of the additional waste if they need to. As we all know as ratepayers ourselves, standard collection days do not always sync with every household's festive requirements. I also propose that residents do not incur any additional costs for any service that is made available at this time.

I ask that staff consider providing a free disposal of general household waste at the Belrose Transfer Station between Friday 27 December 2019 and Sunday 5 January 2020. Further, that we consider also free disposal of recycling material (paper/plastics) at Kimbriki between Friday 27 December 2019 and Sunday 5 January 2020.

Looking further ahead, I believe there is an opportunity to look at options to address this issue more permanently commencing at the end of 2020.

Therefore I ask that staff provide a report back to Council at the next Ordinary Council meeting on 26 November 2019 including the costs and impact on our current waste contract of any proposals to provide additional services.

I understand the cost of preparing the report can be met within existing operating budgets.

MOTION

That Council

- A. Investigate and provide a report to the November 2019 Council meeting of the potential costs and feasibility of providing Northern Beaches residents with:
 - a. Free disposal of general household waste at the Belrose Transfer Station between Friday 27 December 2019 and Sunday 5 January 2020.
 - b. Free disposal of recycling material (paper/plastics) at Kimbriki Resource Recovery Centre between Friday 27 December 2019 and Sunday 5 January 2020.
 - B. Investigate the potential for providing an additional waste collection service between Christmas and New Year 2020 and brief Councillors within 6 months on the outcome of these investigations.
-



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	SUN RUN EVENT
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/554486
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council endorsement for the establishment of a partnership between Northern Beaches Council and Manly Surf Life Saving Club that will see the respective operations of the Sun Run and the Cole Classic jointly delivered as an annual weekend festival event.

EXECUTIVE SUMMARY

The Cole Classic is renowned as one of the largest ocean swims in the world and once held the title of the largest ocean swim in Australia. The swim and the Sun Run have been owned and organised by Fairfax Events since 2009 and 2011 respectively. Following the merger in 2018 of Fairfax and Nine Group, several events have been sold with the gifting by the Nine Group of both the Cole Classic and Sun Run to Manly Surf Life Saving Club, who in turn have agreed to gift the Sun Run to Council for its continuation.

The proposed partnership between Council and the Manly Surf Life Saving Club would see the delivery of a joint marketing campaign to promote the weekend festival of fitness.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

- A. Accepts the gifting of the Sun Run event to the Northern Beaches Council by Manly Surf Life Saving Club
 - B. Authorises the Chief Executive Officer to develop a partnerships and to execute all necessary documentation to give effect to this resolution (agreement that promotes collaboration and cooperation between the two entities).
 - C. Approves the allocation of \$15,000 in sponsorship funding from the Events Grants and Sponsorship program budget, reoccurring for two years, for the 2020 and 2021 events.
-

REPORT

BACKGROUND

The Cole Classic and Sun Run have been owned and organised by Fairfax Events since 2009 and 2011 respectively. Both events have established themselves as major sporting fixtures on the Northern Beaches attracting thousands of entrants every year.

Named after, Graham Cole who was a keen ocean swimmer, the event began in Bondi and moved to Manly Beach in 2005, the place where Graham's surf life saving endeavours began.

In 2009 the event was passed to Fairfax Events to own and organise. Graham's three sons had kept the legacy alive for a number of years with friends and family support but could no longer commit the resources required.

The location of Manly allowed for an introduction of an additional swim leg (1km and 5km).

Additionally, a fundraising component was introduced and each year competitors are encouraged to raise money for a cause close to their heart. In 2010 over \$320,000 was raised.

In 2011 Fairfax Events, having researched the world's largest ocean swim Lorne Pier to Pub, introduced a running component to complement the swim and encourage a weekend of activity for the community. The Sun Run has evolved over recent years and introduced a 10km distance along with an Aquathon. Entrants peaked in 2016 with 6,635 competitors.

In 2018, Fairfax was sold to the Nine Group and during the merger Nine announced it would be selling the Event business. Wanda Group (Owners of Ironman) were successful in their highest bid, however only purchased five events. All other events were left with Nine to make a decision.

Nine has gifted the Cole Classic and Sun Run to Manly Surf Life Saving Club, who in turn, have offered to gift the run to Northern Beach Council to ensure its continuation.

The Manly Surf Club are now in ownership of both events and a verbal agreement has been made to gift the Sun Run to the Northern Beaches Council.

CONSULTATION

Council staff have met regularly with Manly Surf Life Saving Club to establish the operational requirements for the event. Further consultation has taken place with Council staff involved in the process of supporting the event in order to maximise the opportunities for the community.

Fairfax Events / The Nine Group were consulted in relation to the Sun Run. They advised the only way the Sun Run could continue was if it formed part of the handover of the Cole Classic to Manly Surf Life Saving Club. Manly Surf Life Saving Club are contractually permitted to gift the Sun Run to the Council, and no other entity.

TIMING

Planning for the 2020 event is underway. Entries will open in November, with the event scheduled to run on 1 February 2020.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Places for People
 - Goal 8 – Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
 - Goal 9 – Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging
 - Goal 10 – Our community is stimulated through a diverse range of cultural and creative activities and events.
 - Goal 12 – Our community is friendly and supportive.
- Vibrant Local Economy: Goal 15 – Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.

The report also relates to the six goals of the Northern Beaches Events Strategy:

- Goal 1 – Support a diverse and exciting annual events program that is welcoming, inclusive, safe and that adds value to the Northern Beaches community.
- Goal 2 – Activate our town centres and villages to reflect community aspirations, create vibrancy and enhance our sense of place.
- Goal 3 – Boost the economic and tourism benefits of events in key destinations.
- Goal 4 – Work in partnership with event organisers in a customer focused manner to promote the delivery of events.
- Goal 5 – Investigate event related transport options to make it easier for people to get to and from events across the Northern Beaches.
- Goal 6 – Continuously work to demonstrate and promote environmental sustainability in event delivery and theming.

FINANCIAL CONSIDERATIONS

Given the timing until event launch and proximity to the event date revenue from entry fees would be used to contract services for event delivery for the first two years.

A forecast based on financial modelling indicate a potential for the event to be cost neutral by year three of operation.

Any additional income from the event in future years will be used to support further expansion of events within the local government area and resource capability within the team.

It is estimated that an additional \$15,000 is required to support the marketing and promotions campaign each year for year one and two. Funding is available in the Events Grants and Sponsorship budget. It is recommended that the \$15,000 be allocated for the 2020 and 2021 events from that budget.

SOCIAL CONSIDERATIONS

The Cole Classic and Sun Run is an iconic event that attracts key visitor markets to Manly. The weekend fitness festival enhances Manly's reputation as a destination that fosters health & wellbeing. The event is also an effective platform to promote economic benefits via visitation and overnight stays.

Council staff will work to minimise the impact of the Sun Run on the broader community through the reduction of event infrastructure, footprint, bump-in and bump-out periods. They will also seek to provide more opportunities for local businesses to get involved in the event as well as additional activities for the broader community to enjoy as part of the event.

ENVIRONMENTAL CONSIDERATIONS

As with all events taking place on the Northern Beaches, the Sun Run will comply with Council's environmental and waste management policies and plans.

Cups used at the drink stations throughout the course will meet Council's waste management policies and plans.

GOVERNANCE AND RISK CONSIDERATIONS

In accordance with usual practice, a risk assessment will be conducted, and a management plan for resident notification will be implemented.

Council will engage an external event provider to support operational delivery for the 2020 event. The cost will be covered by utilising revenue from event entry fees.

Access to previous event information and data is currently being sort. If data was not accessible this would create a risk in starting the event database from scratch. This risk can be mitigated through marketing of the event in Council's communication channels.

If Council does not take on the event, it will no longer form part of the broader Northern Beaches event calendar.

ITEM 8.2	LOCAL GOVERNMENT ENTRY MARKER DESIGN
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/575386
ATTACHMENTS	1 LGA Entry Marker - Design and Engagement Summary (Included In Attachments Booklet) 2 LGA Entry Marker Construction Drawings (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement of the recommended design for the Local Government Area Entry Markers.

EXECUTIVE SUMMARY

Following the adoption of the Northern Beaches Identity, Council has been working on the design and installation of three Local Government Area (LGA) Entry Markers (Markers) at Spit Bridge, Roseville Bridge and Mona Vale Road, Belrose.

The purpose of the Markers is to promote a sense of pride and belonging within our local community and welcome people to the area. The design must also reflect the Northern Beaches identity and be in line with the endorsed Style Guide.

An amount of \$200,000 has been allocated from the State Government's New Council Implementation Fund (NCIF) for this purpose. NCIF funds can only be allocated to specific projects, new signage is an approved allocation for the funding. The agreed contract price includes design, engagement, fabrication and installation and is within budget.

The locations are all on Roads and Maritime Services (RMS) main roads and as such must meet RMS safety requirements and require approval from the Traffic Committee. There are a number of site constraints that have been considered including size, installation and traffic management.

On 28 May 2019 Council appointed Singleton Moore Signs (SMS) as the successful tenderer.

The engagement process for finalising the design has included Councillor briefings, workshops with Strategic Reference Group members and workshops with relevant subject matter experts and other key stakeholders.

The Local Government Area entry market design was deferred by Council at the September Meeting 2019 (Resolution number 316/19) to go to a councillor briefing which included a notice to the Strategic Reference Group members and that the report be brought back to Council for consideration.

The final design recommendation is now being presented to Council for approval.

Singleton Moore Signs will then continue to provide the relevant technical specifications and traffic management plans in preparation for the Traffic Committee Meeting on 5 November 2019.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

- A. Adopt the recommended final design for the Local Government Area Entry Markers.
 - B. Note that the technical requirements for the fabrication and installation will be reported to the Northern Beaches Traffic Committee for their approval.
 - C. Note that any minor amendments required by the Traffic Committee can be made under delegation.
-

REPORT

BACKGROUND

Following the adoption of the Northern Beaches Identity, Council has been working on the design and installation of three Local Government Area (LGA) Entry Markers (Markers).

In May 2019, Council appointed Singleton Moore Signs (SMS) as the successful tenderer following an open tender process (RFT 2019/094). The tender sought to appoint an experienced contractor to design, fabricate and install three Markers at the following entry points to the Northern Beaches:

- Roseville Bridge
- Spit Bridge
- Mona Vale Road, Belrose.

The purpose of the Markers is to promote a sense of pride and belonging within our local community and to welcome people to the area, as per Destination NSW guidelines. The brief also required that the design and construction of the Markers should reflect the Northern Beaches environment and be culturally sensitive.

The specific site locations were inspected and evaluated by the Roads and Traffic team. As the locations are all alongside Roads and Maritime Services (RMS) main roads, the Markers must meet RMS safety requirements (i.e. frangible on impact). RMS approval via the Northern Beaches Traffic Committee is required and scheduled for 1 October 2019.

There are a number of site constraints that have been considered including traffic management, potential visual and environmental impact and general suitability (accessibility, ground slope, space available and existing utilities).

SMS prepared three draft concept designs to reflect the brief and in-line with the endorsed Council Style Guide.

An amount of \$200,000 was allocated from the State Government's New Council Implementation Fund (NCIF). The allocated funds are restricted to use for the entry markers and cannot be allocated towards other operational or capital works projects.

CONSULTATION

The Participation and Partnership Strategic Reference Group was involved in finalising the engagement approach used for this project at their meetings in September 2018 and May 2019. It was agreed that all SRG members would be invited to a special SRG workshop to provide feedback and input on the three draft concept designs.

Invitations were sent to all 80 SRG members including Councillors.

The first workshop was held on 25 July 2019 and nine participants attended. This group discussed the constraints, considerations and provided feedback on these designs. This feedback was collated and used to refine the designs and select a recommended design. It was agreed by the workshop attendees that this group would meet again to further refine the designs.

In line with the SRG feedback, and specialist input, the modified Design Concept 2 was produced in a variation of materials and finishes.

The second SRG workshop was held on 19 August 2019. The group discussed the different variations of the design and provided feedback and their preferred ranking. Attachment 1 details the design and engagement process including SRG feedback.

A short survey was sent to the working group to confirm their individual preferences. The final recommended design is based on SRG feedback, along with internal specialist input and shown below. Detailed images and construction materials are in Attachment 2.

At the last Council Meeting, it was agreed to defer the matter to a Councillor Briefing. This briefing was held on 8 October, where Council discussed the proposal and agreed to return the report to Council's next meeting for determination.

DESIGN



TIMING

The contractor Singleton Moore Signs was appointed as the successful tendered at the 28 May Council meeting. The design stage of the project commenced in June 2019 and was finalised in September 2019.

The technical requirements will be assessed by the Traffic Committee at their meeting on 5 November 2019.

Following approval, fabrication can commence and it is anticipated that the installation will be completed by Christmas. It is anticipated that the Markers will be installed over a 7 to 10 day period to allow for RMS Traffic Management requirements.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Community and Belonging: Goal 12 - Our community is friendly and supportive.
- Places for People: Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.

FINANCIAL CONSIDERATIONS

The recommended tender submission is within the \$200,000 budget allocated from the State Government's New Council Implementation Fund (NCIF) for this specific purpose. The allocated funds are restricted to use for the entry markers and cannot be allocated towards other operational or capital works projects.

SOCIAL CONSIDERATIONS

The installation of new entry markers for the Northern Beaches Local Government Area will continue to build on our new and extraordinary identity across the region. They will promote a sense of pride and belonging for our local community and welcome visitors to the area.

ENVIRONMENTAL CONSIDERATIONS

There are minimal environmental considerations associated with this project. Investigations into illumination lighting is canvassing the options of solar lighting where practicable.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance considerations associated with this project.

The main risk considerations are related to the traffic management and installation of the entry markers alongside major roads. This will be addressed in the Traffic Management Plan and other technical specifications that will be considered as part of the Traffic Committee approval.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	FINANCIAL STATEMENTS AND AUDIT REPORTS FOR THE YEAR ENDED 30 JUNE 2019
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/509619
ATTACHMENTS	1 ⇒ Northern Beaches Council Financial Statements 2018/19 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present Council's audited financial statements, together with the Auditor's reports in accordance with Section 419(1) of the Local Government Act 1993 (the Act).

EXECUTIVE SUMMARY

At Council's meeting on 24 September 2019, Council referred the 2018/19 General and Special Purpose Financial Statements for the year ended 30 June 2019 to Council's Auditor for audit. The Auditor's reports were subsequently received by Council and have been attached to the Financial Statements. The Auditor's reports stated that Council's accounting records have been maintained and the financial statements have been presented in accordance with the Act and present fairly the financial position and performance of the Council in accordance with Australian Accounting Standards.

A public notice of the date of the Council Meeting for presentation of the audited Financial Statements was placed in the Manly Daily on Saturday 12 October 2019. These audited Financial Statements have been available for public inspection at Council's Avalon Customer Service Centre, Dee Why Civic Centre, Manly Town Hall and Mona Vale Customer Service Centre and Libraries at Dee Why, Forestville, Glen Street in Belrose, Manly, Mona Vale and Warringah Mall in Brookvale, and by viewing on Council's website since 11 October 2019. They are now presented to Council in accordance with Section 419(1) of the Act.

Submissions on the Auditor's Reports and the audited Financial Statements close on 29 October 2019, 7 days after this Council Meeting in accordance with the Act. Any submissions will be referred to the Auditor in accordance with the Act. The audited Financial Statements are included in the separate attachment booklet.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That in accordance with section 419(1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for 2018/2019 are hereby received.

REPORT

BACKGROUND

At Council's meeting on 24 September 2019, Council resolved, in part, that:

- ...C. *The Annual Financial Statements for the year ended 30 June 2019 be referred to the Council's Auditor for audit.*
- D. *Council hereby delegates to the Chief Executive Officer authority, upon receipt of the Auditor's report of the Council, to:*
 - a. *Forward a copy to the Office of Local Government.*
 - b. *Arrange for the public notice of the Council Meeting for presentation to the public, in the required format to be placed in the Manly Daily.*
 - c. *Arrange for the Council's audited Financial Statements and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and in printed format at Council's Customer Service Centres and Libraries.*
 - d. *List the audited Financial Statements and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement.*

Following the 24 September 2019 Council Meeting, the Audit Office of NSW finalised an audit of the 2018-19 Financial Statements and provided their Audit Reports, which are now contained within the attached final 2018-19 Financial Statements.

The draft net operating result for the year ended 30 June 2019 of \$28.0m and Net Operating Result before Capital Grants and Contributions of \$9.9m were reported to the Council on 24 September 2019. These results have since been confirmed following the completion of the audit.

The principal features of the Financial Statements for the year ended 30 June 2019 are as follows:

	1 July 2018 - 30 June 2019 \$'000
Income Statement	
Total income from continuing operations	358,944
Total expenses from continuing operations	330,919
Net operating result from continuing operations for the period	28,025
Net operating result from continuing operations before grants and contributions provided for capital purposes	9,914
Statement of Financial Position (Balance Sheet)	
Total current assets	215,430
Total current liabilities	86,447
Total non-current assets	4,985,939
Total non-current liabilities	68,728
Total equity	5,046,194
Other financial information	
Unrestricted current ratio	2.65x
Operating performance ratio	2.89%
Buildings and infrastructure renewals ratio	139.09%
Debt service cover ratio	6.40x
Rates and annual charges outstanding percentage	3.67%

Attached, in the separate attachment booklet, are the audited financial statements which include the Auditor's Reports and their report on the Conduct of the Audit.

Auditor's Report on the General Purpose and Special Purpose Financial Statements

The Auditor expressed an unmodified opinion on the General Purpose Financial Statements, stating in their opinion:

- The Council's accounting records have been kept in accordance with the requirements of the Act, Chapter 13, Part 3, Division 2.
- The financial statements:
 - have been presented, in all material respects, in accordance with the requirements of this Division
 - are consistent with the Council's accounting records
 - present fairly, in all material respects, the financial position of the Council as at 30 June 2019, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards.
- All information relevant to the conduct of the audit has been obtained.
- No material deficiencies in the accounting records or financial report have come to light during the audit.

The Auditor also expressed an opinion on the Special Purpose Financial Statements, stating they "present fairly, in all material respects, the financial position and performance of the Council's declared business activities."

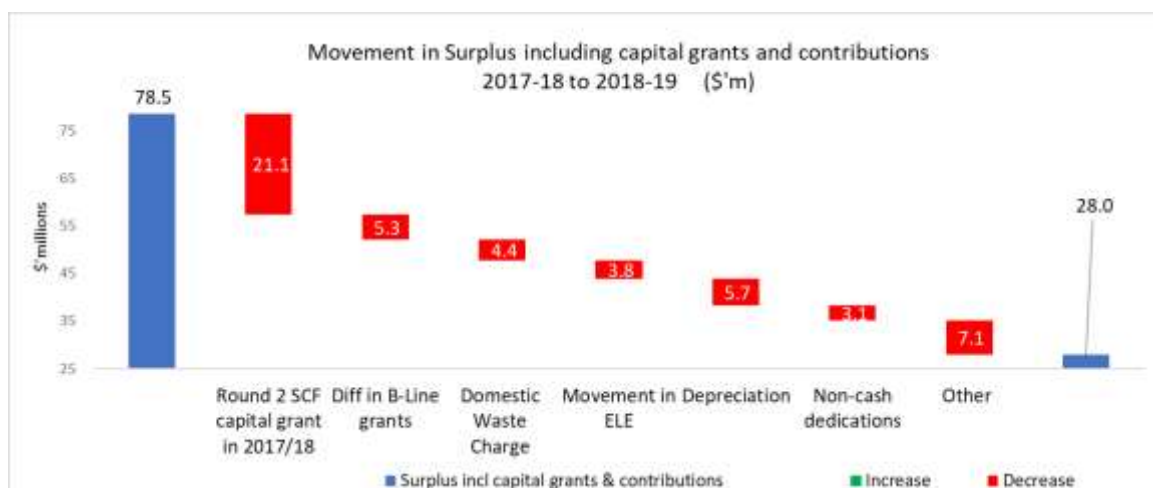
Report on the Conduct of the Audit

The following information is summarised from the Financial Statements and the Auditors' Reports:

Income Statement

The Surplus from Continuing Operations for the full financial year is \$28m (2017/18 \$78.5m). The primary differences between the two financial years being:

- \$21.1m Round 2 Stronger Communities Fund capital grant received in 2017/18.
- \$4.4m (8%) reduction in the Domestic Waste Charge as efficiencies of the merger resulted in lower costs for the service.
- \$3.8m (35%) increase in employee leave entitlement expenses primarily due to the impact of the falling Commonwealth bond rates which increased the value of future entitlements by \$1.8m (whereas in 2017/18 the impact of discounting was a \$0.3m reduction in the provision).
- \$5.7m (17%) increase in depreciation due to the 2017/18 buildings asset revaluation (\$2m) and the capitalisation of new and renewed assets.
- \$3.1m reduction in the value of non-cash dedications at \$4.5m compared to \$7.6m in 2017/18.



Statement of Cash Flows and Financial Position

Cash balances have declined from \$218.3m to \$195.8m as grants received on merger are spent on new infrastructure.

External restrictions relating to cash mainly included the Stronger Communities Fund, developer contributions, and domestic waste management charges. While the internal restrictions primarily related to employee leave entitlements, and deposits, retentions and bonds.

Performance

The definition of each ratio analysed below is included in the Commentary section on pages 10 and 11 of the Council's audited general purpose financial statements, and in Note 23.

	2019	2018	Benchmark	Exceeds Benchmark
Operating Performance Ratio <i>The decrease in current year is mainly due to one off Stronger Community Fund grants in 2017-2018</i>	2.89%	7.97%	> 0	✓
Own Source Operating Revenue Ratio <i>Council continues to to exceed the benchmark and not be reliant on external funding</i>	90.64%	82.58%	> 60%	✓
Unrestricted Current Ratio <i>The decrease is mainly due to increased spending on infrastructure projects</i>	2.65x	3.09x	> 1.5x	✓
Debt Service Cover Ratio <i>This ratio consistently improves due to Council repaying its borrowings</i>	6.40x	4.62x	> 2x	✓
Rates & Annual Charges Outstanding Percentage <i>Exceeds the benchmark which is consistent with prior years</i>	3.67	3.85	< 5%	✓
Cash Expense Cover Ratio <i>Continues to exceed the benchmark, despite increased spending</i>	7.53 months	8.59 months	> 3 months	✓
Building & Infrastructure Renewals Ratio (unaudited) <i>Represented by Council's recent investment in the renewal of infrastructure assets</i>	139.09	99.79	>100%	✓

CONSULTATION

Council's external auditors have conducted audit procedures during the year and at year end.

Council's Audit, Risk and Improvement Committee was provided with a draft of the General and Special Purpose Financial Statements for the year ended 30 June 2019 at a meeting on Tuesday 3rd September 2019 for their assessment and advice. The Committee advised the Council that the draft Financial Statements are suitable for referral to Council's external auditors, The Audit Office of New South Wales. Recommendations from the Audit, Risk and Improvement Committee were incorporated into the draft General and Special Purpose Financial Statements contained in the attachment booklet.

A public notice of the date of the Council Meeting for presentation of the audited Financial Statements was placed in the Manly Daily on Saturday 12 October 2019. These audited Financial Statements have been available for public inspection at Council's Avalon Customer Service Centre, Dee Why Civic Centre, Manly Town Hall and Mona Vale Customer Service Centre and Libraries at Dee Why, Forestville, Glen Street in Belrose, Manly, Mona Vale and Warringah Mall in Brookvale, and by viewing on Council's website since 11 October 2019. They are now presented to Council in accordance with Section 419(1) of the Act.

Submissions on the Auditor's Reports and the audited Financial Statements close on 29 October 2019, 7 days after this Council Meeting in accordance with the Act. Any submissions will be referred to the Auditor in accordance with the Act.

TIMING

Council's Financial Statements for a year must be prepared and audited in accordance with the Act, i.e. within four months after the end of the year concerned.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The attached statements fairly present Council's operating result and financial position for the financial year 1 July 2018 to 30 June 2019 and accord with relevant accounting records.

The Council has achieved an operating surplus of \$28m, or \$9.9m excluding grants and contributions received for capital purposes and met all financial and asset performance indicators set by the Office of Local Government.

SOCIAL CONSIDERATIONS

There are no significant social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The Financial Statements for the year ended 30 June 2019 were considered by the Audit, Risk and Improvement Committee for presentation to Council and an unqualified opinion was received from the Audit Office on these Financial Statements. The General Purpose Financial Statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the Act and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

ITEM 9.2	MONTHLY INVESTMENT REPORT - SEPTEMBER 2019
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/554619
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide a report setting out details of all money that Council has invested under section 625 of the Local Government Act 1993.

EXECUTIVE SUMMARY

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

The Investment Report shows that Council has total cash and investments of \$219,459,189 comprising:

- Trading Accounts \$1,775,970
- Investments \$217,683,219

Performance over the period from 1 July 2019 to date was strong having exceeded the benchmark: 2.40%pa vs. 1.82%pa.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and existing Investment Policies.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2019 to date was \$1,243,415 compared to budgeted income of \$1,333,229, a negative variance of \$89,814.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Council's Investment Policy and Strategy were reviewed in August 2019 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy *"remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet"* and that they *"do not recommend any changes to the list of approved investments or credit limit frameworks"*.

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in November 2018, and no change to the Policy was required following that review.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 30 September 2019, including the certification by the Responsible Accounting Officer.

REPORT

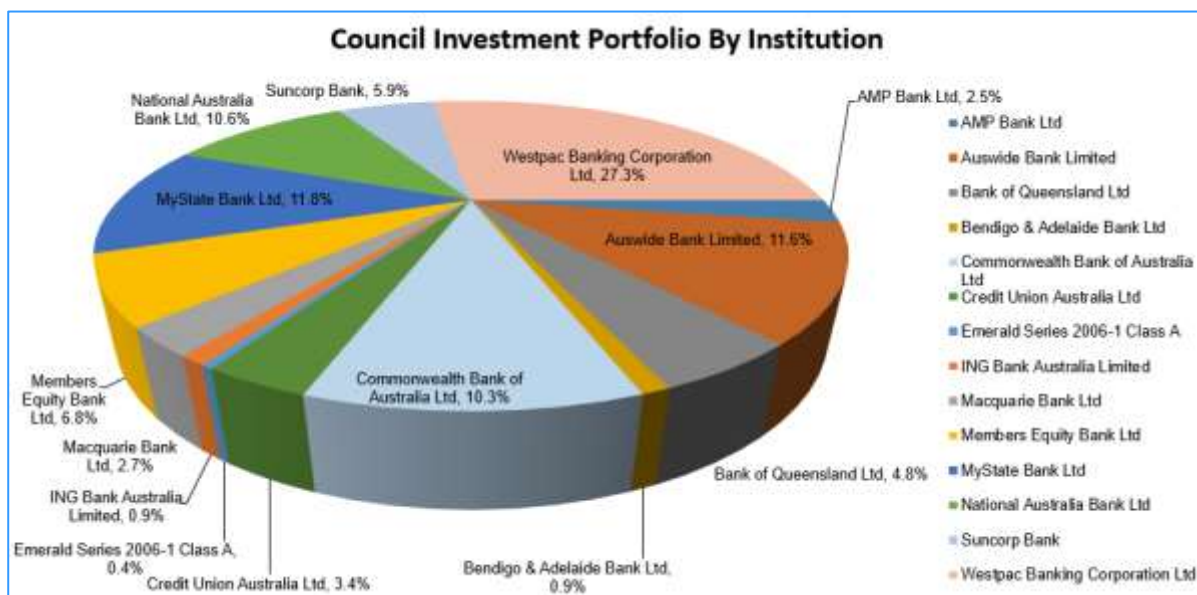
INVESTMENT BALANCES

INVESTMENT BALANCES As at 30-Sep-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Account				
Commonwealth Bank of Australia Ltd	A 1+	969,462		1.05%
National Australia Bank Ltd	A 1+	13,356		1.13%
		982,818		
At Call Account				
Commonwealth Bank of Australia Ltd	A 1+	4,484,258	At Call	1.10%
		4,484,258		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	851,625	21-Aug-51	1.4333%
		851,625		
Term Deposits				
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	03-Oct-19	2.87%
MyState Bank Ltd	A2	1,000,000	03-Oct-19	2.85%
Credit Union Australia Ltd	A2	2,000,000	08-Oct-19	2.82%
National Australia Bank Ltd	A 1+	2,000,000	10-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	15-Oct-19	2.85%
Suncorp Bank	A1	2,000,000	15-Oct-19	2.60%
Members Equity Bank Ltd	A2	1,000,000	15-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	17-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	23-Oct-19	2.85%
AMP Bank Ltd	A2	1,450,000	24-Oct-19	2.80%
MyState Bank Ltd	A2	2,000,000	29-Oct-19	2.87%
MyState Bank Ltd	A2	2,000,000	05-Nov-19	2.87%
MyState Bank Ltd	A2	2,000,000	07-Nov-19	2.85%
Westpac Banking Corporation Ltd	A 1+	1,000,000	11-Nov-19	2.40%
Suncorp Bank	A1	4,000,000	12-Nov-19	2.60%
MyState Bank Ltd	A2	2,000,000	12-Nov-19	2.85%
AMP Bank Ltd	A2	2,000,000	14-Nov-19	2.80%
AMP Bank Ltd	A2	2,000,000	14-Nov-19	2.60%
MyState Bank Ltd	A2	2,000,000	19-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Nov-19	2.87%
Auswide Bank Limited	A2	2,000,000	28-Nov-19	2.80%
Members Equity Bank Ltd	A2	3,000,000	03-Dec-19	1.70%
Westpac Banking Corporation Ltd	A 1+	2,000,000	03-Dec-19	1.81%
MyState Bank Ltd	A2	2,000,000	05-Dec-19	2.85%
Auswide Bank Limited	A2	3,000,000	10-Dec-19	2.75%
Credit Union Australia Ltd	A2	1,500,000	10-Dec-19	2.73%
National Australia Bank Ltd	A 1+	3,000,000	12-Dec-19	2.35%
Suncorp Bank	A1	2,000,000	12-Dec-19	2.20%
MyState Bank Ltd	A2	3,000,000	16-Dec-19	2.30%
Members Equity Bank Ltd	A2	2,000,000	17-Dec-19	2.75%
National Australia Bank Ltd	A 1+	2,000,000	17-Dec-19	2.20%
Auswide Bank Limited	A2	3,000,000	07-Jan-20	2.75%

INVESTMENT BALANCES As at 30-Sep-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Auswide Bank Limited	A2	2,000,000	07-Jan-20	2.30%
National Australia Bank Ltd	A1+	2,000,000	09-Jan-20	2.35%
Westpac Banking Corporation Ltd	A1+	3,000,000	14-Jan-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Jan-20	2.10%
Westpac Banking Corporation Ltd	A1+	4,000,000	21-Jan-20	2.00%
Credit Union Australia Ltd	A2	2,000,000	21-Jan-20	2.76%
Suncorp Bank	A1	2,000,000	23-Jan-20	2.35%
Auswide Bank Limited	A2	3,000,000	04-Feb-20	2.75%
Auswide Bank Limited	A2	2,000,000	06-Feb-20	2.30%
Westpac Banking Corporation Ltd	A1+	3,000,000	11-Feb-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	13-Feb-20	2.10%
National Australia Bank Ltd	A1+	1,000,000	18-Feb-20	2.35%
Suncorp Bank	A1	2,000,000	20-Feb-20	2.35%
Bank of Queensland Ltd	A2	3,000,000	25-Feb-20	1.75%
Credit Union Australia Ltd	A2	2,000,000	25-Feb-20	2.78%
Macquarie Bank Ltd	A1	3,000,000	03-Mar-20	1.80%
Auswide Bank Limited	A2	3,000,000	03-Mar-20	2.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Mar-20	1.73%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Mar-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-Mar-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	17-Mar-20	1.72%
Members Equity Bank Ltd	A2	3,000,000	31-Mar-20	1.65%
Macquarie Bank Ltd	A1	3,000,000	02-Apr-20	1.80%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-Apr-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Apr-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	16-Apr-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	21-Apr-20	1.78%
Bank of Queensland Ltd	A2	1,000,000	23-Apr-20	1.65%
Members Equity Bank Ltd	A2	3,000,000	28-Apr-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-May-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-May-20	2.10%
National Australia Bank Ltd	A1+	3,000,000	14-May-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-May-20	1.78%
Members Equity Bank Ltd	A2	3,000,000	26-May-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	28-May-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	02-Jun-20	1.65%
Westpac Banking Corporation Ltd	A1+	4,000,000	23-Jun-20	2.50%
Westpac Banking Corporation Ltd	A1+	3,000,000	02-Jul-20	2.50%
Westpac Banking Corporation Ltd	A1+	2,000,000	02-Jul-20	1.70%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Jul-20	2.55%
Westpac Banking Corporation Ltd	A1+	3,000,000	24-Jul-20	2.25%
Westpac Banking Corporation Ltd	A1+	2,000,000	04-Aug-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-20	1.70%
		173,950,000		

INVESTMENT BALANCES As at 30-Sep-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Kimbriki Environmental Enterprises Pty Ltd				
Trading Account				
Commonwealth Bank of Australia Ltd	A1+	793,153		0.10%
		793,153		
At Call Account				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	At Call	0.95%
		1,000,000		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	8,297,336	28-Oct-19	2.12%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Oct-19	1.88%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Oct-19	1.66%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Nov-19	1.66%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Dec-19	1.56%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jan-20	1.82%
		15,297,336		
New Council Implementation Fund				
Term Deposits				
Suncorp Bank	A1	900,000	21-Nov-19	2.60%
		900,000		
Stronger Communities Fund				
Term Deposits				
Bank of Queensland Ltd	A2	600,000	17-Oct-19	2.80%
Auswide Bank Limited	A2	1,100,000	12-Nov-19	2.05%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		3,700,000		
Stronger Communities Fund Round 2				
Term Deposits				
Auswide Bank Limited	A2	2,500,000	22-Oct-19	2.90%
Auswide Bank Limited	A2	1,800,000	21-Nov-19	2.82%
National Australia Bank Ltd	A1+	1,700,000	16-Jan-20	2.35%
Auswide Bank Limited	A2	2,000,000	11-Feb-20	2.25%
Bank of Queensland Ltd	A2	2,000,000	25-Feb-20	1.75%
National Australia Bank Ltd	A1+	2,500,000	05-Mar-20	2.65%
National Australia Bank Ltd	A1+	2,000,000	09-Apr-20	2.50%
Westpac Banking Corporation Ltd	A1+	1,000,000	18-Jun-20	1.78%
Westpac Banking Corporation Ltd	A1+	2,000,000	17-Jul-20	2.25%
		17,500,000		
Total Cash and Investments		219,459,189		

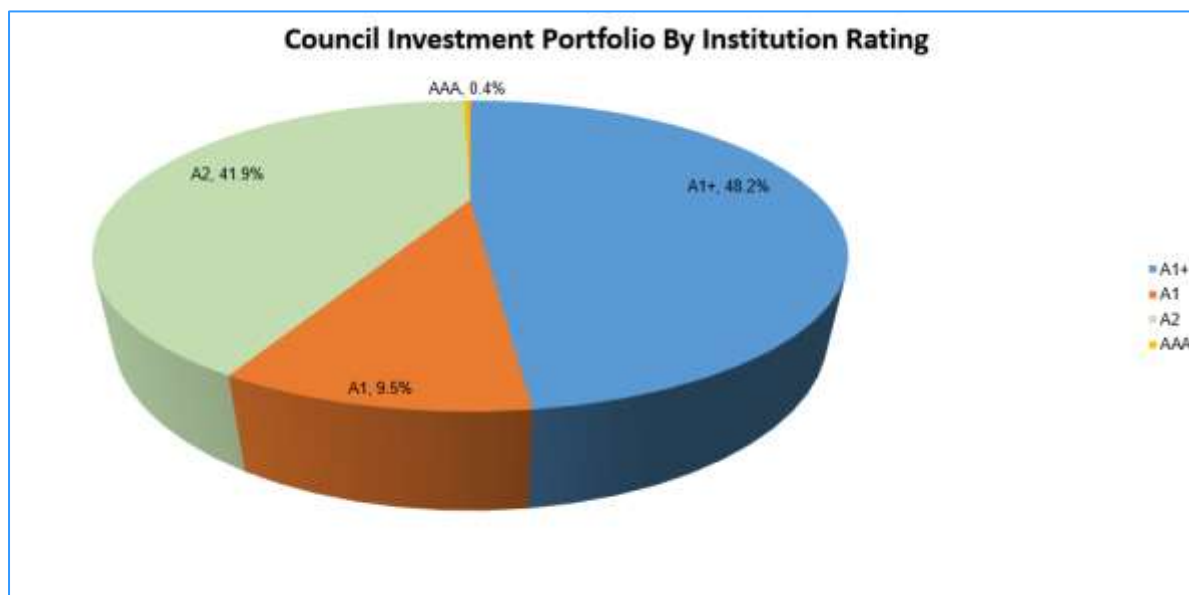
PORTFOLIO ANALYSIS



Institutional Credit Framework – Compliance with Investment Policy Requirements

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

Long Term Rating	Short Term Rating	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-			
A+	A-1	40%	Yes
A			
A-			
BBB+	A-2	30%	Yes
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)



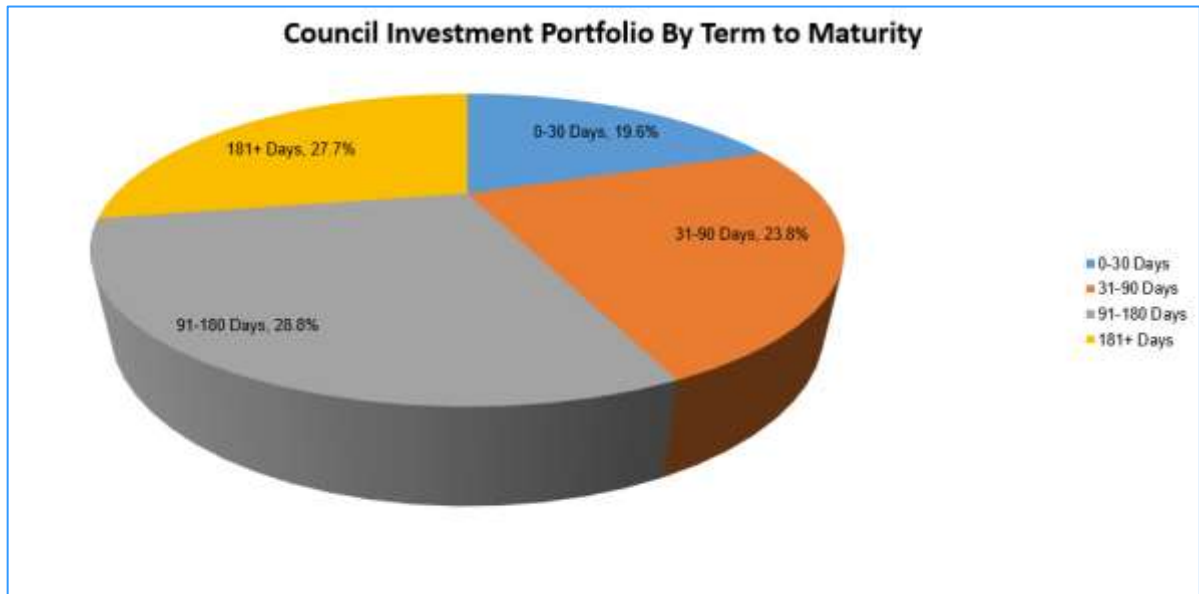
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

* Or Moody's / Fitch equivalents

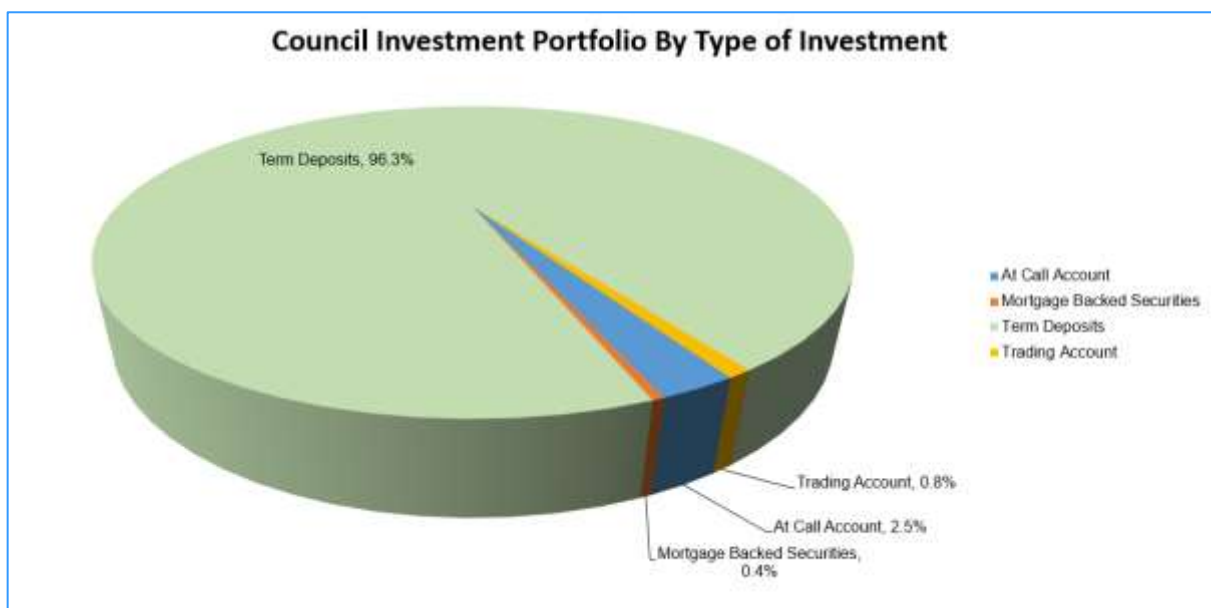
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.3 of Council's Investment Policy requires Council's investment portfolio is to be invested within the following maturity constraints:

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

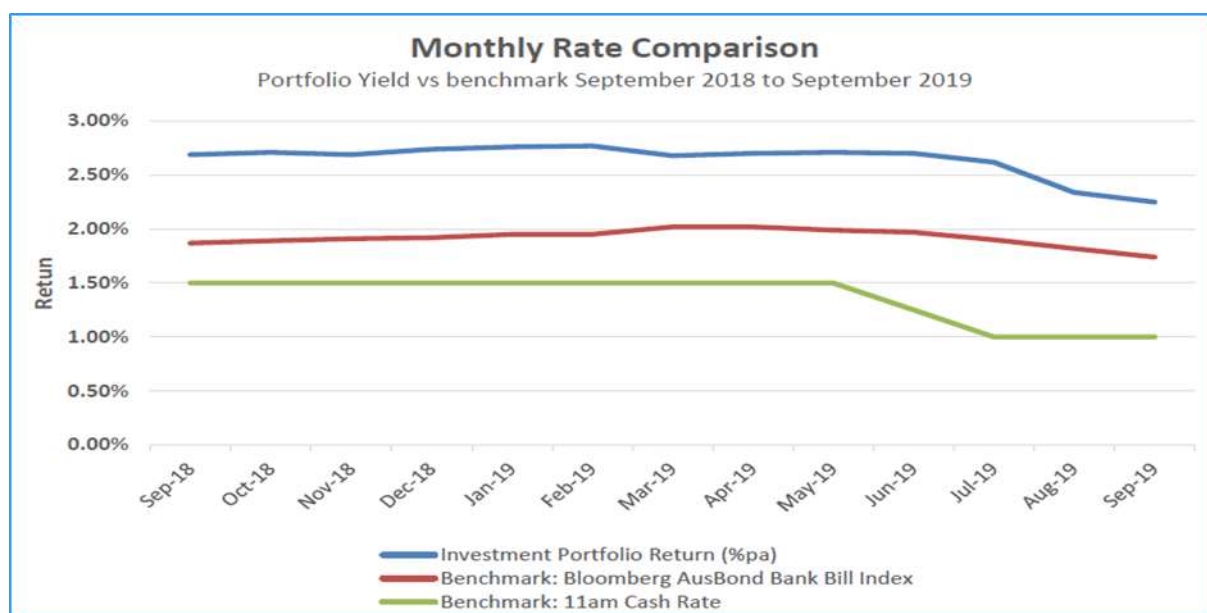


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.25%	1.74%	1.00%
3 Months	2.40%	1.82%	1.00%
6 Months	2.55%	1.91%	1.21%
FYTD	2.40%	1.82%	1.00%
12 Months	2.64%	1.92%	1.35%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

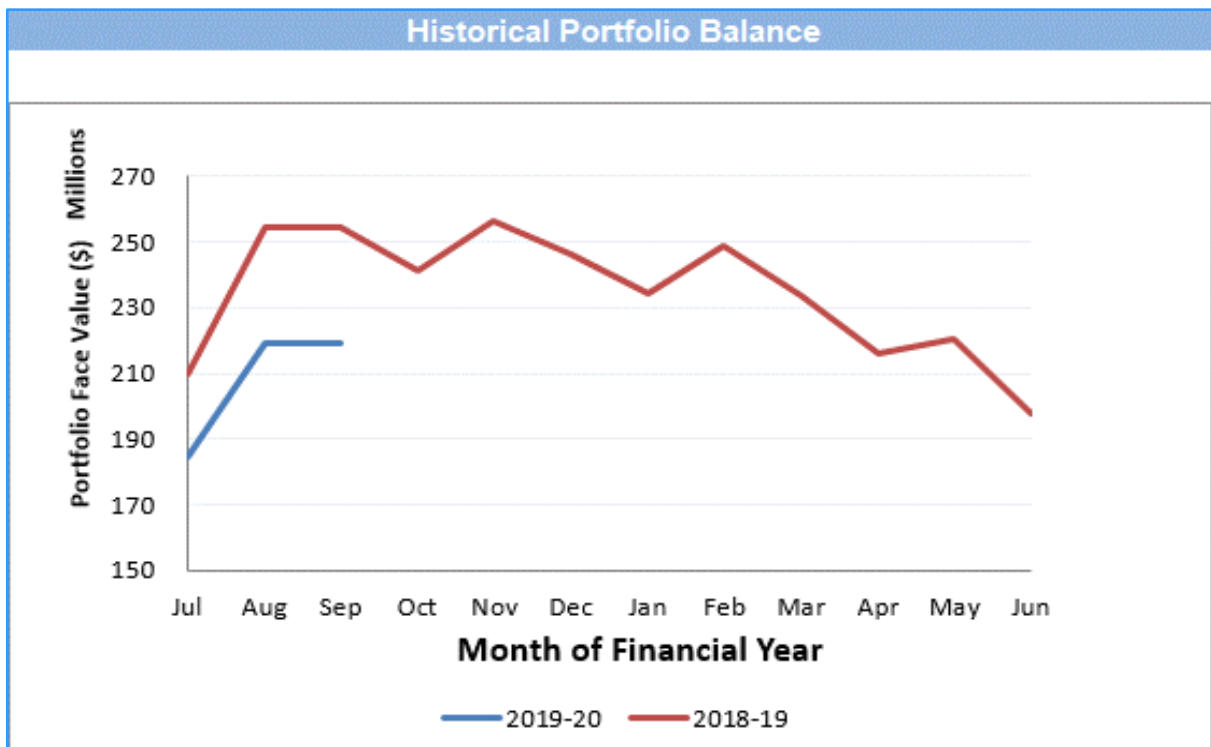


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Sept 2019 \$	Year to Date \$
Investment Income	420,597	1,243,172
Adjustment for Fair Value	2	243
Total Investment Income	420,599	1,243,415
Budgeted Income	522,500	1,333,229

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2019-20	2018-19
Jul	184,317,848	209,605,515
Aug	219,369,559	254,510,268
Sep	219,459,189	254,769,836
Oct		240,996,644
Nov		256,137,875
Dec		246,453,069
Jan		234,499,949
Feb		249,011,046
Mar		233,537,191
Apr		215,948,342
May		220,652,093
Jun		198,030,610
Average Portfolio Balance	207,715,532	234,512,703



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✗	Council's income from investments did not exceed monthly budget.

Investment Policy Compliance

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

ECONOMIC NOTES

(Source: Primarily extracted from information supplied by Laminar Capital Pty Ltd)

International economic agencies continue to downgrade their global economic growth forecasts reflecting downside risks to growth from the US/ China trade war and political turbulence in Europe, the Middle East and Hong Kong/China. The downgrades are occurring despite a near concerted effort by the world's central banks to lower official interest rates and prime liquidity and notwithstanding some evidence that the economic numbers in the US, still the world's biggest economy, have mostly beaten market expectations over the past month. On the negative side, international trade numbers are mostly weak in many countries (Australia is an exception), are contributing to weaker growth in China and have pushed Germany close to recession. The economic outlook is mixed and confused by political risks causing businesses in many countries to be cautious before investing. Central banks are likely to continue adding monetary stimulus and at some point Governments are also likely to spend more to alleviate the risk of a slide into recession.

In the US, household spending growth remains strong underpinned by decade-high annual increases in wages (average hourly earnings up 3.2% year-on-year in August); low unemployment and rising household wealth. Retail sales rose by 0.4% month-on-month in August after increasing 0.8% in July. The strength of housing and retail spending in the US make it highly unlikely that the US economy will slide into recession near-term. Instead it is likely that Q3 GDP growth will match or better the 2.0% annualised growth recorded in Q2.

China, with greater dependence on international trade to support growth is showing more evidence of slowing than the US. Q2 GDP growth slowed to 6.2% year-on-year and the signs are that China's economic growth rate is slowing further in Q3. Exports slipped to -1.0% year-on-year. Annual growth moderated in August in the key areas of industrial production, fixed asset investment spending, and retail sales. The Peoples' Bank of China responded with reductions in both bank reserve ratio requirements and official interest rates. Complicating the outlook for China's economy are the continuing pro-democracy protests in Hong Kong and an anti-pollution drive in key heavy manufacturing regions reducing output. While China is expected to ramp up government spending to promote growth, there has been no indication of such a change so far. The longer China relies mostly on monetary stimulus and a weaker exchange rate to counter the trade-driven moderation in GDP growth, the greater the risk of pronounced slowing.

In Europe, a prospective hard British Brexit remains a high probability. A hard Brexit will lead to a recession in Britain and weaker growth in the EU where GDP growth was barely running above 1% year-on-year in Q2 and the biggest European economy, Germany is at imminent risk of sliding into recession. The European Central Bank at its September policy meeting announced a reduction in its deposit rate to -0.50% and a return to buying bonds from banks to boost liquidity (Quantitative Easing). European Central Bank President Mario Draghi called for European governments to provide greater fiscal stimulus to reinforce monetary stimulus in policy efforts to lift growth.

In Australia, moderate-paced economic growth generated good growth in employment but no reduction in the unemployment rate and no upward pressure on inflation. Q2 GDP rose 0.5% quarter-on-quarter after an upwardly revised 0.5% gain in Q1. Year-on-year GDP growth slipped to a decade-low 1.4% in Q2. Household consumption and residential construction spending remain soft. Tax cuts may lift household consumption in the near-term although slow growth in wages continues to weigh. While employment growth remains strong the number of people joining the labour force is rising even faster causing the unemployment rate to increase to 5.3% in August. This is a sign of increasing excess capacity in the labour market, which threatens to inhibit already-slow wages growth. Annual inflation of around 1.6% year-on-year is unlikely to rise inside the Reserve Bank's 2-3% target band over the next year. The RBA has cut the cash rate to a record low 0.75% to support economic growth. This also suppresses the Australian dollar exchange rate, helping to prevent unwanted appreciation of the currency in a world where other central banks are lowering interest rates.

ITEM 9.3	NORTHERN BEACHES COUNCIL MEETING SCHEDULE FOR 2020
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/563382
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To adopt the Northern Beaches Council ordinary Council meeting schedule for 2020.

REPORT

Section 365 of the Local Government Act 1993 requires Council to meet at least 10 times a year, each time in a different month.

This report proposes a meeting schedule in 2020, whereby ordinary meetings are held on the fourth Tuesday of the month, commencing at 6:00pm (with the exception of December 2020), and a recess scheduled for the month of January 2020.

A new local government term will commence following the local government election on 12 September 2020, and this schedule accommodates meetings for the new term to assist the incoming Council with forward planning.

Meeting Type	Meeting Day	Meeting Date	Meeting Time	Location
Ordinary	Tuesday	25 February	6:00pm	Dee Why
Ordinary	Tuesday	24 March	6:00pm	Dee Why
Ordinary	Tuesday	28 April	6:00pm	Dee Why
Ordinary	Tuesday	26 May	6:00pm	Dee Why
Ordinary	Tuesday	23 June	6:00pm	Dee Why
Ordinary	Tuesday	28 July	6:00pm	Dee Why
Ordinary	Tuesday	25 August	6:00pm	Dee Why
Ordinary	Tuesday	29 September*	6:00pm	Dee Why
Ordinary	Tuesday	27 October	6:00pm	Dee Why
Ordinary	Tuesday	24 November	6:00pm	Dee Why
Ordinary	Tuesday	15 December**	6:00pm	Dee Why

* To be held on the fifth Tuesday to accommodate a suitable period for the declaration of the 2020 local government election

** To be held on the third Tuesday due to Christmas Eve falling in week four of the month

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Funding to support the Northern Beaches Council meeting schedule is included in the existing budget.

ENVIRONMENTAL CONSIDERATIONS

The endorsement of the 2020 meeting schedule does not contain any environmental impacts.

SOCIAL CONSIDERATIONS

Council meetings provide an open and transparent public forum where the decisions of Council are made.

GOVERNANCE AND RISK CONSIDERATIONS

The functions of Council and its meetings are integral to the governance framework to ensure Council delivers and meets its obligations in a transparent and accountable manner and in the interests of the community.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council adopt the ordinary Council meeting schedule for 2020.

ITEM 9.4	COUNCILLOR APPOINTMENTS - COMMITTEES AND STRATEGIC REFERENCE GROUPS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/558682
ATTACHMENTS	1 ↓ Councillor SRG and Committee Membership as Adopted in November 2017

BRIEF REPORT

PURPOSE

To appoint Councillors to the Strategic Reference Groups (SRGs) and other committees in line with Council's committee framework and each committees' adopted Terms of Reference.

REPORT

In November 2017 Council adopted a committee framework and appointed councillor representation to the six SRGs and to various committees.

The Terms of Reference of the committees and the SRGs outline the specific time period for memberships. Over the next few months, councillor membership for the SRGs and those committees which have specified a two year councillor membership term only are due for consideration, as follows:

- Community and Belonging SRG (November 2019)
- Economic and Smart Communities SRG (November 2019)
- Environment SRG (November 2019)
- Transport and Travel SRG (November 2019)
- Partnership and Participation SRG (November 2019)
- Places for People SRG (November 2019)
- Audit Risk and Improvement Committee (November 2019)
- Ingleside Community Reference Group (December 2019)
- Community Safety Committee (November 2019).

The councillor membership adopted in November 2017 is provided at Attachment 1.

LINK TO STRATEGY

The SRGs and Council committees are aligned to the community outcomes of the Shape 2028 Northern Beaches Council Community Strategic Plan in order to address the goals and strategies identified through this plan.

FINANCIAL CONSIDERATIONS

The recommendation within this report poses no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

Some SRGs and other Council committees positively contribute advice regarding Council's management of the environment and natural hazards in accordance with the Community Strategic Plan outcome areas.

SOCIAL CONSIDERATIONS

As affirmed through its Community Engagement Framework, Northern Beaches Council recognises that community engagement and participation processes are a vital part of local democracy. Effective engagement is key to the Northern Beaches Council commitment to our community, and underpins good business practice and sound governance.

The SRGs and other committees provide valuable advice to many of the Community Strategic Plan goals which relate to social and community based outcomes. Each SRG is positioned to ensure involvement and engagement with a broad range of stakeholders, community groups, associations and the wider community.

GOVERNANCE AND RISK CONSIDERATIONS

The representation and membership across Council's SRGs and Council committees is in line with the Community Engagement Policy adopted by Council in February 2017. The Community Engagement Framework consists of a range of targeted approaches for consistent and effective communication, involving and collaborating via SRGs, agencies, key stakeholders, groups and the broader community.

Councillor representation for the relevant SRGs and committees is to be effective from 23 October 2019 to 11 September 2020, the day prior to the local government election.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council determine councillor representation effective from 23 October 2019 to 11 September 2020 as follows:

Strategic Reference Groups	Representation
Community & Belonging	Mayor (or delegate) plus 3 Councillors
Economic & Smart Communities	Mayor (or delegate) plus 3 Councillors
Environment	Mayor (or delegate) plus 3 Councillors
Transport & Travel	Mayor (or delegate) plus 3 Councillors
Partnership & Participation	Mayor (or delegate) plus 3 Councillors
Places for People	Mayor (or delegate) plus 3 Councillors
Statutory Committees	Representation
Audit Risk and Improvement Committee	3 Councillors
Joint Stakeholder Committees	Representation
Ingleside Community Reference Group	2 Councillors
Northern Beaches Flood Plain Management Committee	Mayor (or delegate) and 2 Councillors
Community Safety Committee	5 Councillors (up to 1 per ward)

Current Councillor Membership (adopted November 2017):

Strategic Reference Groups	Representation	Council Representative
Community & Belonging	Mayor (or delegate) plus 3 Councillors	Councillor Bingham (Chair) Councillor Philpott Councillor Ferguson Councillor Grattan
Economic & Smart Communities	Mayor (or delegate) plus 3 Councillors	Councillor Regan (Chair) Councillor Heins Councillor Walton Councillor Sprott
Environment	Mayor (or delegate) plus 3 Councillors	Councillor McTaggart (Chair) Councillor Warren Councillor Daley (OAM) Councillor Sprott
Transport & Travel	Mayor (or delegate) plus 3 Councillors	Councillor Grattan (Chair) Councillor Regan Councillor Amon Councillor Ferguson
Partnership & Participation	Mayor (or delegate) plus 3 Councillors	Councillor Heins (Chair) Councillor Regan Councillor Philpott Councillor Ferguson
Places for People	Mayor (or delegate) plus 3 Councillors	Councillor White (Chair) Councillor Regan Councillor Sprott Councillor Bingham
Statutory Committees		
Audit Risk and Improvement Committee	3 Councillors	Councillor Walton Councillor Heins Councillor Grattan
Council Joint Stakeholder Committees		
Ingleside Community Reference Group	2 Councillors	Councillor Ferguson (Chair) Councillor De Luca
Northern Beaches Flood Plain Management Committee	Mayor or delegate and 2 Councillors	Councillor McTaggart (Chair) Councillor Warren Councillor Heins
Community Safety Committee	5 Councillors (up to 1 per ward)	Councillor Regan (Chair) Councillor Bingham Councillor Heins Councillor Daley Councillor Ferguson

ITEM 9.5	TABLING OF PECUNIARY INTEREST ANNUAL RETURNS 2018/2019
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/377242
ATTACHMENTS	1 ↓ Pecuniary Interest Returns 2018/19 (Tabled Separately) 2 ↗ Designated Persons Position List for 2019/20 Period (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To table the pecuniary interest returns lodged under the provisions of clause 4.21 of the Northern Beaches Code of Conduct for the 2018/19 financial year and adopt the list of designated persons positions for the 2019/20 financial year.

SUMMARY

Council's Code of Conduct (the Code) requires that councillors and designated persons disclose any pecuniary interests in an annual return within three months of 30 June each year. These returns are collected in a register of pecuniary interests and must be tabled at the first meeting of Council following the last day of lodgement, which is 30 September. This requirement is in accordance with section 440AAB of the Local Government Act 1993 (the Act).

The pecuniary interest returns for the 2018/19 financial year are provided for tabling in accordance with the Code (Attachment 1 – tabled separately).

All designated persons have completed their annual returns, except five staff members who are on maternity or extended leave and efforts to contact them have not been successful. Returns will be requested from these staff members on their return to work.

The list of designated persons for 2019/20 is presented for Council consideration and adoption (refer Attachment 2).

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

- A. Note the Pecuniary Interest Returns for designated persons for the period 1 July 2018 to 30 June 2019, as tabled in accordance with clause 4.25 of Council's Code of Conduct.
 - B. Adopt the list of positions for designated persons for the period 1 July 2019 to 30 June 2020, in accordance with clause 4.8 of the Code of Conduct.
-

REPORT

BACKGROUND

The collection of annual returns, collation in a register and tabling at a Council meeting are statutory requirements under section 440AAB of the Act and as required through Council's Code of Conduct (the Code), which is adapted from the Office of Local Government's Model Code of Conduct in accordance with the Local Government (General) Regulation 2005.

Clause 4.21 of the Code requires that:

A councillor or designated person must make and lodge with the CEO a return in the form set out in schedule 2 to this Code of Conduct, disclosing the councillor's or designated person's interests as specified in schedule 1 to this Code of Conduct within 3 months after:

- a. becoming a councillor or designated person, and*
- b. 30 June of each year ...*

Clause 4.25 states that:

Returns required to be lodged with the CEO under clause 4.21(a) and (b) must be tabled at the first meeting of Council after the last day the return is required to be lodged. [ie 30 September]

Clause 4.8 of the Code defines designated persons as those who are:

- *The CEO*
- *other senior staff of Council for the purposes of section 332 of the Local Government Act 1993*
- *a person (other than a member of the senior staff of Council) who is a member of staff of Council or a delegate of Council and who holds a position identified by Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*
- *a person (other than a member of the senior staff of Council) who is a member of a committee of Council identified by Council as a committee whose members are designated persons because the functions of the committee involve the exercise of Council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

For the 2018/19 period, returns have been requested from councillors, members of committees whose functions involve the exercise of council functions (Northern Beaches Local Planning Panel and Sydney North Planning Panel) as well as staff considered to be in a designated person's position. To support the definition of designated persons, the following rationale was used as the basis for the collection of returns for the 2018/19 period, which included:

- Senior Management being the Chief Executive Officer, Directors and Executive Managers
- Head of Integrity and Complaints Resolution.

- Staff directly involved in:
 - The determination of development applications and in exercising delegations in respect to planning proposals and/or rezoning requests and approvals
 - Enforcement and/or compliance activities
 - Appointing or managing contracts including but not limited to those working in the Procurement Team, Capital Projects Group and all Asset Management teams
 - Directly involved in negotiation of leases and licences including but not limited to those working in the Property Commercial & Tourist Assets Team
- Staff delegated with significant (\$75,000) financial delegations to order / purchase goods and services
- Staff able to approve secondary employment
- A member of a planning panel who determine development applications (Northern Beaches Local Planning Panel and Sydney North Planning Panel)
- Contractors in any of the areas above who are employed for three months or more.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

There are no financial impacts to Council in relation to the tabling of returns of interest.

SOCIAL CONSIDERATIONS

The Pecuniary Interest Returns are tabled at Council and are publicly available as a register in accordance with clause 1(2)(a) of Schedule 1 of the Government Information (Public Access) Regulation 2018.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to the tabling of returns of interest.

GOVERNANCE AND RISK CONSIDERATIONS

The collection, tabling and public release of the annual pecuniary interest returns are a statutory requirement of Council as outlined through the Council's Code of Conduct. Section 440AAB of the Act requires a register of returns to be kept by the Chief Executive Officer and requires the tabling of returns of interest in accordance with the Council's Code of Conduct.

Council's Code of Conduct is adapted from the Office of Local Government's Model Code of Conduct in accordance with the Local Government (General) Regulation 2005.

Council's Risk Appetite Statement, adopted on 24 September 2019, affirms that Council has zero tolerance towards breaches of the Code of Conduct and Council therefore has measures in place to ensure full compliance with the requirement to submit and table returns of interest in accordance with its Code.

When returns are not lodged in accordance with the Code of Conduct, this may be considered a breach of Council's Code of Conduct.

ITEM 9.6	PUBLIC EXHIBITION OF THE DRAFT FRAUD AND CORRUPTION CONTROL POLICY AND PLAN
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/502290
ATTACHMENTS	<p>1 📎 Draft Northern Beaches Council Fraud and Corruption Control Policy (Included In Attachments Booklet)</p> <p>2 📎 Draft Fraud and Corruption Control Plan (Included In Attachments Booklet)</p>

SUMMARY

PURPOSE

To seek approval to place the draft Northern Beaches Council Fraud and Corruption Control Policy and Plan on public exhibition.

EXECUTIVE SUMMARY

The Audit Office of New South Wales report on Fraud Controls in Local Councils published in June 2018 found that many councils have room for improvement in their fraud control systems and that there is no clear picture of the overall level of fraud within councils.

A phased approach has been undertaken to uplift Northern Beaches Council's fraud and corruption control framework to approach better practice. This includes:

- a review of the draft Fraud and Corruption Prevention Policy
- an organisation-wide fraud and corruption risk assessment
- validation of key controls identified during the fraud and corruption risk assessment
- the development of a draft Fraud and Corruption Control Plan.

A draft fraud and corruption prevention policy was deferred by Council in November 2018 (Resolution 347/18) to enable it to be reviewed by Council's Audit Risk and Improvement Committee (ARIC) at its February 2019 meeting.

The draft Fraud and Corruption Prevention Policy incorporating ARIC's feedback is provided at Attachment 1 for the review and consideration of Council for public exhibition.

In addition to the policy, a draft Fraud and Corruption Control Plan (Attachment 2), informed by the NSW Audit Office Fraud Control Kit 2015, which supports the implementation of the policy has been prepared for Council's review and consideration for public exhibition.

The draft policy and plan were reviewed and endorsed by the ARIC at its 13 August 2019 meeting. The draft has been further refined to ensure its operational alignment with organisational systems and processes, and to update items which were pending in the draft.

Following the public exhibition of the policy and plan, the submissions received will be considered and the final policy and plan will be reviewed and reported to Council seeking adoption.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

- A. Council place the draft Northern Beaches Council Fraud and Corruption Prevention Policy and draft Northern Beaches Council Fraud and Corruption Control Plan on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

The Audit Office of New South Wales report on Fraud Controls in Local Councils published in June 2018 found that many councils have room for improvement in their fraud control systems and there is no clear picture of the overall level of fraud within councils.

A draft fraud and corruption prevention policy was deferred by Council in November 2018 (Resolution 347/18) to enable it to be reviewed by the ARIC at its February 2019 meeting.

A revised draft Fraud and Corruption Prevention Policy incorporating ARIC's feedback has been progressed to include the feedback of the ARIC. In addition, a draft Fraud and Corruption Control Plan informed by a fraud and corruption risk assessment and the NSW Audit Office Fraud Control Kit (2015) has been developed which supports and guides the implementation of the policy.

A phased approach was undertaken to uplift Council's fraud and corruption control environment to approach better practice. The approach is set out below:

Phase	Description
1	Review of the current fraud and corruption policy
2	Undertake an organisation-wide fraud and corruption risk assessment
3	Validation of key controls identified during fraud and corruption risk assessment
4	Update and finalise the fraud and corruption control plan

Phase 1:

The draft Fraud and Corruption Prevention Policy was reviewed by ARIC in February 2019. ARIC member feedback has been incorporated into this draft of the policy and endorsed by ARIC for referral to Council.

Phase 2:

Council engaged KPMG to conduct a review of its fraud and corruption control framework. A fraud and corruption risk assessment was undertaken in order to identify inherent fraud and corruption risks of Council; document the existing key internal controls; and determine the residual fraud and corruption risk rating.

Phase 3:

An internal audit of the operating effectiveness of key controls identified during the fraud and corruption risk assessment was undertaken.

Phase 4:

KPMG was engaged to update the initial draft Fraud and Corruption Control Plan (the plan) on the basis of NSW Audit Office's Fraud Control Improvement Kit. The updated plan incorporates observations and key controls identified as part of a fraud and corruption risk assessment and key controls validation undertaken (Phase 2 and 3). The plan was then further revised by Council to

incorporate Council's organisational systems and clarify operational processes, and to update items which were pending in the draft.

The plan sets out how Council prevents, detects and responds to concerns about fraud and corruption and aims to further uplift Council's fraud and corruption control and prevention environment.

CONSULTATION

Risk assessment workshops across Council were conducted with operational staff and management to support the Council's fraud and corruption risk assessment. The draft policy and plan were reviewed by ARIC at its 13 August 2019 meeting.

It is proposed that the public consultation process includes:

- information on the 'Your Say' project web page including online submission form
- copies of the policy and plan will be available in all customer service and library locations
- advertisements in the Manly Daily
- email notifications to our community engagement database, registered community groups, and other key stakeholders.

TIMING

The public exhibition period will run for 28 days. At the conclusion of the exhibition period submissions will be considered and the final policy and plan will be presented for adoption at a future Council Meeting.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Resourcing for fraud and corruption prevention control activities is funded from existing operational budgets.

SOCIAL CONSIDERATIONS

The adoption of this policy and plan commits Council to transparent and robust processes to prevent and control fraud and corruption, reinforcing the social contract between the community and Council.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts from the public exhibition of the draft policy and plan.

GOVERNANCE AND RISK CONSIDERATIONS

Council's Risk Appetite Statement establishes Council's zero tolerance approach to fraud and corruption. The Enterprise Risk and Opportunity Management Framework provides the basis for the assessment of risks relating to fraud and corruption and the appropriate identification of controls and/or risk treatment plans to respond accordingly. Council is committed to establishing an environment to prevent and control fraud and corruption, and proactively monitor, maintain and build awareness of its fraud and corruption controls and treatments. The Fraud and Corruption Control Policy and Plan therefore establish Council's commitment and its actions to address the risks relating to fraud and corruption.

ITEM 9.7	PUBLIC EXHIBITION OF THE DRAFT COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/470514
ATTACHMENTS	1 Draft Councillor Induction and Professional Development Policy

SUMMARY

PURPOSE

To seek approval to place the draft Northern Beaches Councillor Induction and Professional Development Policy on public exhibition.

EXECUTIVE SUMMARY

Under section 232(1)(g) of the Local Government Act 1993 (the Act) all councillors are required to ensure they have the requisite skills to perform their roles. Under the Local Government (General) Regulation 2005 (the Regulation) this incorporates delivery of an induction program and an ongoing professional development program for the Mayor and each Councillor over the term of the Council.

Underpinning this requirement, guidelines have been published under section 23A of the Act as issued through the Office of Local Government (OLG). These guidelines, [Councillor Induction and Professional Development Guidelines 2018](#), include:

- an outline of the statutory requirements
- guidance on developing and delivering candidate briefings and induction sessions
- guidance on developing and delivering ongoing professional development programs
- reporting requirements and support
- a model Councillor Induction and Professional Development Policy.

Under the Regulation, all reasonable efforts must be taken to participate in the activities offered as part of an induction or professional development program. Councils are also required to report on participation in these programs.

The content of the ongoing professional development program is to be determined in consultation with councillors, needs based and reflect the specific skills, knowledge and personal attributes required for the individuals and the governing body as a whole.

To guide these activities the draft Northern Beaches Councillor Induction and Professional Development Policy (Attachment 1) has been prepared for public exhibition. It is based on and broadly consistent with the OLG Model Policy.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

- A. Council place the draft Northern Beaches Councillor Induction and Professional Development Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to council.
-

REPORT

BACKGROUND

Under section 232(1)(g) of the Act all councillors are required to ensure they have the requisite skills to perform their roles. The Regulation requires that this incorporates delivery of an induction program and an ongoing professional development program for the Mayor and each Councillor over the term of the council.

To guide these activities the draft Northern Beaches Councillor Induction and Professional Development Policy (Attachment 1) is put forward to Council to consider for public exhibition. It is based on and broadly consistent with the OLG Model Policy, which is provided within the [*Councillor Induction and Professional Development Guidelines 2018*](#). These guidelines, which are issued under section 23A of the Act, outline the support and requirements for the induction and professional development of Councillors.

The guidelines include:

- an outline of the statutory requirements
- guidance on developing and delivering candidate briefings and induction sessions
- guidance on developing and delivering ongoing professional development programs
- reporting requirements and support
- a model Councillor Induction and Professional Development Policy.

Under the Regulation, all reasonable efforts must be taken to participate in the activities offered as part of an induction or professional development program. Councils are also required to report on participation in these programs.

The content of the ongoing professional development program is to be determined in consultation with councillors, needs based and reflect the specific skills, knowledge and personal attributes required for the individuals and the governing body as a whole.

CONSULTATION

It is proposed that the consultation process includes:

- information on the 'Your Say' project web page including online submission form
- copies of the draft policy to be available in all customer service and library locations
- advertisements in the Manly Daily
- email notifications to our community engagement database, registered community groups, and other key stakeholders.

TIMING

The public exhibition period will run for 28 days. At the conclusion of the exhibition period submissions will be considered and the final policy will be presented for adoption at a future Council meeting.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The costs associated with the professional development of Councillors are incorporated in the current operational budget for the 2019/20 financial year and outlined within the Northern Beaches Council Councillor Expenses and Facilities Policy. Training and development proposals are monitored to ensure they remain within budget.

SOCIAL CONSIDERATIONS

There is benefit in Councillors undertaking ongoing professional development to ensure they maintain the skills and knowledge required to effectively perform their civic role and fulfill their responsibilities under the Act.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations from the public exhibition of the draft policy.

GOVERNANCE AND RISK CONSIDERATIONS

The role and duties of a councillor and the requirement to ensure that they develop the skills necessary to perform the role are stipulated under the Act. Part 8A of the Regulation further outlines the requirements for a councillor induction and professional development program.

The draft Councillor Induction and Professional Development Policy has been prepared in line with the guidance of the Councillor Induction and Professional Development Guidelines 2018, as issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the Act. The exhibition of the draft policy accords with Council's Community Engagement Framework and subscribes to the exhibition of local policies as outlined under section 160 of the Act.

Council Policy

Councillor Induction and Professional Development Policy

Policy Statement

Northern Beaches Council is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (ie their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

Principles

Induction program

Northern Beaches Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so. The induction program will cover at a minimum:

- an orientation to Council facilities and the local government area
- an overview of the key issues and tasks for the new Council including Council's community strategic plan, delivery program, operational plan, resourcing strategy and community engagement plan
- the legislation, rules, principles and political context under which Councils operate
- the roles and responsibilities of Councillors and the Mayor
- Council's organisational structure, workforce management strategy and the roles and responsibilities of the Chief Executive Officer and Council staff
- what Council does and how it operates, including an overview of integrated planning and reporting, land-use planning, natural resource management, financial management and asset management by Council
- key Council policies and procedures Councillors must comply with including the code of conduct
- the role of Council meetings and how to participate effectively in them
- the support available to the Mayor and Councillors and where they can go to get more information or assistance, and
- information on the process for taking the oath of office and electing the Mayor at the first council meeting (where applicable).
- In the case of the Mayor, the program will also cover:
 - how to be an effective leader of the governing body and the Council
 - the role of the Chair and how to chair Council meetings
 - the Mayor's role in integrated planning and reporting
 - the Mayor's role and responsibilities under the code of conduct

- the Mayor's role and responsibilities in relation to the Chief Executive Officer's employment
- the Mayor's role at regional and other representative bodies, and
- the Mayor's civic and ceremonial role.

The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program.

The induction program will also include team-building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure Mayors and Councillors:

- identify how they would like to work together as a team and identify a common vision for the governing body
- build relationships with each other based on trust and mutual respect that facilitate collaboration
- contribute to a positive and ethical culture within the governing body
- work towards consensus as members of the governing body for the benefit of the community
- develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships
- understand what supports or undermines the effective functioning of the governing body
- respect the diversity of skills and experiences on the governing body, and
- communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.

Activities should also help the Mayor, as the leader of the governing body, to:

- act as a stabilising influence and show leadership, and
- promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The Mayor and Councillors, including those re-elected to office, must attend all induction sessions.

Northern Beaches Council will evaluate the induction program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.

Ongoing professional development program

An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities (ie the knowledge, skills and attributes) needed to effectively fulfil their role.

Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the Chief Executive Officer where Council funds are required in accordance with Council's Councillor Expenses and Facilities policy. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.

Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires that:

- 70% of learning activities are provided via learning and developing from experience – for example, on-the-job training, selfdirected learning, developmental roles, problem solving, exposure and practice
- 20% of learning activities are provided via learning and training through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations, and
- 10% of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the Council, external training providers or industry bodies.

The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload Councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in Council's term to undertake their roles.

The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

Responsibilities

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the Council.

Executive Manager Governance and Risk is responsible for planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the Chief Executive Officer.

The Chief Executive Officer has overall responsibility for Northern Beaches Council's induction and professional development program.

Budget

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

Approval of training and/ or expenses

Professional development activities that require Council funds are to be approved by the Chief Executive Officer in accordance with Northern Beaches Council's Councillor Expenses and Facilities Policy

Evaluation

Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfil their civic roles.

Reporting

The Chief Executive Officer of Northern Beaches Council will publicly report each year in Council's annual report:

- the name of the Mayor and each individual Councillor that completed Council's induction program (where an induction program has been delivered during the relevant year)
- the name of the Mayor and each Councillor who participated in any ongoing professional development program during the year
- the number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program, and
- the total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

Scope and application

This policy applies to all councillors of Northern Beaches Council, including the Mayor.

References and related documents

- Local Government Act 1993
- The Office of Local Government's Councillor Induction and Professional Development Guidelines 2018

Definitions

Councillor: a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor

Chief Executive Officer: the person referred to in the Local Government Act 1993 as the general manager of a council and, in the case of the Northern Beaches Council, means the person referred to as the Chief Executive Officer of the Northern Beaches Council and includes their delegate or authorised representative

Responsible Officer

Executive Manager Governance and Risk

Review Date

September 2023

Revision History

Revision	Date	Status	TRIM Ref
1	X date	TBC (for Council adoption following public exhibition)	2019/504847

ITEM 9.8	REVOCATION OF VARIOUS POLICIES OF FORMER COUNCILS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/484220
ATTACHMENTS	1 Development Application – Fees for Heritage Buildings Policy (former Manly) 2 Corporate Image Policy (former Manly)

BRIEF REPORT

PURPOSE

To seek Council approval to revoke two policies of the former Manly Council.

REPORT

The Local Government (Council Amalgamations) Proclamation 2016 states that the policies of the three former Councils (Manly, Warringah and Pittwater) remain in effect until Council adopts a new policy or the former policy is revoked.

A policy review project is in progress to review the policies of the former Councils and bring them into line with the Northern Beaches Council policy framework.

Council's policy framework consists of a tiered approach as per below:



Since the project commenced with 255 Council adopted policies, 135 policies of the former Councils have been revoked, 37 new Northern Beaches Council policies have been adopted and 120 policies of the former Councils remain in effect. This brings the total number of Council adopted policies currently in effect to 157.

This report proposes to revoke a further two policies provided at attachments 1 and 2, which have been identified as no longer required:

- Development Application – Fees for Heritage Buildings Policy (former Manly)
- Corporate Image Policy (former Manly).

The rationale for revoking these policies is provided in the table below.

Policy Name	Reason for revoking
Development Application – Fees for Heritage Buildings Policy (former Manly)	This policy has been identified as no longer relevant as the Standard Instrument Local Environmental Plan clauses related to heritage provides heritage property owners an exemption clause in which minor works not impacting upon the heritage significance of the property can be undertaken without the need to obtain Development Consent. Furthermore there is no application fee associated with the exemption clause, so the property owner does not need to pay for this service.
Corporate Image Policy (former Manly)	This policy has been identified as no longer relevant as corporate image is covered under the Northern Beaches Council Brand Identity Guidelines.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 – Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

There are no financial impacts to consider in revoking the proposed policies as the policy impact areas will continue to be addressed through existing operational guidance.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts to consider in the revoking of the proposed policies as the policy impact areas will continue to be addressed through existing operational guidance and the risk management framework.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

There are no changed governance or risk impacts relating to the revocation of these policies, as the policy impact areas continue to be managed with operational and procedural guidance in line with Council's risk management framework and in accordance with the policy framework adopted by Council.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council revoke the following policies:

- A. Development Application – Fees for Heritage Buildings Policy (former Manly).
 - B. Corporate Image Policy (former Manly).
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D30. Development Application - Fees For Heritage Buildings

Title: Development Application – Fees for Heritage Buildings Policy

Policy No: D30

Keywords: Development Application, Heritage Buildings, Fees

Responsible Officer: Deputy General Manager - Land Use and Sustainability

1. PURPOSE AND AUTHORITY

The objective of this policy is waive development application fees for dwelling houses which have been listed as items of the environmental heritage or included in a conservation area in respect of certain types of development specified in the policy itself.

2. POLICY STATEMENT

Council is committed to the retention of heritage buildings and other items of the environmental heritage. In light of that commitment, Council seeks to remove at least one impediment or disincentive as respects the proper maintenance and repair of those buildings and other items, namely, the need (unless otherwise waived) for a fee to be paid to Council in connection with the making of a development application in respect of the building or item. Accordingly, Council's position is as follows:

That Council waive development application fees for dwelling houses which have been listed as items of the environmental heritage or included in a conservation area in respect of the following development:-

- (a) Repainting of an existing painted building.
- (b) Repair of the existing building fabric where no alterations are proposed.
- (c) Internal alterations which would not otherwise require development consent.
- (d) Minor external alterations which would not otherwise require development consent.

*(T.P. Committee 7.11.89)
(Confirmed 20.10.97)*

3. PRINCIPLES

The principles underpinning this policy include the following:

- the need to protect, maintain, repair and otherwise enhance heritage buildings and other items of the environmental heritage;
- the need to regulate the orderly conduct of the development control process.

4. SCOPE

This policy applies to heritage buildings and other items of the environmental heritage in the Manly local government area, being heritage buildings and other items of the environmental heritage described or otherwise referred to in Manly Local Environmental Plan 2013.

5. DEFINITIONS

Nil.

6. IMPLEMENTATION

This policy will be implemented without delay once adopted by Council. Upon adoption this policy will be entered into Council's policy register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific reporting is required by this policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulation 2000
Manly Local Environmental Plan 2013

11. RELEVANT COUNCIL POLICIES

Nil.

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	June 2013	Comprehensive Review	Manager Corporate Governance	General Counsel
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance

C180. Corporate Image

Title: Corporate Image Policy

Policy No: C180

Keywords: Communications, Corporate Image, Corporate Identity

Responsible Officer: General Manager Unit

1. PURPOSE AND AUTHORITY

The objective of this policy is to create a framework that governs how Manly Council's corporate image (defined in this policy to include corporate identity) is perceived, what it stands for, and how it is visually seen in the community by all stakeholders. The policy includes guidelines around corporate image, image management and responsibilities.

2. POLICY STATEMENT

Manly Council has a responsibility to ensure that clear and consistent corporate identity and branding enables the public to recognise Council activities, improving awareness of and access to information about policies, programs, services and events.

3. PRINCIPLES

The principles of this Policy include the proper maintenance and management of Council's corporate image, corporate brand and approval procedures. Guidelines are outlined in the Communications Strategy and Plan.

Corporate design, style and content must protect the integrity of Council's corporate brand by delivering professional, accurate and authorised images, design and information.

4. SCOPE

This policy applies to:

- all employees of Manly Council, Councillors, and all Council volunteers, contractors, interns, and casual and part-time employees;
- all areas where Council's corporate image is required to be displayed to the general public; and
- all corporate communications activities and materials produced on behalf of Manly Council.

The scope of the policy extends to (but is not limited to) the development and application of Council's corporate image including internal/external communications, sponsorship, advertising, media relations, corporate events, online communications, signage, corporate stationery, correspondence, publications, PR and marketing materials, market research/surveys, communications strategies and associated materials and the development, production and distribution of communications materials.

5. DEFINITIONS

Corporate Image is how Council is visually seen in the community, that is, the reputation, status, perception, image and identity Council seeks to establish for itself in the mind of the community and other important stakeholders, created and reinforced by the organisation's corporate communications, and includes corporate identity.

Corporate Brand refers to a set of perceptions and images that represent a company service or product. Insofar as Manly Council is concerned, corporate brand includes Council's official logo, registered trademarks, and corporate style guidelines.

6. IMPLEMENTATION

- Council's communications unit is the custodian of Council's Corporate Image Policy.
- Council staff must ensure that the permission of all communications material is gained from the Communications unit, by the responsible Council officer, on behalf of Manly Council – for both external and internal use of all communications material.
- Communications provides an in-house graphic design and production service to the Organisation. To ensure consistency, adherence to the Corporate Image Policy, style guidelines and value-for-money production of materials, all corporate communications materials and documents should be managed through this service. As a general rule, any promotional material that features the Council logo should be directed through the communications unit.
- The Manly Council corporate logo/and style guidelines must be reflected on all official stationery, publications, electronic and multimedia presentations, publicity display material and signage.
- Manly Council has a responsibility to ensure that clear and consistent branding enables the public to recognise Council activities, improving awareness of and access to information about policies, programs, services and events.
- Managing corporate image through a high standard of corporate communications will result in the public having more confidence in the credibility and the authority of information that clearly identifies Council as its source.
- Council staff must meet the requirements of this Policy and other related policies and procedures (including the Code of Conduct).

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

Copyright laws apply to all articles, graphics, or data on the internet. Unauthorised use of a third party's graphic, photo, HTML, or text without permission, may be considered stealing. Permission must also be sought before publishing, uploading or downloading material in which the intellectual property rights, such as trademarks, are owned by a third party.

8. REPORTING

No specific reporting is required under this Policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Department of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Copyright Act 1968
Trade Marks Act 1995
Privacy and Personal Information Protection Act 1998
State Records Act 1998
Government Information (Public Access) Act 2009

Local Government Act 1993
Spam Act 2003

11. RELEVANT COUNCIL POLICIES

Manly Council Code of Conduct
Manly Council Social Media Policy and Guidelines
Manly Council Communications Strategy, Procedures and Plan 2012-2015

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	11 September 2013	Policy Review	Manager Communications, eBusiness Strategy	Governance & Legal
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	PUBLIC EXHIBITION OF THE DRAFT COMMUNITY CENTRE POLICY AND DRAFT COMMUNITY CENTRE STRATEGY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/402189
ATTACHMENTS	<ol style="list-style-type: none"> 1 📄 Draft - Community Centres Strategy (Included In Attachments Booklet) 2 📄 Draft - Community Centres Policy (Included In Attachments Booklet) 3 📄 Community Centres Strategy - Action Plan (Included In Attachments Booklet) 4 📄 Community Centres Strategy - Engagement Summary (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's approval to publicly exhibit the draft Community Centres Policy, draft Community Centres Strategy and supporting documents for a minimum of 28 days.

EXECUTIVE SUMMARY

Community centres are indoor spaces hired by the community for regular or one-off events and activities. They are multi-use, multi-purpose and accessible to the public. They provide spaces for social, creative, educational, recreational and community activities and support services for the community. Community centres bring people together, creating connections and helping to build a stronger Northern Beaches community.

Council directly manages and hires out 37 community centres. These are highly valued by the community that use them, with close to 2 million visits to the community centres per annum.

The draft Community Centres Policy (the Policy) has been developed to effectively manage these community assets in a fair and equitable manner for all residents of the Northern Beaches Local Government Area (LGA). The draft Policy provides clear operational guidelines for the management of these centres. Once adopted, it will replace the existing policies from the former Pittwater and Manly Councils.

The draft Policy is supported by the draft Community Centres Strategy (draft Strategy) and associated Action Plan, with the alignment of key principles in both documents.

The draft Strategy outlines a vision for a network of multipurpose centres that are attractive and vibrant community spaces. At the core of this is accessibility, with good connections to public transport and affordable rates of hire. The draft Policy and draft Strategy provide a framework for the operational and strategic direction of the community centre network, ensuring the best possible outcomes for the Northern Beaches community.

Both the draft Policy and draft Strategy have been developed through benchmarking, condition assessment of existing community centres, and engagement with a range of stakeholders, including existing hirers of the centres, demographic target groups and the broader community. The draft Strategy and associated Action Plan assesses current supply against current and future demand for community centre space across the LGA.

In summary, the draft Strategy identifies a shortfall in community centre space throughout the LGA, with a lack of large, integrated multipurpose community facilities in key locations. It also identifies challenges and opportunities to enable improved provision of community space that will facilitate creative activity, social connections and community wellbeing. The supporting Action Plan identifies actions that will address these challenges over time.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

- A. Council place the draft Community Centre Policy and draft Community Centre Strategy, and associated documents, on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition period be reported to Council.
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REPORT

BACKGROUND

Community centres provide space for activities that support social connectedness, reduce loneliness and increase physical activity, resulting in well-being for all in the community. The variety of opportunities include group activities, social support, public meetings, health and wellbeing classes, private family functions, education, sport, art and creative activities.

Community centres are becoming of increasing value to all in the community as demographic profiles change across the LGA. Northern Beaches is becoming an increasingly older population and housing is increasingly medium to high density. Community infrastructure needs to adapt as the community grows and demographic profiles and social trends change.

Council owns and directly hires out 37 community centres across the Northern Beaches, which have been acquired and built at various times over the past century. The former Councils built the majority of the centres in response to the needs of and in conjunction with community groups. There are significant variances in the condition of centres. Some of these buildings are no longer able to respond to contemporary needs, activities, and population changes due to the increasing level of maintenance required.

In order to effectively manage these community assets in a fair and equitable manner for all a draft Community Centres Policy (the Policy), draft Community Centres Strategy (draft Strategy) and associated Action Plan have been developed. The draft Policy provides clear operational guidelines for the management of these centres and the draft Strategy identifies opportunities and challenges, and outlines future directions for community centres on the Northern Beaches.

A needs analysis has identified challenges and opportunities for existing community centres in the Northern Beaches LGA. The analysis included a literature review, demographic analysis, existing community centres condition assessment, community engagement and a benchmark analysis.

CONSULTATION

Engagement with internal (Council) and external stakeholders was comprehensive, and feedback informed the vision, principles and desired outcomes for the community centres network and individual community centres. To ensure that the directions meet community needs and expectations, stakeholders were asked for their perception of current and future needs and priorities.

Conducted between August and October 2018, the engagement included:

- Have Your Say project page, outlining the project and asking for feedback
- random telephone survey of 407 people from across the LGA
- pop up information stalls at 5 key locations across the LGA
- survey of all existing hirers of the community centres
- public online survey
- workshops and interviews with key demographic groups
- internal staff interviews.

The engagement involved 649 stakeholders, as detailed in Attachment 3 – Consultation Report.

It is proposed to publically exhibit the draft Policy, draft Strategy and supporting Action Plan and Engagement Summary in November 2019. During this period, community engagement will include:

- Information on a 'Have Your Say' project page, including an online submission form for community feedback.
- Advertisements in the Manly Daily and other local publications.
- Notifications sent to key stakeholders, including existing hirers and users of the community centres and Council's community engagement register.

The draft Community Centres Policy

The draft Policy provides clear operational guidelines for the management of the 37 multipurpose community centres managed and hired out directly by Council.

There are two current policies applicable to community centres; the former Pittwater Council Community Centre Policy no.46, and the Manly Senior Citizens Centre Policy, S20. These will be rescinded with the adoption of the new Policy. The draft Policy encompasses the wider community centre portfolio across the Northern Beaches.

The draft Community Centres Strategy

The draft Strategy outlines a vision for a network of multipurpose centres that are attractive and vibrant community spaces. At the core of this is accessibility, with good connections to public transport and affordable rates of hire. The vision for the community centre network is:

Northern Beaches Council Community Centres are safe, welcoming, inclusive, accessible and affordable public spaces for the whole community. They are vibrant community facilities that support and enable programs that provide diverse opportunities for a rich social and cultural life, encouraging good health, social interaction, creativity and learning.

The key challenges for community centre provision, as identified through community engagement, are:

- small and fragmented facilities
- often in the wrong location, with limited public transport, parking
- lack of enough available floor space in the desired location
- lack of regional and district/sub-regional level community centres in central locations
- limited co-location and integration
- lack of community awareness about community centres and services available
- ageing, uninviting assets, with many in poor condition and dated.

The draft Strategy also utilised floor space as one method for assessing community need. A combination of community engagement and benchmark methodologies have identified gaps in floor space provision across the Northern Beaches. The draft Strategy has identified gaps in the availability of community centre space throughout the Local Government Area (LGA), now and into the future. In particular, there is a lack of large, integrated multipurpose community facilities in key locations.

In response to the identified challenges and opportunities, the following strategies are included in the draft Strategy:

Strategy 1 – Improve utilisation rates of existing centres
Strategy 2 - Maximise fair and equitable access to existing centres through discouraging exclusive use of community centres
Strategy 3 – Implement ‘community hubs’ with the co-location and integration of existing and future community centres in areas that are accessed by the community
Strategy 4 – Investigate the potential for a Regional Community Centre within the LGA
Strategy 5 – Increase the number of District/Sub-regional community centres
Strategy 6 – Develop a community centre marketing strategy
Strategy 7 – Creating inviting, accessible and welcoming community centres through a detailed asset management plan
Strategy 8 – Investigate management models for non-Council managed and/or owned facilities to maximise floor space available to the community

In accordance with the Planning Areas used for the draft Local Strategic Planning Statement, currently on public exhibition, strategic directions for community centres in each planning area have been identified. These include refurbishment of some existing centres and investigation into the provision of district multipurpose community centres in key locations, as part of a holistic network of centres across the Northern Beaches.

The draft Strategy also identifies opportunities, such as working closely with organisations that lease Council owned buildings, to close the gap in the provision of multipurpose space across the LGA.

TIMING

The draft Strategy is a 20-year strategy, with many directions and actions requiring long lead times to implement.

The draft Policy, draft Strategy and associated documents will be on public exhibition for a minimum of 28 days, commencing in November 2019. Following the community engagement period, amendments will be made and the final versions presented to Council for consideration and adoption.

LINK TO COUNCIL STRATEGY

The draft Policy and draft Strategy are in accordance with the Community Strategic Plan (CSP) by sharing the vision of being a safe, inclusive, and connected community. The community centre vision is aligned with the CSP strategic community outcomes:

- Places for people – We aspire to create welcoming, accessible and affordable private and public places that foster good health and social interaction.
- Community and Belonging - We aspire to care for everyone in the community, making sure that people feel safe, supported, included and have diverse opportunities for a rich cultural and social life.

FINANCIAL CONSIDERATIONS

There are no financial considerations arising from the public exhibition of the draft Community Centres Policy and draft Community Centres Strategy.

The implementation of the draft Strategy, once adopted, will have financial implications in relation to capital works over the next 20 years. The strategic directions within the draft Strategy will assist in the development of robust asset management plans and need to be considered in the Long Term Financial Plan and annual capital works budgets.

SOCIAL CONSIDERATIONS

Community centres provide space for activities that support social connectedness, reduce loneliness and increase physical activity. These activities result in improved general health, mental health, personal and social well-being for all in the community.

The growth in population will put pressure on existing centres to provide sufficient spaces to the existing population, and points to the need to expand the community centre network in the future, to respond to existing and changing demographics.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations related to the exhibition or operation of the draft Strategy or Policy.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy and draft Strategy will provide clear direction for Council to deliver effective Community Centre service operations, strategic directions and capital expenditure for the next twenty years.

There are no increased risks to the organisation through the exhibition of the draft Community Centres Policy.

ITEM 10.2	OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF THE ARTS AND CREATIVITY STRATEGY: CONNECTED THROUGH CREATIVITY 2029
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/405335
ATTACHMENTS	<p>1 Summary of Public Exhibition Feedback - Draft Arts and Creativity Strategy (Included In Attachments Booklet)</p> <p>2 Arts and Creativity Strategy: Connected through Creativity 2029 (Included In Attachments Booklet)</p>

SUMMARY

PURPOSE

To seek Council endorsement of the Northern Beaches Arts and Creativity Strategy: Connected Through Creativity 2029.

EXECUTIVE SUMMARY

On 27 November 2018 Council endorsed public exhibition of the draft Arts and Creativity Strategy: *Connected Through Creativity 2029* (draft Strategy) for a minimum of 28 days. The draft Strategy was placed on public exhibition from 28 November 2018 to 17 February 2019, with over 100 comments and submissions received. The feedback has been used to inform amendments to the Strategy.

The community feedback identified a strong commitment to and interest in better recognition of local Aboriginal communities, the potential of local creative industries and appreciation of the complexities of the local creative eco-system. The amended Strategy seeks to address these community priorities and establish Council's role, in an accessible format that recognises the wealth of arts and creativity present on the Northern Beaches.

The Strategy aims to progress the community's long-term vision for the Northern Beaches of a '*safe, connected and inclusive community that lives in balance with our extraordinary coastal and bushland environment*' - Northern Beaches Community Strategic Plan, *Shape 2028* (2018). As such, the amended Strategy sets out Council's commitment to supporting and growing a vibrant creative culture, authentic to the Northern Beaches through three key outcomes that are supported by nine strategies to cultivate creativity, identify opportunities for arts and cultural expression and connect the diverse communities of the Northern Beaches. Each of the nine strategies comprises a suite of current actions and future commitments.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

- A. Note the community feedback received during the public exhibition period of the draft Arts and Creativity Strategy: Connected Through Creativity 2029.
 - B. Adopt the Arts and Creativity Strategy: Connected Through Creativity 2029.
-

REPORT

BACKGROUND

Council prepared the draft Arts and Creativity Strategy for the Northern Beaches in recognition of the important role that arts and creativity play in enriching our cultural life, promoting community connection, and enhancing our sense of identity and belonging. It acknowledges the broader social, economic and environmental benefits, including the contribution of arts and creativity to the local economy and tourism.

Community feedback was sought on the draft Arts and Creativity Strategy through public exhibition from late 2018 to early 2019, receiving over 100 submissions. Overall, there was strong support and interest in the draft Strategy and the role that Council plays in arts and creativity, with many submissions covering many areas and ideas for improvement.

Analysis of the community feedback revealed consistent themes that are detailed in Attachment 1 and summarised below:

Key Themes/ Comments	Response and amendments
Aboriginal and Torres Strait Islander peoples (11): <ul style="list-style-type: none"> • More public art with Aboriginal stories and images from our shared history • Aboriginal perspectives should be foremost • Prominent respect for Aboriginal art and an exhibition space for Australian-wide Aboriginal artists • Consider a permanent exhibition space and cultural centre 	<p>Lack of acknowledgement of Aboriginal and Torres Strait Islander representation is acknowledged. The importance of acknowledging and respecting Aboriginal culture has been included throughout the document.</p> <p>New strategy included - <i>Listen and support our Aboriginal communities</i></p>
Spaces (42): <ul style="list-style-type: none"> • Permanent space for Aboriginal culture • Support for music and performance groups by providing a new performance space with good acoustics for rehearsal, teaching and performance. • An inclusive, diverse, vibrant, local writers' centre. • Need for more public galleries for artists to exhibit their works • Use of Government owned property for creative use and/or exhibition spaces 	<p>Council currently offers a range of spaces for a variety of creative activities. There will be two new arts spaces developed in coming years in Avalon and Mona Vale. Council will continue to provide affordable spaces and assess the needs of the community to identify opportunities for new spaces.</p> <p>Content in this key outcome area has been updated and a new strategy included - <i>Make room for creative expression</i></p>
Creativity in public places (12): <ul style="list-style-type: none"> • More creativity in our urban and suburban spaces • The beaches needs more colour • Creative nooks could be created outdoors 	<p>Feedback noted. Council acknowledges the benefits of creativity in creating more vibrant engaging public spaces. It was also identified in the Coast Walk Public Art Strategy that there is a community desire for temporary activities and ephemeral artworks as well as more permanent work.</p> <p>Content has been updated and a new strategy included – <i>Infuse public places with creativity</i></p>

Key Themes/ Comments	Response and amendments
Public art (15): <ul style="list-style-type: none"> Public art including street art, music or spoken word, creates community More art in public places and buildings More opportunities for murals 	<p>Council acknowledges the importance of public art in all forms in our community.</p> <p>A number of actions regarding public art are included and highlighted in the Strategy.</p>
Good design (7): <ul style="list-style-type: none"> Consultation with building/ architect experts 	<p>Council engages industry experts such as architects and landscaping designers to advise on projects that require design.</p> <p>New strategy included - <i>Infuse public places with creativity</i> - supports design excellence of our urban spaces and public realm.</p>
Tourism (7): <ul style="list-style-type: none"> Art and geographical landmarks are a main source of tourism Arts infrastructure along the whole peninsula might encourage more tourism 	<p>Council is currently preparing a Northern Beaches Destination Management Plan that identifies the arts as one of the key pillars.</p> <p>New strategy included - <i>Celebrate Cultural Heritage</i>.</p> <p>New actions included that support the growth of a vibrant cultural tourism sector.</p>
Support local artists (36): <ul style="list-style-type: none"> Mentorships to support a thriving community of artists. Encourage artists to reach their full potential in their area of expertise Engaging local artists Help to exhibit artwork with less charges or only commission. Promoting local artists and designers More paid opportunities created for artists 	<p>Council currently supports and facilitates a diversity of professional development activities and programs to help promote, encourage and provide paid opportunities for artists.</p> <p>Our delivery plan will continue to identify the support of artists as an important aspect of how council enables and nurtures creativity in the community.</p>
Partnerships (5): <ul style="list-style-type: none"> Reach out to more of the communities around the Northern Beaches with the support and backing Council Many collaborative project ideas Collaborate with local businesses. Use existing places more collaboratively 	<p>Council recognises the importance of partnerships to facilitate and enable innovative projects and expand the reach of arts and creative initiatives in the community. This is included in the Strategy.</p>
Arts practices (11): <ul style="list-style-type: none"> Desire for stronger representation of craft Not enough attention to the performing arts More attention to music education, performance and participation in all areas from preschool to nursing homes. 	<p>Council defines the Arts as including all the different genres including music, media, visual arts, performing arts, performance art, crafts, literary arts etc. A review of existing programming will be undertaken to ensure a diverse range of arts is supported in the community.</p> <p>New actions added to support broader arts opportunities.</p>

Key Themes/ Comments	Response and amendments
Funding (23): <ul style="list-style-type: none"> The Strategy can be used to support funding of creative endeavours in theatre, music, dance, art and writing More opportunities needed, the same way scholarships are given to sport. Arts should receive funding similar to sporting facilities Grants for individuals Improve process for grant applications 	<p>Council understands the financial challenges of artists and will continue to provide grants funding opportunities. Council operates a Community, Arts and Culture Grant Program that has provided \$240,000 for local organisations, plus additional funding for community events in 2019-20.</p> <p>New actions included regarding funding e.g. Review of Community Arts and Cultural grants to ensure they are relevant to needs of the artistic community.</p>
Economy and Creative Enterprise (15): <ul style="list-style-type: none"> Innovation, collaboration and creativity assists business and creatives working together The Strategy confuses arts and creative Industries. Separate commercially focused creative industries policy Invest in industrial zones such as Brookvale/ Cromer Create opportunities to enhance local economy through innovation, awareness, entrepreneurship, tourism 	<p>The Strategy identifies economic outcomes as one of the key outcome areas where arts can have a positive impact. Council acknowledges the value creative hubs and creative enterprise can add to an area and will support the development of these hubs.</p> <p>New strategy included - <i>Enable creative sector vitality</i> and <i>Grow thriving arts hubs</i>. Highlighting the important role that creativity, innovation, and arts and culture play in enhancing the local economy and providing employment opportunities.</p>
Environmental sustainability messaging (7): <ul style="list-style-type: none"> Use of recycling materials Use the arts for environmental messages 	<p>Sustainability is a strong focus of Northern Beaches Council. New actions have been included to encourage conversations around important issues such as the environment, through forums and programming.</p>
Bringing arts into the area (5): <ul style="list-style-type: none"> Invite interesting artists from different countries Travelling exhibitions 	<p>Manly Art Gallery and Museum and Glen Street Theatre currently bring arts into the area, with programming content is sought from a national level.</p> <p>No changes to the Strategy.</p>
Festivals and events (6): <ul style="list-style-type: none"> Expansion of current arts/music festivals Support a large Northern Beaches Art Fair 	<p>A draft Northern Beaches Destination Management Plan is currently under development. This plan will consider how festivals and events can help attract visitors to the area.</p> <p>Festivals and events have been highlighted in the Strategy and new actions included.</p>

Key Themes/ Comments	Response and amendments
Young people (6): <ul style="list-style-type: none"> Needs a genuine focus on diversity as well as initiatives for young and emerging contemporary artists / performers Encourage young people to get involved in positive creative activities. A place for young people to listen to music and socialise 	<p>New strategy - <i>Make Creativity Inclusive</i> -to enable everyone in our diverse community to participate in arts and creativity.</p> <p>New actions included to focus attention on creating more opportunities for our young people.</p>
Aged (6): <ul style="list-style-type: none"> Bring seniors and seniors organisations into the Strategy 	<p>Council will continue to incorporate programming and access to seniors and explore ways to expand the reach to an aging population.</p> <p>New strategy included - <i>Make Creativity Inclusive</i>, fostering lifelong creative opportunities to acknowledge importance of continued engagement by older people.</p>
Culturally and Linguistically Diverse (8): <ul style="list-style-type: none"> The Strategy should recognise the multicultural nature of our society. Creating space for diverse communities to work collaboratively improves community cohesion 	<p>Diversity will be celebrated in creative spaces, with arts and creativity actively reaching out to all demographic and socio economic groups.</p> <p>New strategy included - <i>Make Creativity Inclusive</i></p>
Children (6): <ul style="list-style-type: none"> Acknowledge young children 0-5 within its vision, planning and implementation. Inclusion of primary school students 	<p>Council will continue to promote access for children and explore ways to expand reach to younger audiences.</p> <p>New strategy included - <i>Make Creativity Inclusive</i></p>
Health and wellbeing (29): <ul style="list-style-type: none"> Culture takes on many dimensions, including making a contribution to prosperity and to quality of life Art and creativity equals to healthier lifestyle and innovation within a community 	<p>The Strategy has been updated to highlight the broad benefits of the arts including; Social, Wellbeing, Education, Economy</p>
Support for arts in our community (79): <ul style="list-style-type: none"> Part of Council's function is to support and foster community engagement and enrichment. Arts can transform individuals and communities Empirical evidence shows the strong contributions the arts can make to society Support for Councils recognition that our lives are 'enriched by creative and cultural experiences' Music & culture are more important than sport. Sport is well represented everywhere. Educate local clubs and businesses, doctors and counsellors on the importance of creativity 	<p>Council acknowledges that providing and contributing to the arts and cultural outcomes has a positive impact on community cohesion and wellbeing. As of 2018-19 Council operates a Community, Arts and Culture Grant Program that provides \$240,000 for local organisations, plus additional funding for community events.</p> <p>The Strategy builds on and reflects the strong community interest in the arts. Strategies and actions included aim to embed creativity into the fabric of our community and create a connected, more vibrant Northern Beaches through harnessing the arts.</p>

Key Themes/ Comments	Response and amendments
Promote existing programs and projects/ access to audience (16): <ul style="list-style-type: none"> Better promotion Improvement for promoting events online i.e. social media and websites 	<p>Council acknowledges that there is opportunity for effective marketing to promote arts and cultural activities in the community.</p> <p>New action included to develop and implement an Arts and Culture communication strategy.</p>
Workshops/ activities (14): <ul style="list-style-type: none"> Access to creative activities, workshops, markets and resources. More artistic and creative opportunities 	<p>New strategy included – <i>Make Creativity Inclusive</i></p>
Suggested changes/ inclusions (13): <ul style="list-style-type: none"> The use of infographics, and images help to digest a document that is already very immersive More mention of musical expression and participation or performance Promotion of our unique cultural heritage Recognise the multicultural nature of our society Examples of how to support creative projects/ideas The Strategy should reflect the arts, the creative industries and everyday creativity as an anchor for community cultural planning 	<p>Feedback noted. Significant revisions to the draft Strategy have been made. Revisions include:</p> <ul style="list-style-type: none"> Acknowledgement of Country – new content Summary – edited Vision – edited How the strategy works – new content Arts and creativity context – more detailed content Our creative community – new content What you told us – new content Benefits of arts and creativity - now includes Australian data (instead of mostly UK) Key Outcome Areas - adjusted Strategies and actions included Implementation & Evaluation – edited Images – replaced to reflect our creative community Info-graphics revised
Delivery of the Strategy (4) <ul style="list-style-type: none"> How the strategy will be delivered 	<p>The Strategy includes actions to implement strategies under each key Outcome Area.</p>
Role of Council (4): <ul style="list-style-type: none"> Council needs to play a supporting role Practical support not just finance No mention of an outcome that establishes Council as a leader in advocating for the arts and culture Council should have a cultural policy 	<p>A draft Cultural Policy has been developed that articulates the Council's role in cultivating creativity and supporting the growth of arts and culture across the Northern Beaches.</p> <p>The Strategy has been updated to include role of Council and new actions developed to show how Council will deliver on outcome areas and achieve goals.</p>
Reference to other planning documents (1)	<p>Council is currently developing a number of plans, policies and strategies, and will continue to ensure arts and creativity is addressed in appropriate planning documents.</p> <p>Reference to relevant planning documents has been included and actions added regarding planning controls to address key issues.</p>

The draft Strategy has been consequently amended to better reflect the community's aspirations for arts and creativity. Key changes include:

- text amendments to address the issues raised above
- replacement of images to better reflect local arts and creativity
- simplification of format and style.

A more detailed summary of community feedback, Council officers' responses and corresponding document changes is attached to this report.

The draft Arts and Creativity Strategy: *Connected through Creativity 2029* (Attachment 2) presents a vision for the arts and creativity on the Northern Beaches that will be achieved through three key outcomes. Each outcome has three key strategies, comprising of a series of current actions and future commitments. The strategy is summarised below:

Outcome 1 - Inspiring Places and Spaces

Strategies:

1. Infuse public places with creativity
2. Make room for creative expression
3. Celebrate cultural heritage.

Outcome 2 – Innovative and Creative Industries

Strategies:

1. Enable creative sector vitality
2. Collaborate to innovate
3. Grow thriving arts hubs.

Outcome 3 - Engaged Community

Strategies:

1. Share local stories
2. Listen to and support Aboriginal communities
3. Make creativity inclusive.

The commitments in the amended Strategy will be prioritised and included in Council's annual Operational Plan and business plans over the 10-year period to 2029. Monitoring and review will be incorporated into the annual community reporting process and an annual performance scorecard to Council, as well through a series of outcome indicators which are presented in the Strategy.

CONSULTATION

Stage one of community engagement for the development of the draft Strategy took place from May to September 2018. More than 800 community members from across the Northern Beaches participated in the engagement, as reported to Council on 27 November 2018.

Stage two of the engagement included the public exhibition of the draft Arts & Creativity Strategy and comprised the following:

- Community information session at Manly Art Gallery & Museum – with 65 participants.
- Community information session and panel at Glen Street Theatre – with 44 participants.
- Your Say engagement - with 100 submissions.
- Submissions from the Barrenjoey Arts Alliance and Manly Art Gallery & Museum Society.

TIMING

The Arts and Creativity Strategy is a long-term plan looking to guide Council's direction over the next 10 years.

LINK TO COUNCIL STRATEGY

The Arts and Creativity Strategy aligns with Council's Community Strategic Plan outcomes, as follows:

- Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Goal 10 - Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 12 - Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

Resourcing the implementation of the amended Arts and Creativity Strategy will be included for consideration in Council's annual operational budget process. The current actions in the Strategy are included in Council's current Operational Budget, while future commitments will be incorporated into annual budget development as required.

SOCIAL CONSIDERATIONS

The community expects Council to play a stronger role in ensuring the long-term sustainability and viability of arts and culture across the Northern Beaches, as evidenced in the community feedback received during the engagement process. The Arts and Creativity Strategy defines a vision for the arts that will have positive social, cultural and economic impacts on the community:

'Our community is enriched through the arts and connected through creativity.'

Active participation in the arts brings people together. It offers new perspectives and stimulates ideas that foster greater insight, awareness and action. Over the last decade, there has been a steadily growing interest in and awareness of the value of the arts amongst the community for wellbeing, work and enjoyment.

Fundamental to this vision is listening to and supporting local Aboriginal communities in self-determination and to share their culture. The community has strongly indicated that Aboriginal heritage and culture should receive greater public recognition. The draft Strategy also identifies how Council will work with the community to find ways to make creativity more inclusive for everyone, regardless of age, background, ability or circumstance.

The arts provide a common platform for engaging in important issues that are of value and concern to the community, such as climate change and environmental protection. Investing in creativity can produce ideas and innovations to address big issues through local solutions. Young people are especially keen to actively engage and use creativity to shape the future of our community, they see it as a way to generate mutual understanding and shared meaning as well as a source of education and work.

ENVIRONMENTAL CONSIDERATIONS

The Arts and Creativity Strategy addresses the capacity of the arts to create awareness of environmental issues and contribute to a healthy environmental future.

GOVERNANCE AND RISK CONSIDERATIONS

There are no specific governance and risk considerations associated with the Arts and Creativity Strategy.

ITEM 10.3	PUBLIC EXHIBITION OF DRAFT CULTURAL POLICY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/550887
ATTACHMENTS	1 ↓ Draft - Northern Beaches Cultural Policy 2019

SUMMARY

PURPOSE

To seek approval to place the draft Cultural Policy on public exhibition for a minimum of 28 days.

EXECUTIVE SUMMARY

The development of the draft Cultural Policy (*the draft Policy*) has been undertaken in direct response to feedback receiving during the public exhibition period of the draft Northern Beaches Arts and Creativity Strategy (*the draft Strategy*).

The draft Strategy was placed on public exhibition from November 2018 to February 2019, with over 100 submissions and comments received. The community feedback included a number of requests for a policy that clearly articulates Council's position on local arts, culture and creativity that will accompany the Strategy.

In the development of the draft Policy consideration has been given to the existing policies and/or plans from the former Councils and advice from relevant internal teams and key stakeholders.

It is proposed to place the draft Policy on public exhibition in November 2019, after which submissions will be reviewed and a final Policy presented back to Council for adoption.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

- A. Council place the draft Cultural Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

The draft Arts and Creativity Strategy was placed on public exhibition from November 2018 to February 2019. During this period, Council received community feedback that included requests for a policy that stated Council's position on local arts, culture and creativity to accompany the Strategy.

The draft Policy was developed following consideration of the community feedback on the draft Arts and Creativity Strategy, internal stakeholders, relevant policies and frameworks from other Councils, State and Federal Government agencies and the UNESCO Universal Declaration on Cultural Diversity 2001.

In summary, the draft Policy states Council's commitment to fostering the unique culture of the Northern Beaches.

CONSULTATION

The draft Policy was developed in consideration of community feedback received during the public exhibition period of the draft Arts and Creativity Strategy. Consultation has also been undertaken with key internal and external stakeholders, including the Community and Belonging Strategic Reference Group.

It is recommended that the draft Policy be placed on public exhibition for a minimum of 28 days through Your Say and promoted to the local community for comment.

LINK TO COUNCIL STRATEGY

The draft Cultural Policy aligns with Council's Community Strategic Plan 2018 – 2028 outcomes as follows:

- Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Goal 10 - Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 12 - Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

Resourcing the implementation of the draft Cultural Policy will be met within operational budgets.

SOCIAL CONSIDERATIONS

The draft Cultural Policy provides a clear statement of intent for the Council in developing local arts, culture and creativity, unique to the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The draft Cultural Policy acknowledges the importance of the arts, culture and creativity in contributing to a thriving environmental future.

GOVERNANCE AND RISK CONSIDERATIONS

There are no specific governance and risk considerations associated with the draft Cultural Policy.

DRAFT

Cultural Policy

Purpose

This Policy states the Council's commitment to fostering the unique culture of the Northern Beaches.

Policy Statement

Northern Beaches Council acknowledges the traditional owners of this land and elders past and present. We recognise Aboriginal people as the original custodians of the Northern Beaches. Aboriginal culture is integral to our understanding of belonging, community and care of the land.

Council will:

- work collaboratively to ensure Aboriginal heritage and areas of cultural significance are preserved and celebrated as the heart of the area's living heritage and rich cultural assets.
- support local creativity at all stages of life as essential to our community's spirit of belonging as proudly expressed by the diversity of communities brought to the area through migration, lifestyle choice and love of its natural beauty.
- celebrate diversity in all forms will be celebrated as essential to an inclusive and engaged community. Council supports residents' freedom to choose their creative life and expressions of culture.
- foster our community's innate creativity, imagination and connection to place, as realised through our heritage and contemporary arts, vital to generating the big ideas and new ways that will deliver our thriving social, environmental and economic future.
- recognise that local creative industries are essential to cultural vitality. Council will actively support sector growth and innovation for change.
- enable established and emerging creatives through places and spaces, partnerships, programs and services to share local stories, engage, inspire and connect our community and visitors to the Northern Beaches.
- support the growth of Northern Beaches as a destination for arts, culture and creativity through leadership, with an outward-focused and inclusive approach achieving the best possible outcomes for our community.

Principles

This policy operates under the following principles:

- Local Aboriginal communities have the right to self-determination, including the sharing of culture, and the right to access and contribute to the region's cultural and creative life.
- Northern Beaches' residents and visitors have the right to self-expression and the right to access and contribute to the region's cultural and creative life.
- Place and spaces for the arts, cultural expressions and creativity, including experimentation and cross-disciplinary collaboration, are fundamental to community wellbeing, innovation and industry growth.

- Participation and engagement in arts and culture supports our community to express shared values, negotiate diverse beliefs, and increase connection to each other, promoting understanding and a sense of belonging.
- The arts can explore and respond to complex cultural, social, and environmental issues, revealing new possibilities and perspectives that provide opportunities to transform communities.
- Design excellence and artistic expression in the public domain embed creativity and strengthen our connection to place.

Scope and application

This policy applies to all employees, agents, officers, councillors and committee members of Northern Beaches Council, and the general community engaging in Council services and programs.

Application

This policy will be implemented through key Council documents, principally the *Arts and Creativity Strategy - Connected through Creativity 2029* that provides a framework for embedding creativity and expanding arts and culture across the Northern Beaches over the next decade.

Council's role

Council understands that thriving arts and creativity in diverse and inclusive communities will keep our cultural ecosystem strong, producing ideas that will allow us to meet challenges now and into the future. We recognise that creative communities need creative Councils to understand and support them, and we are committed to exploring new ways of working with the community. Council recognises that it needs to be adaptive and responsive and will review the policy periodically to ensure it continues to meet community needs and expectations.

References and related documents

Northern Beaches Council Community Strategic Plan *Shape 2028 2018-2028* (2018)
Northern Beaches Council Draft Arts & Creativity Strategy *Connected through Creativity 2029* (2019)
Northern Beaches Council Cultural Collection Management and Gifts Policy (2018)
Northern Beaches Council Community Development and Services Policy (2019)
Northern Beaches Council Draft Community Centres Strategy
Northern Beaches Council Public Art Policy (2018)
Northern Beaches Council Northern Beaches Coast Walk Strategic Plan (2018)
Northern Beaches Events Strategy 2018 – 2025 (2018)
Northern Beaches Council Draft Local Strategic Planning Statement, Towards 2040
Northern Beaches Council Social Plan (in development)
Local Government Act (1993)
UNESCO, Universal Declaration on Cultural Diversity, adopted 2 November (2001)
Arts NSW, Create in NSW: NSW Arts and Cultural Policy Framework (2015)

Definitions

Council considers art to be the manifestations of culture encompassing visual and performing arts, crafts, fashion and design, film and screen-based works, literature, digital and new media, and hybrid and new forms of creative thinking and expression. It also includes community arts, exhibitions, museums and galleries, and activations in public space.

Culture is considered as an inclusive term incorporating creativity, community, diversity, knowledge, heritage and expressed imagination that creates the way of life unique to the Northern Beaches.

Creative industries include a range of businesses that use creativity and knowledge as their primary source of economic generation. This may include:

- Aboriginal arts
- Advertising
- Audio-visual
- Craft
- Cultural heritage
- Design, including architecture, fashion and graphic, industrial and interior design
- Radio, film and television
- Makers
- Media and digital media music
- Publishing
- Performing arts
- Visual arts

Responsible Officer

Executive Manager Community, Arts and Culture

Review Date

August 2023

Revision History

Revision	Date	Status	TRIM Ref
1	25/09/2019	First draft Cultural Policy	2019/554576

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	PUBLIC EXHIBITION OF THE DRAFT BUSHLAND AND BIODIVERSITY POLICY
REPORTING MANAGER	DIRECTOR ENVIRONMENT AND SUSTAINABILITY
TRIM FILE REF	2019/439591
ATTACHMENTS	1 Download Draft Bushland and Biodiversity Policy 2019

SUMMARY

PURPOSE

To seek Council's approval to publicly exhibit the draft Bushland and Biodiversity Policy 2019.

EXECUTIVE SUMMARY

Since the formation of Northern Beaches Council, there has been a need to review and consolidate various policies of the former councils. One of these was the need to harmonise Council's approach to managing and protecting its bushland and biodiversity to ensure a consistent approach across the new Northern Beaches Council area.

The bushland and biodiversity of the Northern Beaches is highly valued by our community, and requires significant effort to protect and manage it for future generations. Both are under considerable pressure from direct impacts such as clearing for development and pollution, and indirect impacts such as invasive weeds and animals. While none of the former councils had a comprehensive Bushland and Biodiversity Policy, all had proud histories of working to protect these environmental values through a range of policy, planning, compliance and advocacy work.

The draft Bushland and Biodiversity Policy (the Policy) represents the first opportunity to apply a consistent direction to the management of bushland and biodiversity across the Northern Beaches. It would apply to all 'bushland', native vegetation and natural areas outside National Parks and focus on:

- Strategic land use planning.
- The assessment of developments and activities.
- The management of bushland areas on public land.
- The management of invasive species.

The Policy will also guide Council's operational procedures and address development in bush fire prone areas and create a new focus on the management of invasive species. It will respond to relevant NSW Government environment and planning legislation including the substantial reforms under the NSW Biodiversity Conservation Act 2016 and the NSW Biosecurity Act 2015. The ongoing challenge of balancing development with environmental protection is acknowledged in the Policy, and there will be a need for the Policy to integrate with Council's new planning controls.

The development of the Policy has been undertaken in consultation with relevant internal Council departments and Council's Environment Strategic Reference Group (SRG). At its meeting of 13 August 2019, the SRG recommended that the draft Policy be placed on public exhibition.

The draft Policy is expected to be exhibited in October and November 2019, after which submissions will be considered and a final Policy will be presented to Council for its consideration.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

- A. Council place the draft Bushland and Biodiversity Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition of the draft Bushland and Biodiversity Policy be reported to Council.
-

BACKGROUND

Prior to amalgamation the three former councils had developed various strategy, policy and management plans relating to bushland and biodiversity across the Northern Beaches. These former policies, plans and strategies have been reviewed and a draft Policy developed which proposes a single Northern Beaches wide approach. The draft Policy also responds to relevant NSW Government environment and planning legislation including the substantial reforms under the NSW Biodiversity Conservation Act 2016.

POLICY DEVELOPMENT

The need for a Bushland and Biodiversity Policy is based on recognition that the Northern Beaches is subject to historic and ongoing decline in bushland and biodiversity assets that are highly valued by the community. The draft Policy is intended to demonstrate Council's commitment toward the protection and restoration of bushland assets and the conservation of biodiversity.

The draft Policy expands on policy principles included in former Council's policies and provides a framework that addresses the major threats to bushland and biodiversity including land clearing for urban development and the threats posed by invasive species (weeds and pest animals). In addressing the threats, the draft Policy will guide Council decision making in the following areas:

- Strategic land use planning.
- The assessment of developments and activities.
- The management of bushland areas on public land.
- The management of invasive species.

The draft Policy seeks to value bushland and biodiversity whilst having regard to economic, social and environmental matters.

Strategic land use planning represents the greatest opportunity, and the greatest challenge, in avoiding and minimising impacts to biodiversity that arise from population growth and associated development pressure. Through early consideration of biodiversity values, Council can guide appropriate development in areas with high biodiversity conservation values. In this regard, the pending Northern Beaches Local Environment Plan (LEP) and Development Control Plan (DCP) represent a major opportunity for Council to protect biodiversity values.

In the face of climate change and increasing bushfire risk, inappropriate development in high-risk bushfire prone areas requires substantially greater land clearing for asset protection zones and evacuation. The draft Policy supports existing State Government legislation and guidelines that provide for the exclusion of inappropriate development in bush fire prone areas where environmental constraints of land cannot be overcome.

The strategic acquisition of high conservation value land represents another opportunity for the protection of bushland and biodiversity on the Northern Beaches. The challenges here include the substantial land values that are inherent in the area. The high value of land represents a major challenge to Council in the funding of land acquisitions and reservation of bushland with significant biodiversity and connectivity values. The draft Policy identifies some possible opportunities in generating the revenue required to increase the amount of land conserved in Council reserves.

The draft Policy reinforces existing development controls included in the current Council planning instruments by emphasising the need for new developments to be located and designed to minimise impacts on bushland. Where impacts from development cannot be avoided or minimised, formal offsets (including the protection and management of bushland) may be required under the Biodiversity Conservation Act 2016. The draft Policy seeks to prioritise offsetting within the Northern Beaches LGA however, it also allows consideration of offsetting elsewhere where feasible and appropriate.

The management of bushland on public land represents another major challenge that the draft Policy seeks to address. The Northern Beaches has a well-established bushland management program, which includes both the maintenance of intact bushland reserves and the revegetation of more degraded areas. The draft Policy provides for best practice in bushland management, whilst also considering local amenity and public interest in terms of recreational access and retention of view lines.

The management of invasive species on both public and private land is one of the greatest challenges to the conservation of bushland and biodiversity on the Northern Beaches. The draft Policy recognises the risks posed to biodiversity by invasive species including weeds and feral animals. Adoption of the draft Policy will facilitate enforcement of the controls identified in Council's Local Priority Weed Management Plan, as required by the new NSW Biosecurity Act 2015.

Companion animals are also having a substantial impact upon Northern Beaches biodiversity including cats which are frequently observed hunting wildlife in bushland areas. It is recognised that companion animals are valued by the community, however many pet owners may not realise the risks posed to native wildlife. The draft Policy seeks to educate and encourage responsible pet ownership and reinforces Council's commitment to the protection of biodiversity within Wildlife Protection Areas established under the NSW Companion Animals Act 1998.

CONSULTATION

The draft Policy was developed in consultation with internal Council stakeholders including Environment and Climate Change, Strategic Planning, Development Assessment, Parks and Recreation, Property and Environmental Compliance departments. Additionally, the draft Policy was presented to the Environment Strategic Reference Group and their feedback has been integrated.

It is proposed to publically exhibit the draft Policy in October and November 2019. Community engagement will include:

- Information on a 'Have Your Say' project web page including an online submission form where community feedback can be submitted.
- Advertisements in the Manly Daily and other local publications.
- E-mails to key stakeholders and Council's community engagement register.

TIMING

The draft Policy will be publically exhibited for a minimum 28 days. Following the community engagement period it is anticipated that a final version of the Policy will be presented to Council for consideration and adoption.

LINK TO COUNCIL STRATEGY

This report relates to the following Community Strategic Plan (CSP) goals:

- Goal 1- Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Goal 2 - Our environment and community are resilient to natural hazards and climate change.
- Goal 3 - Our community is well supported in protecting the environment.

The draft Policy will help guide Council's decision-making process towards achieving these goals.

The Northern Beaches CSP highlights the value of our bushland and biodiversity and the need to protect the environment for its own sake as well as for the sake of current and future generations.

Council has also developed the draft *Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy 2040* (the Strategy) in order to deliver the Protection of the Environment and Environmental Sustainability Community Outcomes adopted in Council's CSP. Long-term goals and objectives for bushland and biodiversity are outlined in this draft Strategy.

FINANCIAL CONSIDERATIONS

The costs to publicly exhibit the draft Policy and to implement the final Policy, can be met within the 2019/20 budget.

Council already allocates resources under the Environment and Sustainability division for the ongoing management of bushland and biodiversity. Additional opportunities will arise from time to time in terms of grant funding and Council will access those when available.

Where impacts from development cannot be avoided or minimised, formal offsets (including the protection and management of bushland) may be required by legislation. The draft Policy seeks to prioritise offsetting within the Northern Beaches LGA but will consider offsetting elsewhere where feasible and appropriate.

SOCIAL CONSIDERATIONS

The draft Policy includes strategic directions for how we will protect and improve the bushland and biodiversity on the Northern Beaches. In particular, the Policy seeks to foster a more integrated approach for Council and the community in the consideration of social issues such as bushfire risk, companion animals, and recreational access to bushland.

Many Northern Beaches properties are located with bushfire prone areas. The Policy seeks to balance the conservation of bushland and biodiversity through the strategic planning consideration of bushfire risk early in the planning process.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy provides Council and the community with the strategic direction to retain, protect and restore our bushland and biodiversity, now and for future generations. The adoption of the final Policy will help Council achieve its environmental goals as identified within the Northern Beaches CSP and Council's draft Environment and Climate Change Strategy.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy provides clear direction for Council to deliver the Protection of the Environment Community Outcomes. This draft Policy helps to mitigate risks to the organisation through harmonising the approaches of the former Councils into a single approach.

Council Policy

Bushland & Biodiversity

Policy Statement

Council aims to protect, enhance and restore the local bushland and biodiversity and the unique value it has on the Northern Beaches. This includes enhancing the condition of bushland by protecting our local native plants and animals, as well as restoring our ecosystems so they are healthy, resilient and valued by the community.

Council's commitment to the protection and restoration of bushland and biodiversity is further outlined in the draft *Northern Beaches Environment and Climate Change Strategy 2040*.

Principles

Council is committed to:

1. Arresting the historic and ongoing loss of bushland and biodiversity assets across the Northern Beaches and recognising the necessity for pro-active measures to protect and restore these assets.
2. Incorporating the protection of bushland and biodiversity into Council operations, strategic land-use planning and development assessment
3. Ensuring that new developments on the Northern Beaches are designed to avoid and minimise impacts upon bushland and biodiversity.
4. The valuation of bushland areas to identify biodiversity investment opportunities and provide incentive mechanisms for conservation on both public and private land across the Northern Beaches.
5. Conservation of biological diversity and ecological integrity – conservation of biological diversity and ecological integrity should be a fundamental consideration.
6. The precautionary principle – if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation^{1&2}. Decisions should be guided by avoiding serious or irreversible damage to the environment and assessment of the risk-weighted consequences of various options².
7. Inter-generational equity – the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.
8. Raising awareness and involving the community in the management, protection and restoration of bushland and natural areas through the following:
 - Actively engaging in partnerships, research and innovation opportunities to improve bushland and biodiversity management.
 - Engaging and collaborating with local bushland volunteer groups, private land owners, local businesses, and State Government, to motivate and inspire the community to value, protect and enhance our bushland.
 - Council will continue to utilise its Environment Centres to be key education facilities to broaden the community's knowledge on our local bushland and biodiversity, including threatened species and communities.

¹Section 3(A) Environment Protection and Biodiversity Conservation Act 1999

²Section 6(2) NSW Protection of the Environment Administration Act 1991

Scope and Application

This policy applies to all 'Bushland', native vegetation and natural environment areas in the Northern Beaches LGA outside National Parks.

The application of this policy is as follows:

Strategic land use planning

Strategic land use planning will place an appropriate weighting on bushland and biodiversity commensurate with the 'conservation significance' of the land. This policy seeks to place a more equitable value on bushland and biodiversity whilst having regard to economic, social and environmental matters.

Council will prioritise the protection and management of bushland with high environmental values including 'core habitats', wildlife corridors, threatened ecological communities, bushland reserves and areas identified on the NSW Government - Biodiversity Values Map³.

Council will apply the following approaches including applicable legal requirements to achieve this aim:

- Recommend that planning proposals or rezoning with potential impacts upon bushland (native vegetation) follow the environmental impact assessment hierarchy of avoid and minimise impacts and then offset for residual impacts.
- Planning proposals (rezoning) within or adjoining bush fire prone areas should include an initial strategic assessment demonstrating that the proposal meets objectives to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas (s.9.1(2) of the EP&A Act). Strategic assessments should provide for the exclusion of inappropriate development in bush fire prone areas where environmental constraints to the site cannot be overcome (PBP 2018).
- The layout of a Planning Proposal must demonstrate that the required APZs can be met on the development site (PBP 2018) rather than encroaching into surrounding bushland.
- Prioritise the retention of core habitat areas to maintain high levels of biodiversity and protect water catchments.
- Identify, conserve and restore threatened species habitat.
- To meet aspirations for no loss of Council bushland – revenues generated from the sale, development or offsetting of natural areas (bushland) should generally be directed towards acquisition and management of bushland and biodiversity on the Northern Beaches.
- Identify options for funding, acquisition and reservation of bushland with significant biodiversity, habitat, recreational and scenic values.
- Increase the availability of local offsets by establishing offset lands or 'Biodiversity Stewardship Sites' (formerly biobank sites) on Council land where appropriate.
- Investigate options for the provision of incentives/assistance to property owners to conserve bushland on private land. Provided bushland reserves of a viable size and shape with vegetated linkages to other bushland areas in secure tenure.
- Co-ordinate with other local councils, state government and owners of large bushland areas (e.g. Metropolitan Local Aboriginal Land Council) to achieve bushland conservation at a regional level.

³ View online - <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap>

Guidance on the assessment of developments and activities

For developments potentially impacting bushland and biodiversity, Council's assessment will include consideration of the following:

- Ecological assessment and reporting is to be undertaken in accordance with the NSW *Biodiversity Conservation Act 2016*, State and Commonwealth survey guidelines and industry best practice survey methodologies.
- Ensuring that all feasible measures have been demonstrated to avoid and minimise ecological impacts before residual impacts are assessed in accordance with the NSW Biodiversity Offset Scheme.
- Evaluation of proposed ecological impacts (including vegetation clearing), based on consistency with requirements of the Local Environment Plan (LEP) and Development Control Plan (DCP), irrespective of proposed offsetting arrangements under the NSW Biodiversity Offsets Scheme.
- Ensuring that all new developments on the Northern Beaches are situated and designed to minimise impacts on bushland including clearing required to establish bush fire asset protection zones.
- Ensuring that development does not impede the ecological functions of wildlife corridors.
- Ensure development provides opportunities for both reinstatement and enhancement of local biodiversity by conditioning the planting of locally native species on private land where needed.
- Apply conditions of consent for biodiversity offsetting of residual impacts where developments trigger the NSW Biodiversity Offset Scheme.
- Where proposed offsets (i.e. the retirement of biodiversity credits or other statutory offsetting options) are not located in the Northern Beaches Local Government Area, increased offsetting obligations will be required by Council in accordance with Part 7.13 (4) of the NSW *Biodiversity Conservation Act 2016*.
- Ensure that residual biodiversity impacts resulting from development are minimised with implementation of on-site mitigation measures identified in biodiversity management plans and/or conditions of consent.
- Apply conditions of consent which seek to avoid or minimise the potential impacts of companion animals (dogs and cats) where development proposals adjoin fauna habitats including Core Habitats, National Parks and dedicated Wildlife Protection Areas.

Management of bushland areas on public land

The intended outcomes for bushland management programs on land under Council's care and control are that:

- Restoration projects will aim to restore bushland to a condition that is as self-sustaining as possible, giving consideration to addressing the causes of bushland degradation as well as the symptoms. It is acknowledged that many areas of restored bushland will always require some level of maintenance due to irreversible changes in environmental conditions.
- In general, bushland restoration work on public land will only be undertaken by qualified bush regeneration contractors and supervised volunteer groups.
- Weed control works will be undertaken in a staged process so that short-term loss of fauna habitat within the immediate locality, in particular structural cover and shelter, is minimised. Where suitable, shelter and cover for fauna may be reconstructed at the sites of restoration projects.

- Revegetation will involve the use of local native plant species sourced from the local area based on industry best practice.
- Where revegetation or replanting areas of public open space may result in loss of local amenity, changes to public access (via designated trails) or loss of view lines, consultation with relevant stakeholders will be undertaken prior as part of decision making.
- Prioritise the restoration and enhancement of public bushland based on both conservation significance and the level of public interest.
- Protect, restore and enhance bushland remnants within wildlife corridors and buffer zones.
- Provide sustainable recreational access to bushland reserves with a focus on environmental interpretation of features with special ecological and cultural significance where appropriate.
- Integrate best practice bushland restoration practices into natural area management projects undertaken by all sections of Council.
- Plan for the consequences of climate change affecting bushland, particularly in relation to strategic bush fire mitigation measures. Council must ensure an integrated approach to planning for bushfire risk. Mitigation and treatment of bushfire risk will not be reliant on prescribed burning alone.
- Protect existing residential properties along the bushland reserve interface in accordance with requirements of the Bushfire Risk Management Plan.
- Bushland compliance matters including illegal vegetation clearing, tree vandalism, encroachments, rubbish and vegetation dumping will be prioritised and managed in accordance with Council's Compliance and Enforcement Policy and associated Compliance and Enforcement Guidelines.

Management of invasive species on public and private land

Council will provide a consistent approach in the assessment, compliance and management of threats to bushland and biodiversity resulting from invasive species including weeds and pest animals.

Council will manage weeds on private land in accordance with its function as the local control authority under Section 371 of the *NSW Biosecurity Act 2015*. Pest animals will be managed in accordance with the NSW Government's *Greater Sydney Regional Strategic Pest Animal Management Plan*.

Council's approach to the management of invasive species will include:

- Maximising the effectiveness of pest animal and weed control programs by co-ordinating with other land management agencies, adjacent local government areas and private landowners
- Plan for the consequences of climate change affecting bushland and biodiversity, particularly in the areas of bush-fire hazard control and pest species management
- Weed species subject to enforcement by Council includes those identified under the following three categories:
 - Weeds listed under Schedule 3 of the *NSW Biosecurity Act 2015* or specified mandatory measures under the *Biosecurity Regulation 2017*;
 - State and Regional Priority Weeds, identified in Appendix 1 of the *Greater Sydney Regional Strategic Weed Management Plan*;
 - Local Priority Weeds, identified by Northern Beaches Council in the *Local Priority Weed Management Plan*.

- Recognition that in certain situations, some over-abundant native plants (such as Sweet Pittosporum and Cheese Trees) and animals (such as native Miner birds) have become invasive species which are impacting upon local bushland and biodiversity and are to be managed as pest species in accordance with this policy and relevant legislation. Further information regarding invasive native species will be placed on Council's website.
- Educating the community on the impacts of pest animals and their identification
- Gain commitment from land management agencies and neighbouring councils to help coordinate collaborative local pest animal management
- Secure long-term funding for pest animal management at the local level
- Prioritise management of pest animals (e.g. foxes, rabbits and cats) within 'Wildlife Protection Areas' as declared under the Companion Animals Act 1998 and in areas where threatened native animal species are being impacted upon
- Encouraging responsible ownership of domestic animals (e.g. dogs, cats and rabbits) in accordance with the *Companion Animals Act 1998* in order to avoid potential impacts on biodiversity
- Prevent new incursions of pest animals (e.g. deer, pigs and goats) to the Sydney North Region.

References and Related Documents

- *Protect, Create, Live – Northern Beaches Environment and Climate Change Strategy 2040*
- *NSW Biodiversity Conservation Act 2016*
- *NSW Biodiversity Conservation Regulation 2017*
- *NSW Biosecurity Act 2015*
- *NSW Companion Animals Act 1998*
- *NSW Environmental Planning and Assessment Act 1979*
- Government Architects Office of NSW (2018) *Greener Places – Draft Bushland and Waterways Guide*
- Government Architects Office of NSW (2018) *Greener Places – Draft Bushland and Waterways Manual*
- *Local Government Act 1993*
- *Rural Fires Act 1997*
- *Planning for Bushfire Protection 2018*
- *Greater Sydney Regional Strategic Pest Animal Management Plan (2018)*, NSW Government, Local Land Services
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ('Vegetation SEPP')

Definitions

Biodiversity Offset: Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for impacts to biodiversity arising from developments and activities. Biodiversity offsets usually involve the protection (e.g. tenure security) and management of natural areas.

Biodiversity Stewardship Site (formerly Biobank site): a system that enables biodiversity credits (management actions to improve biodiversity) to be traded and used as an offset against the impact of proposed development on biodiversity values.

Biodiversity: the variety of life forms, the different plants, animals, fungi and micro-organisms, genetic material and ecosystems.

Bushland: bushland contains vegetation that is natural or representative of the structure and floristics of the native vegetation that was known to exist before European settlement. This encompasses a spectrum of areas that extend spatially from core areas (see definition below) of contiguous terrestrial bushland areas in large reserves to small pockets of bushland and vegetated riparian corridors. This land may be in public or private ownership and may include areas previously cleared that have regenerated or areas that may be degraded, yet still provide an important ecological function and future potential (Adapted from Government Architects Office of NSW 2018 publication: *Greener Places – Draft Bushland and Waterways Guide*)

Core Areas: Core areas of bushland (or 'core habitat') are larger contiguous areas of bushland which are usually over 3.5 ha in size. Core areas are the least disturbed and the most biodiverse, representative of the structure, function and composition known to exist before European settlement. Protection and management of these areas is important to protect biodiversity and ensure long-term stability of ecosystem functions (Adapted from Government Architects Office of NSW 2018 publication: *Greener Places – Draft Bushland and Waterways Manual*).

Ecologically Sustainable Development: the concept that developments and activities are undertaken in such a way as to conserve or enhance the natural environment.

Ecosystem: all the plants, animals and micro-organisms that live in a particular area and the relationships that exist between them and their physical environment

Habitat: an area or areas occupied, or periodically or occasionally occupied, by a species, population or ecological community and including any biotic or abiotic component.

Mitigate: actions which lessen or eliminate the severity of an adverse impact

Native Vegetation: native vegetation means any of the following types of plants native to New South Wales:

- trees (including any sapling or shrub or any scrub),
- understorey plants,
- groundcover (being any type of herbaceous vegetation),
- plants occurring in a wetland.

A plant is native to New South Wales if it was established in New South Wales before European settlement (adapted from NSW Local Lands Services Act 2013.)

Sustainable: the effective integration of economic and environmental considerations in decision-making processes.

Vegetation Community: an assemblage of plants that has evolved in response to specific environmental factors e.g. a sandstone swamp community occurs on Hawkesbury sandstone soils in the wettest sites.

Weed: A weed is any plant requiring intervention to reduce its effect on our environment, economy, human health and amenity.

Wildlife corridors (or connection zones): are areas that support urban habitat and the movement of wildlife between core areas of bushland or waterways. Wildlife Corridors support genetic dispersal, ecological function and resilience and can include vegetated riparian corridors, street trees, ponds, rocky outcrops, parks, gardens and green roofs, and balconies. They are areas where most city

dweller's interact with nature (Adapted from Government Architects Office of NSW publication: *Greener Places – Draft Bushland and Waterways Guide*).

Wildlife Protection Areas Wildlife protection areas are public places set apart for the protection of our native animals and their habitats under the *NSW Companion Animals Act 1998*. Cats are prohibited from entering a wildlife protection area at all times and dogs are prohibited from some and must be on a lead and remain on designated tracks within all others.

Responsible Officer

Executive Manager Environment & Climate Change

Review Date

INSERT DATE (At least every four years or as required)

Revision History

Revision	Date	Status	TRIM Ref
1	27 September 2019	First draft Bushland & Biodiversity Policy	2017/126370
2			

ITEM 11.2	PUBLIC EXHIBITION OF THE DRAFT WATER MANAGEMENT FOR DEVELOPMENT POLICY AND ASSOCIATED DEVELOPMENT CONTROL PLAN AMENDMENTS
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/424747
ATTACHMENTS	<p>1 📄 Draft Water Management for Development Policy (Included In Attachments Booklet)</p> <p>2 📄 Development Control Plan and Policy Amendments - Water Management for Development Policy (Included In Attachments Booklet)</p>

SUMMARY

PURPOSE

To seek approval to place the draft Water Management for Development Policy (the Policy) and associated Development Control Plan (DCP) amendments on public exhibition.

EXECUTIVE SUMMARY

Since the formation of Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches. The Policy will harmonise the existing water management related policies of the three former Councils and include relevant requirements of existing Council DCPs. It will provide a set of clear and consistent guidelines for development across the Northern Beaches, simplifying and improving the application and assessment process in relation to water management. Practitioners will now only need to access one document, rather than referring to multiple policies, guidelines and technical specifications.

Council at its meeting on 16 April 2019 resolved to exhibit amendments to Pittwater DCP 2014 to improve and standardise requirements for water quality management, on-site stormwater detention systems. During development of this draft Policy, it was recognised that the amendments to Pittwater DCP 2014 relating to Part B5 Water Management, would benefit from being reported to Council along with proposed amendments to Manly DCP 2013 and Warringah DCP 2011, in order to provide a complete view of proposed amendments. The remaining amendments to the Pittwater DCP 2014 have been reported to Council as part of a separate report to this meeting.

It is proposed to rescind the existing water management policies and consolidate water management controls from Council's existing DCPs. Key changes include improvement to controls for water quality and water efficiency. On-site detention requirements for former council areas are retained. Developers will now be able to reference the new Water Management for Development Policy (Attachment 1) upon adoption of the Policy and the proposed DCP amendments (Attachment 2).

The proposed Policy and DCP amendments apply to all development in the Northern Beaches Local Government Area (LGA) including development applications, and exempt and complying development. The Policy and DCP amendments also apply to Council's development activities. As the Policy and DCP amendments streamline the existing water management requirements, it is expected that stakeholders will support their adoption.

The Policy provides consistent guidelines for the effective management of stormwater, rainwater, groundwater and wastewater within the Northern Beaches LGA. It will protect and enhance the natural environment while ensuring protection of public and private property. The Policy is aligned with Council's Community Strategic Plan, the Draft Environment and Climate Change Strategy, and the Draft Local Strategic Planning Statement.

The development of the Policy has been undertaken in consultation with relevant internal Council departments and Council's Environment Strategic Reference Group (SRG).

It is proposed to place the draft Policy and proposed related changes to Council's DCPs on public exhibition. Submissions will be considered and the final Policy and DCP amendments will be reported to Council seeking adoption.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

- A. The draft Water Management for Development Policy be placed on public exhibition for a minimum of 28 days.
 - B. The associated proposed amendments to Pittwater Development Control Plan, Manly Development Control Plan and Warringah Development Control Plan be placed on public exhibition for a minimum of 28 days.
 - C. The outcomes of the public exhibition of the draft Water Management for Development Policy be reported to Council.
 - D. The outcomes of the public exhibition of the associated proposed amendments to the Pittwater Development Control Plan, Manly Development Control Plan and Warringah Development Control Plan be reported to Council.
-

REPORT

BACKGROUND

Prior to amalgamation, the former Pittwater, Manly and Warringah Councils had the following policies and respective DCPs in relation to water management for development:

- Manly - Stormwater Control Policy.
- Manly – Drainage Easements – Construction over Drainage Easements.
- Warringah - Water Management Policy.
- Warringah - Flood Risk Management Policy.
- Pittwater - Integrated Water Cycle Management Policy.
- Pittwater – Greywater Reuse in Sewered and Unsewered Domestic Premises.
- Pittwater DCP.
- Warringah DCP 2011.
- Manly DCP.

Policies and guidelines from other councils have been considered as part of the investigation process, and the Draft Policy and DCP amendments are consistent with industry best practice.

The Policy aims to provide technical guidance and specifications on:

- Protecting the environment – stormwater, groundwater management and erosion, sediment and pollution controls.
- Disposal of stormwater.
- Stormwater drainage systems.
- Water conservation.
- Sewage management.
- Onsite stormwater management.
- Flood risk management.
- Overland flow flooding.
- Compliance – audit and complaints.

The intended application of the Policy covers development across public and private land.

POLICY AMENDMENTS

This new Policy is a larger document than the standard council policy template. This is because the Policy contains planning controls, has greater likelihood of compliance by development stakeholders, and carries more weight during development assessment.

The key points of difference from the former policies include:

- Updated principles to include references to water quality and climate change.
- A map of high quality catchments to incorporate three high quality catchments from the former Pittwater area.
- A simpler and easy to follow water treatment solution for smaller lots that are not subdividing.
- Better guidance for developers on suitable water treatment options for our area.
- Additional controls to minimise damage to stormwater treatment measures installed during construction e.g. swales, constructed wetlands.
- Provision of clearer guidelines for developers to follow for on-site detention requirements.
- Provision of an exemption for on-site detention in floodplains as they serve no function in these areas.
- A change of preferred drainage computer modelling programme from ILSAX to DRAINS (public domain, requires minimal data entry and is consistent with Council's modelling).
- Updated references to legislation.

DCP AMENDMENTS

A number of DCP amendments will also be required in order to create the harmonised approach to water management. The proposed changes to Council DCPs are detailed in Attachment 2, and are recommended for public exhibition.

The Policy incorporates controls from the following:

- Manly DCP 2013 controls - for stormwater and Water Sensitive Urban Design.
- Pittwater DCP 2014 controls - for the natural environment, water management, and erosion and sediment control.
- Warringah DCP 2011 controls - for stormwater and erosion and sediment control.

CONSULTATION

Council at its meeting on 16 April 2019 resolved to exhibit amendments to Pittwater DCP 2014 to improve and standardise requirements for water quality management, on-site stormwater detention systems. One submission was received in response to the exhibition and has been reviewed by Council's Environment and Climate Change business unit.

During development of this draft Policy, it was recognised that the amendments to Pittwater DCP 2014 relating to Part B5 Water Management, would benefit from being reported to Council along with proposed amendments to Manly DCP 2013 and Warringah DCP 2011, in order to provide a complete view of proposed amendments.

The main content of the draft Policy was developed in consultation with internal Council stakeholders including Strategic and Development Planning, Environmental Compliance, Environmental Health, and Legal departments. The draft Policy principles were developed in consultation with the Environment SRG, who also commented on the draft Policy and DCP amendment.

The consultation process for the exhibition period will include:

- Information on the 'Your Say' project web page including online submission form.
- Copies of the draft Policy available in all customer service and library locations.
- Advertisements in the Manly Daily.

TIMING

All submissions made during the public exhibition will be considered, after which the final Policy will be reported back to Council for consideration.

Public notice of Council's decision to amend the DCP must be given in a local newspaper within 28 days after the decision is made pursuant to clause 21(2) Environmental Planning and Assessment Regulations 2000. The proposed amendments will come into effect on the date that public notice of Council's approval is given in a local newspaper.

LINK TO COUNCIL STRATEGY

This report relates to the following Community Strategic Plan goals:

- Goal 1 - Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Goal 2 - Our environment and community are resilient to natural hazards and climate change.
- Goal 5 - Our built environment is developed in line with best practice sustainability principles.
- Goal 7 - Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.

FINANCIAL CONSIDERATIONS

There will be no additional burden to Council in the implementation of the draft Policy. The DCP amendments are operational matters and there are no financial considerations for Council.

The Policy and amendments will deliver a streamlined process for all developers, and will clarify the approvals process. While there may be minor additional costs incurred by developers, these are expected to be offset by efficiency gains related to the Policy adoption.

SOCIAL CONSIDERATIONS

This Policy demonstrates Council's commitment to minimising the risk to public health and safety, and seeks to provide a more streamlined Development Application and approval process for residents. The proposed DCP amendments will have no significant social impacts.

ENVIRONMENTAL CONSIDERATIONS

This Policy and DCP amendments demonstrate Council's commitment to protecting and enhancing the aquatic and terrestrial natural environment. The adoption of the Policy and DCP amendments will help Council achieve its environmental goals as identified within the Northern Beaches CSP and Council's draft Environment and Climate Change Strategy.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to Council's governance framework. There will be less risk to the organisation through the proposed Policy and DCP amendments, by harmonising the policies of the former Councils into a single approach.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	OUTCOME OF PUBLIC EXHIBITION OF ADOPTION OF AMENDMENTS TO PITTWATER DEVELOPMENT CONTROL PLAN 2014 IN RELATION TO VARIOUS ENVIRONMENTAL MATTERS
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2019/385991
ATTACHMENTS	1 ⇒Development Control Plan Amendments as Publically Exhibited (Included In Attachments Booklet) 2 ⇒Revised Development Control Plan Amendments - Post Exhibition (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the exhibition of proposed amendments to the Pittwater Development Control Plan (DCP) 2014 to improve and standardise requirements for water quality management, on-site stormwater detention systems, driveways, and to update controls for estuarine and coastal risk management assessment of new development.

EXECUTIVE SUMMARY

Council at its meeting on 16 April 2019 resolved to exhibit amendments to Pittwater DCP 2014 to improve and standardise requirements for water quality management, on-site stormwater detention systems, driveways, and to update controls for estuarine and coastal risk management assessment of new development. One submission was received in response to the exhibition and has been reviewed by Council's Environment and Climate Change business unit.

Following a review of that submission, it was recognised that the amendments to Pittwater DCP 2014 relating to Part B5 Water Management, would benefit from being reported to Council along with proposed amendments to Manly DCP 2013 and Warringah DCP 2011, in order to provide a complete view of proposed amendments. These water-based DCP changes have been proposed as part of the Draft Water Management for Development Policy which is the subject of a separate report to this Council meeting.

Proposed DCP amendments proposed at the 16 April 2019 meeting relating to other matters, including updated references to legislation and additional cross referencing in the document, are recommended for adoption.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

- A. Adopt amendments to the Pittwater Development Control Plan 2014.
 - B. Publish a notice of the commencement of the DCP amendments in a local newspaper.
-

REPORT

BACKGROUND

At its Ordinary Meeting on 16 April 2019 Council resolved:

That Council:

- A. *Approve draft amendments to Pittwater Development Control Plan 2014 relating to water quality management, on-site detention, and estuarine and coastal risk management assessment shown in Attachment to the report for public exhibition for at least 28 days.*
- B. *Note that the draft amendment to Pittwater Development Control Plan 2014 will be reported to Council following the public exhibition period.*
- C. *Delegate authority to the Chief Executive Officer to make any changes prior to the public exhibition of the draft amendments to Pittwater Development Control Plan 2014 as a result of consideration of this report by Council.*

In summary, the proposed amendments exhibited by Council comprised:

- Changes to requirements for water quality treatment, including consideration of land identified under State Environmental Planning Policy (Coastal Management) 2018.
- Removal of on-site detention requirements in defined Flood Risk Precincts.
- A change to requirements for driveway finishes
- Updating a range of terms and references to reflect recent changes to legislation.

CONSULTATION

The Development Control Plan amendments (Attachment 1) were exhibited for 28 days between 4 May 2019 and 2 June 2019.

Public exhibition of the proposed amendments to the DCPs commenced with public notice given in the Manly Daily and on Councils' website on 4 May 2019. All relevant documents were publicly available at Council's Customer Service centres as well as on Council's 'Have Your Say' website.

Council's Community Engagement Team report 195 visits to, and 63 documents downloaded from Council's website during the exhibition period. One public submission was received as a result of the public exhibition.

Submission Review

The submission received from a local water management practitioner raised a range of issues with particular reference to the proposed amendments to Part B5 Water Management of the Pittwater DCP 2014. The submission has been reviewed by Council's Environment and Climate Change business unit.

In a parallel process, Council staff have been working to harmonise the existing water management related policies of the three former Councils and include relevant requirements of existing Council DCPs, to ensure a concise and consistent approach across the Northern Beaches. It is recommended that the amendments to Pittwater DCP 2014 relating to Part B5 Water Management, proposed on 16 April 2019, be incorporated into the draft Water Management for Development Policy. The draft Policy is being separately reported to Council at this meeting of 22 October 2019, and includes amendments to Pittwater DCP 2014, Manly DCP 2013 and Warringah DCP 2011.

Other amendments that were previously exhibited and are not related to water management, may proceed to be adopted by Council and may commence without further delay.

The revised DCP amendments (Attachment 2) for adoption are:

- the update of references to legislation
- additional cross-referencing in the document for improved clarity
- a particular policy concerning the surfacing of driveways.

TIMING

Public notice of Council's decision to amend the DCP must be given in a local newspaper within 28 days after the decision is made pursuant to clause 21(2) Environmental Planning and Assessment Regulations 2000. The proposed amendments will come into effect on the date that public notice of Council's approval is given in a local newspaper.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan outcomes of:

- Protection of the Environment - Goal 2 - Our Environment and community are resilient to natural hazards and climate change.
- Environmental Sustainability - Goal 5 - Our built environment is developed in line with best practice sustainability principles.
- Good Governance - Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The proposed DCP amendments are operational matters for Council and there are no significant financial considerations.

SOCIAL CONSIDERATIONS

The proposed DCP amendments are minor and will have no significant social impacts.

ENVIRONMENTAL CONSIDERATIONS

The adoption of updated, standardised and streamlined DCP provisions will create greater certainty for the community, resulting in more consistent and better environmental outcomes.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed DCP Amendments improve operational matters in a range of areas, creating greater certainty for the community and Council staff, improving governance and reducing risk.

ITEM 12.2	PUBLIC EXHIBITION OF THE DRAFT VOLUNTARY PLANNING AGREEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/482813
ATTACHMENTS	1 📎 Draft Voluntary Planning Agreement Policy (Included In Attachments Booklet) 2 📎 Draft Voluntary Planning Agreement Guideline (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to place the draft Voluntary Planning Agreement Policy on public exhibition.

EXECUTIVE SUMMARY

A draft Voluntary Planning Agreement Policy (draft VPA Policy) and draft Voluntary Planning Agreement Guideline (draft VPA Guideline) have been prepared to be placed on public exhibition. The draft VPA Policy sets out Council's position relating to VPAs and the draft VPA Guideline sets out the procedures and requirements relating to VPAs.

Section 7.4 of the Environmental Planning and Assessment Act 1979 specifies that a

“...planning agreement is a voluntary agreement or other arrangement between a planning authority (or 2 or more planning authorities) and a person (the developer):

- a) Who has sought a change to an environmental planning instrument, or
- b) Who has made, or proposes to make, a development application or application for a complying development certificate, or
- c) Who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,

under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.”

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

- A. Council place the draft Voluntary Planning Agreement Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

Since the formation of the Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

On 26 August 2014, the former Warringah Council adopted a policy in relation to VPAs (neither the former Manly or Pittwater Councils had a VPA policy).

Since that time, the then NSW Department of Planning:

- a) Exhibited a draft Practice Note on Voluntary Planning Agreements in December 2016. It is noted that the Practice Note is still a draft and has not been finalised.
- b) Introduced legislative reforms to the Environmental Planning and Assessment Act 1979 (the "EP&A Act") and Environmental Planning and Assessment Regulation 2000 (the Regulation) which came into effect in July 2018.

DRAFT VOLUNTARY PLANNING AGREEMENT POLICY AND GUIDELINE

A proposed draft Voluntary Planning Agreements Policy (the "draft VPA Policy") has now been prepared and sets out Council's position relating to VPAs insofar as the circumstances that an offer will be considered and assessed by Council. Supporting the draft VPA Policy will be a draft Voluntary Planning Agreement Guideline (the "draft VPA Guideline") that outlines the procedures and requirements relating to voluntary planning agreements ("VPA or VPAs").

The draft VPA Policy and draft VPA Guideline are consistent with legal and procedural framework for VPA obligations as set out in Division 7.1 of Part 7 of the *Environmental Planning and Assessment Act 1979* (the Act) and Division 1A of Part 4 of the *Environmental Planning and Assessment Regulation 2000*. In addition, the draft VPA Policy and draft VPA Guideline is guided by a Practice Note issued by the Department of Infrastructure Planning and Natural Resources, *Practice Note on Planning Agreements* (July 2005).

The draft VPA Policy and draft VPA Guideline are aimed to replace the existing Warringah policy and apply to all VPAs entered into by the Northern Beaches Council.

The guiding principles of the draft VPA Policy and draft VPA Guideline are:

- a) To establish a fair, transparent and accountable framework governing the use and preparation of VPAs by Council.
- b) To enhance the range and extent of public benefits arising from a VPA.
- c) To ensure a consistent approach is undertaken in the negotiation and preparation of all VPAs that is efficient, fair and accountable.
- d) To supplement the application of section 7.11 or section 7.12 of the Act.
- e) To align with Council's corporate and strategic planning context, including Council's Community Strategic Plan, Delivery Plan, Operational Plan, Development Contribution Plans or other Infrastructure Planning Documents.
- f) To ensure greater probity and establish a probity framework for the negotiation, preparation and implementation of VPAs.
- g) To facilitate public participation and to allow the community to gain an understanding of the benefits of appropriate VPAs for the provision of public benefits.

CONSULTATION

The draft VPA Policy will be placed on public exhibition for a minimum of 28 days. The draft VPA Guideline, as a procedural document needs to be read in conjunction with the draft VPA Policy and will also be available for viewing during the draft Policy exhibition period.

The consultation process for the exhibition period will include:

- Information on the 'Your Say' project web page including an online submission form.
- Copies of the draft VPA Policy and related draft VPA Guideline will be available in all customer service and library locations.
- An advertisement in the Manly Daily.

TIMING

If agreed by Council the draft VPA Policy will be placed on public exhibition for 28 days.

Following close of the exhibition period, the assessment of any submissions received will form part of a future report to Council. That report will present the outcome of the public exhibition, together with the final policy.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance (Goal 19 – Our Council is transparent and trusted to make decisions that reflect the values of the community) and Partnerships and Participation (Goal 22 – Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community).

FINANCIAL CONSIDERATIONS

There will be no additional burden to Council in the implementation of the draft VPA Policy.

SOCIAL CONSIDERATIONS

The draft VPA Policy sets out the criteria that Council will use to assess the offer and VPA including what, if any, public benefits are offered.

The draft VPA Guideline is a procedural document and demonstrates Council's commitment to being transparent and trusted to make decisions as well as to actively engage the community in decision making processes.

ENVIRONMENTAL CONSIDERATIONS

There will be no adverse environmental impacts with the implementation of the draft VPA Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to Council's governance framework. There is no increased risk to the organisation through harmonising the policies from the former Council's into a single approach.

ITEM 12.3	PUBLIC EXHIBITION OF DRAFT ASBESTOS MANAGEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/568910
ATTACHMENTS	1 ➡Asbestos Management Guideline (Included In Attachments Booklet) 2 ➡Draft Asbestos Management Policy (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to place the draft Asbestos Management Policy on public exhibition.

EXECUTIVE SUMMARY

A draft Asbestos Management Policy and draft Asbestos Management Guideline have been prepared to be placed on public exhibition.

The documents have been developed to ensure the health, safety and wellbeing of the wider Northern Beaches community and Council employees with respect to asbestos containing material.

The draft Policy and Guideline focus on eliminating or minimising exposure when working with asbestos (including demolition, storage, transport and disposal) in accordance with SafeWork NSW requirements.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

- A. Council place the draft Asbestos Management Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

Since formation of the Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

The former Warringah Council had adopted a policy in relation to asbestos management namely:

- Warringah - Asbestos Management Policy.

Manly and Pittwater Council's did not have Asbestos Management Policies.

DRAFT ASBESTOS MANAGEMENT POLICY AND GUIDELINE

The draft Policy will replace the existing Warringah Policy and provide a clear set of guidance on eliminating or appropriately managing the risk of exposure when working with asbestos (including storage, transport and disposal), in accordance with SafeWork NSW requirements.

In addition, an Asbestos Guideline has been developed in line with the NSW Office of Local Government Model Asbestos Policy to provide comprehensive information for Council staff, the local community and wider public.

Council is committed to being a responsible employer and manager of land, buildings and assets; providing information and advice to the community; as well as ensuring the effective management of complaints, investigations and emergency responses.

CONSULTATION

The draft Policy was developed in consultation with internal Council stakeholders. Additionally, policies and guidelines from other Councils as well as the NSW Office of Local Government's Model Policy were considered as part of the investigation process.

The draft Asbestos Management Policy will be placed on public exhibition for a minimum of 28 days. The draft Asbestos Management Guideline will also be available for viewing during the draft Policy exhibition period.

The consultation process for the exhibition period will include:

- Information on the 'Your Say' project web page including online submission form.
- Copies of the draft Policy will be available in all customer service and library locations.
- Advertisements in the Manly Daily.

TIMING

All feedback received during the public exhibition period will be considered, after which the final policy will be reported back to Council for consideration before its adoption.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

Environmental Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.

FINANCIAL CONSIDERATIONS

The costs of implementing the draft Policy can be met within current budget.

SOCIAL CONSIDERATIONS

Council is committed to being a responsible employer and manager of land, buildings and assets; providing information and advice to the community.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy will underpin an improvement with environmental standards and compliance in new and existing developments.

GOVERNANCE AND RISK CONSIDERATIONS

Consistent requirements will be applied to the Northern Beaches which focuses on eliminating or appropriately managing the risk of exposure when working with asbestos containing materials. The draft Policy and associated operational guideline contributes towards meeting Council's Work, Health and Safety obligations.

ITEM 12.4	PUBLIC EXHIBITION OF DRAFT KEEPING OF ANIMALS POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/569043
ATTACHMENTS	1 ➡ Draft Keeping of Animals Policy (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to place the draft Keeping of Animals Policy 2019 on public exhibition.

EXECUTIVE SUMMARY

A draft Keeping of Animals Policy has been prepared to be placed on public exhibition.

The draft policy sets out the requirements for the responsible keeping of animals, within the Northern Beaches local government area.

Provisions have been included to ensure the responsible management of animals including dogs, cats and non-companion animals (which are animals other than dogs and cats) on private property and on public land.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

- A. Council place the draft Keeping of Animals Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

Since the formation of the Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches

The former Warringah Council and former Pittwater Council had adopted policies in relation to the keeping of animals, namely:

- Warringah – Animal Management Policy.
- Pittwater – Companion Animal Policy.
- Pittwater – Horses on Private Property Policy.

DRAFT KEEPING OF ANIMALS POLICY

The purpose of the Keeping of Animals Policy (the draft Policy) is to provide a balanced approach to the management of domestic and companion animals living within the Northern Beaches local government area, and to assist owners of animals in understanding their obligations under the *Companion Animals Act 1998*.

The draft Policy will replace the existing Warringah and Pittwater policies and will provide a clear and consistent approach to:

- Inform the community of the legal restrictions and acceptable standards which apply to keeping certain animals.
- Provide advice on restrictions and prohibition applied to keeping animals in certain areas with the local government area.
- Ensure that public and private amenity is not adversely impacted by the keeping of animals.
- Promote responsible ownership of companion animals.
- Investigate complaints about inappropriate animal behaviour.

CONSULTATION

The draft Policy was developed in consultation with relevant internal Council stakeholders. The draft policy will be placed on public exhibition for 28 days.

The consultation process for the public exhibition period will include:

- Information on the 'Your Say' project web page, including an online submission form.
- Copies of the draft Policy will be available in all customer service and library locations.
- Advertisements in the Manly Daily.

TIMING

All submissions made during the public exhibition will be considered, after which the final Policy will be reported back to Council seeking adoption.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Places for People Goal 9 - Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The costs of implementing the draft Policy can be met within the current budget.

SOCIAL CONSIDERATIONS

Council is committed to supporting a broad range of activities that enable social interaction and stimulate wellbeing where people and their animals can live in harmony.

ENVIRONMENTAL CONSIDERATIONS

Community education and increased awareness of responsible animal ownership together with a compliance and enforcement will minimize environmental impacts on natural habitats and native fauna.

GOVERNANCE AND RISK CONSIDERATIONS

Consistent requirements will be applied to the Northern Beaches which focuses on raising the community awareness of responsible animal ownership including the requirements of the Companion Animals Act 1998.

ITEM 12.5	PUBLIC EXHIBITION OF DRAFT SMOKE FREE ZONES POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/569099
ATTACHMENTS	1 ↓ Draft Smoke Free Zones Policy

SUMMARY

PURPOSE

To seek approval to place the draft Smoke Free Zones Policy 2019 on public exhibition.

EXECUTIVE SUMMARY

A draft Smoke free Zones policy has been prepared to be placed on public exhibition.

The draft Policy acknowledges the importance of Council providing community leadership in taking measures to prohibit smoking within certain areas.

Council is seeking to protect members of the community from the health and social impacts of smoking by others, improve amenity and enjoyment of public places, and contribute to the protection of the environment from the impacts of discarded cigarette butts.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

- A. Council place the draft Smoke free Zones Policy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported back to Council.
-

REPORT

BACKGROUND

Since the formation of the Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

The former Manly, Pittwater and Warringah Councils had each adopted a policy in relation to smoke free zones, namely:

- Manly – Smoke Free Zones in Manly policy.
- Pittwater – Smoke Free Zones around Pittwater Policy.
- Warringah – Smoke Free Public Places Policy.

DRAFT SMOKE FREE ZONES POLICY

The purpose of the draft Smoke Free Zones Policy (the draft Policy) is to provide community leadership in taking measures to prohibit smoking within public places to:

- Protect members of the community from the health and social impacts from exposure to cigarette smoke in public places.
- Improve the public amenity and enjoyment of Council owned buildings, parks, and other recreational spaces.
- Minimise the adverse environmental impacts of litter resulting from discarded cigarette butts.

The draft Policy will replace the existing policies, and provide a clear and consistent position to:

- Ban smoking in public places of congregation and close proximity, or locations used for children's activities.
- Ban smoking in and near Council owned buildings.
- Promote voluntary arrangements to discourage smoking in other public places owned or managed by Council through the inclusion of specific arrangements to ensure the requirements of the Smoke Free Zones Policy be enforced in any leases, licences or other commercial arrangements that apply to Council.

CONSULTATION

The draft Policy was developed in consultation with relevant internal Council stakeholders. The draft Policy will be placed on public exhibition for a minimum of 28 days.

The consultation process for the public exhibition period will include:

- Information on the 'Your Say' project web page, including an online submission form.
- Copies of the draft Policy will be made available in all customer service and library locations.
- Advertisements placed in the Manly Daily.

TIMING

All submissions made during the public exhibition will be considered, after which the final Policy will be reported back to Council seeking adoption.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Places for People Goal 8 - Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.

FINANCIAL CONSIDERATIONS

The costs of implementing the draft Policy can be met within current budget.

SOCIAL CONSIDERATIONS

Council is committed to creating welcoming villages and neighbourhood centres that are vibrant, accessible and support our quality of life. Banning cigarette smoking within public areas will improve the livability of these areas.

ENVIRONMENTAL CONSIDERATIONS

Banning cigarette smoking within public areas will minimise the adverse environmental impacts of litter resulting from discarded cigarette butts.

GOVERNANCE AND RISK CONSIDERATIONS

Imposing bans on cigarette smoking within public areas is consistent with the objectives Smoke-free Environment Act 2000 (the Act). NSW Health is the authority responsible for the administration and enforcement of the Act.



Council Policy

Smoke Free Zones

Policy Purpose

Northern Beaches Council acknowledges the importance of providing community leadership in taking measures to prohibit smoking within public areas to:

- Protect members of the community from the health and social impacts from exposure to cigarette smoke in public places;
- Improve the public amenity and enjoyment of Council owned beaches, parks and other recreational spaces; and
- Minimise the adverse environment impacts of litter resulting from discarded cigarette butts.

Principles

This Policy:

- Bans smoking in public places of congregation and close proximity, or locations used for children's activities;
- Bans smoking in and near Council owned buildings; and
- Promotes voluntary arrangements to discourage smoking in other public places owned or managed by Council through the inclusion of specific arrangements to ensure the requirements of this Policy be enforced in any leases, licences or other commercial arrangements that apply to Council.

The Policy recognises that:

- Passive smoking has identified health risks;
- Children are most vulnerable to the effects of passive smoking on respiratory illness and asthma (Cancer Council; National Health & Medical Research Council);
- Where Council provides assets and services intended to be of benefit to children and other members of the community, Council has an obligation to promote positive public health outcomes;
- Public health impacts of smoking in well-ventilated open spaces are complex, and impacts may be indirect or cumulative. Other , indirect effects can include children playing with and swallowing discarded butts, and from the accumulation of cigarette derived particles on clothing and skin;
- Some outdoor areas identified within the *Smoke-free Environment Act 2000* as locations where smoking is banned include:
 - i. Within 10 metres of children's play equipment in outdoor public spaces;
 - ii. Swimming pool complexes;
 - iii. Spectator areas at sports grounds or other recreational areas during organised sporting events;
 - iv. Railway platforms, light rail stops and stations, bus stops, taxi ranks and ferry wharves;

- v. Within 4 metres of the pedestrian access point to a building accessible to the general public, excluding those buildings that are used or partly used for residential purposes;
 - vi. Commercial outdoor dining areas;
 - vii. A place at a public hospital, health institution or health service under the [Health Services Act 1997](#) that is designated as a smoke-free area by a by-law or regulation under that Act and notified by signs displayed in, or at an entrance to, any such area; and
 - viii. An outside area that is a public thoroughfare, footpath or street where it is within 4 metres of an entrance to or exit from an applicable courtyard or garden.
- NSW Health is the authority responsible for the administration and enforcement of the *Smoke-free Environment Act 2000*. Complaints relating to persons smoking in areas defined under the *Smoke-free Environment Act 2000* shall be referred to NSW Health.
 - Council support further restrictions of areas, in addition to the current legislative requirements, where smoking is banned and that this be primarily implemented by education rather than by enforcement.

Additional smoke free outdoor public places declared under the provisions of the *Local Government Act 1993* and covered under this policy include:

- i. On public access beaches;
- ii. In Council owned parking stations that are partly or fully enclosed by walls and ceilings; and
- iii. At all activities, functions and events run or promoted by Council

In addition to bans identified above, Council will:

- Implement educational programs to support the Policy and to promote community awareness and acceptance; and
- Include specific requirements that this Policy be enforced in any leases, licences or other commercial arrangements that apply to Council owned and managed lands and properties.
- Install internationally recognisable smoke free signage. These signposts will be displayed in locations deemed appropriate by the Chief Executive Officer and in accordance with the *Local Government Act 1993*.

Scope and application

This policy applies to all persons who are within the locations and public places within the Northern Beaches Council local government area as identified within this Policy.

References and related documents

The *Local Government Act 1993* gives Council the authority to further expand upon, manage and enforce smoke-free areas stated under the *Smoke-Free Environment Act 2000* by declaring specified areas to be smoke free.

Additional Legislation

Work Health and Safety Act 2011

Tobacco Legislation Amendment Act 2012

Reading Material from NSW Health

<https://www.health.nsw.gov.au/tobacco/Factsheets/4-metre-law.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/commercial-outdoor-dining.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/swimming-pools-factsheet.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/childrens-outdoor-playground.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/public-transport-stops-and-stations.PDF>

<https://www.health.nsw.gov.au/tobacco/Factsheets/sportsground-smoking-ban.PDF>

Council Policies

Compliance and Enforcement Policy

Smoke Free Workplace Operational Policy

Definitions

Smoke means use, consume, hold or otherwise have control over a tobacco product, non-tobacco smoking product or e-cigarette that is generating (whether or not by burning) smoke or an aerosol or vapour.

Public place means a place or vehicle that the public, or a section of the public, is entitled to use or that is open to, or is being used by, the public or a section of the public (whether on payment of money, by virtue of membership of a club or other body, or otherwise).

Responsible Officer

Director Planning and Place

Review Date

INSERT DATE (At least every four years or as required)

Revision History

Revision	Date	Status	TRIM Ref
1	24 Sep. 19	For internal consultation	2019/559240
2	30 Sep. 19	For public consultation	

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	SMART PARKING SYSTEMS
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/558772
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To inform Council of options to run a trial of smart parking systems, mainly parking sensors, at five locations across the Northern Beaches, including one in the Manly area.

EXECUTIVE SUMMARY

Council at its meeting of 24 September 2019 resolved a Notice of Motion 33/2019 that:

That staff provide a report to the October 2019 ordinary Council meeting with options to run a trial of smart parking systems at five locations across the Northern Beaches, including one in the Manly area.

As detailed in 'Move – Northern Beaches Transport Strategy' Council's Smart Parking Management objective is to manage car parking in a way that is equitable and supports the economic viability of centers and boosts sustainable public transport and active travel use.

Smart Parking focuses on the use of technology to provide a number of improvements to the customer parking experience, for example real time information to drivers on the availability of spaces. It can also capture data which Council can utilise to manage parking through accurate and real time information relating to parking demand, turnover, length of stay and availability.

By implementing a Smart Parking Sensor approach across the Northern Beaches Local Government Area (LGA), Council will have the opportunity to test a range of market leading technology from a variety of suppliers to determine the best outcome for Council and the community.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

- A. Undertake a Smart Parking trial at the five identified locations.
 - B. Staff prepare an Expression of Interest to seek interested parties to participate in a Smart Parking trial of sensors at the five identified locations.
 - C. Staff provide an update of the trial after six months of operation and at the end of the 12 month trial period.
-

REPORT

1. BACKGROUND

Council at its meeting of 24 September 2019 resolved a Notice of Motion 33/2019 that:

That staff provide a report to the October 2019 ordinary Council meeting with options to run a trial of smart parking systems at five locations across the Northern Beaches, including one in the Manly area.

Smart Parking is just one component of a fast growing global Smart City ecosystem, which includes technology, data and innovation to create smarter and better ways of doing things.

The use of smart technology is not a new concept to Council. The technology is currently used across the organisation in a number of ways, such as the Smart Beaches project to monitor surf conditions and the Smart Bins project to monitor waste collection.

Traditionally, the method used by Council to gather information about off-street parking availability and turnover is through the engagement of a traffic and parking consultant to undertake a study 12 hours per day over a seven day period. This results in a large on-going financial commitment for Council and restricts the ability to gather large amounts of parking data to inform decisions and to report back to the community.

While the Smart Parking portfolio can include the use of digital signage, Apps, digital parking permits, online applications, real time technology and parking sensors, the proposed Smart Parking trial in the initial stage will focus on the placement of parking sensors in the five identified locations below. The sensors will allow for real time information to drivers on the availability of spaces.

Information captured will be analysed by Transport Network and Parking Operations teams to obtain an accurate understanding of parking turnover and availability across all weather conditions, time of day and peak/off-peak periods.

It is critical that any technology trialed has the potential to integrate with the recently installed Pay and Display parking machines that are in place across our 42 Pay and Display (P&D) carparks.

2. PROPOSED LOCATIONS FOR SMART PARKING TRIALS

	Location	Background
1.	Pittwater Park carpark (south), Palm Beach 73 spaces and two (2) accessibility and two (2) P5 spaces	<ul style="list-style-type: none"> Parking is managed through the Palm Beach Parking Demand Management Strategy adopted by Council in November 2016. Peak parking demand is experienced over December/January, school holidays and most weekends. <p>Smart parking data will be used to monitor parking turnover and availability for reporting purposes. Information captured may also inform changes to parking conditions to provide improved parking outcomes for offshore residents.</p>
2.	Park Street, Mona Vale 41 spaces and four (4) accessibility spaces between Pittwater Road and Barrenjoey Road	<ul style="list-style-type: none"> Mona Vale is one of the identified Strategic Centres in the LGA and experiences peak parking demand due to a range of business, recreational and social parking demands. <p>Smart parking data will be used consider changes to parking conditions to support local business. This may include expansion of time restrictions by time and day of week and changes to length of stay.</p>
3.	Manly Beach, South Steyne 27 spaces and one (1) accessibility space between Raglan Street and Denison Street	<ul style="list-style-type: none"> Manly Beachfront is a destination that attracts both locals and visitors and experiences high parking demand due to a range of recreational, business, tourism and social parking demands. <p>Smart parking data will be used to better understand parking occupancy and provide real-time availability to visitors/residents.</p>
4.	Forestville commercial area, Council carpark in Darley Street 50 car parking spaces and four (4) accessibility spaces	<ul style="list-style-type: none"> Parking conditions are managed through 3P Monday to Friday and 2P/3P Saturday. No restrictions on Sunday. The Forestville commercial area provides local shopping for the community as well as a library, community centre, church and primary school.

		<p>Smart parking data will be used to better understand parking occupancy and turnover in this location to inform future decisions to parking conditions.</p> <p>Opportunities to investigate variable time of day parking arrangements to support night time business.</p>
5.	<p>Narrabeen commercial area, Council carpark in Wellington Street and Lagoon Street</p> <p>Wellington Street 46 spaces and one (1) accessibility space</p> <p>Lagoon Street carpark 69 spaces and two (2) accessibility spaces</p>	<ul style="list-style-type: none"> • Parking conditions are managed through 3P Monday to Friday and 2P Saturday. No restrictions on Sunday. • The Narrabeen commercial area provides parking to support local business. <p>Smart parking data will be used to provide real-time information to visitors/residents.</p>

3. PROPOSED APPROACH

There are a number of Smart Parking providers currently offering a range of products and services to Local Government. To determine the best suite of technology for Council to use across a number of location and asset types, it is proposed that a trial is undertaken to test a range of Smart Parking technologies from suitable providers. This will provide Council with the opportunity to:

- Seek an improved parking experience to all of our customers.
- Explore options and innovation to ensure integration with our Pay and Display equipment messaging signage, and future enforcement technology.
- Review the software reporting tools to support the delivery of parking outcomes.

Following endorsement by Council, Transport Network and Parking Operations will commence an EOI process to seek interested Smart Parking technology providers to participate in a 12 month trial. The EOI process will include consideration of:

1. Best use of technology and hardware for each specific location.
2. Consideration of weather conditions and environmental impacts on hardware in coastal locations.
3. Dashboard viewing and reporting tools.
4. Operator service levels.

At the conclusion of the trial period, a report will be prepared for a future Council Meeting to inform of the outcomes and to seek endorsement to proceed to commence a Tender process to appoint a provider (or providers) to collaborate with Council to deliver Smart Parking across the LGA.

CONSULTATION

Community engagement is a key component of all parking related projects and Smart Parking systems can provide valuable parking data through technology to assist with future engagement activities. This information provides parking and occupancy data so that informed decisions can be made regarding real time parking conditions.

As part of the proposed Smart Parking trial, Council will identify key stakeholders in each of the trial locations to inform them of the trial and to seek input.

TIMING

It is proposed to commence the EOI process in November 2019 and to commence a trial of Smart Parking in the five identified locations early 2020.

LINK TO COUNCIL STRATEGY

This report relates to '*Move – Northern Beaches Transport Strategy*' and Councils Smart Parking Management objective to manage car parking in a way that is equitable and supports the economic viability of centers and boosts sustainable public transport and active travel use.

FINANCIAL CONSIDERATIONS

Limited funding has been identified in the current operational budget to facilitate a trial of Smart Parking technology. Once the trial is completed a further roll out of this type of technology will require capital funding, depending on the delivery model used and extent of proposed works.

SOCIAL CONSIDERATIONS

Parking is a shared resource and Council has the responsibility to manage parking in a fair and equitable manner, which considers the parking requirements of the local area for residents, visitors and businesses.

Improved parking occupancy and turnover in commercial and recreational areas increases trade that benefits the local economy and provides parking opportunities for customers and visitors. In high demand recreational areas, such as Manly and Pittwater Park, Palm Beach, parking turnover provides everyone an opportunity to use the space and local amenities.

ENVIRONMENTAL CONSIDERATIONS

By reducing the need for vehicles to circulate looking for parking it is anticipated that this initiative will reduce carbon emissions over time.

Consideration of coastal and weather environmental impacts will be monitored during the trial period.

GOVERNANCE AND RISK CONSIDERATIONS

A summary of the data that is captured as part of the Smart Parking trial will be reported back to Council at a future Council meeting.

ITEM 13.2	PRIVATE WORKS ON COUNCIL ROAD RESERVE - SHORE BRACE AND RIVERVIEW ROAD, AVALON BEACH
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/304206
ATTACHMENTS	1 ME2018/00047 - Survey - 173 Riverview Rd, Avalon Beach - Midvena Pty Ltd (Included In Attachments Booklet) 2 ME2018/00047 - Site Plan - 173 Riverview Rd, Avalon Beach - Midvena Pty Ltd (Included In Attachments Booklet) 3 ME2018/00047 - Locality Map - 173 Riverview Road (Included In Attachments Booklet) 4 Photo Log - ME2018/00047 - 173 Riverview Road Avalon Beach (Included In Attachments Booklet)

SUMMARY

PURPOSE

To consider an encroachment application in respect of works on Council's road reserve at Shore Brace and 173 Riverview Road, Avalon Beach.

EXECUTIVE SUMMARY

Council has received complaints about work undertaken on Council's road reserve adjacent to 173 Riverview Road, Avalon Beach. The complaints are associated with the alleged privatisation of Council road reserve and the limitation of access to the Pittwater waterway along the western arm of Shore Brace.

The work on Council's road reserve includes new sandstone stairs and pathways, retaining wall (8.1m long and 1m - 2m high) and dimensioned sandstone letter box (3.9m long, 0.75m wide and 1m high).

These works have not been approved by Council and have been the subject of investigation by Council's compliance team.

The works provide improved amenity and access, in part, along Shore Brace however, such works should not alienate future public access. The letter box construction creates the perception that the stairs are private and the public road reserve is not a publicly accessible pathway to the foreshore.

There are additional works required to ensure the ongoing safety of the works. These include handrails, landscaping, fencing, and kerbing. These may be conditioned in approving the works.

The works do not represent a significant risk to Council and could reasonably be approved with conditions however, the local community is concerned about the impact on future access and amenity of the Shore Brace road reserve.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

- A. Pursuant to sections 138 and 139 of the Roads Act 1993, Council approve the following works which are the subject of encroachment application (ME2018/00047) subject to the following conditions:
 - a. The retaining wall, subject to certification by an appropriately qualified structural engineer, and the installation of safety railings.
 - b. The sandstone pathways and stairs, subject to the installation of hand railings and access signage in locations determined by Council's engineers to ensure public safety.
 - c. Entry stairs, noting that a gate on the stairs or pathways on the public road reserve shall be prohibited.
 - d. The ancillary structures and fittings (lighting and irrigation).
 - B. Further to the conditions included at A, additional appropriate conditions be imposed on the consent pursuant to section 139 of the Roads Act 1993, including conditions requiring:
 - a. A positive covenant (drafted to the satisfaction of Council) be registered on the relevant property title to ensure on-going maintenance and repair of approved works. Any costs associated with creation or registration of the covenant are to be borne by the applicant.
 - b. Removal and redesign/modification of the sandstone letter box, reduced in size (not greater than 600mm x 600mm x 1000mm high) and relocated to the north of the driveway. Details to be submitted to Council for approval.
 - c. The extension of kerb and gutter to restrict the parking of vehicle on the verge.
 - d. Completion of the retaining wall base to the satisfaction of Council.
 - e. The reinstatement of the road shoulder / verge above the retaining wall and completion of additional landscaping as part of a weed control and planting plan, to be approved by Council staff, prepared by a suitably qualified person using only endemic plant species.
 - f. Design details of the above to be submitted to Council for approval prior to undertaking further works.
 - C. Authority be delegated to the Chief Executive Officer to do all things necessary to give effect to this resolution.
-

REPORT

BACKGROUND

Works associated with Development Consent N0193/14 have been undertaken on Council's road reserve adjacent to 173 Riverview Road, Avalon that are the subject of community complaints. The complaints are associated with the alleged privatisation of Council road reserve and limitation of access to the Pittwater waterway along the western arm of Shore Brace.

The new work has removed the existing stairs to the previous dwelling and constructed new sandstone stairs, retaining wall (8.1m long and 1m - 2m high) and sandstone letter box (3.9m long, 0.75m wide and 1m high) in a new location (see attached site plan). These works have not been approved although there are mechanisms to provide approval under the Roads Act 1993.

Prior to the recent works, previous property owners had built pathways and stairs (allegedly approved by Warringah Council prior to 1992) to provide pedestrian access to the front door of the property and from the front door to the rear of the property. The pathway and stairs on the southern boundary straddle the property boundary (see attached survey) and runs parallel to the inclinator. The pathway then diverts into private property some 15m from the rear (western) boundary and connects to the existing boatshed.

The previous encroaching works were the subject of complaints and these were investigated by former Pittwater Council. The site was inspected in February 2000 and it was established the steps from the house to the boatshed form part of a drain constructed by the then property owner to divert water from their property. If Council were to remove the encroachment, Council would need to fund the re-direction of the stormwater drain.

Shore Brace is an unformed public road reserve between Riverview Road and Pittwater. Following a Notice of Motion in 2004, the former Pittwater Council investigated the status of the unformed road and it was gazetted as public road in accordance with section 16 of Road Act 1993 on 13 July 2007 (Government Gazette No. 90). The proposal was advertised in the local media.

Council's piped stormwater drainage system that drains water from Riverview Road and Shore Brace, traverses the frontage of 173 Riverview Road and continues down Shore Brace before discharging into an open channel and pipes before entering Pittwater.

It would appear from correspondence that the pathway (which serves a dual purpose to provide access as well as control stormwater from Council's open drain) was an encroachment that former Pittwater Council sought to regularise through a Road Act lease. The former property owner declined to proceed with the lease, and the removal of the encroachment was deemed as an unnecessary expense given Council would have had to fund the construction of new stormwater piping to control stormwater.

DISCUSSION

Council has received an encroachment application (ME2018/00047) seeking approval for works on Council's road reserve. The encroachment application followed the issuing of a stop work order (EPA2018/0246) after complaints were received from the community. The existing stairs to the previous dwelling have been removed and new stairs, retaining walls and letter box have been constructed in a new location on the Riverview Road reserve. (Attachment 2). The road reserve embankment has been landscaped and lighting and irrigation has been installed.

Existing pathways and stairs in Shore Brace, on the southern boundary, have been refurbished, although there is no handrail and there are locations where the stairs are above the adjacent land by as much as 2.4m.

The pathways and stairs in Shore Brace provided access to the former dwelling, the rear yard, pool, and boat shed. There is no formalised public access to the waterfront from the existing

pathways without trespassing on private property. Whilst some community members have advised they use the path for access to the waterfront, there is no formal access from the end of the sandstone pathway. The terrain is very steep over the 20 metres to the waterfront and a significant drop exists onto the sandy beach area. (Attachment 4 - photo log – pictures 18, 20, 21, 22, 24, 25). Although the public may seek Council to formalised access to the waterfront in the future, this is not currently considered a priority for Council funding.

As part of the works, a retaining wall has been constructed to create a level verge area adjacent to the road carriageway. The retaining wall provides additional support of Council's road reserve and provides a level area for pedestrians. The advice received from the property owner's structural engineer recommends that vehicles be excluded from parking above the wall and that the existing kerb and gutter be extended and the surface graded to the kerb to improve drainage. Strengthening of the wall would be required if vehicles were able to park above the wall outside of the alignment of the road carriageway.

As such, kerb and gutter would ensure the ongoing stability of the retaining wall by prevent vehicles from parking close to the wall and exclude stormwater runoff from the road entering the embankment. Kerb and guttering will also formalise the provision of public kerb side parallel parking. The structural engineer has also recommended a balustrade be added to the top of the wall for pedestrian safety. If these measures cannot be implemented, then removal of the retaining wall may be required and the road embankment reinstated.

The owner of land adjoining a public road is entitled, as of right, to access their property from the road reserve (section 6 of the Roads Act 1993). Section 138 of the Roads Act 1993 allows Council to approve works within the public road reserve. Such approvals place the responsibility for maintenance with the property owner as the beneficiary of the structure. Council may place other conditions, as appropriate.

In relation to the letterbox structure there is significant community concern that it gives the appearance of restricting public access given the scale and design of the structure. The structure also provides structural support for the road embankment and stairs. It is acknowledged that there is potential for the property owner to install a gate, further restricting public access. There are many instances throughout the Pittwater Ward where letterboxes and other structures are indicative of private entry features e.g. 207 Riverview Road (Attachment 4 – photo log - pictures 28, 29, 30). Whilst similar sized structures create "gateways" at the entry to private property, in this case, the size and design gives the perception that the land behind the letterbox and retaining wall are private, rather than public road reserve. This perception could be ameliorated by reducing the size of the structure and locating it away from the pedestrian entry to the property.

Council's Bushland & Biodiversity Team have reviewed the site and works in light of community concerns regarding impacts on the Pittwater Spotted Gum Forest endangered ecological community (PWSG EEC). Their inspection and assessment suggests that the impact to the PWSG EEC is not significant and further ecological assessment is not required. However, recent clearing has occurred within Shore Brace and the road reserve areas with vegetation piles and dead vines evident. This clearing would have included native species that are characteristic of the endangered ecological community.

It is recommended that a weed control and planting plan is provided to Council for approval to augment the existing landscaping. The plan should encompass the area of the road reserve south of the driveway and the top section of Shore Brace where recent work has occurred. The plan must reference the Bushland Management Plan (March 2015) prepared by Total Earth Care for plant species characteristic of the PWSG EEC.

OPTIONS

Council, as the roads authority, is able to issue a consent for structures on the road reserve with conditions under section 139 of Roads Act 1993. Accordingly, it is recommended Council consider the approval of the entry stairs, retaining wall and a modified letterbox reduced in size (subject to certification and the establishment of a positive covenant on the certificate of title for maintenance of the structures). Such approval is conditional upon the extension of kerb and gutter to the extent of the retaining wall to control stormwater runoff and prevent the use of the verge for public parking. The installation of a pedestrian safety railing is required at the top of the wall and on the pathway in Shore Brace.

Given the current community feedback regarding future public access, and the perception that the letterbox creates a privatisation of access (with future potential for a gate), Council could consider the requirement to remove the letter box structure or reduce the scale of the structure (e.g. 600mm wide x 600mm deep x 1000mm high). It may not be possible to remove the entirety of the structure given the need to support the road reserve and stairs. Some form of structure for mail delivery will still be required.

It is noted that other such structures exist elsewhere in Riverview Road, albeit at the entry to private property (Attachment 4 - photo log - pictures 28, 29, 30) whereas the entry at 173 Riverview Road also provides access to public Shore Brace road reserve.

It is recommended that a gate on the letterbox stairs be prohibited to mitigate the appearance of private entry.

The pathway that runs along the southern boundary within the Shore Brace road reserve be approved on the basis that it remains available for access to the public and Council and safety railings be provided.

That lighting be approved to ensure safety of visitors accessing the property at night.

That irrigation be approved to ensure the vitality of landscaping. It is also recommended that additional landscaping being implemented as part of a Weed Control and Planting Plan prepared by a suitably qualified person using only endemic plant species. The plan must be submitted to Council for approval.

Although former Pittwater Council suggested the original proponent enter into a lease arrangement with Council to formalise the unauthorised encroachments, there is the potential that a lease would give exclusive use to the lessee. As such, a lease is not recommended and a positive covenant on the title of the property requiring the current and future property owners to maintain the various structures is considered sufficient to protect Council's interests.

CONSULTATION

Council does not typically undertake consultation in respect of encroachment applications as the work is usually immediately adjacent to the applicant's property and is minor in nature.

Whilst there has not been any formal consultation, a number of local residents have made enquiries and submissions to Council and Councillors. They are concerned that the works:

- alienate public access to Shore Brace giving the appearance of entry to private property
- degrade the "historical and significant reserve" and represent a significant encroachment
- have a negative impact on the Pittwater Spotted Gum Forest EEC.

TIMING

The involvement of Council's compliance team is required in order to allow for the stop work order to be lifted to allow the completion of works, subject to the acceptance of Council conditions by the property owner.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Under s139 of Road Act 1993, the approval of the encroachments can be conditioned to ensure the property owner is responsible for the ongoing maintenance of the structures (existing and proposed modifications). Accordingly, permitting the structures to remain will not create a financial burden on Council, should the property owner accept the conditions of approval.

In permitting the pathway to remain, there is the potential for the community to seek an extension of the pathway to the foreshore. Given the steep terrain and limited access, the cost of such works are likely to be significant and would need to compete for funding with other priority capital works of this nature .

If Council chooses to seek the removal of the pathway, Council may be required to install measures, such as pipes and pits, to control the flow of stormwater along the southern property boundary within the Shore Brace road reserve. This work would need to be funded by Council.

SOCIAL CONSIDERATIONS

There is a growing awareness of private works on public land and whilst there is a right for property owners to be able to access their properties, the scale and extent of works should be consistent with the environment in which they are placed. Works should comply with Council's policies and standards. The public should not be disadvantaged by private structures nor prevented from accessing public land.

ENVIRONMENTAL CONSIDERATIONS

The area is part of the Pittwater Spotted Gum Forest EEC. Any works should preserve this endangered ecological community as regulated by relevant legislation and policy governing threatened species. It is recommended that a Weed Control and Planting Plan is provided to Council for approval to augment the existing landscaping. The Plan should encompass the area of the road reserve south of the driveway and the sections of Shore Brace where recent work has occurred.

GOVERNANCE AND RISK CONSIDERATIONS

The stairs and pathways provide the property owner with their legal entitlement for access from the road to their property. Subject to appropriate conditions and satisfaction of ongoing maintenance requirements, the structures comply with current and proposed Council policies and can be approved as a Roads Act 1993 approval.

In the event that any approval and associated conditions are not complied with, the matter may be remitted back to Council's compliance team (in consultation with the Transport and Civil Infrastructure team) for further investigation.

ITEM 13.3	COOLER ROADS INITIATIVE - RESPONSE TO NOTICE OF MOTION 06/2019
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/547758
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To update Council on the results of investigations into the diversion of plastics from landfill by incorporating them into road resurfacing products such as “Plastiphalt” in response to Council’s adoption of Notice of Motion No. 06/2019.

EXECUTIVE SUMMARY

Council adopted a Notice of Motion No. 06/2019 – Cooler Roads Initiative at its meeting 26 February 2019, the details of which are outlined in the report. Council subsequently received a report at its meeting of 25 June 2019 regarding the “Cooler Roads Initiative” and the experiences of other Council’s dealing with heat generated by asphalt roads.

This report responds to the Notice of Motion related to investigating options to divert plastics from landfill by incorporating into road surfaces such as Plastiphalt.

This report analyses the benefits and risks of recycled material used in road construction such as Plastiphalt and Reconophalt (Downers proprietary product).

Although the current trials of this product are promising, Council’s ability to divert soft plastics from landfill from our own waste stream are limited. This would require an increase in demand for the product given there is currently a readily available source of soft plastics from supermarket sources, such as Coles Red Bin scheme.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

- A. Council continue to support the use of recycled materials in asphalt production and continue to investigate options to divert plastics from landfill with our road building and waste collection partners.
 - B. Council trial the use of asphalt containing plastics and other recycled materials on a select number of local roads two funded from the current road resurfacing program.
 - C. Staff continue to monitor the performance of these road pavements and industry developments in the use of recyclables and other environmental improvements in asphalt production.
-

REPORT

BACKGROUND

Council adopted a Notice of Motion No. 06/2019 – Cooler Roads Initiative at its meeting 26 February 2019.

The Notice of Motion included the following resolutions:

That:

- A. *Council review ways in which Council can reduce the heat generated by traditional black asphalt roads, including studying the outcomes of trials already undertaken by Councils such as the City of Sydney, Canada Bay and Penrith.*
- B. *Council investigate the possibility of trialling a 'cooler roads' program in a yet-to-be specified area.*
- C. *Council investigate ways in which Council can help to divert plastics from landfill by incorporating into road surfaces such as Plastiphalt, including the outcomes of trials undertaken by other Councils including Sutherland Shire in Sydney and Craigieburn, VIC.*
- D. *Council investigate the possibility of trialling a 'Plastiphalt' (or similar) road in a yet to be specified area.*
- E. *Bring back a report within three months outlining findings and recommendations on both initiatives.*

Council subsequently received a report at its meeting of 25 June 2019 regarding Cooler Roads responding to items A. and B. above. At that meeting, Council resolved:

That:

- A. *Council note that investigations into cooler roads are ongoing and that staff continue to monitor strategic opportunities to address climate change.*
- B. *A further report be provided to Council once the results of the Plastiphalt trials are known.*

This report responds to items C., D. and E. of the Notice of Motion and item B. from Council's resolution on 25 June 2019 with the results of our investigations into the use of "Plastiphalt".

DISCUSSION

Council requested staff to investigate the diversion of plastics from landfill into asphalt products. At the same time, the road construction industry has been actively looking for opportunities to reuse and recycle various materials to produce improved road construction materials that reduce the demand on virgin quarried materials.

Council staff have investigated the use of asphalt products that include the use of recycled asphalt, sand, plastic, glass and toner cartridges for road construction to reduce the waste sent to land fill and to create a sustainable road construction industry.

A recent example of the push within the industry to increase recycling is Downer Group in partnership with Hume City Council (VIC), Close the Loop, Red Group and Victoria EPA have developed a sustainable and innovative asphalt product utilizing a combination of soft plastics, glass and waste toner from toner cartridges which they have called "Plastiphalt". This new asphaltic product was used to resurface a 200 m long section of Rayfield Avenue, Craigieburn about 18 months ago.

Following this initial trial, a number of Councils have used this or similar products from other suppliers such as Boral to resurface local roads. Council staff contacted the following Councils to collect information on their experience in using this product:

- Hume City Council
- Sutherland Shire Council
- City of Sydney
- Inner West Council
- Bayside Council
- Ku-ring-gai Council
- Central Coast Council
- Waverly Council
- Lake Macquarie City
- Penrith City Council
- City of Adelaide
- City of Cockburn
- City of Canning.

Whilst it will take some years to confirm the engineering benefits of this newly developed product, so far all these Councils are satisfied with this product and there is no issues or residential concerns reported with the new pavement. They also mentioned that the new asphalt looks no different to any new standard asphalt pavement.

These Councils have selected mostly local roads with moderate traffic volumes to trial this product and monitor its performance as an engineered material. The additional costs associated with this product did not deter these Councils due to the environmental benefits.

The following issues need to be considered and factored into the use of this product:

- Cost.
- Performance.
- Resource Availability.
- Management of Future Liability and associated risks.

The additional cost associated with “Plastiphalt” equates to approximately 5% increase in cost (around \$5 per tonne), however the cost will most likely reduce if the product gains wider acceptance by more Councils and road authorities. If economies of scale are not realised, for Council to maintain our current level of service in resurfacing roads, the additional cost would equate to an increase of around \$340,000. Some of these costs may be offset by predicted increase in asset life and performance in the long term.

The performance of “Plastiphalt” has been assessed through laboratory testing and other theoretical assessments. When compared to normal asphalt mix, indications are that the product offers:

- Superior resistance to cracking and deformation (wheel path rutting).
- Improved load carrying capacity.
- Expected 15% increase in pavement life.
- Capacity to carry higher traffic volumes or reduced pavement thickness.

The long term performance of this product is unknown as the first trial was completed only about 18 months ago. Given the asphalt surface of local roads are expected to last around 30 years, it is difficult to predict the long term performance of this product at this time. The performance of this product will also depend on the quality of the road subgrades.

The availability of recyclable soft plastics in the form of plastic bags and package hinges on Government policies in relation to the banning of plastic bags. There is potential for this policy position to reduce the amount of soft plastics, however, there is still a broad range of packaging materials such as food packaging that may be used as the additive. Sustainability Victoria estimate that 170,000 tonnes of soft plastic waste is created in Victoria each year, with only 17,000 tonnes or 10% recovered.

There are risks associated with the use of this product including financial, reputational, and environmental risks. In order to protect Council financially, some Councils have sought a longer “insurance” period from the supplier to manage defects, however, there may still be public liability issues if the product does not perform as claimed.

Similarly, there is a reputational risk to the community if the product was to fail. This may be managed by promoting the trial of the product in selected locations and careful monitoring.

There is also some concern regarding microplastics entering the environment. It is understood the use of soft plastics and the manufacturing process eliminates this concern. The asphalt is made up of 95% aggregate and 5% bituminous binder. The bituminous binder is the ‘glue’ that bonds and waterproofs the aggregates. The soft plastics additive melts and becomes part of the bituminous binder. Because of this process it is not possible for the additive to separate out creating microplastics.

Suppliers are continuing to monitor and test for microplastic and leachate issues associated with this initiative.

Some consideration must also be given to the WHS concerns of melting plastics at high temperatures. Downer has undertaken several fuming and volatile organic compounds (gases harmful to health) monitoring studies when laying Reconophalt via a third party occupational hygienist. It was established that the product does not exceed legislated exposure limits when used in the normal temperature range of asphalt.

Anecdotal advice suggests that the use of “hard” plastics such as PET and HDPE are unsuitable for use in asphalt given the concerns about microplastics however it is understood that Boral have used PET drink bottles in an asphalt trial in the City of Canning in Perth.

In production of Plastiphalt, they only use soft plastics such as thin plastic bags and other plastic packaging. These plastic bags are collected using the supermarket collection scheme (Coles red bin scheme) to divert plastic bags from landfill and the waste stream.

Some of the supplier promoted benefits if resurfacing a kilometre of two-lane road paved with Plastiphalt includes the use of:

- 500,000 plastic bags
- 165,000 glass bottles
- 12,000 toner from used printer cartridges.

This would equate to:

- 30% (481 tonnes) reduction in CO2 emission
- 357.5 tonnes of recycled material used.

According to Council's Waste Services, currently Council's contractors are sorting contaminated plastics from the waste stream at Kimbriki. Those contaminated plastics, which can't be sent to processing facilities for recycling, are sent to landfill at considerable cost. Further work is required to establish if these contaminated plastics can be used in Plastiphalt, however, the use of this source is likely to require an increase in demand for Plastiphalt within the industry.

Further work with companies like Boral, Downer Group and Council waste contractors is needed to determine if the type of plastic that is currently going to landfill can be used for similar asphalt production.

The Plastiphalt has an initial environmental benefits due the use of the recycled products and less use of virgin quarried materials. The energy consumption to produce the asphalt is reported to be the same as standard asphalt. There are predicted potential long term environmental benefits associated with an increased asset life. The use of plastic in asphalt slows the aging process of the asphalt which is an improvement over standard asphalt due to the additional polymer modification that bonds the long chain hydrocarbons within the asphalt.

By using this product in road construction, Council can demonstrate the economic, social and environmental value of recycling products that would likely end up in landfill, stockpiled, or as a pollutant in our natural environments.

CONSULTATION

Further Consultation with Environment & Sustainability and Waste Management and Cleansing Directorates need to be undertaken regarding the benefits, effects, control measures and sourcing recycled materials. Engagement with the broader community needs to be undertaken as an education process on the environmental and engineering benefits of using this innovative product in managing any potential or unforeseen impact should Council trial this this product in road construction.

TIMING

If approved, Council could resurface two streets from the current road resheeting program using this product in this financial year.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcomes:

- Environment Sustainability - Goal 5 - Our built environment is developed in line with best practice sustainability principles.
- Transport, Infrastructure and Connectivity - Goal 16 - Our integrated transport networks meet the needs of our community.

FINANCIAL CONSIDERATIONS

There will be additional costs incurred by Council should these treatments be used for asset renewal, impacting other services or reducing Council's asset renewal ratios. Further analysis will be required to establish the financial impacts of the treatments. However, it is expected that there will be future cost reduction should these products become more widely used by Councils and road authorities. If approved, these works will be funded from the road resurfacing program.

If economies of scale are not realised by suppliers, the use of this higher cost product may impact on the valuation of Council's road pavement assets and increase the required funding to maintain current levels of service.

SOCIAL CONSIDERATIONS

The potential reuse of a waste product is a positive outcome for the community by increasing our waste diversion.

ENVIRONMENTAL CONSIDERATIONS

The environmental considerations emanating from the initiatives outlined in this report will need to be further assessed once more detailed information becomes available. The benefits of reusing waste products in road surfacing materials will need to be weighed against any identified risks associated with micro-plastics and other contaminants entering the environment.

The potential success of the trial could have positive impacts in the reuse of waste materials.

As part of the circular economy, asphalt production is already using recycled sand, asphalt products, glass and blast furnace slag as aggregates in asphalt. Recycled tyres, flyash and waste oil is also being used. Council already supplies its street sweepings to Downer where sand is removed for use in Reconophalt.

GOVERNANCE AND RISK CONSIDERATIONS

As the trials are being conducted by a number of Councils there is minimal risk to the Northern Beaches Council provided suitable protections are available from the supplier to mitigate or share these risks as appropriate.

ITEM 13.4	2019/20 SPORT AND RECREATION INFRASTRUCTURE GRANTS PROGRAM
REPORTING MANAGER	DIRECTOR TRANSPORT AND ASSETS
TRIM FILE REF	2019/506997
ATTACHMENTS	1 ↓ Overview of Applications - 2019/20 Sport and Recreation Infrastructure Grants Program

SUMMARY

PURPOSE

To seek approval to allocate Council's 2019/20 Sport and Recreation Infrastructure Grants Program funds.

EXECUTIVE SUMMARY

Council's 2019/2020 Sport and Recreation Infrastructure Grants Program aims to improve sport and recreation facilities and to meet the following objectives:

- Increase opportunities for participation in sport, recreation and active play.
- Improve the viability of sport and recreation groups.
- Improve safety.
- Develop more accessible and family friendly facilities.

There is \$100,000 in the 2019/2020 Delivery Program budget for this Grants Program.

The Grants Program opened for applications on 1 July 2019 and closed on 12 August 2019. Sixteen applications were received requesting a total of \$402,766 (Attachment 1). Following the panel's assessment of applications, a total of \$100,000 (ex GST) is recommended for allocation for six projects across three different sports.

Successful applicants will be required to enter into a funding agreement with Council and to complete their grant funded projects by 29 May 2020. Unsuccessful applicants will be provided with feedback on their applications.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council approve the 2019/2020 Sport and Recreation Infrastructure Grants Program projects:

- Narraweena Tennis Club; to replace the perimeter and interior court fencing at the Narraweena Tennis Centre - \$25,000.
 - Mona Vale Golf Club; to improve drainage on the 3rd and 13th fairways at the Mona Vale Golf Course - \$20,000.
 - Manly Warringah Touch Association; to upgrade the canteen at the northern clubhouse building at Nolan Reserve - \$16,680.
 - Belrose Tennis Club; to resurface one synthetic grass tennis court at the Belrose Tennis Centre, \$14,950.
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- E. Balgowlah Tennis Club; to upgrade lighting on two tennis courts with LED lights at the Balgowlah Tennis Centre - \$12,440.
 - F. Wakehurst Golf Club; for a new path on the 10th hole and an upgrade of the stairs at the 13th tee at the Wakehurst Golf Course - \$10,930.
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REPORT

BACKGROUND

Council's 2019/2020 Sport and Recreation Infrastructure Grants Program aims to improve the Northern Beaches sport and recreation facilities and to meet the following objectives:

- Increase opportunities for participation in sport, recreation and active play.
- Improve the viability of sport and recreation groups.
- Improve safety.
- Develop more accessible and family friendly facilities.

There is \$100,000 in the 2019/2020 Delivery Program budget for this Grants Program.

The Grants Program opened for applications on 1 July 2019 and closed on 12 August 2019 - a six week application period. Applicants could apply for a minimum of \$10,000 up to a maximum of \$50,000 for new or upgraded infrastructure on Council land.

Sixteen applications were received requesting a total of \$402,766 (Attachment 1). Applications were submitted via the online Smarty Grants system and then checked for eligibility and assessed against these criteria:

- Level to which the project addresses program objectives.
- Addresses the Sportsgrounds Strategy (2017) and/or demonstrates a community need.
- Project budget.
- Applicant's capacity to carry out the proposed project.

The assessment process was undertaken by a panel of three staff members from Parks and Recreation, Property and one other. Each panellist undertook individual assessment of each application and final recommendations were agreed at a meeting. The panel meeting was observed by a representative from Council's Corporate Strategy unit to ensure discussions and recommendations were in line with the assessment criteria.

Following the panel's assessment of applications, \$100,000 (ex GST) is recommended for allocation for these six projects across three different sports:

- Narraweena Tennis Club; to replace the perimeter and interior court fencing at the Narraweena Tennis Centre - \$25,000.
- Mona Vale Golf Club; to improve drainage on the 3 and 13 fairways 3 and 13 at the Mona Vale Golf Course - \$20,000.
- Manly Warringah Touch Association; to upgrade the canteen at the northern clubhouse building at Nolan Reserve - \$16,680.
- Belrose Tennis Club; to resurface one synthetic grass tennis court at the Belrose Tennis Centre - \$14,950.
- Balgowlah Tennis Club; upgrade lighting on two tennis courts with LED lights at the Balgowlah Tennis Centre - \$12,440.
- Wakehurst Golf Club; for a new path on the 10 hole and an upgrade of the stairs at the 13 tee at the Wakehurst Golf Course - \$10,930.

Details about all applications (recommended and not recommended) is available in Attachment 1.

Successful applicants will be required to enter into a funding agreement with Council. 50% of the approved grant funding will be made available upon signing their agreement. The remaining 50% will be paid upon successful completion of projects and meeting Council's acquittal requirements. Projects are to be completed by 29 May 2020 and to be acquitted by 30 June 2020. Unsuccessful applicants will be provided feedback on their applications.

CONSULTATION

Program information and guidelines were advertised and promoted through; the Manly Daily (Saturday 6 July), emails sent to sports and recreation groups and Council's website.

TIMING

The 2019/2020 Sport and Recreation Infrastructure Grants Program opened for applications on 1 July 2019 and closed on 12 August 2019. Grant funded projects are to be completed by 29 May 2020 and to be acquitted by 30 June 2020.

LINK TO COUNCIL STRATEGY

The Grant Program aligns with Council's Community Strategic Plan Community Outcome - Places for People:

- Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

There is \$100,000 in the 2019/2020 Delivery Program budget for the 2019/20 Sport and Recreation Infrastructure Grants Program.

SOCIAL CONSIDERATIONS

The recommended projects will provide a range of sport, recreation and community benefits including:

- Improved safety at the Wakehurst Golf Course and improved accessibility at the Mona Vale Golf Course.
- Improved facilities for tennis at the Narraweena, Balgowlah and Belrose Tennis Centres.
- Upgraded canteen facilities for touch football and rugby league spectators and players at the northern clubhouse building at Nolan Reserve.

ENVIRONMENTAL CONSIDERATIONS

Current funded projects have received Owner's Consent to lodge a Grant Application from Council and a condition of consent is that work cannot commence until environmental assessment has been undertaken by Council.

GOVERNANCE AND RISK CONSIDERATIONS

The assessment process was undertaken by a panel of three staff members from Parks and Recreation, Property and one other. Each panellist undertook individual assessment of each application and final recommendations were agreed at a meeting. The panel meeting was observed by a representative from Council's Corporate Strategy unit to ensure discussions and recommendations were in line with the assessment criteria.

2019/20 Sports and Recreation Infrastructure Grants Program Applicant Overview

Sixteen applications were received requesting a total of \$402,766. There is \$100,000 in the 2019/20 capital works budget for this grants program and a \$100,000 has been recommended for allocation for six projects across three different sports. These projects were considered a higher priority compared to the ten projects **not** recommended for funding.

Applications were checked for eligibility and scored by the Assessment Panel against four criteria:

1. Addresses these objectives (double weighted, maximum score 10).
 - Increase opportunities for participation in sport, recreation and active play.
 - Improve the viability of sport and recreation groups.
 - Improve safety.
 - Develop more accessible and family friendly facilities.
2. Addresses the Sportsgrounds Strategy (2017) and/or demonstrates a community need (double weighted, maximum score 10).
3. Project budget (maximum score 5).
4. Applicant's capacity to carry out the proposed project (maximum score 5).

The scoring system used is as follows:

- 5 - application meets criterion at a high level
- 4 - application meets criterion well
- 3 - application meets criterion
- 2 - application just fails to meet the criterion
- 1 - application largely fails to meet the criterion
- 0 - application completely fails to address criterion

The maximum score for each application is 30.

Projects recommended for funding

Following assessment of the sixteen applications received the Panel recommends six projects for grant funding as outlined in the table below.

Organisation	Project	Project Cost (ex GST)	Request (ex GST)	Recommended (ex GST)	Comment	Total Score* (maximum 90)
Wakehurst Golf Club	New path, with hand rail, rubber surface from the 10 th hole to the 16 th hole. Renew the stairs leading up to the 13 th tee - at the Wakehurst Golf Course	\$11,630	\$10,930	\$10,930	These projects will improve accessibility and safety for golfers at the Wakehurst Golf Course by reducing the risk of falls.	72
Mona Vale Golf Club	To improve drainage on the 3 rd and 13 th fairways at the Mona Vale Golf Course	\$60,000	\$20,000	\$20,000	This project represents 'value for money' given the contribution from the club. Will reduce closures following rain, increasing number of playable days.	69
Balgowlah Tennis Club	Upgrade lighting on two tennis courts with LED lights at the Balgowlah Tennis Centre	\$20,400	\$12,440	\$12,440	Will improve playability and safety of two courts.	68
Manly Warringah Touch Association	Upgrade the canteen at the northern clubhouse building at Nolan Reserve	\$24,775.50	\$20,000	\$16,680	The canteen is used by the Association and Christian Brothers Rugby League Club. Upgrading the poor condition of canteen facilities will increase income opportunities and potentially the viability of both groups. The grant recommendation excludes a new fridge and freezer.	66

Belrose Tennis Club	Resurface one synthetic grass tennis court at the Belrose Tennis Centre	\$24,950	\$14,950	\$14,950	Will improve playability and safety of one court.	65
Narraweena Tennis Club	Replace the perimeter and interior court fencing for the Narraweena Tennis Centre	\$95,005	\$50,000	\$25,000	Will improve safety and security of the entire tennis centre. The current condition of sections of the fence is poor. This project represents 'value for money' given the contribution from the club.	64
				\$100,000		
*Total Score - is the combined score of the three panel members (maximum of 90)						

Where there is a difference between the requested and recommended funding - applicants have stated they have funds to meet this difference either from their organisation, other organisations and or other grants.

Projects not recommended for funding

Following the assessment of the sixteen applications received the Panel recommends that ten projects are not allocated grant funding as outlined in this table:

Organisation	Project	Project Cost (ex GST)	Request (ex GST)	Comment	Total Score* (maximum 90)
Manly Swimming Club	<ul style="list-style-type: none"> Eight new starting blocks (FINA compliant) at the Manly Andrew 'Boy' Charlton Aquatic Centre. 	\$35,090	\$35,090	To be considered through Council's capital works program.	67
Avalon Beach Bowling and Recreation Club	<ul style="list-style-type: none"> New shade structures at the northern and southern end of the bowling greens Umbrella at an outdoor seating area. Outdoor chilled water dispenser 	\$31,522	\$31,522	These projects were considered a lower priority compared to projects recommended for funding.	63
Sydney Northern Beaches Water Polo Club	<ul style="list-style-type: none"> Two new electronic water polo scoring systems at the Warringah Aquatic Centre and Manly Aquatic Centre 	\$16,000	\$15,000	To be considered through Council's capital works program.	63
Club Weldon	<ul style="list-style-type: none"> New electronic scoreboard at Weldon Oval, John Fisher Park (\$73,565) DA costs (\$15,356) 	\$88,921	\$50,000	<ul style="list-style-type: none"> This project was considered a lower priority compared to projects recommended for funding. DA costs are not eligible 	61
Friends of Ivanhoe Park Botanic Garden	<ul style="list-style-type: none"> Garden shed, concrete slab, labour \$5,148.27 Protective clothing, badges Tools and gloves Website Speakers fees Printing Marketing and promotion 	\$11,785.90	\$11,785.90	<ul style="list-style-type: none"> Protective clothing, badges, tools, gloves, website, speakers fees, printing, marketing, promotion are not eligible. Projects under \$10,000 ineligible 	61

Manly Warringah District Cricket Club	<ul style="list-style-type: none"> Tiered spectator seating at Manly Oval and LM Graham Reserve 	\$16,500	\$16,500	These projects were considered a lower priority compared to the projects recommended for funding.	61
North Curl Curl Surf Life Saving Club	<ul style="list-style-type: none"> Upgrade and refurbish the training and rescue storage facility 	\$15,875	\$15,875	To be funded through Council's surf club minor works program.	60
Manly Croquet Club	<ul style="list-style-type: none"> Upgrade the kitchen facilities at the croquet complex in Kierle Park, Manly 	\$27,712	\$26,712	This project was considered a lower priority compared to projects recommended for funding.	58
Manly Croquet Club	<ul style="list-style-type: none"> Upgrade the ladies and men's toilets at the croquet complex in Kierle Park, Manly 	\$23,636	\$22,636	This project was considered a lower priority compared to projects recommended for funding.	56
Bilgola Surf Life Saving Club	<ul style="list-style-type: none"> Bathroom and amenity upgrade 	\$50,000	\$50,000	To be funded through Council's surf club minor works program.	54
*Total Score - is the combined score of the three panel members (maximum of 90)					

ITEM 13.5	REQUEST FROM PARKRUN AUSTRALIA TO ESTABLISH A WEEKLY COMMUNITY RUNNING EVENT AT MONA VALE
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/560173
ATTACHMENTS	<p>1 ⇒Letter from parkrun Australia 16 September 2019 (Included In Attachments Booklet)</p> <p>2 ⇒Mona Vale parkrun Australia proposal September 2019 (Included In Attachments Booklet)</p> <p>3 ↓Proposed Final parkrun Route at Mona Vale</p>

SUMMARY

PURPOSE

To consider parkrun Australia's submission to conduct weekly community running events on Mona Vale beach and South Mona Vale Headland reserve.

EXECUTIVE SUMMARY

Parkrun Australia has made a submission to Council seeking permission to use Mona Vale beach and South Mona Vale Headland reserve to hold a free 5km community running event every Saturday morning (Attachments 1, 2 and 3).

Parkrun Australia is a non-profit group that is part of a worldwide organisation that provides free, weekly, volunteer led 5km running events. The benefits include increasing levels of physical activity, friendship and strengthening community connections. There are 366 parkrun locations in Australia, 29 in Sydney and one on the Northern Beaches at John Fisher Park, Curl Curl. Community committees promote and organise parkrun events in their local areas.

The local committee have successfully conducted weekly free 5km running events at John Fisher Park since 2013. Due to the increasing numbers, parkrun Australia is seeking a second Northern Beaches location to meet the demand. Council staff have met with the committee to discuss potential new locations including Mona Vale. Following their recent test run parkrun Australia consider Mona Vale to be a suitable location.

The proposed course (page 13, Attachment 3) starts close to the Mona Vale rock pool heads south along the sand, exiting the beach and along the path adjacent to the Mona Vale Golf Course and through the South Mona Vale Headland reserve. Participants complete two loops of the reserve before retracing the route back to the rock pool. The majority of runners will finish after 20 to 40 minutes. The proposed timing for each Saturday event would be; bump in at 6.30am, run starts at 7am, bump out by 8.30am. Given the difficulty of the course a maximum of 100 participants is estimated.

Parkrun Australia has been made aware that the proposed course will pass through a popular off-leash dog area and is well used already on weekends. Similar conditions have been successfully managed at John Fisher Park.

Following an assessment by the Parks and Recreation team, it is proposed that Council consider a six month trial for parkrun Australia to conduct weekly community running events at Mona Vale beach and South Mona Vale Headland reserve.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

- A. Council approve a six month trial for parkrun Australia to conduct weekly community running events at Mona Vale beach and South Mona Vale Headland reserve as outlined in this report, subject to appropriate risk management plans being supplied to Council.
 - B. The outcome of the trial be reported to Council.
-

REPORT

BACKGROUND

Parkrun Australia has made a submission to Council seeking permission to use Mona Vale beach and South Mona Vale Headland reserve to hold a 5km community running event every Saturday morning (attachments 1, 2 and 3).

Parkrun Australia is a non-profit group that is part of a worldwide organisation that provides free, weekly, volunteer led 5km running events. The mission is to create a healthier, happier planet. parkrun Australia states that the benefits of their events include increasing levels of physical activity, friendship and strengthening community connections.

There are 366 parkrun locations in Australia, 29 in Sydney and one on the Northern Beaches at John Fisher Park, Curl Curl (the Curl Curl parkrun). Community committees promote and organise parkrun events in their local areas.

The Curl Curl parkrun was established in 2013 and is held every Saturday with participants able to run, jog or walk a 5km route. Participant numbers have grown from 50 up to 500 people running each Saturday. Due to the increasing numbers parkrun Australia are looking for a second Northern Beaches location to meet the demand.

Council staff have met with the local parkrun Australia committee to discuss potential new locations including at Mona Vale. Following their recent test run parkrun Australia consider Mona Vale to be a suitable location.

The final proposed course (attachment 3) starts close to the Mona Vale rock pool heads south along the sand, exiting the beach and along the path adjacent to the Mona Vale Golf Course and through the South Mona Vale Headland reserve. Participants then complete two loops of the reserve before retracing the route back to the rock pool. The majority of runners will finish after 20 to 40 minutes with those walking finishing in approximately 1 hour. The proposed timing of each Saturday event would be:

- 6.30am bump-in including putting out temporary signs.
- 6.50am run briefing.
- 7am run starts.
- 8am run finished (approximately).
- 8.30am bump-out complete.

Given the difficulty of the course on sand and the reserve section being quite steep, a maximum of 100 participants is estimated.

Parkrun Australia has been made aware of some issues to manage for the proposed course:

- The reserve is a popular dog off-leash area that needs to remain open for off-leash dog use.
- The path adjacent to the Mona Vale Golf Course is very well used particularly on weekends and is adjacent to the course.

In response parkrun Australia has indicated that participants are:

- To run around the perimeter of the reserve and in single file on the path. Runners will be spread out by the time they get to the path, given the start is on the sand.

- To be made aware of:
 - the off-leash area and are to be mindful of people and their dogs.
 - the path being adjacent to the golf course and are to be mindful of others on the path.

It is noted that similar conditions have been managed successfully at John Fisher Park, Curl Curl.

Though there are no regular events held on the reserve, the local paragliding group use the reserve occasionally as a place to launch and land. Also from time to time there are surf lifesaving club events held on Mona Vale beach on a Saturday. Parkrun Australia would be required to liaise with the Mona Vale SLSC and the paragliding group to ensure there are no scheduling clashes. Following an assessment by the Parks and Recreation team, it is proposed that Council consider a six month trial for parkrun Australia to conduct weekly community running events at Mona Vale beach and South Mona Vale Headland reserve as outlined below:

- Days and times permitted - every Saturday 6.30am to 8.30am.
- Participants are to run around the perimeter of the reserve and in single file on the path adjacent to the golf course.
- Participants are made aware of:
 - The dog off-leash area and are to be mindful of people and their dogs.
 - The path being adjacent to the golf course and are to be mindful of others on the path.
- Minimise impacts on nearby residents and other users of the reserve and the beach, particularly people exercising and walking their dogs in the off-leash area.
- Inform nearby residents and the Mona Vale Golf Club about the trial.
- Liaise with the Mona Vale SLSC, and the paragliding group to ensure there are no scheduling clashes.
- Mona Vale SLSC to be given priority beach access if and when required.
- Council's usual conditions of use would also apply particularly in regard to risk management, noise and insurance required.

CONSULTATION

Council would undertake community engagement during the trial. Feedback received would inform a review of the trial.

TIMING

At the conclusion of the trial, feedback would be analysed and a report presented to Council regarding a review of the trial.

LINK TO COUNCIL STRATEGY

Parkrun Australia's Mona Vale proposal relates to the Northern Beaches Community Strategic Plan Community Outcome - Places for People and these goals:

- Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

Should Council approve parkrun Australia's submission, fees would be applied as per Council's adopted fees and charges for 2019/20. There are no costs to Council.

SOCIAL CONSIDERATIONS

The proposed Mona Vale parkrun would be a free community running event which would provide opportunities for people to be active within a supportive group setting.

ENVIRONMENTAL CONSIDERATIONS

Parkrun Australia would be required to minimise impacts on the beach and the reserve and to ensure the course is clean and tidy after each event. Relevant environmental conditions would also apply.

GOVERNANCE AND RISK CONSIDERATIONS

Parkrun Australia would be required to implement their risk management plan and to report to Council any incidents. During the trial Council staff would meet with parkrun Australia to discuss feedback from participants, residents, user groups or other stakeholders.

Council will also seek feedback directly from Mona Vale SLSC and Mona Vale Golf Course.

14.0 NOTICES OF MOTION

ITEM 14.1 **NOTICE OF MOTION NO 37/2019 - KIMBRIKI**

TRIM FILE REF **2019/581795**

ATTACHMENTS **NIL**

Submitted by: Councillor Pat Daley OAM

MOTION

That:

- A. The Chief Executive Officer write to the Chair and Chief Executive Officer of Kimbriki Environmental Enterprises Pty Ltd requesting:
 - a. Complete copies of all current contracts with waste providers including contract expiry dates and renewal options.
 - b. A summary of all potential risks associated with its waste management contracts and how these risks are to be managed or removed.
- B. Councillors be briefed on options for ensuring that the contracts entered into by Kimbriki Environmental Enterprises Pty Ltd have the support of Council's Audit Risk and Improvement Committee, and the elected Council.

ITEM 14.2	NOTICE OF MOTION NO 39/2019 - CIVIC EVENT
TRIM FILE REF	2019/584199
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

That Council:

- A. Acknowledges the outstanding service provided to the Northern Beaches community by Local Area Commander, Superintendent Dave Darcy.
 - B. Host a Civic Event to thank Local Area Commander, Superintendent Dave Darcy of behalf of the community, upon his retirement.
-

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

Superintendent Dave Darcy commenced as the Local Area Commander (LAC) for the Manly LAC in 2008. During this time he initiated a venue management plan in 2009/10 with the owners, licensees, Manly Council and Liquor and Gaming to reduce the significant alcohol-related crime and violence which was occurring on a weekly basis in Manly's CBD.

The management plan introduced the first voluntary 2am lockout of licensed premises, which were previously permitted to trade for 24 hours. At the time one Manly hotel was ranked one of the most violent in the state.

The plan resulted in a significant decrease in alcohol-related crime, and provided a safer area for the community.

In November 2013, Manly LAC and Northern Beaches LAC were amalgamated putting Superintendent Darcy in charge of one of the largest Police Area Commands in the state.

During this time, he has worked tirelessly to reduce crime and provide a safer environment for our community on the Northern Beaches. He has established strong community relationships, and attends regular community engagement meetings. A special focus has been on reducing domestic violence and the incidence of suicide.

Superintendent Darcy was instrumental in establishing the Suicide Prevention Working Group in June 2018 and has ensured positive strategies are in place to deal with our increased number of suicides. This includes Lifeline signage, fencing and de-escalation training for first responders and residents of hotspot locations.

After a distinguished career Superintendent Darcy's retires on 27 February 2020 after 38 years of service as a Police Officer.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:

The cost of the event would be dependent upon the number of invitees (food and beverage approximately \$35 per head), venue hire (i.e. PCYC approximately \$120), hire of furniture and glassware (approx. \$500) and staff time in coordinating invitations and various protocols.

ITEM 14.3	NOTICE OF MOTION NO 38/2019 - EXTRA BIN COLLECTIONS CHRISTMAS/NEW YEAR PERIOD
TRIM FILE REF	2019/585170
ATTACHMENTS	NIL

Submitted by: Councillors Vincent De Luca OAM; Rory Amon

MOTION

That this Council resolves, noting there will be a significant increase in waste creation over the Christmas and New Year period, the Chief Executive Officer be requested to liaise with URM to increase pick up services over the Christmas and New Year period and report back to the November Council meeting.

15.0 QUESTIONS WITH NOTICE

ITEM 15.1	QUESTION WITH NOTICE NO 18/2019 - LOST RESIDENTIAL PARKING STICKER FEE
TRIM FILE REF	2019/573238
ATTACHMENTS	NIL

Submitted by: Councillor David Walton

QUESTION

After receiving a complaint about the costs of the fee for replacement of lost residential parking fees, and the below comparison of fees published in the broad media, the following question is asked:

How were the fees for replacement residential parking stickers determined? Are the fees that are being charged by Northern Beaches Council for replacement residential parking stickers consistent with that determination?

BACKGROUND

A class action was commenced against ANZ bank in September 2010 on the grounds that some of its fees amounted to penalties the bank wasn't authorised to charge and in 2014, Federal Court Justice Michelle Gordon ruled that credit card late-payment fees were unlawful penalties if they exceeded the true cost to ANZ of handling late payments.

In a recent article, *The Sydney Morning Herald* reported on a comparison of fees charged by councils in Sydney for, among other things, the replacement of residential parking permits. The article ("[Getting away with it: councils hit hip pocket](https://www.smh.com.au/national/nsw/getting-away-with-it-councils-hit-hip-pocket-20190828-p52ljn.html)", *The Sydney Morning Herald*, 16 September 2019, <https://www.smh.com.au/national/nsw/getting-away-with-it-councils-hit-hip-pocket-20190828-p52ljn.html>) included a graph showing a comparison of fees charged by seven Sydney councils for the replacement of a residential parking permit. It reported that Northern Beaches Council had the highest fees at more than \$100 for a replacement residential parking permit with Parramatta City Council having the lowest fees at \$7.70 for a replacement residential parking permit. Other councils compared in the graph were Bayside, Willoughby, Canada Bay, Inner West and City of Sydney, whose fees were reported to range from \$14.00 to \$54.00.

ITEM 15.2 **QUESTION WITH NOTICE NO 19/2019 - BULKY GOODS COLLECTIONS****TRIM FILE REF** **2019/575558****ATTACHMENTS** **NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

- A. Since the new Contract with URM, how many bookings have been made for Bulky Goods Collections?
- B. How many of these bookings have been completed:
 - a. Within seven days following the booking?
 - b. Within fourteen days following the booking?
 - c. Within 28 days following the booking?
- C. How many bookings are yet to be completed since being booked?
- D. Will Council ask URM to put extra resources on, at their expense, to ensure all bookings are undertaken and in an expeditious way?
- E. Since the execution of the new URM Contract, how many complaints have been received by Council concerning delays/non pick ups of Bulky Goods or the new system?

ITEM 15.3**QUESTION WITH NOTICE NO 20/2019 - ADDITIONAL RUBBISH
COLLECTIONS OVER CHRISTMAS/NEW YEAR PERIOD****TRIM FILE REF****2019/575569****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In view of the significant number of residents' complaints that the red garbage bins are not large enough to take average residential waste, will Council request URM to increase collections over the Christmas and New Year periods when waste will increase significantly?

ITEM 15.4	QUESTION WITH NOTICE NO 21/2019 - DEFECTS IN NEW BINS
TRIM FILE REF	2019/575580
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

- A. Since the new bins have been introduced, how many complaints have been received by Council regarding defects in these new bins?
- B. Please outline what defects have been reported?
- C. What has been done to address such defects and at who's expense?

ITEM 15.5	QUESTION WITH NOTICE NO 22/2019 - UPTAKE OF SOLAR ON THE NORTHERN BEACHES
TRIM FILE REF	2019/588021
ATTACHMENTS	NIL

Submitted by: Councillor David Walton

QUESTION

As a result of reading that the Mayor, as the official spokesperson for the Council under the Local Government Act, said in Pittwater Life October 2019 that he “wants a 100% return” uptake of solar on the Northern Beaches. Can you please answer the following questions to understand Council’s liability and/or reputational risks?

- Should Council promote solar systems for a number of properties on the Northern Beaches that have a roof space that even the smallest 2kW system, which is approximately 8m x 1.7m, or 4m x 3.4m, is too large for the roof space and appropriate solar panels cannot be installed on those roofs?
- Should Council promote solar systems if a Northern Beaches resident’s roof is significantly shaded for most of the day, for example from a neighbouring building or trees, thus solar power may not be suitable for those houses or businesses?
- Should Council promote solar panels to Northern Beaches households that have an owners corporation such as unit blocks are often not permitted to use a common roof area for a solar power system?
- Should Council promote solar panels to any houses that may have heritage restrictions that ban the installation of solar panels on the street-facing roof?
- Should Council promote solar panels when the primary benefit of solar power is to reduce the daytime component of their power bill and Northern Beaches resident’s power bills are under \$250 a quarter and they use most of your power at night, as solar power can only at best save you around \$100 per quarter, therefore may not be economically appropriate depending on your financial circumstances?
- What is the modelling of approximate costs to Council and approximate cost to the community of the Northern Beaches as a whole, to move to 100% solar?

16.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 16.1	RESPONSE TO QUESTION TAKEN ON NOTICE NO 06/2019 - ITEM 15.4 - NOTICE OF MOTION NO 34/2019 - PROTECTION OF LITTLE PENGUINS
TRIM FILE REF	2019/560274
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 24 September 2019 from: Councillor David Walton in relation to Item 15.4 – Notice of Motion No 34/2019 – Protection of Little Penguins.

QUESTION

Is the work being done on the heritage area West Esplanade in conflict with this motion or can they work in harmony?

RESPONSE

As part of normal approval processes, any development on the heritage area at West Esplanade will be required to consider its impact on Little Penguins regardless of the matters listed in the motion.

Expanding the local Areas of Outstanding Biodiversity Value (AOBV) does not preclude such development. Such action simply increases the amount of assessment done in advance of any approvals. That is, it assumes it could have a major impact and therefore may require more investigation as a precaution, rather than limit the development at the outset.

17.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

A. In accordance with the requirements of Section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- a. Item 17.1 RFT 2019/161 - Frenchs Forest Showground and car park on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial information. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would confer a commercial advantage on a competitor of the tenderer.

- b. Item 17.2 Response to Question Taken on Notice No 07/2019 - Item 12.4 - Interim Heritage Order - 21 Whistler Street, Manly on the basis that it involves the receipt and discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege [10A(2)(g) Local Government Act 1993].

This report discusses/provides advice concerning legal rights in respect of a heritage listed property. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information could disadvantage Council in circumstances in which legal proceedings could reasonably be anticipated.

B. The resolutions made by the Council in closed session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

18.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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



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