

AGENDA

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

Tuesday 26 February 2019

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



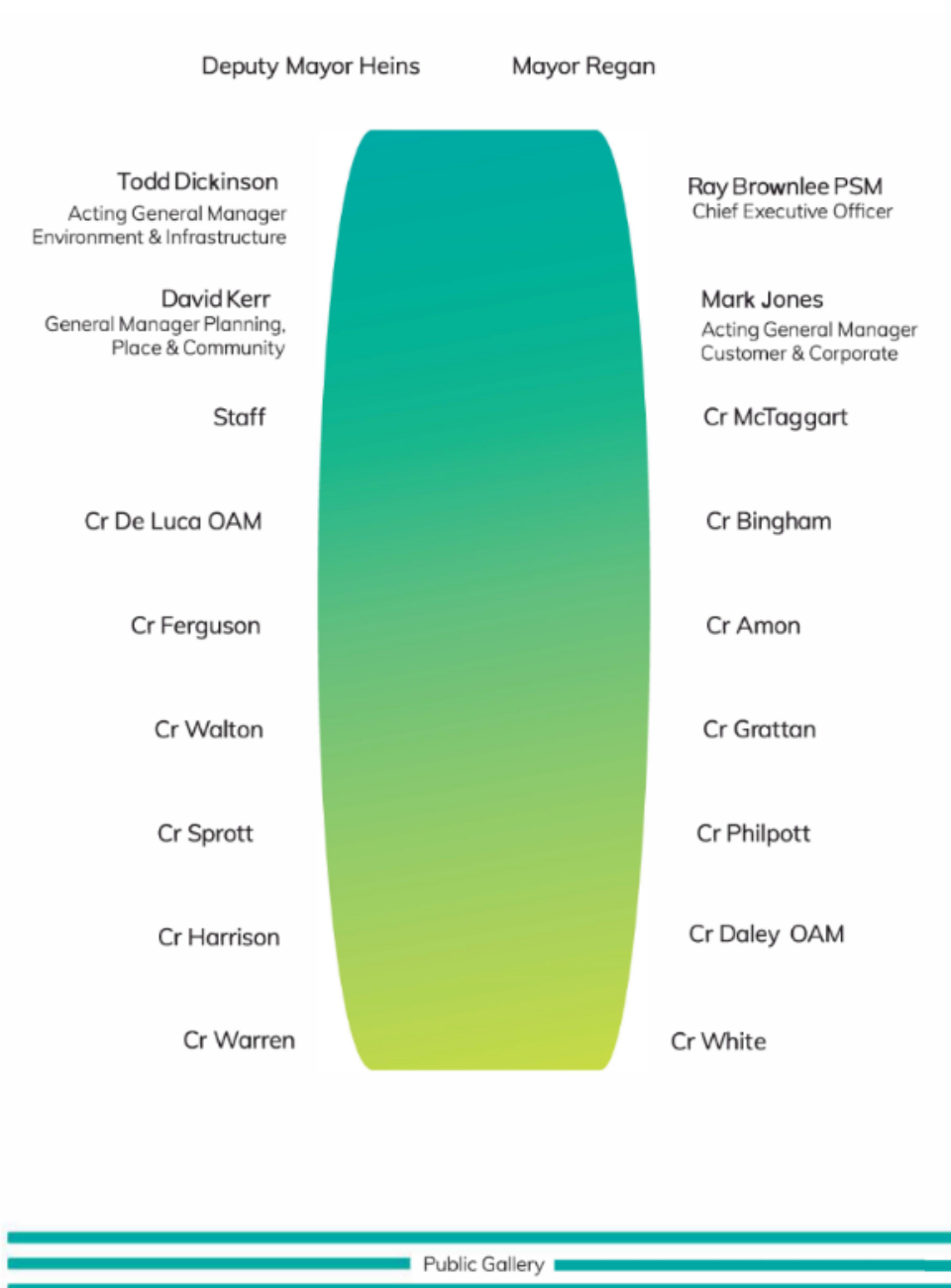
Ray Brownlee PSM
Chief Executive Officer

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 26 February 2019
at the Civic Centre, Dee Why
Commencing at 6:00pm**

1.0	ACKNOWLEDGEMENT OF COUNTRY	
2.0	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE	
3.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	
3.1	Minutes of Ordinary Council Meeting held 18 December 2018	
4.0	DISCLOSURES OF INTEREST	
5.0	PUBLIC FORUM AND PUBLIC ADDRESS	
6.0	ITEMS RESOLVED BY EXCEPTION	
7.0	MAYORAL MINUTES.....	7
7.1	Mayoral Minute No 01/2019 - Heritage Status of Manly Warringah War Memorial Park	7
7.2	Mayoral Minute No 02/2019 - Recognition of Children's Services - Exceeding the National Quality Standard	8
8.0	CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS.....	9
8.1	Quarterly Budget Review Statement - December 2018.....	9
8.2	Stronger Communities Fund and New Council Implementation Fund - Quarterly Report December 2018	40
8.3	Monthly Investment Report - December 2018.....	49
8.4	Monthly Investment Report - January 2019.....	61
9.0	CUSTOMER AND CORPORATE DIVISION REPORTS	73
9.1	Delegated Authority to the Mayor During the 2018-2019 Recess Period.....	73
9.2	Code of Meeting Practice - Draft for Public Exhibition	76
9.3	Councillor Nomination and Appointment to Strategic Reference Groups	80
9.4	Confirmed Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 November 2018.....	82
9.5	Legislative Compliance Policy - Draft for Public Exhibition	83
9.6	Community Grants and Partnership Program - Sponsorship.....	90
9.7	Volleyball Australia Request for Sponsorship for Volleyfest 2019 - Manly Beach	94
9.8	RFT 2018/316 - Unified Communications Solution.....	99

10.0	ENVIRONMENT AND INFRASTRUCTURE DIVISION REPORTS.....	102
10.1	Long Reef Surf Life Saving Club - Outcomes from Community Engagement.....	102
10.2	Mona Vale Surf Life Saving Club Building Project	109
10.3	Nanbarree Reserve, Balgowlah Heights - Proposed Easement to Drain Water in Favour of 11 Hogan Street, Balgowlah Heights.....	112
10.4	Nomination of Native Title Manager as required under Section 8.8 of the Crown Land Management Act 2016.....	116
10.5	Alternative Procurement – Extend Avalon Golf Course Management Agreement	121
10.6	Draft Outdoor Dining and Footpath Merchandise Policy.....	124
10.7	1st Elanora Heights Scouts Group Hall	127
10.8	Crown Land Reserve Trust Land Categories	132
10.9	Alternative Procurement – Restorations, Security Services, Trade Services (Plumbing and Electrical) and Specialist Marine Maintenance Services.....	136
10.10	Safer Roads Around our Schools.....	141
10.11	Trailer Parking Control Trial	150
10.12	Endorsement of Licence with Property NSW over Bare Creek Bike Park.....	154
10.13	Suspension of the Alcohol Prohibited Area on Manly Beach for Volleyball Australia's Volleyfest 2019 Event	160
10.14	Suspension of the Alcohol Prohibited Area on Manly Beach for Surfing NSW's Vissla Sydney Surf Pro 2019 Event	163
10.15	Request for Funding for Dee Why Beach War Memorial Renovations	166
10.16	Eco Schools Grants Program.....	168
11.0	PLANNING PLACE AND COMMUNITY DIVISION REPORTS	176
11.1	Northern Beaches Coast Walk Public Art Strategy.....	176
11.2	Alternative Procurement – Glen Street Theatre.....	185
11.3	Creative Art Space North - Site Location.....	189
11.4	Mona Vale Performance Space Feasibility Study.....	198
11.5	Draft Minutes of Community Safety Committee Meeting held 6 December 2018	204
11.6	Draft Community Development & Services Policy	205
11.7	Assessment of Draft Voluntary Planning Agreement (VPA 2018/0001) Prepared by GLN Planning on Behalf of Northern Beaches Council and Fraser's Property - 9,11,12 &13 Fern Creek Road, Warriewood	219
11.8	Dee Why Town Centre Draft Development Control Plan.....	225
11.9	Submission to Department of Planning and Environment on Proposed Boarding House Planning Controls	234
11.10	Planning Proposal for Manly Creek Riparian Lands in the Vicinity of Mermaid Pool	247
11.11	Planning Proposal for 28 Lockwood Avenue Belrose - Withdrawal	254

11.12	Minutes of the Ingleside Community Reference Group Meeting held on 19 December 2018	260
11.13	RFT 2018/326 - Northern Beaches Social Infrastructure Study	262
11.14	RFT 2018/328 - Northern Beaches Employment Study	266
11.15	Variations to Development Standards under Clause 4.6 of Local Environmental Plans - SEPP 1	270
12.0	NOTICES OF MOTION.....	275
12.1	Notice of Motion No 01/2019 - Random Drug Testing of Councillors and Council Staff	275
12.2	Notice of Motion No 02/2019 - Plastic Free July 2019	276
12.3	Notice of Motion No 03/2019 - Urban Night Dark Sky Place	277
12.4	Notice of Motion No 04/2019 - Review of Policy Allowing Development Certificates Being Issued by Private Certifiers	279
12.5	Notice of Motion No 05/2019 - Litter Reduction Strategy	280
12.6	Notice of Motion No 06/2019 - Cooler Roads Initiative	281
12.7	Notice of Motion No 07/2019 - Parking Fine Data to Reduce Non-Safety Related Parking Fines	283
12.8	Notice of Motion No 08/2019 - Dunbar Park East Avalon (aka "Woolies Car Park")	284
12.9	Notice of Motion No 09/2019 - Seismic Oil and Gas Testing & Exploration Offshore of the Northern Beaches	285
12.10	Notice of Motion No 10/2019 - Supporting Rural Communities in Drought	287
12.11	Notice of Motion No 11/2019 - Dog Water Parks	288
12.12	Notice of Motion No 12/2019 - Economic and Social Benefits of Increasing Solar Electricity Production	289
13.0	QUESTIONS ON NOTICE.....	290
13.1	Question On Notice No 01/2019 - Expenditure of The Esplanade, Manly	290
13.2	Question On Notice No 02/2019 - Manly Cinema	291
13.3	Question On Notice No 03/2019 - Cost of New Organisational Structure	292
14.0	RESPONSES TO QUESTIONS ON NOTICE	293
14.1	Response to Question On Notice No 15/2018 - Fines Issued by Council	293
14.2	Response to Question On Notice No 16/2018 - Expenditure of Legal Fees	294
15.0	MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION	295
15.1	North and South Steyne Road Realignment Scheme	
16.0	REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION	

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 18 DECEMBER 2018

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 18 December 2018, 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 01/2019 - HERITAGE STATUS OF MANLY WARRINGAH WAR MEMORIAL PARK
TRIM FILE REF	2019/049119
ATTACHMENTS	NIL

BACKGROUND

The Manly Warringah War Memorial Park is a significant area of Crown Land reserved for public recreation that is located within the suburbs of Allambie Heights, Seaforth and Manly Vale. The park is extensive and contains a number of significant features including Manly Dam and its reservoir, the Wakehurst Golf Course and a large reserve of remnant Sydney sandstone bushland.

In recognition of the Park's significance it was placed on the Commonwealth of Australia's National Estate Register in 1997. However, when the National Estate Register was decommissioned and replaced with the National Heritage List, the park was not automatically transferred across to the new list. Council has subsequently been made aware that the park and its significance are no longer recognised at the national level.

Notwithstanding the item no longer being recognised at the national level, it is noted that the dam wall is listed as a State Heritage item due to its individual significance. The park is also afforded heritage protection at the local level through a heritage conservation area under Warringah Local Environment Plan 2011. Heritage Conservation Area C9 – *Manly dam and surrounds* covers the dam, the reservoir, the park itself and the surrounding bushlands.

RECOMMENDATION OF MAYOR

That:

- A. Council staff investigate the heritage significance of the park and a nomination for the National Heritage List.
 - B. A short report be brought back to Council within three months detailing these investigations and the impacts of any heritage listing.
-



Michael Regan
MAYOR

ITEM 7.2**MAYORAL MINUTE NO 02/2019 - RECOGNITION OF
CHILDREN'S SERVICES - EXCEEDING THE NATIONAL
QUALITY STANDARD****TRIM FILE REF****2019/082842****ATTACHMENTS****NIL****BACKGROUND**

In December last year, we as a Council recognised the outstanding services provided by our Dee Why Children's Centre and Northern Beaches Family Day Care in achieving an 'Exceeding the National Quality Standard' under the National Quality Framework.

Now we can add further centres under that achievement including Ivanhoe Park Pre-school, Brookvale Children's Centre and Narrabeen Children's Centre.

The National Quality Standard (NQS) sets the national benchmark for the quality of children's education and care services across Australia. Northern Beaches are now sitting in the top thirteen percent in the State for the standard of services we provide to our families and children.

Reaching this high standard is not easy and assessment is made against seven key areas including health and safety, education programs, relationships with children and leadership.

As testament of the exceptional service by our child care staff at these centres, the Assessment Officer for the National Quality Standard commented in relation to the Ivanhoe Park Pre-School:

"Your service is commended for its achievements in providing quality outcomes for children. In particular, establishing trusting relationships between educators, families and children, and providing a flexible routine and a program that responds to the children's interests and scaffolds their learning demonstrates the commitment to quality by the approved provider, educators and staff."

This is a significant achievement and stands testament to the passion, professionalism and commitment by our managers, educators and other childcare staff who continue to provide highly personalised, flexible, quality care for children aged 6 weeks to 12 years.

As elected representatives, we understand the high importance to ensure we deliver superior services to our community, this recognition is a reminder of how fortunate we are to have dedicated and committed staff who are continuously looking to improve the quality of the services we provide.

RECOMMENDATION OF MAYOR

That Council acknowledges the efforts of all the staff working within our children's services area in our Council Long Day Care Centres and Pre-schools on achieving further recognition by way of 'Exceeding the National Quality Standard' under the National Quality Framework.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS & EXECUTIVE MANAGER STRATEGY, PERFORMANCE AND IMPROVEMENT
TRIM FILE REF	2018/736922
ATTACHMENTS	1 December 2018 Quarterly Report on Service Performance (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present the financial and management results for the period ended 31 December 2018.

EXECUTIVE SUMMARY

The report details Council's management results for the quarter and the consolidated financial position for the six months ended 31 December 2018. The Budget Review Statement is a progress report on the Operational Plan 2018/19, with all changes detailed in this report.

The Surplus from Continuing Operations which includes Capital Grants and Contributions for the financial year is forecast to increase by \$7,235,077 to \$27,636,771. This increase is due to higher than anticipated Income from Continuing Operations of \$2,541,909 and lower than anticipated Expenses from Continuing Operations of \$4,693,167. The Surplus from Continuing Operations before Capital Grants and Contributions for the financial year is forecast to increase by \$6,597,019 to \$13,956,010. Capital Expenditure is forecast to decrease by \$1,588,780 to \$118,736,243 as referred to in the Capital Budget Statement.

The increase in the Income from Continuing Operations forecast is a result of higher Rates & Annual Charges - \$588,000, User Charges & Fees - \$455,220, Interest & Investment Revenues - \$75,018, Other Revenues - \$917,829, Grants & Contributions for Operating Purposes - \$552,784, Grants & Contributions for Capital Purposes - \$638,058 which has been partially offset by a decrease in the net Loss on the Disposal of Assets - \$685,000. The lower Expenses from Continuing Operations are a result of lower Employee Benefits & Oncosts - \$3,030,704, Borrowing Costs - \$120,000, Materials and Contracts - \$968,156, Other Expenses - \$790,790 which has been partially offset by higher Depreciation & Amortisation - \$216,483.

Of the 242 actions of the Operational Plan 2018/19, the majority are progressing on schedule, and 18 completed. Most performance measures have met their targets. Council was recognised with 14 awards and commendations in customer service, childcare, environment, and education on road safety, waste and sustainability, as well as the Church Point carpark project. Further details on service achievements are at Attachment 1 - *December 2018 Quarterly Report on Service Performance*.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

- A. Council note the Budget Review Statement for the six months ended 31 December 2018.
 - B. Council approve the following changes to the Current Forecast in the December 2018 Budget Review Statement:
 - a. An increase in the forecast Surplus from Continuing Operations which includes Capital Grants and Contributions of \$7,235,077 to \$27,636,771.
 - b. A decrease in capital expenditure by \$1,588,780 to \$118,736,243.
-

REPORT

BACKGROUND

The Northern Beaches Council's Operational Plan 2018/19 was adopted on 26 June 2018. The Operational Plan is for the period 1 July 2018 to 30 June 2019.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2018/19. It has been prepared in accordance with the requirements of the *Local Government Act 1993* (s404(5)) and *Local Government (General) Regulation 2005 (Cl203)*, namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

The Quarterly Budget Review Statement provides a minimum standard of reporting to adequately disclose the Council's overall financial position as well as provide sufficient information to enable informed decision making while ensuring transparency.

The report includes:

- Service Performance
- Income Statement
- Statement of Financial Position
- Cash Flow
- Cash and Investments Statement
- Capital Budget Statement
- Consultancy and Legal Expenses
- Contracts.

OVERVIEW OF SERVICE PERFORMANCE

Progress on the delivery of 242 projects, 43 performance indicators and five workload measures is reported below for this Quarter.

Of the 242 projects, 91% of projects are either progressing or completed (18 completed). Council's target is for 80% of all projects to be completed or progressing on schedule by 30 June 2019.

Of the 43 Performance Indicators, 81% met their target, while a further 7% are approaching it (i.e. the result is within 5% of their target). Two performance measures were unable to be reported as their data capture systems are under development.

Performance at a glance

43 Performance indicators



14 Awards and Recognition

N = National

Service awards/ recognition:

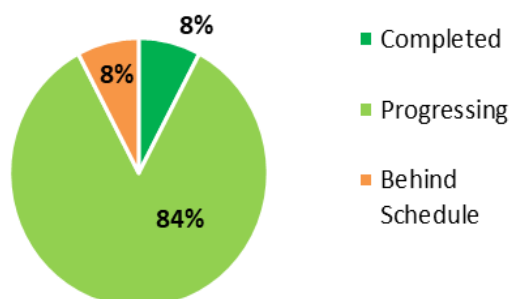
- ❖ Innovation in Customer Service Award (N) – *online portal*
- ❖ 3 Childcare Services Exceeding the National Quality Standard (N) – 2 *childcare centres and Family Day Care – rates Council in the top 10 in NSW*
- ❖ Best Practice Sustainability Education Programs (N) - CEC
- ❖ Excellent service in sustainability education - CEC
- ❖ Sustainable Cities Award (finalist in Overall category)

Project awards:

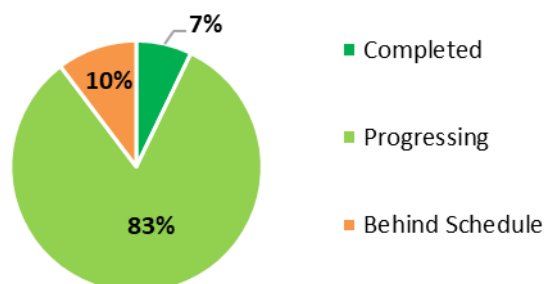
- ❖ Transport Integration Hub Award – *Church Point carpark*
- ❖ Excellence in Road Safety Award – *Road Safety calendar*
- ❖ Special Heritage Restoration Award – *Tram restoration*
- ❖ 2 Climate Change Action Awards – *Industry assets guide*
- ❖ Environmental Communications Award – *waste campaign*
- ❖ Innovation in Planning, Policies and Decision Making (N) – *Coastal Erosion policy and planning framework*

Project status: overall 91% completed or progressing on schedule

116 Operational Projects



126 Capital projects



A more detailed report on service performance is at Attachment 1 – *December 2018 Quarterly Report on Service Performance*. This shows by the 16 key services the highlights for the quarter, status and commentary on projects, performance indicators and workload measures, as well as service financials.

FINANCIAL CONSIDERATIONS

Responsible Accounting Officer Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

“It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 31 December 2018 indicates that Council’s projected financial position at 30 June 2019 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.”

David Walsh Chief Financial Officer, Northern Beaches Council.

Income Statement

The result for the six months ended 31 December 2018 shows some variations between budgeted and actual results. Comments have been provided and the forecasts have been amended where necessary. The reports for the 16 services included in the Delivery Program 2018-2021 are each provided separately in the attachment.

Income Statement

For the Period 1 July 2018 to 31 December 2018

	YTD Actual \$'000	YTD Forecast \$'000	YTD Variance \$'000	% Variance	Annual Budget \$'000	Approved Forecast \$'000	Current Forecast \$'000
Income From Continuing Operations							
Rates and Annual Charges	211,069	210,460	610	0.3%	210,460	210,460	211,048
User Charges & Fees	42,265	39,610	2,655	6.7%	79,538	80,104	80,559
Investment Fees and Revenues	3,331	3,219	112	3.5%	5,748	5,998	6,073
Other Revenues	12,492	11,933	559	4.7%	25,279	25,092	26,010
Grants and Contributions - Operating Purposes	6,569	8,071	(1,502)	(18.6)%	14,744	15,093	15,646
Grants and Contributions - Capital Purposes	7,846	6,746	1,100	16.3%	11,985	13,043	13,681
Gains on disposal of Assets	123	717	(594)	(82.8)%	765	1,050	365
Total Income From Continuing Operations	283,695	280,755	2,940	1.0%	348,518	350,839	353,381
Expenses From Continuing Operations							
Employee Benefits & Oncosts	(64,006)	(67,611)	3,605	(5.3)%	(134,415)	(133,637)	(130,607)
Borrowing Costs	(1,846)	(1,572)	(273)	17.4%	(3,572)	(3,572)	(3,452)
Materials and Contracts	(53,947)	(58,477)	4,530	(7.7)%	(119,019)	(119,717)	(118,749)
Depreciation and Amortisation	(18,406)	(18,218)	(189)	1.0%	(35,386)	(37,136)	(37,353)
Other Expenses	(17,490)	(18,570)	1,080	(5.8)%	(35,401)	(36,375)	(35,584)
Total Expenses From Continuing Operations	(155,695)	(164,448)	8,753	(5.3)%	(327,793)	(330,438)	(325,744)
Surplus / (Deficit) from Continuing Operations	128,000	116,307	11,694	10.1%	20,724	20,402	27,637
Surplus / (Deficit) Before Capital Grants & Contribution	120,154	109,561	10,593	9.7%	8,739	7,359	13,956
Surplus / (Deficit) Before Capital Grants & Contribution	120,154	109,561	10,593		8,739	7,359	13,956
Less: Rates yet to be allocated	(76,207)	(76,207)	-				
Surplus / (Deficit) Before Capital Grants & Contribution	43,947	33,353	10,593				

Income Statement excluding Kimbriki Environmental Enterprises

Council is the majority shareholder (96%) in Kimbriki Environmental Enterprises Pty Ltd (Company). The Company operates a waste and recycling business with a 25-year lease over a Council owned site. As a subsidiary of the Council, the consolidated financial reports of the Council incorporate the Kimbriki operation. For the information of the Council, an Income Statement has been prepared to represent the financial results of the Council's operations, excluding Kimbriki.

Income Statement - excl Kimbriki

For the Period 1 July 2018 to 31 December 2018

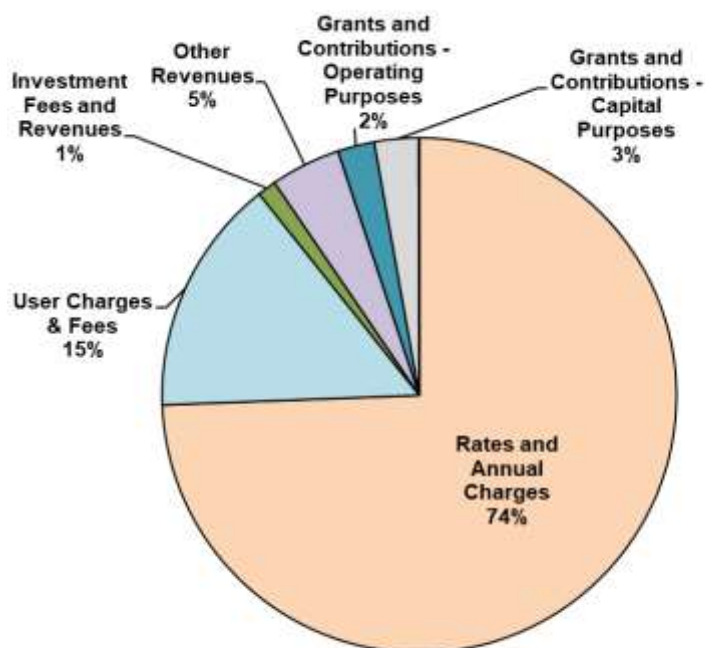
	YTD Actual \$'000	YTD Forecast \$'000	YTD Variance \$'000	% Variance	Annual Budget \$'000	Approved Forecast \$'000	Current Forecast \$'000
Income From Continuing Operations							
Rates and Annual Charges	211,069	210,460	610	0.3%	210,460	210,460	211,048
User Charges & Fees	30,767	28,837	1,930	6.7%	57,270	57,836	58,748
Investment Fees and Revenues	3,218	3,171	47	1.5%	5,651	5,901	5,911
Other Revenues ¹	12,319	12,083	237	2.0%	25,377	25,191	26,178
Grants and Contributions - Operating Purposes	6,569	8,071	(1,502)	(18.6)%	14,744	15,093	15,646
Grants and Contributions - Capital Purposes	7,846	6,746	1,100	16.3%	11,985	13,043	13,681
Gains on disposal of Assets	123	717	(594)	(82.8)%	765	1,050	365
Total Income From Continuing Operations	271,912	270,084	1,828	0.7%	326,252	328,573	331,576
Expenses From Continuing Operations							
Employee Benefits & Oncosts	(61,479)	(64,694)	3,215	(5.0)%	(128,957)	(127,807)	(125,557)
Borrowing Costs	(906)	(1,016)	110	(10.8)%	(2,459)	(2,459)	(1,912)
Materials and Contracts ²	(52,861)	(58,254)	5,394	(9.3)%	(116,801)	(118,845)	(118,196)
Depreciation and Amortisation	(17,632)	(17,410)	(222)	1.3%	(33,656)	(35,406)	(35,656)
Other Expenses	(13,010)	(13,726)	716	(5.2)%	(26,586)	(26,586)	(26,211)
Total Expenses From Continuing Operations	(145,888)	(155,100)	9,213	(5.9)%	(308,459)	(311,103)	(307,531)
Surplus / (Deficit) from Continuing Operations	126,024	114,984	11,040	9.6%	17,793	17,470	24,045
Surplus / (Deficit) Before Capital Grants & Contribution	118,177	108,238	9,940	9.2%	5,808	4,428	10,364

¹. Other Revenues includes lease income received from Kimbriki.

². Materials and Contracts includes disposal costs charged to Council by Kimbriki.

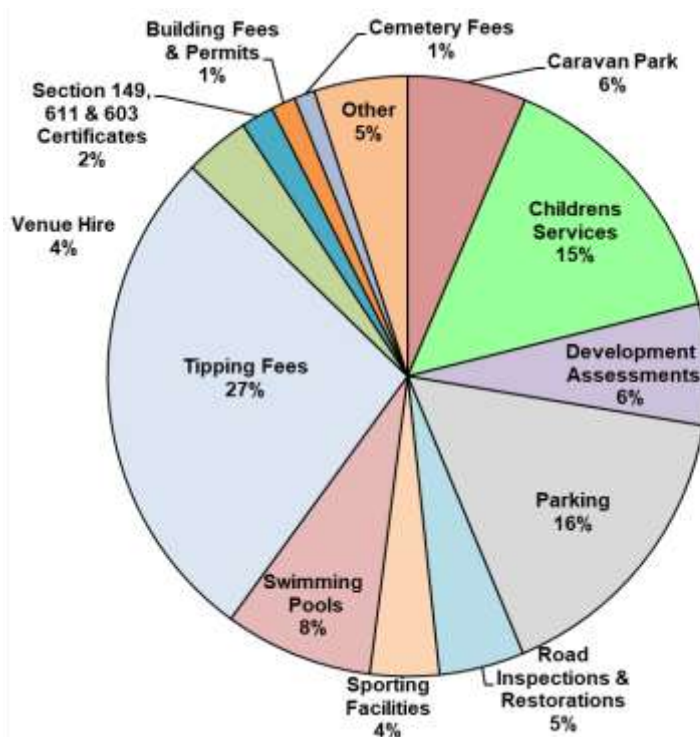
Actual Results - Consolidated

Income from continuing operations



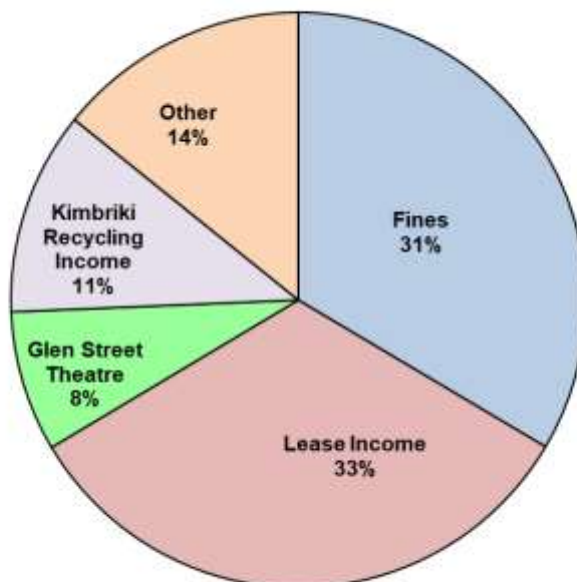
Income Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and Annual Charges	211,069	210,460	610	0.3%
User Charges & Fees	42,265	39,610	2,655	6.7%
Investment Fees and Revenues	3,331	3,219	112	3.5%
Other Revenues	12,492	11,933	559	4.7%
Grants and Contributions - Operating Purposes	6,569	8,071	(1,502)	(18.6)%
Grants and Contributions - Capital Purposes	7,846	6,746	1,100	16.3%
Gains on disposal of Assets	123	717	(594)	(82.8)%
Total Income	283,695	280,755	2,940	1.0%

User charges and fees



User Charges & Fees Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Tipping Fees	11,498	10,773	725	6.7%
Parking	6,796	6,064	732	12.1%
Childrens Services	6,212	6,215	(3)	(0.0)%
Swimming Pools	3,388	3,205	183	5.7%
Caravan Park	2,711	2,720	(9)	(0.3)%
Development Assessments	2,757	2,380	377	15.8%
Road Inspections & Restorations	1,939	894	1,045	116.8%
Venue Hire	1,489	1,626	(137)	(8.4)%
Sporting Facilities	1,572	1,447	125	8.6%
Section 149, 611 & 603 Certificates	742	781	(39)	(4.9)%
Building Fees & Permits	562	610	(48)	(7.8)%
Cemetery Fees	469	334	135	40.4%
Other	2,130	2,559	(429)	(16.8)%
Total User Charges & Fees	42,265	39,610	2,655	6.7%

Other revenues



Other Revenue Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Fines	4,187	4,888	(700)	(14.3)%
Lease Income	4,112	3,811	301	7.9%
Glen Street Theatre	987	916	72	7.8%
Kimbriki Recycling Income	1,430	1,160	269	23.2%
Other	1,776	1,158	618	53.4%
Total Other Revenue	12,492	11,933	559	4.7%

Total Income from Continuing Operations at the end of December is \$283,695,497 which is \$2,940,359 ahead of forecast. The principal reasons for this variance are as follows:

Rates & Annual Charges

Rates and Annual Charges to the end of December 2018 were \$211,069,301 which is \$609,731 higher than the forecast. Rates were \$203,440 higher than forecast principally as a result of lower pensioner rebates and Domestic Waste Management Charges were \$408,617 higher than forecast due to higher annual charges of \$230,291 and lower pensioner rebates of \$178,326.

User Charges & Fees

User Charges & Fees to the end of December 2018 are \$42,264,787 which is \$2,655,165 higher than forecast. The principal areas which were ahead of forecast were Transport, Traffic and Active Travel \$1,719,662, Property and Facilities \$502,504, Environmental and Sustainability Services \$176,343 and Development Assessment \$151,434.

In Transport, Traffic and Active Travel the principal items are higher income collected from Parking of \$729,439 following the implementation of upgrades of parking station and meter infrastructure, higher Road Permits fees of \$301,968 and Road Restoration charges of \$741,781 reflecting the current higher levels of development activity.

In Property and Facilities these are primarily due to the timing of Cemetery fees \$134,852 and greater than forecast income at the Manly Andrew Boy Charlton Aquatic Centre \$245,648.

In Environmental and Sustainability Services these are primarily related to higher than anticipated Development Engineering income from a larger than expected numbers of applications for street levels and post-development inspections.

In Development Assessment fees were higher than forecast as a result of three significant Development Applications which were submitted during the first quarter, however the remaining number of applications and value of the development received was less than forecast.

This has been partially offset by the lower User Charges & Fees in Community, Arts and Culture \$101,839 and Strategic & Place Planning \$104,682. The lower User Charges & Fees in Community, Arts and Culture primarily related to two Community Centres being closed for renovation during July to September along with lower than expected booking fees on tickets at Glen Street Theatre due to reduced attendance. The lower User Charges & Fees in Strategic Land Use Planning related to Planning Proposals.

Interest & Investment Revenues

Interest & Investment Revenues to the end of December 2018 were \$3,331,177 which is \$112,020 ahead of forecast. The investment portfolio performed strongly over the financial period and interest was higher than forecast as a result of higher than anticipated level of investments.

Other Revenues

Other Revenues to the end of December 2018 were \$12,492,012 which was \$559,241 higher than the forecast. The principal areas which were ahead of forecast were Kimbriki Resource Recovery Centre \$270,783, Economic Development, Events and Engagement Services \$241,511, Property and Facilities \$192,046 and Corporate Support Services \$156,302.

In Kimbriki Resource Recovery Centre this was principally due to high metal recoveries.

In Economic Development, Events and Engagement Services this is primarily a result of the transfer of the management of the Manly Visitor Information Centre to Council under Economic Development, Events and Engagement and the timing of income for the Brookvale Show.

In Property and Facilities, the higher Other Revenues primarily related to higher than expected sales at the Manly Boy Charlton Aquatic Centre.

In Corporate Support Services the higher Other Revenues principally relates to legal fees recovered on outstanding debts.

Grants & Contributions provided for Operating Purposes

Grants & Contributions provided for Operating Purposes at the end of December 2018 were \$6,568,957 which was \$1,501,581 lower than the forecast.

The principal areas which were behind forecast were Corporate Support Services \$944,222 and Transport, Traffic and Active Travel \$752,590.

In both Corporate Support Services and Transport, Traffic and Active Travel this was principally due to the prepayment of 50% of the 2018/19 Financial Assistance Grant at the end of the last financial year.

Grants & Contributions provided for Capital Purposes

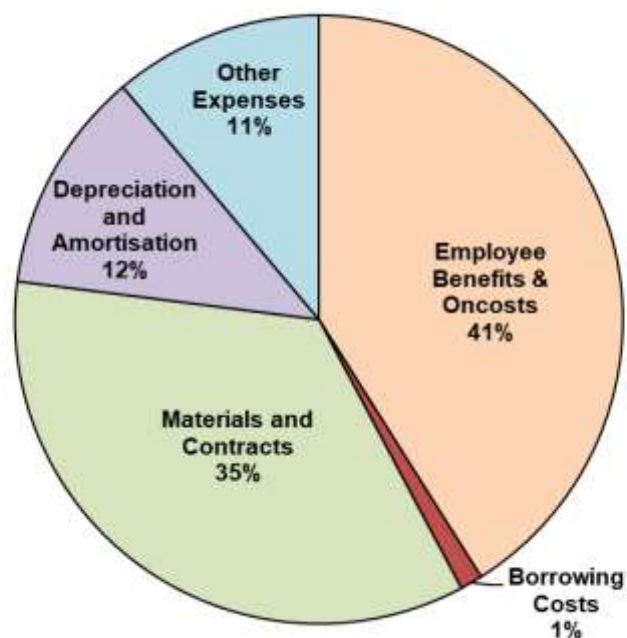
Grants & Contributions provided for Capital Purposes at the end of December 2018 were \$7,846,163 which was \$1,100,183 higher than the forecast.

This principally relates to higher developer contributions of \$788,943.

Net gains from the disposal of assets

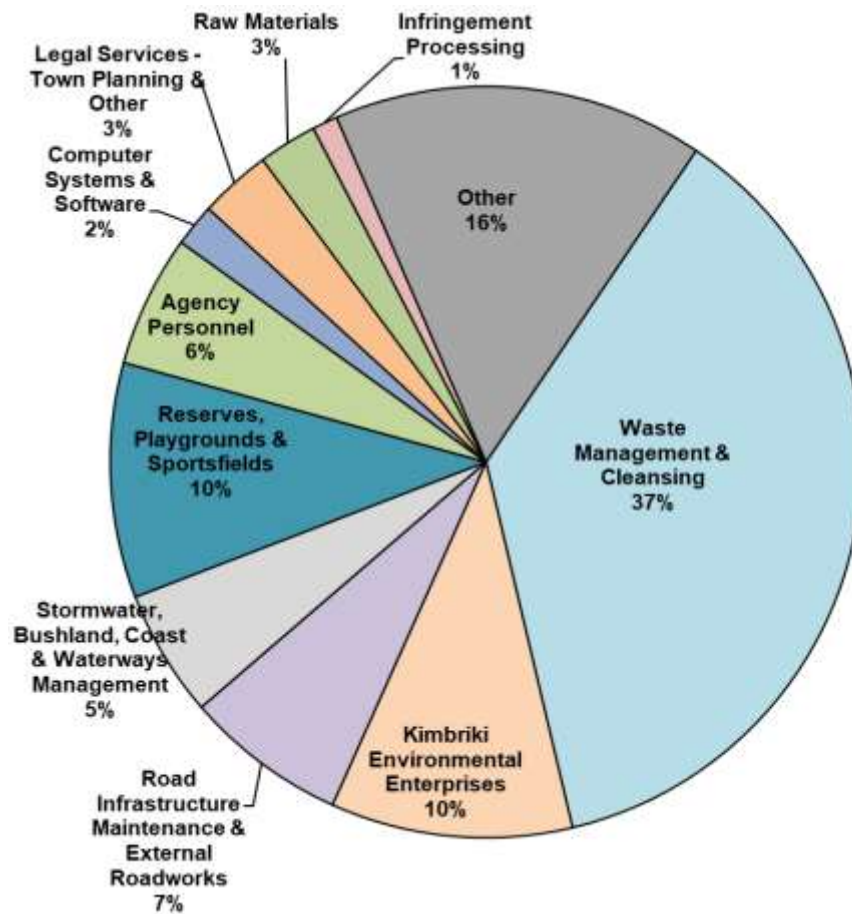
Net gains from the disposal of assets to the end of December 2018 were \$123,099 which was \$594,401 lower than the forecast and is principally related to the transfer of 32 parcels of land on the Pittwater Western Foreshore to the National Parks and Wildlife Services with a slight offset from the income received from the acquisition of Council land adjacent to the Manly Vale school development by the Department of Education.

Expenses from Continuing Operations



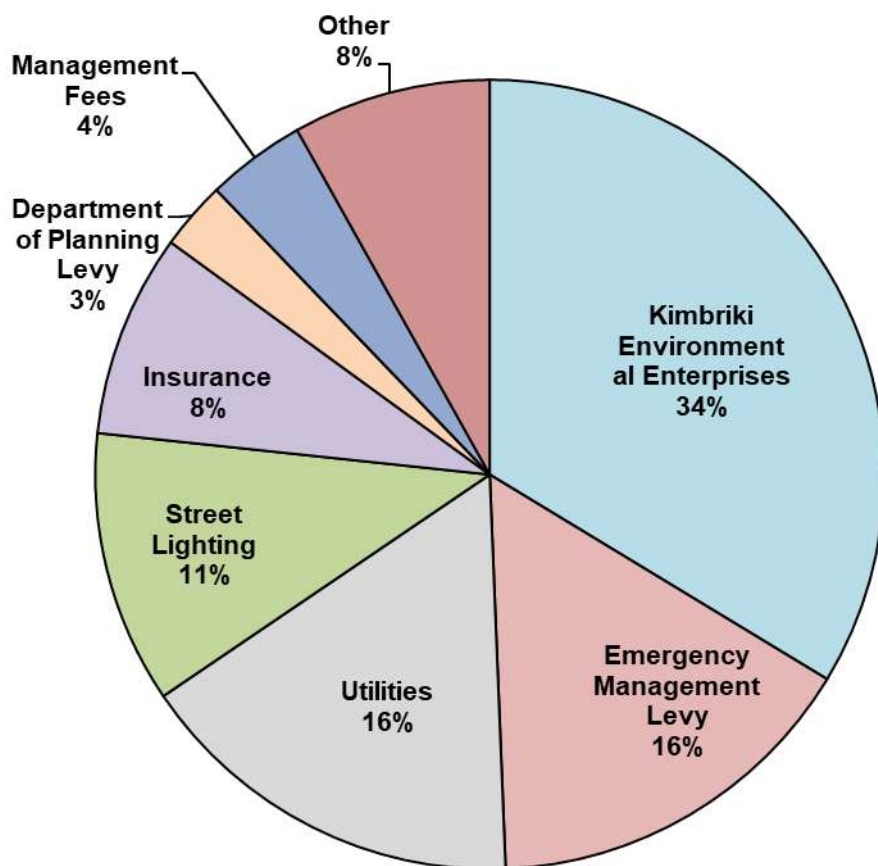
Expense Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee Benefits & Oncosts	64,006	67,611	3,605	5.3%
Borrowing Costs	1,846	1,572	(273)	(17.4)%
Materials and Contracts	53,947	58,477	4,530	7.7%
Depreciation and Amortisation	18,406	18,218	(189)	(1.0)%
Other Expenses	17,490	18,570	1,080	5.8%
Total Expense	155,695	164,448	8,753	5.3%

Materials and contracts



Materials & Contracts Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Waste Management & Cleansing	19,919	23,246	3,327	14.3%
Kimbriki Environmental Enterprises	5,622	5,941	319	5.4%
Road Infrastructure Maintenance & External Roadworks	3,773	3,733	(40)	(1.1)%
Stormwater, Bushland, Coast & Waterways Management	2,954	3,562	608	17.1%
Reserves, Playgrounds & Sportsfields	5,467	5,488	21	0.4%
Agency Personnel	3,067	1,593	(1,474)	(92.5)%
Computer Systems & Software	995	1,397	402	28.8%
Legal Services - Town Planning & Other	1,674	1,653	(21)	(1.3)%
Raw Materials	1,364	1,400	35	2.5%
Infringement Processing	591	629	38	6.1%
Other	8,521	9,835	1,314	13.4%
Total Materials & Contracts	53,947	58,477	4,530	7.7%

Other expenses



Other Expenses Item	1 July 2018 - 31 Dec 2018			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki Environmental Enterprises	5,889	6,305	416	6.6%
Emergency Management Levy	2,744	2,744	(0)	(0.0)%
Utilities	2,826	2,814	(11)	(0.4)%
Street Lighting	1,953	2,230	277	12.4%
Insurance	1,457	1,674	217	13.0%
Department of Planning Levy	491	320	(171)	(53.3)%
Management Fees	710	748	38	5.0%
Other	1,421	1,735	315	18.1%
Total Other Expenses	17,490	18,570	1,080	5.8%

Total Expenses from Continuing Operations at the end of December is \$155,695,139 which is \$8,753,320 less than forecast. The principal reasons for this variance is as follows.

Employee Benefits & On-Costs

Employee Benefits & On-Costs at the end of December 2018 were \$64,006,199 which was \$3,605,262 less than the forecast principally as a result of higher than anticipated vacancies. Agency personnel have been utilised where appropriate to maintain service levels while positions are vacant. Agency personnel costs were \$1,473,890 higher than forecast at the end of December, which is separately disclosed under Materials & Contracts.

Employee Benefits & On-Costs were less than forecast in a number of areas. The principal differences are as follows:

<u>Service</u>	<u>\$'000</u>
Corporate Support Services	628
Development Assessment	455
Environment and Sustainability Services	577
Environmental Compliance	713
Kimbriki Resource Recovery Centre	390
Library Services	226
Property and Facilities Services	257
Transport, Traffic and Active Travel	371
Total	\$3,615

A reforecast of Employee Benefits & Oncosts has been undertaken and the budget has been reduced by \$3,030,704. This has been partially offset by an increase in the Agency Personnel budget within Material & Contracts of \$749,023.

Borrowing Costs

Borrowing Costs to the end of December were \$1,845,593 which was \$273,411 higher than forecast. This is largely due to higher remediation costs at Kimbriki offset by lower than anticipated interest rates on those borrowings that are subject to a variable rate.

Materials & Contracts

Materials & Contracts to the end of December were \$53,947,158 which was \$4,529,844 lower than forecast. Materials & Contracts were less than forecast in a number of services. The lower expenses are primarily within Waste and Cleansing Services (\$3,326,934) in part due to delays in the expected cost impact of the change in import conditions for recycling in China. The costs have been delayed pending finalisation of contract negotiations. There is also a general decline in tonnes for all waste streams resulting in lower tipping and processing costs.

Depreciation & Amortisation

Depreciation and Amortisation to the end of December 2018 were \$18,406,461 which was \$188,581 higher than forecast. The higher Depreciation primarily relates to the revaluation of Buildings at the end of last financial year.

Other Expenses

Other Expenses to the end of December 2018 were \$17,489,728 which was \$1,080,206 lower than forecast. The principal differences are as follows:

Service	\$'000
Corporate Support Services	185
Kimbriki Resource Recovery Centre	416
Property and Facilities Services	172
Transport, Traffic and Active Travel	316
Total	1,088

Forecast Changes

These overall movements are detailed in the table below:

	Annual Budget \$'000	Approved Forecast \$'000	Variance \$'000	Current Forecast \$'000	Variance \$'000
Total Income From Continuing Operations	348,518	350,839	2,322	353,381	2,542
Total Expenses From Continuing Operations	(327,793)	(330,438)	(2,644)	(325,744)	4,693
Surplus / (Deficit) from Continuing Operations	20,724	20,402	(323)	27,637	7,235
Surplus/ (Deficit) before Capital Grants & Contributions	8,739	7,359	(1,380)	13,956	6,597

The Surplus from Continuing Operations which includes Capital Grants and Contributions is forecast to increase by \$7,235,077 to \$27,636,771.

The significant changes which result in an increase of \$2,541,909 in the forecast Income from Continuing Operations are as follows:

- Rates & Annual Charges have been forecast to increase by \$588,000 as a result of lower pensioner rebates on rates (\$200,000) and higher domestic waste services income due to additional services and lower pensioner rebates on domestic waste charges (\$388,000).
- User Charges & Fees have been forecast to increase by \$455,220. User Fees and Charges are forecast to increase within Transport Traffic and Active Travel by \$1,301,000 principally due to higher fees from Parking (\$661,000) following the implementation of upgrades of parking station and meter infrastructure, higher Road Permits fees (\$140,000) and Road Restoration charges (\$500,000) reflecting the current higher levels of development activity. User Fees and Charges has also increased in Property and Facilities \$300,000 primarily due to greater than forecast income at the Manly Andrew Boy Charlton Aquatic Centre and Environment and Sustainability Services \$149,904 in line with the year to date trends in development engineering application fees and charges. The increases have been partially offset by a forecast decrease in Kimbriki Resource Recovery Centre of \$457,157 due to lower vegetation revenues in the first quarter and Waste and Cleansing Services \$403,334 which relates to cessation of the Commercial Waste service during the second quarter.
- Interest & Investment Revenues have been forecast to increase by \$75,018 as a result of higher interest earnings on funds held.
- Other Revenues have been forecast to increase by \$917,829 primarily due higher than anticipated legal fees recovered on outstanding debts in Corporate Support Services, the continuing trend from the first quarter of high metal recoveries at Kimbriki and the transfer of the management of the Manly Visitor Information Centre to Council under Economic Development, Events and Engagement.

- Grants & Contributions – Operating Purposes have been forecast to increase by \$552,784 primarily due to the receipt of \$537,381 for the natural disaster funding for damage resulting from the April 2015 East Coast Low.
- Grants & Contributions – Capital Purposes have been forecast to increase by \$638,058. This is mainly due to an increase within Transport, Traffic and Active Travel for RMS grants for traffic facilities and bike paths and in Parks and Recreation for a \$52,000 contribution from Ferrovial York for the playground at Brickpit Reserve and a \$170,000 Community Sport Infrastructure Program grant.
- Gains on disposal of Assets are forecast to decrease by \$685,000 as a result of a transfer of 32 parcels of land on the Pittwater Western Foreshore to the National Parks and Wildlife Services with a slight offset from the income received from the acquisition of Council land adjacent to the Manly Vale school development by the Department of Education.

The significant changes which result in a decrease of \$4,693,167 in the forecast Expenses from Continuing Operations are as follows:

- A reforecast of Employee Benefits & Oncosts has been undertaken as a result of vacancies during the year resulting in a \$3,030,704 reduction in the budget after taking account of an appropriate allowance for the additional director positions in the new organisation structure. This has been partially offset by an increase in the Agency Personnel budget within Material & Contracts of \$749,023. The primary areas are Corporate Support Services \$944,700 (*less agency personnel increase \$216,500*), Environmental Compliance \$750,000 (*agency personnel increase \$350,000*), Environment and Sustainability Services \$505,000 (*agency personnel increase \$149,523*), Development Assessment \$260,000 and Property and Facilities Services \$250,000. Costs are also forecast to decrease at Kimbriki by \$780,986 due to restructuring and headcount adjustments. These reductions have been partially offset by an increase in Economic Development, Events and Engagement for staff at the Manly Visitor Information Centre (\$153,025) and in Waste and Cleaning for additional cleansing service requirements within commercial centres (\$120,000).
- Materials and Contracts have been forecast to decrease by \$968,156. A decrease of \$752,109 in Environment and Sustainability Services is primarily due to lower than expected investigation and planning costs for the Wakehurst Parkway flood project (\$696,032). These funds will be carried forward into the 2019/20 financial year to complete this grant funded project. The cessation of the Commercial Waste service resulted in \$339,485 reduction in Waste and Cleansing Services. As noted above, this is partially offset by a \$749,203 reallocation from Employee Benefits & Oncosts for Agency Personnel costs, with the largest increase in Environmental Compliance \$350,000 primarily for ranger services.
- Depreciation and Amortisation is forecast to increase by \$216,483 primarily as a result of an adjustment to buildings depreciation as a result of the revaluation at the end of last financial year.
- Other Expenses are forecast to decrease by \$790,790. In Transport, Traffic and Active Travel street lighting charges have been reduced by \$460,000. Due to a reduction in the EPA waste levy as a result of lower volumes Other Expenses have been reduced by \$416,038 for Kimbriki. This was partially offset by an increase in Other Expenses in Community, Arts and Culture for the \$240,000 for the Community and Cultural grants program, as awarded by the Council in 16 October 2018 (Council resolution: ITEM NO 8.2).

The Surplus from Continuing Operations before Capital Grants and Contributions for the full financial year is forecast to increase by \$6,597,019 to \$13,956,010 reflecting the changes noted above excluding the forecast changes to Grants & Contributions – Capital Purposes.

Capital Budget Statement

Expenditure on Capital Works for the six months ended 31 December 2018 is \$35,098,296.

	YTD Actual \$	YTD Forecast \$	Variance \$
Total Capital Expenditure	(35,098,296)	(37,648,079)	(2,549,783)

Capital Works expenditure for the full financial year is forecast to decrease by \$1,588,780 to \$118,736,243. The changes to the forecast are shown below.

	Annual Budget \$	Approved Forecast \$	Approved Budget Variations \$	Current Forecast \$	Proposed December Review Variations \$
Total Capital Expenditure	(111,282,815)	(120,325,023)	(9,042,203)	(118,736,243)	1,588,780

Description	\$
Changes by Council Resolution during the first quarter:	(7,744,439)
Changes by Council Resolution in the September 2018 Budget Review:	(1,297,764)
Approved Capital Expenditure forecast changes	(9,042,203)
Proposed Changes to the Approved Capital Expenditure forecast	
<u>Reclassification to Specific Projects - no impact on Budget</u>	
IT Software – New Works	(50,000)
IT Software - Replacements	50,000
Connecting All Through Play - Active Play	45,800
Newport SLSC	(45,800)
Kerb and Gutter Renewal	200,000
Tidal Pools Refurbishment	(200,000)
	-
<u>Rollover to 2019/20</u>	
Connecting Communities - Footpaths Programs	400,000
Connecting All Through Play - Inclusive Play	1,400,000
Sportsgrounds - New and Upgrades	350,000
Mona Vale Library - Upgrades and New Works	100,000
Coast Walk Art Trail - Merger Savings Fund	100,000
Bridge Renewal	350,000
	2,700,000
<u>Brought forward from 2019/20</u>	
Library Buildings Works Program	(84,000)
	(84,000)
<u>Increase in Capital Works Budget</u>	
Harbourview Preschool / Community Centre	(139,529)
Community Centres Minor Works Program	(48,314)
Warriewood Rugby Park Clubhouse	(63,820)
Light Fleet	(250,000)
North Steyne SLSC Balcony Replacement	(30,000)
	(531,663)
<u>Grant and Contribution funded increases / decreases</u>	
New Traffic	(98,860)
Bike Plan Implementation - New	(250,000)
North Steyne SLSC Balcony Replacement	(85,000)
Rowland Reserve Boating Facilities Renewal	37,802
Sportsfield Renewal Program	(170,000)
Playground Renewal Program	(52,000)
	(618,058)
<u>Other</u>	
Kimbriki Cell Develop Area 4B	22,500
Kimbriki Landfill Resource Recovery Facility	100,000
	122,500
Total Net Changes identified in the proposed forecast	1,588,780

The reclassification to specific projects has no overall impact on the forecast and represents a reallocation of program works to individual projects such as the reallocation of the IT replacement projects - \$50,000 to IT new projects - \$50,000.

An amount of \$84,000 has been brought forward from 2019/20 to meet additional costs, including heritage requirements, for the Dee Why Library project commencing January 2019.

In relation to the works proposed to rollover to 2019/20 the factors that necessitate this change are:

Project	Roll over to 2019/20	Comment
Connecting Communities - Footpaths Programs (Stronger Communities Fund)	\$400,000	Construction of Stage 2 works at Whale Beach Rd has been delayed to enable further design development and consultation with the community.
Connecting All Through Play - Inclusive Play (Stronger Communities Fund)	\$1,400,000	As per Council resolution 374/18, the scope for Manly Dam playground has significantly reduced to \$300,000 and \$1.2m was reallocated to Clontarf Beach masterplan works. Construction of both the Manly Dam playground and the Clontarf works are expected in 2019/20.
Sportsgrounds - New and Upgrades	\$350,000	The installation of lighting at Tania Park has been delayed due to additional reports required for the proposed lighting at Tania Park, Balgowlah Heights. It is expected that the development application will be lodged in February, and if approved, construction commenced by mid-2019.
Mona Vale Library - Upgrades and New Works	\$100,000	Delays have been experienced due to changes in scope and the availability of the preferred internal designer.
Coast Walk Art Trail (Merger Savings Fund)	\$100,000	The draft Northern Beaches Coast Walk Public Art Strategic Plan will go to Council in February for exhibition. Pending adoption of the plan, art projects will be procured in the new financial year.
Bridge Renewal	\$350,000	Design and investigations for the Ocean Street, North Narrabeen Bridge scour protection are in progress and will be completed this financial year. Construction works will be deferred to 2019/20 due to the complex nature of this project and the required environmental approvals.

The increase in the Capital Works budget of \$531,663 represents adjustments to the budgets for:

- \$139,529 - Harbourview Preschool due to unanticipated additional costs and costs relating to North Harbour Childcare centre (remediation works covered by Lease end payment)
- \$250,000 – Vehicles for additional senior staff under the new organisation structure endorsed by Council in November 2018 and replacement of 4 electric vehicles
- \$63,820 – Warriewood Rugby Park Clubhouse due to additional contaminated land treatment costs
- \$48,314 – Additional costs to relocate the Aboriginal Heritage Office to Harbord
- \$30,000 – Council's contribution towards renewal of the balconies at North Steyne SLSC

The Council has successfully received grant funding for a number of projects including a combined \$348,860 from the RMS to carry out works on their behalf and a contribution of \$85,000 from North Steyne SLSC. The reduction in the grant funded capital works program of \$37,802 relates to Rowland Reserve Boating Facilities Renewal which has been completed under budget.

The Capital Works forecast for two projects at the Kimbriki Resource Recovery Centre has reduced. The Kimbriki Cell Development Area 4B budget was reduced by \$22,500 as no further work is to be undertaken this year on Cell 4B, with the development of Cell 4A a priority for the rest of the year. The budget for the Kimbriki landfill resource recovery facility was also reduced by

\$100,000. A tender for new contractors at Kimbriki is underway so no further development of this facility is planned for this financial year.

Northern Beaches Council
Income Statement
for the Six Months Ended 31 December 2018

Original Budget 2018/19 \$'000	Actual 1 July 2018 to 31 Dec 2018 \$'000
Income from Continuing Operations	
210,460 Rates & Annual Charges	211,069
79,538 User Charges & Fees	42,265
5,748 Interest & Investment Revenues	3,331
25,279 Other Revenues	12,492
14,744 Grants & Contributions - Operating Purposes	6,569
11,985 Grants & Contributions - Capital Purposes	7,846
765 Gains on Disposal of Assets	123
- Share of interests in Joint Venture using Equity Method	-
348,518 Total Income from Continuing Operations	283,695
Expenses from Continuing Operations	
(134,415) Employee Benefits & On-Costs	(64,006)
(3,572) Borrowing Costs	(1,846)
(119,019) Materials & Contracts	(53,947)
(35,386) Depreciation & Amortisation	(18,406)
(35,401) Other Expenses	(17,490)
(327,793) Total Expenses from Continuing Operations	(155,695)
20,724 Surplus/(Deficit) from Continuing Operations	128,000
- Minority Interests	-
20,724 Surplus/(Deficit) attributable to Council	128,000
8,739 Surplus/(Deficit) before Capital Grants & Contributions	120,154

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Consolidated Income and Expenses

	Original Budget \$'000	Changes Already Approved By Council \$'000	Approved Forecast \$'000	Recommended changes for Council Resolution \$'000	Current Forecast \$'000	Actual 1 July 2018 to 31 Dec 2018 \$'000
Income from Continuing Operations						
Rates & Annual Charges	210,460	-	210,460	588	211,048	211,069
User Charges & Fees	79,538	566	80,104	455	80,559	42,265
Interest & Investment Revenues	5,748	250	5,998	75	6,073	3,331
Other Revenues	25,279	(186)	25,092	918	26,010	12,492
Grants & Contributions - Operating Purposes	14,744	349	15,093	553	15,646	6,569
Grants & Contributions - Capital Purposes	11,985	1,058	13,043	638	13,681	7,846
Gains on Disposal of Assets	765	285	1,050	(685)	365	123
Share of interests in Joint Venture using Equity Meth	-	-	-	-	-	-
Total Income from Continuing Operations	348,518	2,322	350,839	2,542	353,381	283,695
Expenses From Continuing Operations						
Employee Benefits & Oncosts	(134,415)	778	(133,637)	3,031	(130,607)	(64,006)
Borrowing Costs	(3,572)	-	(3,572)	120	(3,452)	(1,846)
Materials and Contracts	(119,019)	(698)	(119,717)	968	(118,749)	(53,947)
Depreciation and Amortisation	(35,386)	(1,750)	(37,136)	(216)	(37,353)	(18,406)
Other Expenses	(35,401)	(974)	(36,375)	791	(35,584)	(17,490)
Total Expenses From Continuing Operations	(327,793)	(2,644)	(330,438)	4,693	(325,744)	(155,695)
Surplus / (Deficit) from Continuing Operations	20,724	(323)	20,402	7,235	27,637	128,000

Northern Beaches Council
Budget review for the quarter ended - 31 Dec 2018
Cash & Investments

	Original Budget Closing Balance 30 June 2019 \$'000	Changes Already Approved By Council \$'000	Approved Forecast Closing Balance 30 June 2019 \$'000	Recommend ed changes for Council Resolution \$'000	Current Forecast Closing Balance 30 June 2019 \$'000	Actual at 31 Dec 2018 \$'000
Total Cash and Investments	159,313	1,500	160,813	9,049	169,862	244,815
represented by:						
Externally restricted						
Developer Contributions	27,844	-	27,844	83	27,927	37,218
Specific Purpose Unexpended Grants	7,914	1,250	9,164	175	9,339	3,617
Domestic Waste Management	244	-	244	278	522	20,319
Stormwater Management Levy	-	-	-	-	-	654
Stronger Communities Fund	-	-	-	1,800	1,800	28,501
New Council Implementation	-	-	-	41	41	1,021
Other	-	-	-	-	-	720
Total Externally Restricted	36,002	1,250	37,252	2,377	39,629	92,049
Internally Restricted						
Merger Savings Fund	-	-	-	100	100	9,200
Unexpended Loans	-	-	-	-	-	1,479
Deposits, Retentions & Bonds	9,944	-	9,944	-	9,944	12,599
Employee Leave Entitlement	6,202	-	6,202	-	6,202	6,180
Cemetery Reserve	-	-	-	-	-	3,729
Balgowlah Area Improvements	-	-	-	-	-	295
Manly Meals on Wheels	-	-	-	-	-	230
Other	13,004	-	13,004	124	13,128	5,363
Total Internally Restricted	29,150	-	29,150	224	29,374	39,076
Total Restricted Cash	65,152	1,250	66,402	2,601	69,003	131,125
Total Unrestricted/ Available Cash	94,161	250	94,411	6,448	100,859	113,689

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Balance Sheet

Original Budget 30 Jun 2019 \$'000	Actual 31 December \$'000
ASSETS	
Current Assets	
7,168 Cash & Cash Equivalents	5,562
136,191 Investments	238,383
19,387 Receivables	105,178
82 Inventories	213
1,510 Other	2,793
- Non Current Assets Classified as "held for sale"	-
164,338 Total Current Assets	352,128
Non-Current Assets	
954 Investments	870
1,751 Receivables	1,234
4,835,092 Infrastructure, Property, Plant & Equipment	4,920,067
23 Investments Accounted for using the equity method	-
2,080 Investment Property	6,085
0 Intangible Assets	-
4,839,900 Total Non-Current Assets	4,928,257
5,004,238 Total Assets	5,280,384
LIABILITIES	
Current Liabilities	
42,858 Payables	40,934
6,384 Borrowings	2,640
29,240 Provisions	29,459
78,482 Total Current Liabilities	73,033
Non-Current Liabilities	
- Payables	-
26,177 Borrowings	32,358
39,387 Provisions	41,652
65,564 Total Non-Current Liabilities	74,010
144,046 Total Liabilities	147,043
4,860,192 Net Assets	5,133,341
EQUITY	
4,700,936 Retained Earnings	4,974,014
158,417 Revaluation Reserves	158,417
4,859,353 Council Equity Interest	5,132,431
839 Minority Equity Interest	910
4,860,192 Total Equity	5,133,341

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Cash Flow Statement

Original Budget 30 June 2019 \$'000	Actual 31 December 2018 \$'000
Cash Flows from Operating Activities	
<u>Receipts:</u>	
210,460 Rates & Annual Charges	124,238
79,144 User Charges & Fees	42,298
5,748 Interest & Investment Revenue Received	3,331
26,729 Grants & Contributions	14,415
- Deposits & Retentions Received	-
25,279 Other	12,492
<u>Payments:</u>	
(134,690) Employee Benefits & On-Costs	(64,006)
(121,019) Materials & Contracts	(54,387)
- Borrowing Costs	(1,846)
- Deposits & Retentions Received	228
(36,206) Other	(17,636)
55,445 Net Cash provided (or used in) Operating Activities	59,126
Cash Flows from Investing Activities	
<u>Receipts:</u>	
- Sale of Investment Securities	127,037
2,415 Sale of Infrastructure, Property, Plant & Equipment	4,165
- Sale of Non-current assets classified as "held for resale"	-
<u>Payments:</u>	
- Purchase of Investment Securities	(153,120)
(109,867) Purchase of Infrastructure, Property, Plant & Equipment	(35,098)
- Purchase of Intangibles	-
- Inventory	-
(107,452) Net Cash provided (or used in) Investing Activities	(57,016)
Cash Flows from Financing Activities	
<u>Receipts:</u>	
- Proceeds from Borrowings & Advances	-
<u>Payments:</u>	
(6,965) Repayment of Borrowings & Advances	(2,585)
- Repayment of Finance Lease Liabilities	-
- Dividends Paid to Minority Interests	-
(6,965) Net Cash Flow provided (used in) Financing Activities	(2,585)
(58,972) Net Increase/(Decrease) in Cash & Cash Equivalents	(475)
- Net Increase/(Decrease) in Investments	-
218,285 Plus Cash & Cash Equivalents at beginning of year	6,037
159,313 Cash & Investments - end of the period	5,562
- Plus: Investments on Hand - end of period	239,253
159,313 Cash, Cash Equivalents & Investments - end of year	244,815

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Cash and Investments Statement

Original Budget 30 June 2019 \$'000	Actual 31 Dec 2018 \$'000
159,313 Total Cash and Investments	244,815
Represented by:	
Externally Restricted	
27,844 Developer Contributions	37,218
7,914 Specific Purpose Unexpected Grants	3,617
244 Domestic Waste Management	20,319
- Stormwater Management Levy	654
- Stronger Communities Fund Grant	28,501
- New Council Implementation	1,021
- Other	720
36,002 Total Externally Restricted	92,049
Internally Restricted	
- Merger Savings Fund	9,200
- Unexpended Loans	1,479
9,944 Deposits, Retentions & Bonds	12,599
6,202 Employee Leave Entitlement	6,180
- Cemetery Reserve	3,729
- Balgowlah Area Improvements	295
- Manly Meals on Wheels	230
13,004 Other	5,363
29,150 Total Internally Restricted	39,076
65,152 Total Restricted Cash	131,125
94,161 Total Unrestricted / Available Cash	113,689

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Capital Budget Statement

Original Budget 2018/19 \$'000	Actual 1 July 2018 to 31 Dec 2018 \$'000
Capital Funding	
13,205 Working Capital	2,374
37,849 Depreciation	17,539
4,210 Capital Grants & Contributions	2,849
External Restrictions	
5,277 - S94	2,951
7,525 - S94A	1,410
19,500 - DWM	-
2,100 - Unexpended Capital Grants & Contributions	-
8,911 - Stronger Communities Fund	2,995
- - New Council Implementation Fund	41
21 - Other	-
Internal Restrictions	
3,781 - Merger Savings Fund	326
5,823 - Other	2,747
Income from Sales of Assets	
3,081 - Plant and Equipment	1,866
111,283 Total Capital Funding	35,098
Capital Expenditure	
28,021 Plant & Equipment	3,454
2,369 Office Equipment	425
3,072 Land Improvements	1,696
20,348 Open Space/Recreational Assets	5,986
19,889 Buildings	7,799
1,833 Other Structures	1,266
26,086 Roads, Bridges & Footpaths	10,648
6,948 Stormwater Drainage	2,817
1,345 Library Books	342
31 Art Collection	6
801 Swimming Pools	578
540 Other Assets	81
111,283 Total Capital Expenditure	35,098

Northern Beaches Council
Budget review for the quarter ended - 31 December 2018
Capital Budget Statement

	Original Budget \$'000	Changes Approved By Council \$'000	Approved Forecast \$'000	Recommend ed changes for Council Resolution \$'000	Current Forecast \$'000	Actual 1 July 2018 to 31 Dec 2018 \$'000
Capital Funding						
Rates & Other Untied Funding						
Rates & Other Untied Funding	-	-	-	-	-	-
Working Capital	13,205	(1,262)	14,467	(140)	14,607	2,374
Depreciation	37,849	(6,357)	44,206	544	43,662	17,539
Capital Grants & Contributions	4,210	192	4,018	(888)	4,906	2,849
External Restrictions						
- S94	5,277	(547)	5,824	83	5,741	2,951
- S94A	7,525	(1,051)	8,576	(0)	8,576	1,410
- DWM	19,500	-	19,500	-	19,500	-
- Unexpended Capital Grants & Contributions	2,100	(100)	2,200	175	2,025	-
- Stronger Communities Fund	8,911	145	8,765	1,800	6,965	2,995
- New Council Implementation Fund	-	(41)	41	41	-	41
- Other	21	-	21	(0)	21	-
Internal Restrictions						
- Merger Savings Fund	3,781	(258)	4,039	100	3,939	326
- Other	5,823	63	5,760	124	5,636	2,747
Income from Sale of Assets						
- plant and equipment	3,081	173	2,908	(250)	3,158	1,866
- land and buildings	-	-	-	-	-	-
Other	-	-	-	-	-	-
Total Capital Funding	111,283	(9,042)	120,325	1,589	118,736	35,098

Capital Expenditure						
Plant & Equipment	28,021	(874)	28,895	(250)	29,145	3,454
Office Equipment	2,369	169	2,201	-	2,201	425
Land improvements	3,072	(824)	3,896	23	3,873	1,696
Open Space/Recreational Assets	20,348	(1,053)	21,401	1,574	19,827	5,986
Buildings	19,889	(1,136)	21,025	(259)	21,283	7,799
Other Structures	1,833	(2,238)	4,070	-	4,070	1,266
Roads, Bridges & Footpaths	26,086	(2,070)	28,157	601	27,556	10,648
Stormwater Drainage	6,948	(849)	7,797	-	7,797	2,817
Library Books	1,345	(70)	1,415	-	1,415	342
Art Collection	31	-	31	-	31	6
Swimming Pools	801	-	801	(200)	1,001	578
Other Assets	540	(98)	638	100	538	81
Total Capital Expenditure	111,283	(9,042)	120,325	1,589	118,736	35,098

Consultancy and Legal Expenses

The table below discloses expenditure to date on Consultancies and Legal Expenses

Expense	1 July 2018 to 31 Dec 2018 \$	Budgeted (Y/N)
Consultancies	229,198	Y
Legal Fees	1,673,788	Y

Contracts

Contracts entered into during the three months to 31 December 2018 that exceed \$50,000 are detailed below.

Contractor	Contract Detail & Purpose	Contract Value \$	Commencement Date	Expected Finish Date	Budgeted (Y/N)
Australian Areas Management and Repair Pty Ltd	Forestville Park Bush Regeneration & HR	60,000	3/10/2018	30/06/2019	Y
Terra Australis Regeneration	Collaroy Reserves Bush Regeneration and HR Services	50,000	3/10/2018	31/05/2020	Y
Toolijooa Pty Ltd	Grevillea caleyi and Duffys Forest EC Bush Regeneration and HR Services	68,000	3/10/2018	31/05/2019	Y
Murphey's Remedial Builders Pty Ltd	Balcony Renewal Works at North Steyne Surf Life Saving Club	89,975	5/10/2018	28/12/2019	Y
100% Renewables Pty Ltd	Northern Beaches Council Energy Audit	64,000	5/10/2018	31/01/2019	Y
Dragonfly Environmental Pty Ltd	HR Projects Avalon (LGP-FMFV)	78,000	17/10/2018	31/05/2019	Y
Pressure System Solutions Pty Ltd	Feasibility of reticulated water and wastewater services for Scotland Island	285,000	29/10/2018	28/10/2020	Y
Haskoning Australia Pty Ltd	Consultancy Services for Wakehurst Parkway Flood Mitigation Feasibility Study	99,175	31/10/2018	16/10/2019	Y
Australian Wide Security Services Pty Ltd	Cash Collection Services	90,188	1/11/2018	30/08/2019	Y
Plateau Tree Services Pty Ltd, Active Tree Services Pty Ltd, Tree Serve Pty Ltd	Provision of Tree Maintenance Services	12,000,000	1/11/2018	31/10/2020	Y
Adaptive Trust T/A Deziign Interiors	Manly Dam Public Amenities Renewal	481,400	5/11/2018	23/01/2019	Y
Dragonfly Environmental Pty Ltd	Bushland Restoration Project - Bilgola, North Newport, Avalon, McCarrs Creek Reserve	83,000	5/11/2018	14/06/2019	Y
Twenty Four Seven Building and Maintenance Services Pty Ltd	24C Walana Crescent - Deck Demolition and Renewal of Existing Structures and Services	107,300	12/11/2018	31/01/2019	Y
Landscape Solutions	Lionel Watts inclusive playground	3,075,983	13/11/2018	13/09/2019	Y
Beasy Pty Ltd	3 Boondah Road Demolition	244,400	13/11/2018	14/12/2018	Y
Rees Electrical Pty Ltd	Sportsground Floodlighting Upgrade Design and Construct	580,717	16/11/2018	15/03/2020	Y
Urban Maintenance Systems Pty Ltd	Graffiti Removal Service	2,000,000	19/11/2018	18/11/2021	Y
Assetic Australia Pty Ltd	Asset Revaluations	220,000	22/11/2018	21/06/2020	Y
Rees Electrical Pty Ltd	Melwood Oval Netball Courts Lighting	109,600	30/11/2018	10/12/2018	Y
Dell Computer Pty Ltd	End User Desktop Hardware Refresh	77,900	1/12/2018	30/06/2019	Y
Eco Logocal Australia Pty Ltd	Tidal Pool REF x3	63,580	15/10/2018	30/11/2018	Y
Thompson Berrill Landscape Designs	Freshwater Headland and McKillop Boardwalk-Concept Feasibility and Options Report	104,954	1/12/2018	31/03/2019	Y
TCM Constructions Group Pty Ltd	South Steyne Stormwater Repair	353,865	7/12/2018	1/02/2019	Y
Fleetwood Urban Pty Ltd	Quarter Sessions Road Stairs	118,904	15/12/2018	31/12/2018	Y
BMT Eastern Australia Pty Ltd	McCarrs Ck, Mona Vale & Bayview Flood Risk Management Plan	111,800	17/12/2018	16/12/2019	Y
Royal Haskoning Pty Ltd	Taylors Point Seawall Design	83,000	17/12/2018	28/02/2019	Y
TRC Tourism Pty Ltd	Northern Beaches Destination Management Plan	136,325	18/12/2018	17/12/2019	Y

Contractor	Contract Detail & Purpose	Contract Value \$	Commencement Date	Expected Finish Date	Budgeted (Y/N)
C.M Fallon & R.J Fallon T/A Sea Dragon Protective Enclosures	Scientific Diving and Pool Maintenance to Clontarf Tidal Pool	100,000	3/12/2018	31/01/2019	Y
C.M Fallon & R.J Fallon T/A Sea Dragon Protective Enclosures	Scientific Diving and Pool Maintenance to Forty Baskets Beach Tidal Pool	88,000	3/12/2018	31/01/2019	Y
JCB Construction Equipment	Purchase of a backhoe	153,754	11/10/2018	21/11/2018	Y
Garwood International	Supply of waste compactors	1,920,396	12/10/2018	15/06/2019	Y
Hills District Farm Equipment Pty Ltd.	Supply of beach cleaning tractor	117,140	17/10/2018	4/12/2018	Y
Adtrans Hino	Purchase of single cab carpenter's truck	53,062	17/10/2018	15/11/2018	Y
Adtrans Hino	Purchase of 8T tipping truck	65,146	24/10/2018	15/02/2018	Y
Adtrans Hino	Purchase of 8 tipping trucks	813,875	9/11/2018	15/04/2018	Y
Daimler Trucks Huntingwood	Purchase of 8T crew cab tipping truck	90,000	6/12/2018	15/04/2018	Y
CBRE Pty Ltd	Dee Why Town Centre - Preliminary Project Delivery Structuring Analysis	135,750	12/11/2018	30/06/2019	Y
Australian Areas Management & Repairs Pty Ltd, Design Landscapes Pty Ltd, Image Property Detailing Pty Ltd, Plateau Tree Services Pty Ltd, Skyline Landscape Services Pty Ltd, The Organic Mechanics Pty Ltd, Marsupial Landscape Management, Waratah Eco Works Pty Ltd, Dragonfly Environmental Pty Ltd, Danalig Pty Ltd, Landscape Productions Pty Ltd, PC Landscapes Pty Ltd, I&B Maintenance Services	Reactive Vegetation and Landscape Maintenance	2,150,000	14/12/2018	14/12/2021	Y

Tenders approved under delegation during the three months to 31 December 2018

Tender	Description	Date approved	Value \$	Contingency \$
2018/036	Narrabeen Lagoon Trail Aquatic Boardwalk	29/10/2018	1,980,490	396,098
2018/156	Sportsground Floodlighting Upgrade Design and Construct	29/10/2018	580,717	58,072
2018/195	3 Boondah Road Demolition	13/11/2018	244,400	-
2018/200	North Narrabeen Rockpool Amenities	20/12/2018	584,999	60,000
2018/221	Feasibility of reticulated water and wastewater services for Scotland Island	23/10/2018	285,000	-
2018/266	Dee Why & Brookvale Transport Management & Accessibility Plan	4/12/2018	297,773	30,000
2018/269	Pacific Waves and Peninsula Carpark Lighting Upgrade - Installation	20/12/2018	167,930	16,793
2018/187	South Steyne Stormwater Repair	9/11/2018	353,865	98,000

Financial Performance Measures

The following financial performance measures indicate that Council is in a strong and sustainable financial position.

	Amounts 31/12/2018 \$'000	Indicators 31/12/2018 %	Benchmark
\$ '000			
1. Operating Performance			
Total continuing operating revenue excluding capital grants and contributions less operating expenses	120,154	43.56%	>0
Total continuing operating revenue excluding capital grants and contributions	275,849		
2. Own Source Operating Revenue			
Total continuing operating revenue excluding all grants and contributions	269,280	94.92%	>60%
Total continuing operating revenue inclusive of capital grants and contributions	283,695		
3. Unrestricted Current Ratio			
Current assets less all external restrictions	260,079	5.97x	>1.5x
Current liabilities less specific purpose liabilities	43,574		

CONSULTATION

Where relevant, community feedback on activities or events is included in the attachment.

TIMING

The Quarterly Budget Review Statement meets the requirements of the *Local Government Act 1993* (s404(5)) and *Local Government (General) Regulation 2005* (Cl203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the Operational Plan 2018/19. This includes the continued delivery of capital works and services that support our community and economy. These initiatives will have a positive social and economic impact on the community.

ENVIRONMENTAL CONSIDERATIONS

The report provides progress on implementing the Operational Plan 2018/19 which includes a range of projects which will protect and enhance our natural environment through management of coast, bush and biodiversity; implementing catchment management initiatives; and comprehensive environmental works and education on our urban and natural settings.

GOVERNANCE AND RISK CONSIDERATIONS

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e. implementation of the Operational Plan 2018/19 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.

ITEM 8.2	STRONGER COMMUNITIES FUND AND NEW COUNCIL IMPLEMENTATION FUND - QUARTERLY REPORT DECEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY, PERFORMANCE AND IMPROVEMENT
TRIM FILE REF	2018/799473
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide an update on the delivery of projects funded from the \$36.1 million Stronger Communities Fund and \$10 million New Council Implementation Fund.

EXECUTIVE SUMMARY

Council received \$36.1 million from the NSW Government's Stronger Communities Fund (SCF) to provide funding to kick start the delivery of improved infrastructure and services to the community. An additional \$10 million was provided to Council under the New Council Implementation Fund (NCIF) to assist Councils with the upfront costs of implementing the new Council.

A summary of the program of work and expenditure to 31 December 2018 is below:

Program	SCF/NCIF allocation	Expenditure to 31 December 2018
Community Grants Program (SCF)	\$1,000,000	\$965,651
Connecting Communities Program (SCF)	\$14,000,000	\$7,375,545
Tied Grants Program (SCF)	\$21,100,000	\$1,506,584
NCIF	\$10,000,000	\$9,212,852
Total	\$46,100,000	\$19,060,632

The Community Grants Program allocated \$1 million to support 53 community projects across a variety of focus areas including disability, art and culture, the environment, sporting, supporting people at risk and volunteer organisations. By 31 December 2018, 40 projects have been completed.

The *Connecting Communities Program* is a \$32.6 million multi-year program of works partially funded by SCF (\$14 million). It will deliver a spectacular world class coast walk and cycleway stretching from Manly to Palm Beach and west into the Frenchs Forest hospital precinct, a network of inclusive playgrounds and improvements to sporting and surf life saving facilities. Significant progress has been made with cycleway connections and shared paths with many of the Active Play projects already completed. Works have commenced on playgrounds and are progressing well.

The Tied Grants Program commenced in October 2017 whereby the NSW Government allocated \$21.1 million for the following 11 projects:

1. Church Point Community Park (Pasadena)
2. Wakehurst Parkway flood mitigation
3. Mona Vale Public School – Regional Performing Arts Centre
4. Mona Vale Surf Life Savings Club (SLSC) refurbishment
5. Long Reef SLSC refurbishment
6. Currawong Beach heritage refurbishment
7. North Pittwater foreshore improvements
8. Scotland Island wastewater feasibility study
9. Northern Pittwater permanent netball courts
10. Newport Surf Club refurbishment (planning)
11. Barrenjoey Community Performance Space.

The Church Point Community Park (Pasadena) project has been abandoned and the funds (\$7.9 million) disbursed among a number of other tied grant projects. The remaining projects are in various stages of feasibility assessment, planning and delivery.

The \$10 million NCIF has been fully allocated across a range of integration and implementation projects to establish the new Council. As at 31 December 2018, a total of \$9,212,852 has been expended against the NCIF with the total amount including accumulated interest committed.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note the Stronger Communities Fund and New Council Implementation Fund December Quarterly Update.

REPORT

BACKGROUND

The Stronger Communities Fund (SCF) was established by the NSW Government to provide new councils with funding to kick start the delivery of improved infrastructure and services to the community. Northern Beaches Council received \$36.1 million from the SCF for the following programs:

- Community Grants Program - \$1 million
- Connecting Communities Program - \$14 million
- Tied Grant Program - \$21.1 million.

The Tied Grant Program funding accepted by Council on 24 October 2017 involved 11 projects. One project, the Pasadena acquisition has since been abandoned and confirmation from the Office of Local Government was received in October 2018 that the remaining funds of \$7.9 million would be reallocated to the following tied grant projects:

- Mona Vale Surf Life Saving Club refurbishment - \$2.5 million
- Long Reef Surf Life Saving Club refurbishment - \$2.5 million
- Currawong Beach Heritage refurbishment and upgrade of existing infrastructure - \$1.68 million
- North Pittwater Foreshore Improvements:
 - Hudson Parade, Clareville improved pedestrian safety and footpath - \$250,000
 - George Street, Avalon seawall extension - \$120,000
 - South Palm Beach stage 2 landscaping works - \$550,000
- Northern Pittwater Permanent Netball Courts - \$250,000
- Barrenjoey Community Performance Space - \$50,000.

The New Council Implementation Fund (NCIF) was provided to all new councils formed in metropolitan Sydney. Northern Beaches Council received \$10 million in NCIF, provided by the NSW State Government.

Community Grants Program - \$1 Million

The Community Grants Program has been fully allocated to 53 community projects with successful applications announced at Council meetings on 16 December 2016 and 25 July 2017. These projects have been progressing well with a total of 40 projects completed, one this quarter.

The project successfully completed in the current quarter was:

Recipient	Project & Outcomes
Wheelchair Rugby League Australia	Wheelchair Rugby League Australia has founded a new branch of the game in the Northern Beaches. Based in the Dee Why PCYC, games will be played on a regular basis to help develop Wheelchair Rugby League in the region. At this point there is no other formalised Rugby League sport for people in wheelchairs in the Northern Beaches, which makes this competition the first of its kind. The competition will not only help develop local players and help them live a more active and enriched life, but will give a development pathway that could lead to State or National representation, with the pinnacle of the sport offering the chance to represent Australia (the Wheelaroos) in International matches and playing in the

	Rugby League World Cup (next RLWC to be hosted in England in 2021).
--	---

Seven projects are expected to be finalised in the next quarter. A further five projects will finish by June 2019.

Connecting Communities Program - \$14 Million from SCF

The \$32.6 million Connecting Communities Program is being funded in part by the SCF (\$14 million)

The Program comprises:

1. The \$22.3 million *Connecting the Northern Beaches* program, providing a continuous all-weather walkway from Palm Beach to Manly and an extensive Council-wide cycleway and shared path network focused on the B-Line. This will deliver 35.5km of new cycleway and shared paths (12.4km off road and 23.1km on-road) and 36km of continuous all weather coastal walkways including 8km of new boardwalks, stairs, footpaths and tracks as well as the Palm Beach Walkway from Palm Beach Wharf to Beach Road.
2. The \$10.3 million *Connecting All Through Play* program features a regional network of inclusive accessible playgrounds including a major new all abilities playground at Lionel Watts Reserve with accessibility upgrades and new playgrounds at Manly Dam and Clontarf Reserve and upgrades to play areas across the Northern Beaches to make them more inclusive. It also includes \$4 million for sporting facilities and surf lifesaving clubs. Progress on these programs is below:

Connecting the Northern Beaches – Cycleways

Over 38 kms of cycleways and shared paths have been delivered. This quarter the following was completed:

- On road cycle works Belrose, Dee Why to Narrabeen and at Mona Vale
- Shared path from Robert Dunn Reserve to Mona Vale Surf Club
- Shared path Bert Payne Reserve, Newport.

Connecting the Northern Beaches – Coast Walk

The Coast Walk is also well advanced with 4.3 kms delivered. Works during this quarter are as follows:

- Work completed from Hunter Street, Warriewood to Sydney Road, North Narrabeen along Narrabeen Park Parade.
- Hillcrest Avenue, Mona Vale has commenced and is due for completion in February 2019
- The concept design of stage 2: 347 Whale Beach Road to Florida Road, Palm Beach will commence early 2019 and tender in mid-2019
- Concept designs and consultation completed for the shared path from Newport Beach to Avalon Beach, with expected tender in early 2019
- Concept design for Beach Road, Palm Beach commenced
- Construction work to commence early 2019 for the section of Narrabeen Park Parade, Mona Vale from Melbourne Avenue to Robert Dunn Reserve
- Construction work to commence early in 2019 on stage 1 of Whale Beach Road from Norma Road to 347 Whale Beach Road, Palm Beach.

Connecting All Through Play - Inclusive Play

Council resolved to significantly reduce the scope of the Manly Dam playground proposal limiting expenditure to \$300,000 and reallocate the remaining SCF funding for this project to upgrade facilities at Clontarf Reserve to meet accessibility and inclusiveness requirements. Construction also commenced on the Lionel Watts playground in November and is due for completion in September 2019.

Connecting All Through Play - Active Play

Below is the status of work this quarter on upgrading sporting facilities:

- Lighting upgrade on Passmore Reserve and John Fisher Park is in progress, additional reports are required including flooding and contaminated site assessments to progress the DA.
- A separate report regarding the clubhouse at Lionel Watts Reserve, Frenchs Forest is included in the agenda for February Council meeting to determine the scope of the building.

Below is the status of work on upgrading Surf Life Saving Clubs this year:

- South Narrabeen – tenders received and preferred contractor selected. Project waiting for additional funds to be identified.
- North Steyne – initial site inspection undertaken. Building is heritage listed so works will require additional planning.
- Warriewood – initial meetings held with club representatives.
- Queenscliff – DA for the works has been approved. Project on hold during lease negotiations
- Mona Vale – DA to be considered in February 2019 with construction scheduled to commence June 2019.
- Long Reef – The second stage of community engagement is now complete and will be reported to the February Council meeting.

Tied Grants Program - \$21.1 Million

As noted earlier funding was originally received for 11 projects. One project, the Pasadena acquisition has since been abandoned and funding reallocated to the remaining projects. Progress on the remaining 10 projects is detailed below.

Wakehurst Parkway Flood Mitigation

The Acid Sulfate Soils and Contamination Assessment along with the Aboriginal Heritage Due Diligence Assessment have been completed. The Feasibility Study is underway and will inform a gateway decision for project direction. Some supporting work for the Feasibility Study including an additional survey and a detailed sediment investigation has been completed, while services location is underway.

Mona Vale Public School: Regional Performing Arts Centre

This involves a feasibility study and business case preparation. The Feasibility Study has been finalised.

Mona Vale Surf Life Saving Club: refurbishment

The development application was lodged in October 2018 and a determination is expected at the end of February 2019. Preparation of the detail design/tender documentation is continuing

concurrently with the assessment of the DA. An extension request to June 2020 has been submitted to the Office of Local Government.

Long Reef Surf Life Saving Club: refurbishment

The second stage of community engagement is now complete and will be reported to the February Council meeting. An extension request to May 2021 has been submitted to the Office of Local Government.

Currawong Beach Heritage: refurbishment and upgrade of existing infrastructure

Works are expected to commence in April 2019. The additional funding from the Pasadena reallocation will enable all nine cabins to be refurbished as well as the games room. Due to the additional works, an extension request has been submitted to the Office of Local Government to December 2020.

North Pittwater Foreshore Improvements

This involves works at various locations:

- Hudson Parade, Clareville: improve pedestrian safety and provide a footpath between Clareville Beach and Taylors Point.

Concept design has been released for public exhibition which closes on 18 January 2019. The designs will be amended at the end of the consultation period with construction expected to commence in March 2019 and expected to take two months.

- George Street, Avalon: extend the seawall at George Street to the end of the road.

Stage 1 has been completed. The additional funds reallocated from the Pasadena will go towards Stage 2 works including new stair and path access to Careel Bay foreshore and finishing works for the George Street seawall.

- South Palm Beach: Landscaping works to restore grassed area amenity, improve access and drainage, construct stone flagged plaza opposite shops and construction of pathways between the pavilion and culvert.

Implementation of stage 1 of the South Palm Beach Masterplan (Black Rock to Ocean Place) has been completed. Funds reallocated from the Pasadena will allow for Stage two works which will commence in February 2019.

Scotland Island Wastewater Feasibility Study

This involves a feasibility of providing a reticulated water and/or wastewater service. Two contracts have been awarded to conduct the feasibility study and to conduct a peer review. The Project Management Plan has been submitted, and consultants have met with Community Working Group and work on estimating requirements and costs of connecting to water/sewer is being undertaken.

Northern Pittwater Permanent Netball Courts

This includes four new hardcourts, lighting and ancillary infrastructure at Avalon Beach for training. Updating the Plan of Management has commenced.

Newport Surf Club Refurbishment

This involves preparation of planning documents for the work. A draft concept plan was prepared by the architect.

Barrenjoey Community Performance Space

This involves the development of a multi-use community facility and performance space within the grounds of Barrenjoey High School managed by the NSW Department of Education.

Concept plans and cost estimates by a Quantity Surveyor have been provided by the Department of Education. Council staff are progressing discussions to establish milestones and payment instalments with appropriate governance.

New Council Implementation Fund (NCIF) - \$10 Million

The NCIF has been fully committed in accordance with the fund guidelines. The following are examples of activities eligible for funding from the New Council Implementation Fund:

- The provision of expert implementation advice, either from a panel of providers established by Department of Premier and Cabinet, or procured locally
- Integrating systems to support the operation of the new council
- Redundancy payments for staff
- Signage for the new council
- Development and release of the website for the new council
- Change management programs of staff to support implementation
- Councils may also use the NCIF to contribute to the cost of system upgrades.

The New Council Implementation Fund is not to be used for:

- Merger costs incurred prior to the commencement of the new council
- Other existing or ongoing staff costs
- Upgrades to the council's administrative buildings.

Operational priorities such as integrating core systems, signage, development of Council's website, and Operational Policy harmonisation have all been funded through NCIF.

CONSULTATION

Engagement planned over coming months includes:

- Surfview Road and Darley Street, Mona Vale
- Hillcrest Avenue, Mona Vale
- Whale Beach Road, from Florida Road to Norma Road, Palm Beach
- Barrenjoey Road from Newport SLSC to The Serpentine and then along Barrenjoey Road to Ross Street through to Avalon SLSC
- Palm Beach Golf Course to Black Rock, Palm Beach
- Avalon netball courts as part of the Avalon Place Plan
- South Palm Beach Masterplan – Boardwalk feasibility report on public exhibition in February 2019.
- Newport – Avalon shared path concept design

- Further consultation with residents on Whale Beach Road with detailed design for Stage 2 of the walkway.

FINANCIAL CONSIDERATIONS

At 31 December 2018 a combined total of \$13,654,378 has been spent on the *Connecting Communities Program*, *Community Grants Program* and *Tied Grants* of which \$9,847,780 is from the SCF as follows:

Program	Total Expenditure	SCF
Community Grants	\$965,651	\$965,651
Connecting Communities		
• Cycleways	\$4,044,342	\$705,269
• Pathways	\$4,507,990	\$4,161,702
• Inclusive play	\$1,871,855	\$1,770,138
• Active Play	\$757,956	\$738,436
Tied Grants	\$1,506,584	\$1,506,584
Total Expenditure	\$13,654,378	\$9,847,780

At 31 December 2018 a combined total of \$9,212,852 has been spent on the up-front costs of creating the new council from the NCIF as follows:

Expenditure Category	Total Expenditure
Expert Advice	\$268,393
Systems Integration	\$4,290,079
Redundancy	\$3,169,960
Signage	\$109,126
Website	\$675,252
Change Management	\$491,699
System Upgrades	\$20,563
Other	\$187,780
Total Expenditure	\$9,212,852

SOCIAL CONSIDERATIONS

The entire Northern Beaches community will benefit from significant social, health and well-being improvements derived from use of this community infrastructure that physically and socially connects them to their community and natural environment through improved active and public transport links and upgraded community infrastructure and the programs implemented by our community groups.

ENVIRONMENTAL CONSIDERATIONS

Appropriate environmental impact assessments will form part of the detailed design for the major projects and where possible works will be undertaken to minimise environmental impacts. The anticipated number of users of the new cycleways and footpaths as well as the lighting upgrades across a number of sporting facilities will have a positive impact on air quality and is another step towards reducing our community's greenhouse gas emissions. The foreshore improvement projects and the Scotland Island wastewater project will improve water quality within the Pittwater estuary upon implementation.

GOVERNANCE AND RISK CONSIDERATIONS

The Stronger Communities Fund requires the funds to have been spent or committed by 30 June 2019 and acquitted by 31 December 2019, while the Tied Grants require a commitment by 31 December 2018 and acquittal by 30 June 2019. Any uncommitted funds from either stream are to be returned to the Office of Local Government (OLG). A written request for an extension of time to deliver four of the Tied Grant projects and a change in scope for Manly Dam and Clontarf with an extension request to September 2020 to deliver Clontarf has been submitted to the Office of Local Government for consideration.

Although the delivery timeframe for the *Connecting Communities* program exceeds these timeframes, due to the mixed funding sources it is anticipated Council will be able to meet the acquittal timeframe prior to completion of the full program of works by utilising the Stronger Communities Fund first.

An internal review process is in place for determining variation requests from community grant recipients to ensure that this public money is being spent in accordance with the objectives of the Stronger Communities Fund.

The NCIF requires the funds to have been committed by 31 December 2018. The Chief Executive Team reviewed and endorsed the final NCIF commitments in November 2018. Remaining funds and any accrued interest will be spent on the following operational areas:

- Continued signage rollout
- Continued operational policy harmonisation including Work, Health and Safety
- Internal website.

ITEM 8.3	MONTHLY INVESTMENT REPORT - DECEMBER 2018
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/011675
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 \$246,453,069 comprising:

- Trading Accounts \$4,185,185
- Investments \$242,267,884

Performance over the period from 1 July 2018 to date was strong having exceeded the benchmark: 2.68%pa vs. 1.88%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.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2018 to date was \$3,102,195 compared to budgeted income of \$2,760,750, a positive variance of \$341,445.

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 September 2018 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”. They also stated that “The portfolio remains conservatively placed, well within the investment portfolio limits from a risk and term to maturity perspective”.

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 CHIEF EXECUTIVE OFFICER

That Council receives and notes the Investment Report as at 31 December 2018, including the certification by the Responsible Accounting Officer.

REPORT

INVESTMENT BALANCES

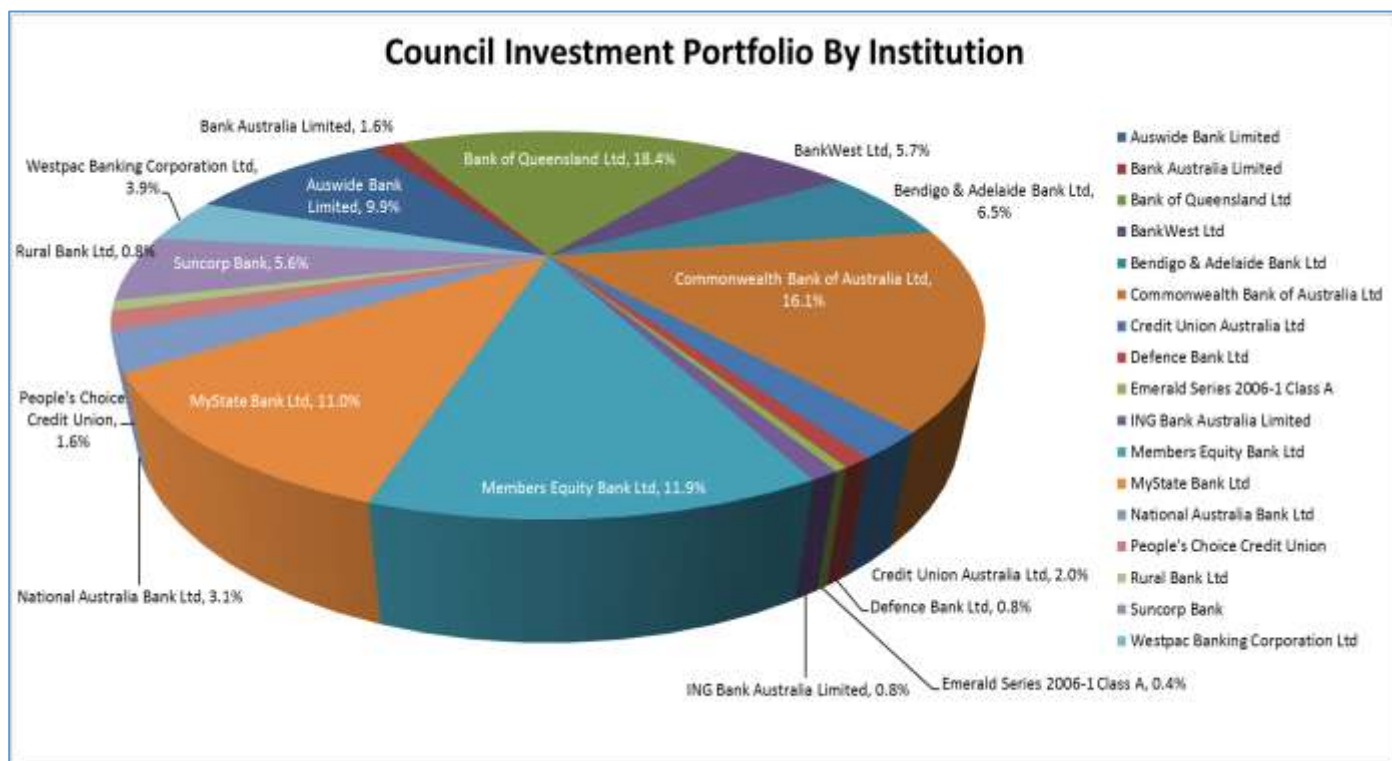
INVESTMENT BALANCES				
As at 31-Dec-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	2,881,931		1.55%
Commonwealth Bank of Australia Ltd	A1+	99,683		1.55%
Commonwealth Bank of Australia Ltd	A1+	7,431		1.55%
National Australia Bank Ltd	A1+	(180,787)		1.50%
		2,808,258		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	2,700,000	At Call	1.90%
		2,700,000		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	870,317	21-Aug-51	2.39%
		870,317		
Term Deposits				
Bank of Queensland Ltd	A2	3,000,000	03-Jan-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	03-Jan-19	2.60%
Members Equity Bank Ltd	A2	2,000,000	08-Jan-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Jan-19	2.65%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Jan-19	2.62%
Bank of Queensland Ltd	A2	1,000,000	15-Jan-19	2.60%
Westpac Banking Corporation Ltd	A1+	1,000,000	17-Jan-19	2.65%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jan-19	2.74%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Feb-19	2.60%
Rural Bank Ltd	A2	2,000,000	05-Feb-19	2.77%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Feb-19	2.61%
BankWest Ltd	A1+	2,000,000	07-Feb-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	12-Feb-19	2.85%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Feb-19	2.62%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-Feb-19	2.64%
Defence Bank Ltd	A2	2,000,000	21-Feb-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	26-Feb-19	2.64%
Bank of Queensland Ltd	A2	2,000,000	26-Feb-19	2.75%
Members Equity Bank Ltd	A2	1,000,000	05-Mar-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.65%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.82%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.86%
Suncorp Bank	A1	2,000,000	14-Mar-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	19-Mar-19	2.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Mar-19	2.66%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Mar-19	2.77%
Suncorp Bank	A1	3,000,000	28-Mar-19	2.75%

INVESTMENT BALANCES				
As at 31-Dec-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Auswide Bank Limited	A2	3,000,000	02-Apr-19	2.86%
Members Equity Bank Ltd	A2	2,000,000	04-Apr-19	2.80%
Bank of Queensland Ltd	A2	3,000,000	09-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	11-Apr-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	16-Apr-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Apr-19	2.78%
Suncorp Bank	A1	2,000,000	30-Apr-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Apr-19	2.75%
BankWest Ltd	A1+	2,000,000	02-May-19	2.80%
BankWest Ltd	A1+	2,000,000	07-May-19	2.80%
Members Equity Bank Ltd	A2	3,000,000	09-May-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	14-May-19	2.80%
BankWest Ltd	A1+	2,000,000	16-May-19	2.80%
BankWest Ltd	A1+	3,000,000	21-May-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	23-May-19	2.75%
Suncorp Bank	A1	2,000,000	28-May-19	2.75%
People's Choice Credit Union	A2	2,000,000	04-Jun-19	2.90%
BankWest Ltd	A1+	3,000,000	04-Jun-19	2.75%
National Australia Bank Ltd	A1+	2,000,000	06-Jun-19	2.80%
Bank Australia Limited	A2	2,000,000	11-Jun-19	2.90%
Auswide Bank Limited	A2	2,000,000	13-Jun-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	20-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	27-Jun-19	2.75%
Members Equity Bank Ltd	A2	1,000,000	02-Jul-19	2.80%
Suncorp Bank	A1	2,000,000	04-Jul-19	2.81%
Bank Australia Limited	A2	2,000,000	04-Jul-19	2.95%
Bank of Queensland Ltd	A2	2,000,000	09-Jul-19	2.75%
National Australia Bank Ltd	A1+	1,000,000	11-Jul-19	2.73%
Auswide Bank Limited	A2	2,000,000	11-Jul-19	2.75%
National Australia Bank Ltd	A1+	719,877	11-Jul-19	2.80%
Auswide Bank Limited	A2	2,000,000	16-Jul-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Jul-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	01-Aug-19	2.85%
Members Equity Bank Ltd	A2	2,000,000	06-Aug-19	2.85%
Bank of Queensland Ltd	A2	2,000,000	06-Aug-19	2.75%
National Australia Bank Ltd	A1+	2,000,000	08-Aug-19	2.75%
Credit Union Australia Ltd	A2	2,000,000	13-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	13-Aug-19	2.85%
Auswide Bank Limited	A2	2,000,000	15-Aug-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Aug-19	2.75%
Members Equity Bank Ltd	A2	3,000,000	03-Sep-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	05-Sep-19	2.75%

INVESTMENT BALANCES				
As at 31-Dec-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	2,000,000	10-Sep-19	2.75%
Credit Union Australia Ltd	A2	1,000,000	12-Sep-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-19	2.75%
MyState Bank Ltd	A2	2,000,000	24-Sep-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.87%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.85%
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	A1+	2,000,000	10-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	15-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	17-Oct-19	2.85%
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%
MyState Bank Ltd	A2	2,000,000	12-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	19-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Nov-19	2.87%
MyState Bank Ltd	A2	2,000,000	05-Dec-19	2.85%
		192,719,877		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,376,927		0.90%
		1,376,927		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	314,618	At Call	1.90%
Commonwealth Bank of Australia Ltd	A1+	368	At Call	1.90%
		314,985		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Jan-19	2.25%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Jan-19	2.66%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Jan-19	2.35%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Feb-19	2.44%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	21-Mar-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Mar-19	2.57%
Commonwealth Bank of Australia Ltd	A1+	7,262,705	29-Apr-19	2.52%
		15,262,705		
New Council Implementation Fund				
Term Deposits				
Members Equity Bank Ltd	A2	900,000	21-Mar-19	2.70%
		900,000		

INVESTMENT BALANCES				
As at 31-Dec-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Stronger Communities Fund				
Term Deposits				
Members Equity Bank Ltd	A2	500,000	15-Jan-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Feb-19	2.60%
Suncorp Bank	A1	750,000	14-Feb-19	2.75%
Auswide Bank Limited	A2	1,000,000	18-Apr-19	2.75%
Bank of Queensland Ltd	A2	650,000	18-Jun-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	23-Jul-19	2.70%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
Bank of Queensland Ltd	A2	600,000	17-Oct-19	2.80%
ING Bank Australia Limited	A2	2,000,000	19-Dec-19	2.90%
		9,000,000		
Stronger Communities Fund Round 2				
Term Deposits				
People's Choice Credit Union	A2	2,000,000	22-Jan-19	2.85%
Bank of Queensland Ltd	A2	3,000,000	05-Mar-19	2.65%
Members Equity Bank Ltd	A2	2,000,000	11-Apr-19	2.85%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-May-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	11-Jun-19	2.77%
Bank of Queensland Ltd	A2	2,000,000	18-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.90%
Auswide Bank Limited	A2	2,500,000	22-Oct-19	2.90%
		20,500,000		
Total Cash and Investments		246,453,069		

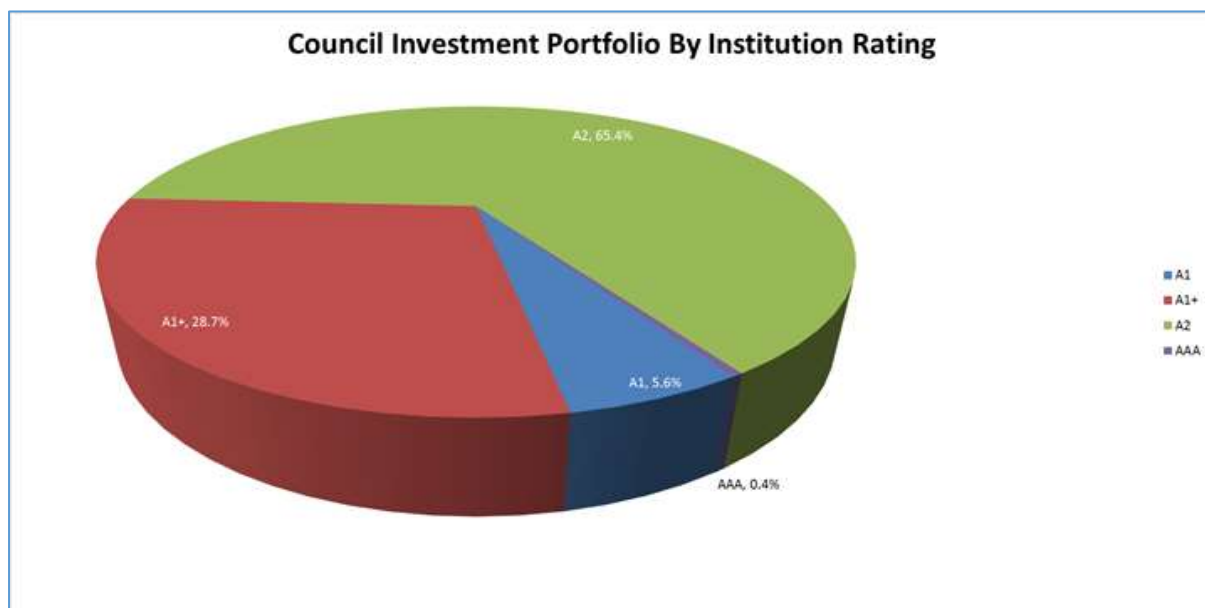
PORTFOLIO ANALYSIS



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)



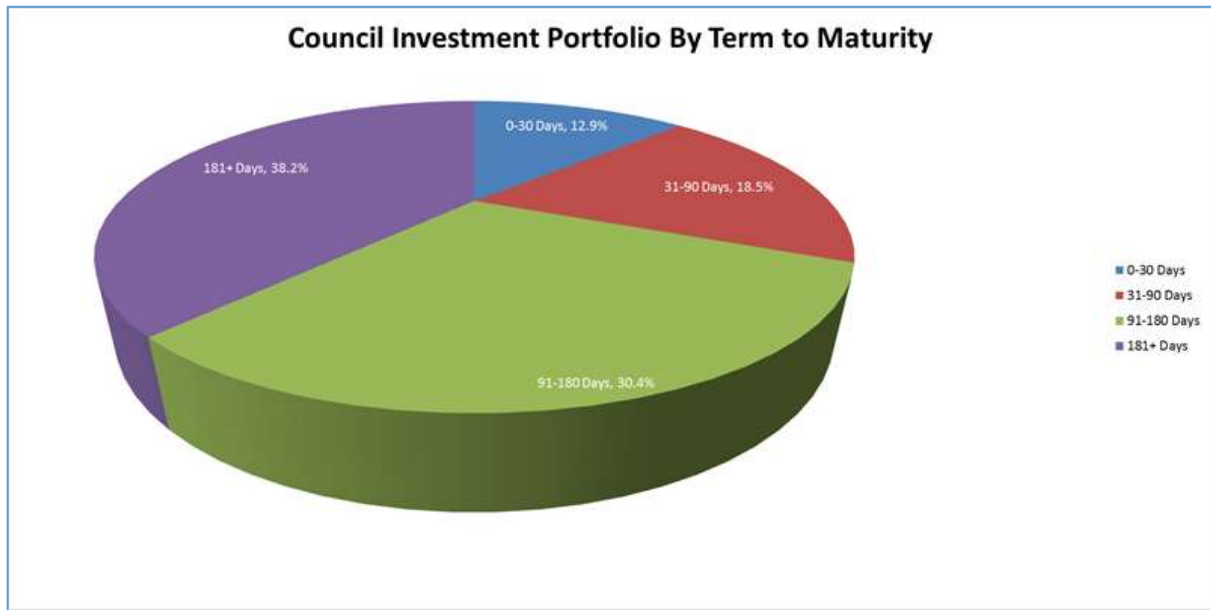
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

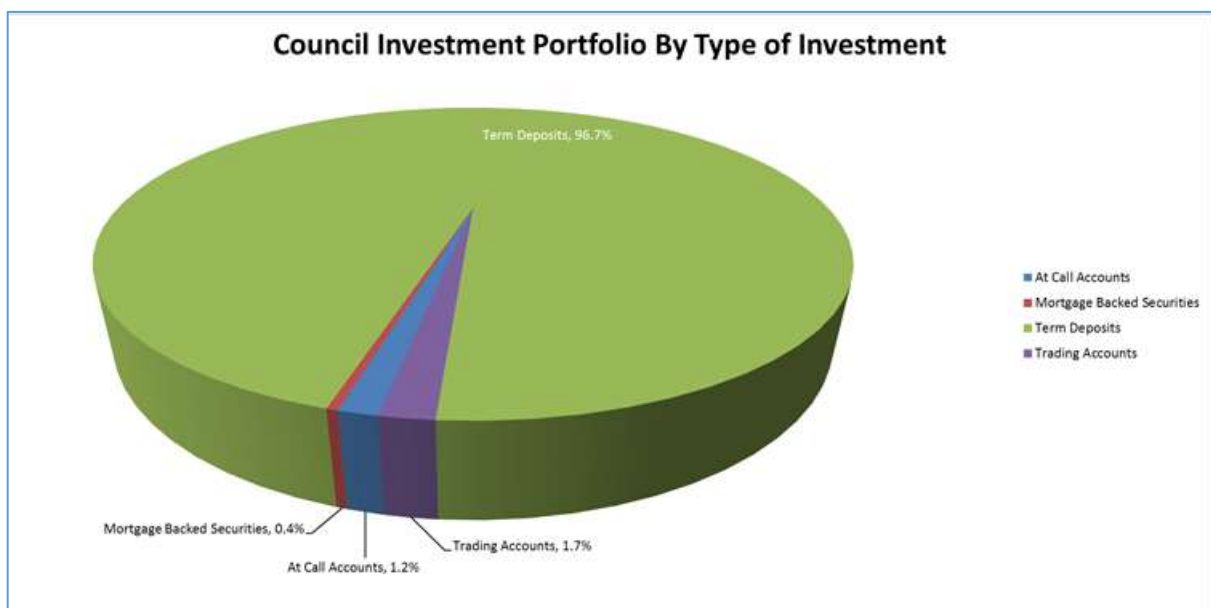
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

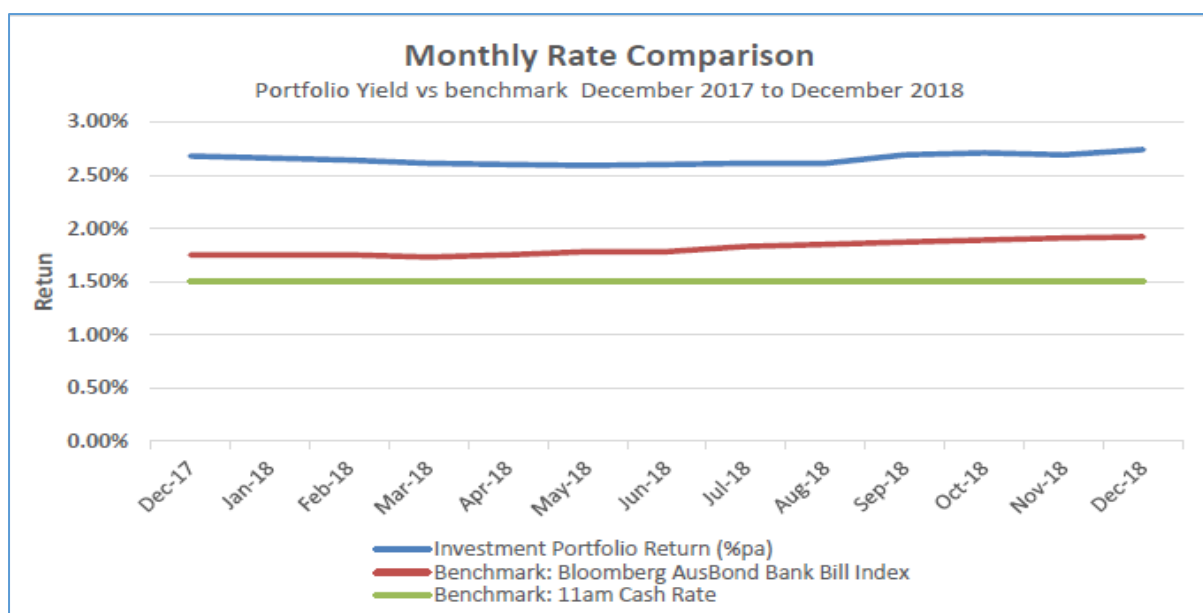


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate *
1 Month	2.74%	1.92%	1.50%
3 Months	2.71%	1.91%	1.50%
6 Months	2.68%	1.88%	1.50%
FYTD	2.68%	1.88%	1.50%
12 Months	2.65%	1.82%	1.50%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

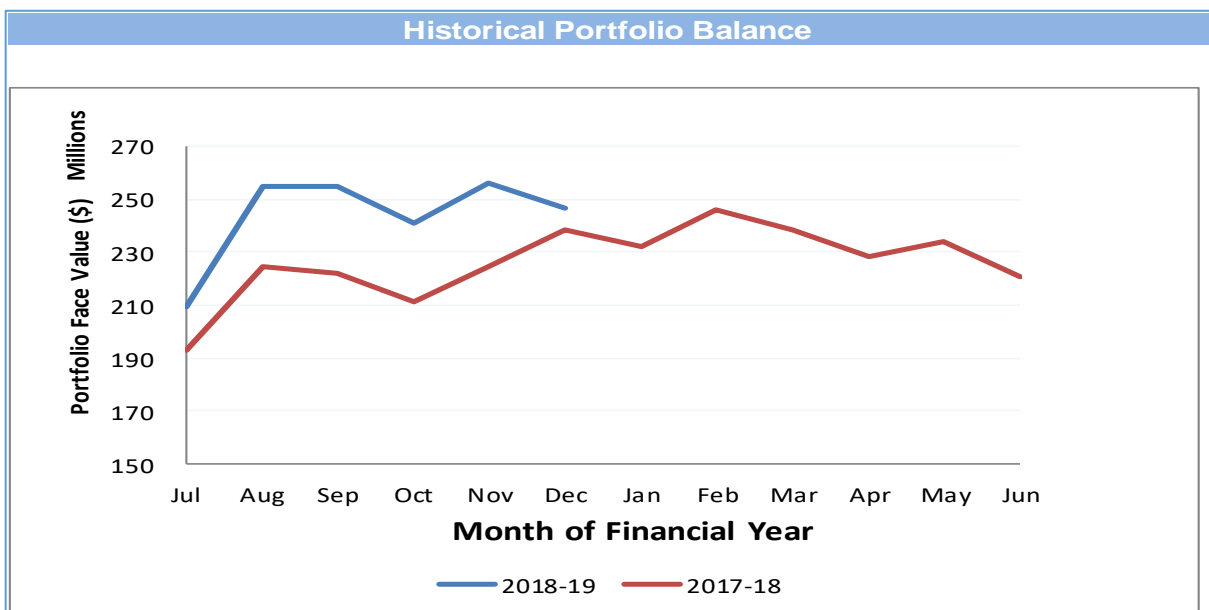


MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 December 18 \$	Year to Date \$
Investment Income	445,729	3,085,697
Adjustment for Fair Value	0	16,498
Total Investment Income	445,729	3,102,195
Budgeted Income	445,000	2,760,750

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2018-19	2017-18
Jul	209,605,515	192,788,320
Aug	254,510,268	224,541,055
Sep	254,769,836	221,786,511
Oct	240,996,644	211,440,341
Nov	256,137,875	224,335,322
Dec	246,456,149	238,474,454
Jan		231,952,491
Feb		246,219,499
Mar		238,498,965
Apr		228,632,853
May		233,702,341
Jun		220,859,601
Average Portfolio Balance	243,746,048	226,102,646



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Looking back over 2018 the surprises in the global and Australian economies compared with what was expected at the beginning of the year have mostly been positive. Global and local economic growth has mostly turned out stronger than expected and unemployment rates have been lower than expected. Despite these positive economic developments during 2018 sentiment in financial markets has soured and most asset classes are likely to generate negative returns for the calendar year. The increased volatility in financial markets around what now appears to be falling trend line says that as far as financial markets are concerned, despite past economic strength the future looks weaker.

In Australia, it is fair to say that good economic news – annual GDP growth above 3% at times; rapidly growing employment; unemployment rate down to 5%; inflation low and stable around 2% - has gone mostly unremarked or even unbelievably. The RBA which has pointed to the slowly improving Australian economic position throughout the year and has based and re-based its economic forecasts on that improvement has been subject to much criticism -unreasonable criticism in our view - that it is being unduly optimistic.

There are reasons why many commentators have become negative about Australian economic prospects even in the face of evidence that the economy is steadily improving. Changes in Prime Ministers over the past decade and the incoherence in economic policy-making that has gone with it has fostered uncertainty that can crimp economic growth. Unusually high household debt, slow wages growth and over the past year falling house prices could promote a phase of slower or even falling household spending that could slow economic growth. International demand for Australian-produced goods and services is under threat as our biggest trading partner, China, tries to cope with the escalating trade war with the United States.

The problem of Australian Prime Ministers being deposed between elections is far less likely to occur in future with changes within the Labor Party and the Liberal Party to voting requirements in leadership challenges. Australia is about to enter a period where Prime Ministers serve until the electorate decides to change them. Uncertainty about the outlook for Government economic policies is likely to reduce benefitting business and consumer sentiment. It is worth noting that the latest readings of business and consumer sentiment are holding up comparatively well in any case – indications that business and consumer spending are looking firm in the first half of 2019.

Potentially softer household spending because of weak wages growth and falling house prices may also be on the brink of being less of a concern as well. The unexpectedly strong employment growth through 2018 so far causing the unemployment rate to fall by more than expected (to 5.0% the lowest in six years) is causing pockets of labour shortage and is generating better wages growth. Over the past year annual wages growth has accelerated from 1.9% year-on-year to 2.3% and on current quarterly changes at a touch above 0.6% quarter-on-quarter will accelerate to 2.5% by mid-2019. More likely quarterly wages growth will edge higher implying annual wages growth nearer to 3% by this time next year.

The trade war between the US and China does have the potential to restrain China's growth rate but it is how China responds to that threat to its growth rate that ultimately will impact Australian exports. There are already signs that China's Government is spending more on infrastructure to provide some offset to weaker export growth. It can afford to spend much more. The likely increase in infrastructure spending will help to support growth in Australian exports to China.

2018 was a year where Australia grew strongly but much of the market was convinced that the growth could not persist because of perceptions of pressing potentially growth-crimping problems. 2019 may well turn out to be a year where growth is perhaps not quite as strong as in 2018, but where fears of pressing problems start to fade. As a result, 2019 looks a better year to us for many investment asset classes than 2018 has been.

ITEM 8.4	MONTHLY INVESTMENT REPORT - JANUARY 2019
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/064356
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 \$234,499,949 comprising:

- Trading Accounts \$4,388,845
- Investments \$230,111,104

Performance over the period from 1 July 2018 to date was strong having exceeded the benchmark: 2.69%pa vs. 1.89%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.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2018 to date was \$3,610,914 compared to budgeted income of \$3,240,750, a positive variance of \$370,164.

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 September 2018 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”. They also stated that “The portfolio remains conservatively placed, well within the investment portfolio limits from a risk and term to maturity perspective”.

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 CHIEF EXECUTIVE OFFICER

That Council receives and notes the Investment Report as at 31 January 2019, including the certification by the Responsible Accounting Officer.

REPORT

INVESTMENT BALANCES

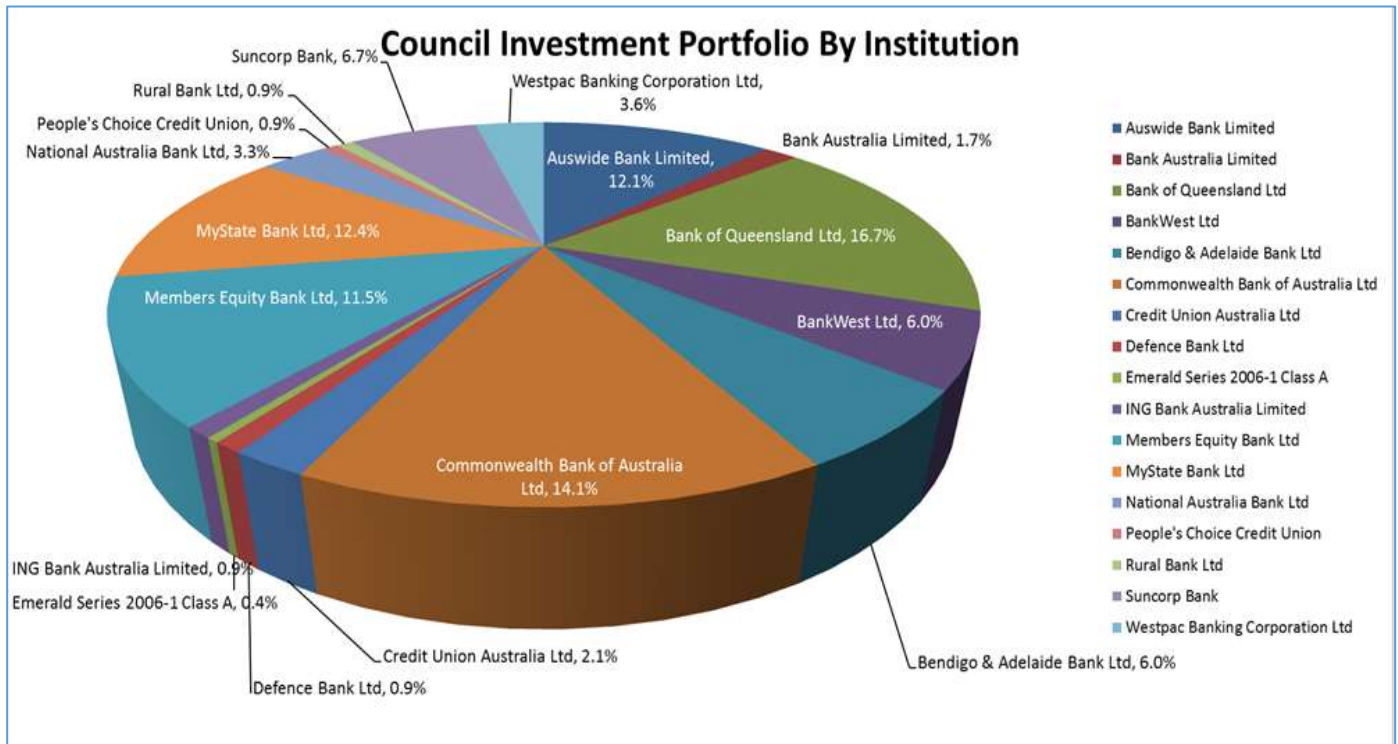
INVESTMENT BALANCES				
As at 31-Jan-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,071,685		1.55%
Commonwealth Bank of Australia Ltd	A1+	118,281		1.55%
Commonwealth Bank of Australia Ltd	A1+	7,441		1.55%
National Australia Bank Ltd	A1+	128,922		1.50%
		1,326,329		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	2,086,526	At Call	1.90%
		2,086,526		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	870,317	21-Aug-51	2.39%
		870,317		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Feb-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Feb-19	2.61%
Rural Bank Ltd	A2	2,000,000	05-Feb-19	2.77%
BankWest Ltd	A1+	2,000,000	07-Feb-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	12-Feb-19	2.85%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Feb-19	2.62%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-Feb-19	2.64%
Defence Bank Ltd	A2	2,000,000	21-Feb-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	26-Feb-19	2.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	26-Feb-19	2.64%
Members Equity Bank Ltd	A2	1,000,000	05-Mar-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.65%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.86%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.82%
Suncorp Bank	A1	2,000,000	14-Mar-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Mar-19	2.66%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	19-Mar-19	2.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Mar-19	2.77%
Suncorp Bank	A1	3,000,000	28-Mar-19	2.75%
Auswide Bank Limited	A2	3,000,000	02-Apr-19	2.86%
Members Equity Bank Ltd	A2	2,000,000	04-Apr-19	2.80%
Bank of Queensland Ltd	A2	3,000,000	09-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	11-Apr-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	16-Apr-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Apr-19	2.78%
Suncorp Bank	A1	2,000,000	30-Apr-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	30-Apr-19	2.75%

INVESTMENT BALANCES				
As at 31-Jan-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
BankWest Ltd	A1+	2,000,000	02-May-19	2.80%
BankWest Ltd	A1+	2,000,000	07-May-19	2.80%
Members Equity Bank Ltd	A2	3,000,000	09-May-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	14-May-19	2.80%
BankWest Ltd	A1+	2,000,000	16-May-19	2.80%
BankWest Ltd	A1+	3,000,000	21-May-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	23-May-19	2.75%
Suncorp Bank	A1	2,000,000	28-May-19	2.75%
BankWest Ltd	A1+	3,000,000	04-Jun-19	2.75%
People's Choice Credit Union	A2	2,000,000	04-Jun-19	2.90%
National Australia Bank Ltd	A1+	2,000,000	06-Jun-19	2.80%
Bank Australia Limited	A2	2,000,000	11-Jun-19	2.90%
Auswide Bank Limited	A2	2,000,000	13-Jun-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	20-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	27-Jun-19	2.75%
Members Equity Bank Ltd	A2	1,000,000	02-Jul-19	2.80%
Suncorp Bank	A1	2,000,000	04-Jul-19	2.81%
Bank Australia Limited	A2	2,000,000	04-Jul-19	2.95%
Bank of Queensland Ltd	A2	2,000,000	09-Jul-19	2.75%
Auswide Bank Limited	A2	2,000,000	11-Jul-19	2.75%
National Australia Bank Ltd	A1+	719,877	11-Jul-19	2.80%
National Australia Bank Ltd	A1+	1,000,000	11-Jul-19	2.73%
Auswide Bank Limited	A2	2,000,000	16-Jul-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Jul-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	01-Aug-19	2.85%
Bank of Queensland Ltd	A2	2,000,000	06-Aug-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	06-Aug-19	2.85%
National Australia Bank Ltd	A1+	2,000,000	08-Aug-19	2.75%
Credit Union Australia Ltd	A2	2,000,000	13-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	13-Aug-19	2.85%
Auswide Bank Limited	A2	2,000,000	15-Aug-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Aug-19	2.75%
Members Equity Bank Ltd	A2	3,000,000	03-Sep-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	05-Sep-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	10-Sep-19	2.75%
Credit Union Australia Ltd	A2	1,000,000	12-Sep-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-19	2.75%
MyState Bank Ltd	A2	2,000,000	24-Sep-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.87%

INVESTMENT BALANCES				
As at 31-Jan-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
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	A1+	2,000,000	10-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	15-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	17-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	23-Oct-19	2.85%
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%
MyState Bank Ltd	A2	2,000,000	12-Nov-19	2.85%
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%
MyState Bank Ltd	A2	2,000,000	05-Dec-19	2.85%
		180,719,877		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,062,516		0.90%
		3,062,516		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	471,678	At Call	1.90%
		471,678		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Feb-19	2.44%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Mar-19	2.25%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	21-Mar-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Mar-19	2.57%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Apr-19	2.52%
Commonwealth Bank of Australia Ltd	A1+	7,262,705	29-Apr-19	2.52%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Apr-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Jul-19	2.64%
		16,262,705		
New Council Implementation Fund				
Term Deposits				
Members Equity Bank Ltd	A2	900,000	21-Mar-19	2.70%
		900,000		

INVESTMENT BALANCES				
As at 31-Jan-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Stronger Communities Fund				
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Feb-19	2.60%
Suncorp Bank	A1	750,000	14-Feb-19	2.75%
Auswide Bank Limited	A2	1,000,000	18-Apr-19	2.75%
Bank of Queensland Ltd	A2	650,000	18-Jun-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	23-Jul-19	2.70%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
Bank of Queensland Ltd	A2	600,000	17-Oct-19	2.80%
ING Bank Australia Limited	A2	2,000,000	19-Dec-19	2.90%
		8,500,000		
Stronger Communities Fund Round 2				
Term Deposits				
Bank of Queensland Ltd	A2	3,000,000	05-Mar-19	2.65%
Members Equity Bank Ltd	A2	2,000,000	11-Apr-19	2.85%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-May-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	11-Jun-19	2.77%
Bank of Queensland Ltd	A2	2,000,000	18-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.90%
Auswide Bank Limited	A2	2,500,000	22-Oct-19	2.90%
Auswide Bank Limited	A2	1,800,000	21-Nov-19	2.82%
		20,300,000		
Total Cash and Investments		234,499,949		

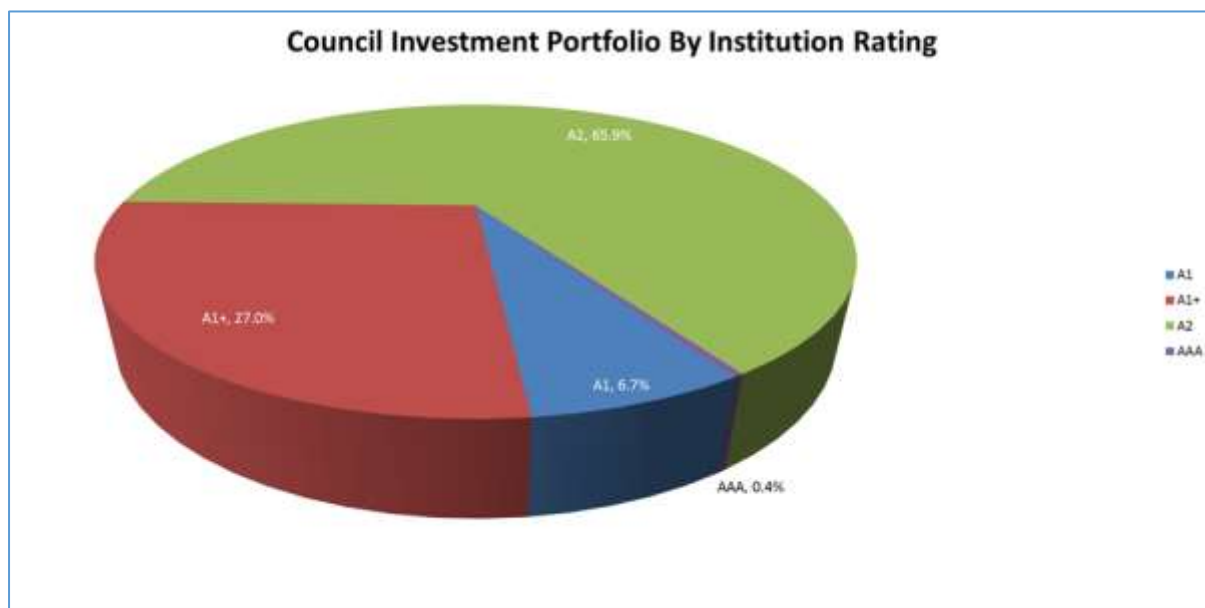
PORTFOLIO ANALYSIS



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)



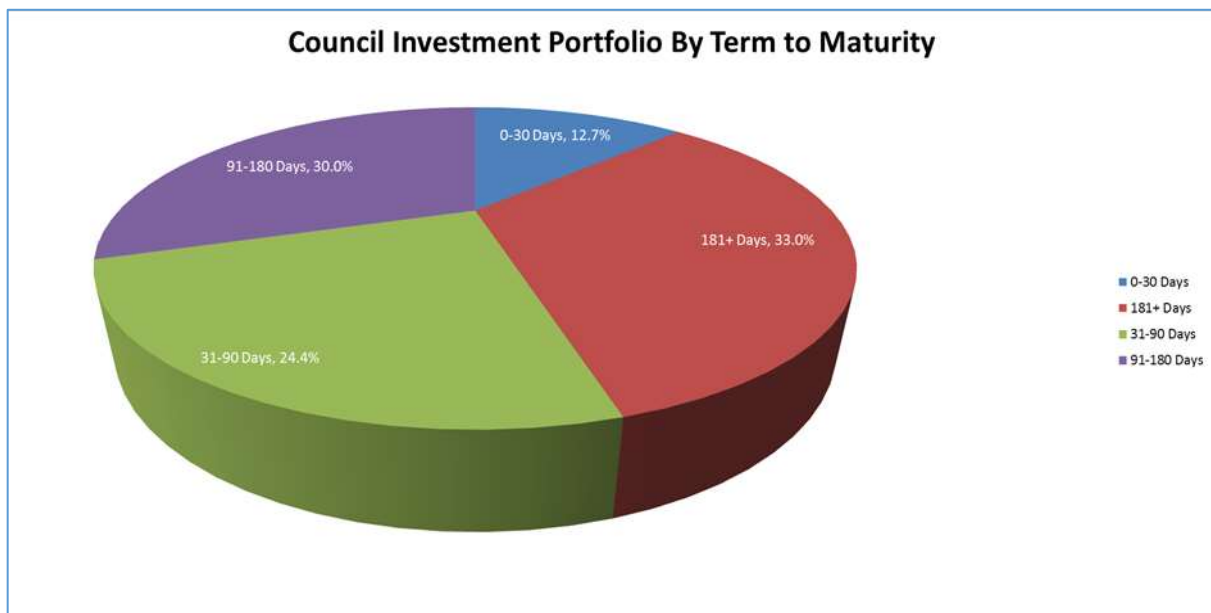
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

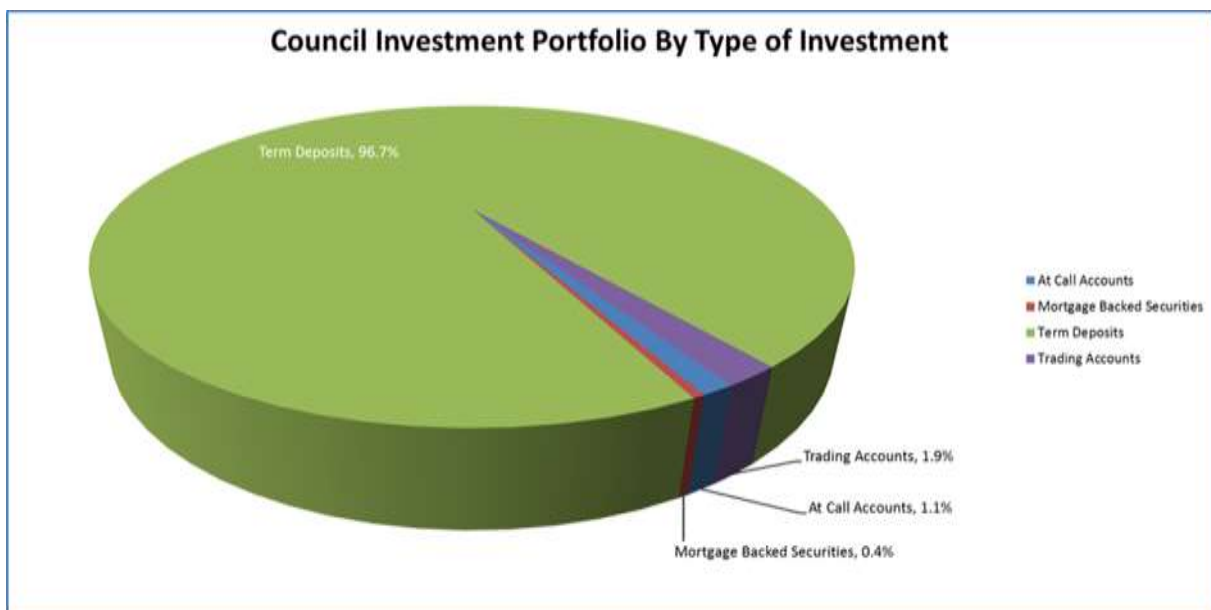
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

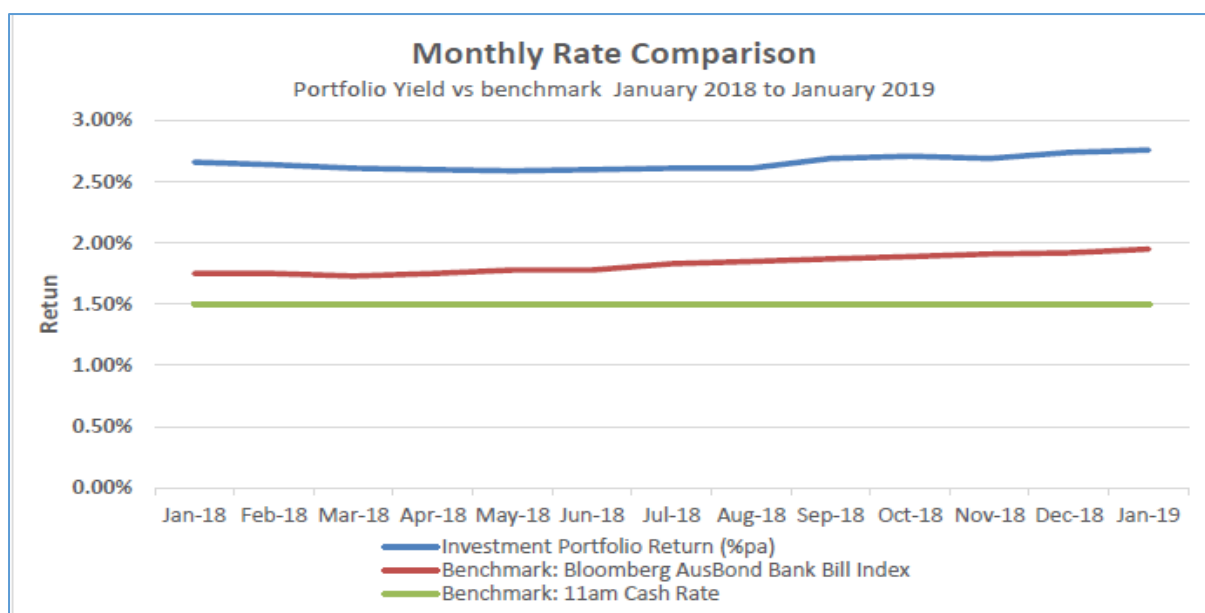


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate *
1 Month	2.76%	1.95%	1.50%
3 Months	2.73%	1.93%	1.50%
6 Months	2.70%	1.90%	1.50%
FYTD	2.69%	1.89%	1.50%
12 Months	2.65%	1.83%	1.50%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

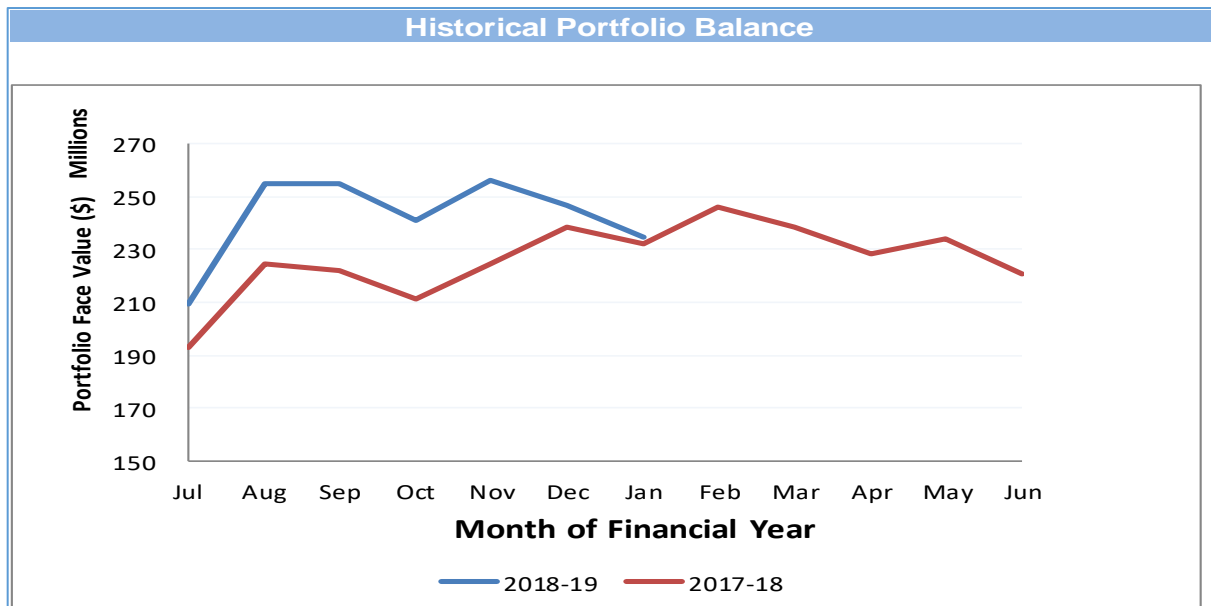


MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 January 19 \$	Year to Date \$
Investment Income	508,719	3,594,416
Adjustment for Fair Value	0	16,498
Total Investment Income	508,719	3,610,914
Budgeted Income	480,000	3,240,750

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2018-19	2017-18
Jul	209,605,515	192,788,320
Aug	254,510,268	224,541,055
Sep	254,769,836	221,786,511
Oct	240,996,644	211,440,341
Nov	256,137,875	224,335,322
Dec	246,453,069	238,474,454
Jan	234,499,949	231,952,491
Feb		246,219,499
Mar		238,498,965
Apr		228,632,853
May		233,702,341
Jun		220,859,601
Average Portfolio Balance	242,424,736	226,102,646



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

The pace of global economic growth showed signs of slowing to below long-term trend in January. Growth in international trading volumes is faltering in response to the US initiated tariff war. While the US and China are starting to talk about how to end the trade war, the longer it takes to find an agreement the greater the downside risk to global growth prospects. China has already released Quarter 4 2018 GDP showing easing growth to a decade low 6.4% year-on-year from 6.5% in Quarter 3. The US provides an advance reading of Quarter 4 GDP later this week expected to show around 2.5% annualised growth, down from 3.4% in Quarter 3. Europe also provides a first look at Quarter 4 GDP growth later this week, expected to be around 1.2% year-on-year down from 1.6% in Quarter 3.

In the US, January preliminary consumer sentiment fell to 90.7 from 98.3 in December. The December purchasing manager reports for both manufacturing (54.1 from 59.3 in November) and non-manufacturing (57.6 from 60.7 in November) both fell sharply although still held in expansionary territory. December existing home sales fell by 6.4% month-on-month. Set against the weakness in US leading indicators there are still signs of strength in the US labour market. Weekly initial jobless claims fell below 200,000 in the most recent week, a record low. December non-farm payrolls rose by 312,000 and the US unemployment rate at 3.9% in December is still not far off the 50-year low 3.7% reported in November. Despite the brakes on US growth from the trade war, the recent record government shut-down in the Mexican wall stand-off between the President Trump and Congress, and the past increases in US interest rates, the US economy still has growth momentum emanating from good growth in incomes for US businesses and households.

In China, the main signs of weakness are in leading indicators such as manufacturing purchasing managers' indexes down below 50 (the expansion/ contraction line) in December and a marked pull-back in export growth starting to respond to the higher import tariffs imposed by the US. In December annual growth in China's exports fell to -4.4% year-on-year from +5.4% year-on-year in November and +15.5% year-on-year in October. The sharp slide in export growth makes it impossible to lift other areas of activity in China quickly enough to compensate. Growth in investment spending and industrial production held up in December but essentially are not accelerating. There was a small lift in the pace of annual retail sales growth in December, but again insufficient to provide compensation for weakening exports. China can ease monetary policy further and boost budget spending, but the drift lower in GDP growth is unlikely to be arrested without a trade agreement with the US.

The reduction in the pace of economic growth is most pronounced in Europe. Government protests in France and the failure so far in Britain to cut a Brexit deal with the European Union are taking a toll on business and consumer sentiment. One saving grace is that the unemployment rate in Europe has continued to fall, down to a decade low of 7.9% in November. As mentioned earlier, the ECB is responding to the deteriorating European growth outlook by providing a measure of certainty that current growth-accommodating monetary conditions will persist for longer. Nevertheless, political unrest in France seems to be spreading and when combined with the growth challenges to Britain and Europe from the fast-approaching March Brexit deadline the decline in the pace of European GDP growth seems set to continue.

In Australia, the deterioration in growth and growth prospects seems less pronounced than elsewhere. Over December and January, other than weak housing indicators, most economic readings point to little moderation in the pace of economic growth. Despite concern that pre-Christmas retail spending might be comparatively weak November retail sales rose more-than-expected by 0.4% month-on-month after a 0.3% gain in October. At this stage it seems that growth in consumer spending accelerated in Quarter 4 compared with Quarter 3.

9.0 CUSTOMER AND CORPORATE DIVISION REPORTS

ITEM 9.1	DELEGATED AUTHORITY TO THE MAYOR DURING THE 2018-2019 RECESS PERIOD
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/031458
ATTACHMENTS	1 ↓ Report Determinated under Delegated Authority - Chief Executive Officer Performance Review Panel

REPORT

PURPOSE

To report items dealt with by the Mayor under the authority delegated to the Mayor by the Council during the 19 December 2018 to 5 February 2019 recess period.

REPORT

At its meeting on 27 November 2018, Council resolved:

- A. *Council, pursuant and subject to the limitations of section 377 of the Local Government Act, 1993 grant authority to the Mayor to make provision for decisions to be made on critical or urgent Council matters during the 2018-2019 Christmas and New Year recess being 19 December 2018 to 5 February 2019 inclusive.*
- B. *Staff provide a report to Council on 26 February 2019 outlining how the delegated authority was exercised.*

The Chief Executive Officer Performance Review Panel (refer to Attachment 1) was considered by the Mayor on 22 January 2019

Matter Determined Under Delegated Authority

The Mayor exercised delegation over the 2018/19 Christmas / New Year recess in respect of the items listed below in the manner indicated. The report determined under delegated authority is provided in Attachment 1.

Chief Executive Officer Performance Review Panel

The purpose of the report was to update the Chief Executive Officer review panel to reflect the Chief Executive Officers councillor nomination.

Recommendation of Acting General Manager Customer and Corporate

That Council adopt the amended composition of the Chief Executive Officer Performance Review Panel.

Mayor's Determination

The recommendation of the Acting General Manager Customer and Corporate was adopted.

FINANCIAL CONSIDERATIONS

Decisions which are made by the Mayor, if Council grants delegated authority to the Mayor during this period, may have financial impacts and will be considered separately at each discrete occasion the delegation is exercised.

In this matter, there was no financial impact for Council.

ENVIRONMENTAL CONSIDERATIONS

Decisions which are made by the Mayor, if Council grants delegated authority to the Mayor during this period, may have environmental impacts and will be considered separately at each discrete occasion the delegation is exercised.

In this matter, there were no environmental considerations for Council.

SOCIAL CONSIDERATIONS

Decisions which are made by the Mayor or the Deputy Mayor (in the Mayor's absence) if Council grants delegated authority to the Mayor during this period may have social considerations and will be considered separately at each discrete occasion the delegation is exercised.

In this matter, there were no social considerations for Council.

GOVERNANCE AND RISK CONSIDERATIONS

The report was considered in accordance with section 377 of the Local Government Act, 1993 during the 2018/2019 recess period.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council note the item dealt with by the Mayor during the 19 December 2018 to 5 February 2019 recess period and the following decision made under delegated authority in relation to the Chief Executive Officer Performance Review Panel:

"That Council adopt the amended composition of the Chief Executive Officer Performance Review Panel."



ITEM DETERMINED BY MAYOR UNDER DELEGATED AUTHORITY - 22 JANUARY 2019

ITEM	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PANEL
REPORTING MANAGER	EXECUTIVE MANAGER HUMAN RESOURCES
TRIM FILE REF	2019/035491
ATTACHMENTS	NIL

REPORT

PURPOSE

To update the Chief Executive Officer Performance Review Panel.

REPORT

On 28 November 2017, Council resolved numerous Committee Frameworks. This included the Chief Executive Officer (CEO) Performance Review Panel. The CEO Performance Review Panel (the Panel) of Council is established under the *Director General's Guidelines* issued pursuant to Section 23A of the *Local Government Act 1993*.

Panel Representation

The Panel comprises of the Mayor, Deputy Mayor and 2 x Councillors (1 x nominated by Council, 1 x nominated by the CEO).

Council Representatives

The new CEO was appointed on 1 October 2018 and nominates Councillor Walton to replace Councillor White who was nominated by the previous CEO.

The composition of the panel needs to be updated to reflect the CEO's nomination being Councillor Walton.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with this report.

SOCIAL CONSIDERATIONS

There are no social considerations associated with this report.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance and risk considerations associated with this report.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council adopt the amended composition of the Chief Executive Officer Performance Review Panel.

ITEM 9.2	CODE OF MEETING PRACTICE - DRAFT FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/075190
ATTACHMENTS	<ol style="list-style-type: none"> 1 NSW Office of Local Government Code of Meeting Practice (Included In Attachments Booklet) 2 Draft Northern Beaches Council Code of Meeting Practice (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council endorsement for the public exhibition of the draft Code of Meeting Practice.

EXECUTIVE SUMMARY

The Council's Code of Meeting Practice adopted by the Council provides integral direction on how Council conducts its meetings.

On 14 December 2018, a Model Meeting Code of Practice (Attachment 1) was prescribed under the Local Government (General) Regulation 2005 (the Regulation). The new Model Code was released by the NSW Office of Local Government (OLG) and NSW councils have a six month period in which to adopt a new code based on the prescribed model.

The draft Northern Beaches Council Code of Meeting Practice at Attachment 2 takes into account the OLG Model Code with a view to applying the mandatory and various non-mandatory provisions. The draft also applies some of the customised provisions specific to the needs of Northern Beaches Council which were adopted by Council in its May 2018 Code, and has sought to augment the draft with further refinements to strengthen or clarify meeting practices.

The draft Code will be exhibited for 42 days to provide the community an opportunity to review and comment on it.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. The Draft Northern Beaches Council Code of Meeting Practice be placed on public exhibition for a period of 42 days
 - B. A report be brought back to Council at the end of the exhibition period addressing any submissions received.
-

REPORT

BACKGROUND

Following amendments made to the Local Government Act 1993 in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016, a Model Meeting Code of Practice has now been prescribed under the Local Government (General) Regulation 2005 (Attachment 1).

The new Model Code was released by the OLG on 14 December 2018 and NSW councils have six months, until 14 June 2019, to adopt a new code based on the prescribed model.

The principal object of prescribing the Model Code is to promote the governing body's sound decision making processes to ensure they are in the best interests of the council and the community. A model code also provides greater uniformity and consistency across local government while still providing flexibility for variations which are unique to councils.

The Model Code aims to introduce plain language to make the prescribed meeting rules more accessible and easier to understand and facilitates more efficient and contemporary practices, such as electronic notices, electronic voting and webcasting.

The key changes introduced through the OLG Model Code include:

- new meetings principles
- optional rules for pre-meeting councillor briefings
- an optional outline for public forums
- a requirement for meetings to be webcast
- defining the use of mayoral minutes without notice
- optional rules requiring a staff report for motions seeking decisions that do not align with councils' integrated planning and reporting (IP&R) objectives
- an outline for allowing multiple items to be adopted in a block (by exception)
- optional rules allowing rescission motions to be dealt with at the same meeting in cases of urgency and allowing matters to be recommitted to correct an error
- optional time limits on meetings.

Northern Beaches Council adopted its current Code of Meeting Practice on 22 May 2018, which was based on the initial consultation draft of the OLG's Model Code. The changes now contemplated by the draft Code for Council's consideration take into account the non-mandatory practices which were adopted in the May 2018 Code as well as the updates made to the final OLG Model Code.

Change Implications

The draft retains many of the key optional elements of the current Northern Beaches Council Code (May 2018), such as the public address and public forum, as well as many of the timeframes applied to the business of the meeting. These are identified in the draft Code at Attachment 2 in blue italics. New or amended clauses developed during this review are identified in bold blue italics in the draft Code at Attachment 2.

The main changes in the draft Code in comparison to the OLG's Model Code of Meeting Practice are outlined in the following table:

Clause	Summary and rationale for change
4.3 - 4.4	Retained the clause to allow the Chief Executive Officer and Mayor to call an extraordinary meeting. This was originally included in the OLG consultation draft and the adopted May 2018 Code of Meeting Practice but was not in the final OLG version.
4.15, 10.13 & 11.9	New wording to assist councillors and the mayor to estimate costs for notices of motion and identify potential funding sources.
4.18	New wording to provide flexibility to staff in the timeframe to respond to complex or detailed questions with notice.
4.34	Clarification that additional items can be scheduled into pre-council meeting briefing sessions.
5.3 (b), 5.15	Clarification regarding questions during public forum and public address, as follows: Questions may be asked of councillors/staff but there is no obligation to respond at the meeting (a written response will be provided as per the current process). Councillors may only ask questions of speakers to clarify information, and there is to be no further debate following speakers' responses.
5.12	Change to existing clause to allow public forum/address speakers to distribute information to councillors at the meeting if submitted and approved in advance.
6.20	Clarification regarding the method of webcasting meetings.
10.6-10.8	Clauses for additional late items of business have been added to allow the Chief Executive Officer, in exceptional circumstances, the ability to submit late reports to the agenda.
10.12	Clarification that mayoral minutes can be used for staff recognition awards and matters of significant community interest.
11.3	New wording to encourage councillors to withdraw notices of motion prior to public address to enable staff to advise any members of the public who had requested to speak on the item.
11.22-11.24	New notation regarding duration of councillor speeches, as follows: Local Government Regulations 2005 require that councillors be given 5 minutes to speak to motions/amendments. Clause 11.24 allows council to amend duration of speeches to expedite the meeting and as such it is proposed that a standing resolution be passed with a 3 minute limit for all speeches with the option to extend, by resolution, for a further 2 minutes. The new notation will reflect the standing resolution which is proposed to be adopted at the same time as the Code of Meeting Practice.
14.4	New clause to allow councillors to commend staff on reports that are dealt with by exception.
18.4 – 18.5	Additional wording and new clause to allow rescission motions received up to 12 noon the day following a Council Meeting to be treated the same if received at the meeting i.e. resolutions cannot be carried out until the rescission motion has been considered.
19.3-19.4	Additional wording to allow Council to resolve to extend the time limit of the meeting until midnight at the latest.
20.2	Clarification on the details of motions for inclusion in the minutes.
20.3	Clause providing for notations in minutes to be included by resolution of Council.

CONSULTATION

The Council has workshopped the draft on 12 February 2019 with consideration to the OLG's Model Code of Meeting Practice and the current Northern Beaches Council Code of Meeting Practice. The draft Code will be placed on public exhibition for a period of 42 days to provide an opportunity for community review and feedback.

The community consultation process will include:

- Information on the 'Your Say' project web page including online submission form
- Copies of the draft policy being made available in all customer service locations
- Email notifications to our community engagement database, registered community groups and other key stakeholders.

TIMING

The Code of Meeting Practice is required to be adopted within 6 months from the date it is prescribed, which is 14 June 2019. If resolved by Council, the draft Northern Beaches Council Code of Meeting Practice will be placed on public exhibition for a period of 42 days. The Code will be brought to the 28 May 2019 ordinary Council meeting for the consideration of Council with a proposed commencement date of 29 May 2019 if adopted.

FINANCIAL CONSIDERATIONS

The exhibition of the draft Northern Beaches Council Code of Meeting Practice will be funded within existing operational budgets.

SOCIAL CONSIDERATIONS

The exhibition of the draft Northern Beaches Council Code of Meeting Practice will provide opportunity for the community to consider and comment on the regulatory and decision-making framework of Council meetings.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts associated with the draft Code of Meeting Practice.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Northern Beaches Council Code of Meeting Practice provides a regulatory and decision-making framework for Council meetings to promote the accessibility, accountability and transparency of Council decisions.

ITEM 9.3	COUNCILLOR NOMINATION AND APPOINTMENT TO STRATEGIC REFERENCE GROUPS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/039781
ATTACHMENTS	NIL

REPORT

PURPOSE

Northern Beaches Council is seeking nominations for vacant councillor positions on the Economic and Smart Communities and the Partnership and Participation Strategic Reference Groups (SRG).

REPORT

The Economic and Smart Communities and the Partnership and Participation SRGs were established by Council on 28 November 2017 as community advisory groups to help shape future directions of Council and support the Community Strategic Plan goals.

In line with the Terms of Reference for SRGs, the composition of membership includes the Mayor (or the Mayor's delegate) and up to three appointed councillors.

On 22 January 2019, Councillor Harrison resigned from the Economic and Smart Communities and the Partnership and Participation SRGs, creating a vacant position on each of these SRGs. On 25 January 2019, Council distributed a memorandum to all Councillors seeking nominations to fill the vacant positions on these groups.

Economic and Smart Communities SRG

- Councillors Ferguson, Philpott and Sprott expressed an interest in nominating to the Economic and Smart Communities SRG.
- Through mutual agreement, Councillors Ferguson and Philpott have agreed that Councillor Sprott be nominated to the SRG.

Participation and Partnership SRG

Councillor Ferguson nominated to fill the vacant position on the group.

FINANCIAL CONSIDERATIONS

The nomination and appointment of councillors to SRGs has no additional financial impact on the current approved operation for the SRGs.

ENVIRONMENTAL CONSIDERATIONS

The nomination and appointment of councillors to SRGs does not have an environmental impact.

SOCIAL CONSIDERATIONS

The SRGs 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. The nomination and appointment of councillors to the SRGs enables community representation from elected representatives of the Northern Beaches Council.

GOVERNANCE AND RISK CONSIDERATIONS

The Terms of Reference for the Strategic Reference Groups and the Policy for Appointing Community and Stakeholder Representatives to Committees outline the process for transparent and equitable appointments.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Councillor Sprott be appointed to the Economic and Smart Communities Strategic Reference Group.
 - B. Councillor Ferguson be appointed to the Partnership and Participation Strategic Reference Group.
-

ITEM 9.4	CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 13 NOVEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/059771
ATTACHMENTS	1 ARIC Minutes 13 November 2018 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the minutes of the Audit, Risk and Improvement Committee meeting held on 13 November 2018.

REPORT

The Audit, Risk and Improvement Committee plays a pivotal role in the governance framework to provide Council with independent assurance and advice in the areas of internal audit, risk management, compliance and control, governance, organisational performance and improvement along with external accountability responsibilities.

In accordance with the Audit, Risk and Improvement Committee Charter, the minutes of Audit, Risk and Improvement Committee meetings are to be reported to Council. The confirmed minutes of the meeting held on 13 November 2018 are reported in full as per Attachment 1.

FINANCIAL CONSIDERATIONS

Funding to support the Audit, Risk and Improvement Committee is included in existing operational budgets.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

Council is accountable to the community for the delivery of the Community Strategic Plan, and a key function of the Audit, Risk and Improvement Committee is to promote good corporate governance, transparency and external accountability.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee functions in accordance with the guidelines issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the Local Government Act 1993 and in consideration of Part 4A of the Local Government Act 1993 as proposed by the Local Government Amendment (Governance and Planning) Act 2016.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 13 November 2018.

ITEM 9.5	LEGISLATIVE COMPLIANCE POLICY - DRAFT FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/077509
ATTACHMENTS	1 ↓ Draft Northern Beaches Council Legislative Compliance Policy

REPORT

PURPOSE

To seek Council endorsement for the public exhibition of the draft Legislative Compliance Policy.

REPORT

Council's commitment to fulfilling and monitoring its legislative compliance obligations is outlined through the draft Legislative Compliance Policy. Council's legislative compliance program takes a risk based approach which sits behind the first line risk defence practices of the organisation to provide support and assurance that it is meeting its legislative and regulatory compliance obligations and managing any related risk exposures.

The draft policy has been developed with regard to the international standard (AS/ISO 19600:2015 Compliance Management Systems – Guidelines), and relevant guidance material and publications issued through the NSW Government. A compliance program is currently being rolled out across Council to deliver to the commitments outlined within the policy.

The draft Legislative Compliance Policy was considered by the Audit Risk and Improvement Committee at its 19 February 2019 meeting.

It is proposed that the draft policy be considered by Council for a public exhibition period of 28 days with the outcomes of the exhibition to be reported back to Council at the 16 April Council meeting.

CONSULTATION

Senior Council staff have been consulted on the draft policy.

The community consultation process will include:

- Information on the 'Your Say' project web page including an online submission form
- Copies of the draft policy being made available at Council's customer service locations
- Email notifications to our community engagement database, registered community groups and other key stakeholders.

TIMING

The public exhibition period will be 28 days. At the conclusion of the exhibition period the submissions will be considered and the final policy will be presented for consideration at the ordinary Council meeting on 16 April 2019.

FINANCIAL CONSIDERATIONS

There are no financial implications for publicly exhibiting the draft policy. The compliance program operating in accordance with the policy will be carried out under existing operational budgets.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental associated with the draft policy or its exhibition.

SOCIAL CONSIDERATIONS

There are no social impacts associated with the draft policy or its exhibition.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Legislative Compliance Policy supports Council's commitment to a legislative compliance program as underpinning pillar of Council's Enterprise Risk and Opportunity Management Framework. The draft policy outlines Council's commitment to fulfilling and monitoring its compliance obligations to ensure adequate assurance of this function and supports Council's key Community Strategic Plan outcome of Good Governance.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That the draft Legislative Compliance Policy be placed on public exhibition for at least 28 days with the outcome of the exhibition reported to Council.

Council Policy (DRAFT)

Legislative Compliance Policy

Policy Statement

To outline Council's commitment to a legislative compliance management program which provides assurance and builds the capacity of Northern Beaches Council to meet its key compliance obligations, promote a compliance culture and uphold good corporate governance practices.

Northern Beaches Council's legislative compliance policy and legislative compliance program enables the Northern Beaches Council to:

- understand its legislative compliance risks
- conduct business and activities in a lawful and responsible way to protect the reputation and credibility of the Northern Beaches Council
- develop, implement and monitor internal controls to manage and provide assurance on legislative compliance risks
- identify responsibilities for meeting specific compliance obligations
- assess and improve compliance performance.

Principles

Compliance Management System

Implementation

Northern Beaches Council applies a risk-based approach to implementing its compliance management system by conducting regular assurance activities for legislative compliance, such as compliance risk assessments, compliance self-assessments, reporting and audits.

The risk of non-compliance will be monitored and effective internal controls put in place to reduce compliance risk to an acceptable level.

Staff will receive appropriate communication and training to meet their compliance responsibilities within the scope of their roles.

The various components of the Council's compliance management system, together promote the importance of compliance to all staff. Key components include:

- legislative compliance policy
- legislative compliance register - a register of key compliance obligations, responsibilities assigned to each obligation
- policy register - lists key Northern Beaches Council policies, policy owners and policy review dates
- quarterly review and management sign-off to report against the compliance obligations outlined through the Office of Local Government's Compliance and Obligations annual calendar
- assurance activities involving regular compliance risk assessments, conducted in accordance with the Northern Beaches Council's Enterprise Risk and Opportunity Management Framework

- an embedded compliance culture led by senior management that is committed, proactive, visible, consistent, and promotes staff awareness
- subscription services made available to senior management to flag changes to compliance obligations
- delegations register
- training and awareness program through Code of Conduct training, staff communication of change to or new obligations, and targeted staff training to ensure they meet obligations within the scope of their roles.

Monitoring and evaluating

The key activities of monitoring and evaluating the legislative compliance management program include:

- identifying new or changes to existing legislative compliance obligations through notifications from subscription services and reviews of the legislative compliance register by compliance owners
- conducting regular legislative compliance risk assessments, including identifying new or emerging compliance risks and assessing the effectiveness of and identifying gaps in existing controls
- regular reporting on legislative compliance obligations and/or exceptions
- reviewing and monitoring legislative compliance activities designed to meet compliance obligations within the scope of the reviewer's roles
- conducting internal self-assessments and external independent reviews and/or audits based the legislative compliance register relating to specific legislation and Northern Beaches Council policies
- reporting the results of reviews to the Chief Executive Officer and the Audit Risk and Improvement Committee.

Continuous improvement

Council is committed to the ongoing improvement to the legislative compliance management program by:

- staff reporting to management instances where they consider obligations are not being complied with
- senior managers implementing corrective action that is appropriate when legislative non-compliance is identified
- senior managers regularly reviewing legislative compliance procedures to identify areas for improvement
- timely escalation of any unresolved issues to the appropriate management level
- the Executive Manager Governance and Risk or relevant senior manager reporting to the Chief Executive Officer and the Audit Risk and Improvement Committee on instances of significant non-compliance, or increases in legislative compliance risk exposures, and corrective actions to address them.

Scope and application

The Northern Beaches Council Legislative Compliance Policy conforms to international standard AS/ISO 19600:2015 Compliance Management Systems – Guidelines.

This policy applies to all areas of Council and to all staff commensurate with their roles, functions, authority and span of control.

Key roles and responsibilities

- All staff must:
 - comply with relevant obligations within the scope of their roles
 - report to their manager or supervisor instances where they consider obligations are not being complied with
 - actively identify and seek additional support in understanding their compliance obligations
 - develop the compliance performance and culture within their teams by promoting opportunities for staff to increase their understanding, apply and continuously improve on compliance obligations relating to their roles.
- The Governance and Risk unit:
 - reviews and reports on updates from the Office of Local Government and other pronouncements likely to impact Northern Beaches Council
 - maintains a watching brief on selected legislation and updates senior management of any changes
 - ensures a relevant subscription service is available to key staff to provide active alerts for changes to legislative compliance obligations
 - coordinates compliance risk assessments and updating the Compliance Risk Register for changed or new obligations
 - reports to the Chief Executive Officer and the Audit Risk and Improvement Committee on the effectiveness of the compliance management program. This includes the results of compliance risk assessments, audits and/or self-assessment outcomes, any non-compliance, and any actions taken to minimise the risk of non-compliance to acceptable levels
 - coordinates the policy register to ensure that policies are monitored and are periodically reviewed and updated
 - provides advice to senior managers and other staff on the compliance management program.
- Senior managers have responsibility for ensuring compliance with obligations within their teams and within their area of responsibility. Senior managers are required to:
 - promote a compliance culture to meet compliance obligations by providing support, communication and training where necessary
 - identify, understand and respond to new compliance obligations
 - monitor compliance with current compliance obligations
 - ensure controls are designed, implemented and are in place to minimise the risk of non-compliance
 - investigate and respond to incidents of non-compliance
 - report back on the fulfilment of compliance obligations, through the management sign-off assessing compliance against the Office of Local Government's compliance



and obligations annual calendar and the reviews arising from the legislative compliance register.

- The Chief Executive Officer is ultimately operationally responsible for the Northern Beaches Council's legislative compliance program and to ensure adequate resources are allocated to meet compliance obligations. The Chief Executive Team promotes a compliance culture. Activities include:
 - monitoring compliance with relevant codes, practices, laws and directives
 - ensuring necessary processes and treatment plans are in place to ensure the Northern Beaches Council is complying with its obligations
 - supporting continuous improvement of the compliance management system.
- The Audit Risk and Improvement Committee independently reviews the legislative compliance program at the Northern Beaches Council, by:
 - determining whether management has appropriately considered compliance risks as part of its governance framework
 - reviewing the effectiveness of the program for informing and monitoring Council's compliance with applicable laws and regulations, and its policy register
 - reviewing and advising on the Legislative Compliance Policy to ensure that it contributes to the risk management processes of Council.
- The Council, as the governing body, commits Northern Beaches Council to the Legislative Compliance Policy and sets the expectations, direction and tone of the legislative compliance program. The Council is to be satisfied, through examining appropriate assurance processes and through the advice of its independent committees and the Chief Executive Officer, that the legislative compliance program is effectively managing the risk exposures of non-compliance across the organisation.

References and related documents

- AS/ISO 19600:2015 Compliance Management Systems – Guidelines
- AS/ISO 31000:2018 Enterprise Risk Management – Guidelines
- Northern Beaches Council Enterprise Risk Management Policy
- Northern Beaches Council Risk and Opportunity Management Framework
- Northern Beaches Council Risk and Opportunity Management Guidelines
- NSW Treasury Guide for Audit & Risk Committees: Compliance Management (June 2017)
- Northern Beaches Council Code of Conduct
- Northern Beaches Council Public Interest Disclosures Policy

Definitions

In the context of this policy and in line with AS/ISO 19600:2015:

Compliance: refers to adhering to the requirements of laws, regulations, government directions, industry and organisational standards and codes, principles of good governance, requirements for certain certifications, accepted community and ethical standards and Northern Beaches Council policies and frameworks.

Compliance culture: refers to the values, ethics and beliefs that exist throughout Council and how they interact with the structures and control systems to produce behavioural norms that are conducive to compliance outcomes.

Compliance management program: refers to the various functions and practices including the roles and responsibilities of key staff or areas, and the activities they undertake which, when combined, are intended to provide assurance that Council complies with its obligations.

Compliance risk: is the effect of uncertainty on compliance objectives. It is characterised by the likelihood of occurrence and the consequence of non-compliance.

Legislative compliance register: is a list of the key legislative compliance obligations of the Northern Beaches Council. Each obligation is risk assessed and is assigned a responsible manager to ensure compliance to the obligation.

Risk Management: is the systematic application of management policies, procedures and practices to the tasks of communication, consultation, establishing the context, and identifying, analysing, evaluating, treating and monitoring and reviewing risk – as outlined in the Northern Beaches Council Enterprise Risk Management Policy

Staff: refers to a person working at or on behalf of the Northern Beaches Council and includes part-time, full-time, and temporary staff and also includes contractors.

Senior managers: includes the Chief Executive Officer, Directors, Executive Managers, Business Performance Executives, Head of Integrity and Complaints Resolution, Head of Internal Audit, and management positions which may be deemed as senior due to the size, nature or risk profile of the portfolio they manage.

Responsible Officer

Executive Manager Governance and Risk

Review Date

It is intended that this policy will be reviewed every two years or earlier if significant new information, legislative or organisational change warrants an update to this policy.

The next review is scheduled for April 2021.

Revision History

Revision	Date	Status	TRIM Ref
1	19 Feb 2019	Draft Legislative Compliance Policy prepared for review and endorsement of ARIC and Council adoption for public exhibition	
2			

ITEM 9.6	COMMUNITY GRANTS AND PARTNERSHIP PROGRAM - SPONSORSHIP
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/017978
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek endorsement for the allocation of funding for sponsorship under Council's Grants and Partnership Program.

EXECUTIVE SUMMARY

Council at its meeting on 27 November 2018 approved the establishment of a Community Grants and Partnership Program that included the addition of a new sponsorship stream. It aims to provide greater support to event organisers to enable to delivery of community events that add to the vitality and social fabric of our community and the sponsorship stream also recognises historic funding arrangements between the former Councils and a number of community-run events.

Council staff have contacted and assisted a number of community organisations to apply for financial support. Six applications have been received including a major event grant application for VolleyFest. The VolleyFest application is being dealt with in a separate report to Council.

Staff have also been liaising with the Gotcha4Life Foundation regarding the Cliffside Festival, the subject of a previous Mayoral Minute. This application was assessed against the eligibility and assessment criteria within the guidelines and determined to be a local rather than a regional event. This is due to the number of participants anticipated for 2019. While the panel was fully supportive of the event and its objective to raise awareness of mental health on the Northern Beaches, under the local event stream, the maximum funding amount that the panel can recommend is \$5,000.

The applications were assessed by an internal assessment panel against the Event Grants and Sponsorship Guidelines. The panel recommends the following support be provided to the organisations listed to assist them to deliver community events:

Organisation	Event	Recommendation
Dee Why RSL	Anzac Day	\$10,000 pa 3-year sponsorship. Upfront payment of Bond of \$2,000 be waived.
Pittwater Ocean Swim	Pittwater Ocean Swim Series	\$6,000 pa 3-year sponsorship.
Avalon SLSC	Avalon Carols	\$5,000 pa 3-year sponsorship.
Mona Vale Rotary	Mona Vale Carols	\$5,000 pa 3-year sponsorship.
Mona Vale Chamber of Commerce auspicing 3 x NB choirs	Various choir performances at community events	\$2,000 grant toward instrument purchase and support for community/cultural.
Gotcha4Life	Cliffside Run	\$5,000 grant for one-year sponsorship and fee waivers valued at \$1,572.60.

The 3 year sponsorship arrangement for the Pittwater Ocean Swim, Avalon and Mon Vale Carols will be back dated to cover the 2018 Carols and the 2019 ocean swims that have already taken place. The recommendation has been discussed with the event organisers and formalises pre-existing arrangements to support these events.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council approves Funding and fee waivers under the 2018/19 Community Events and Partnership Program as recommended by the assessment panel.

REPORT

BACKGROUND

Council at its meeting in October 2018 allocated grant funding to support a range of community programs and events. The Events Grant Program was not fully allocated (\$155,583) and a second round of grants were approved.

At the November 2018 meeting Council approved an interim position on Community Grants and Partnerships that included a new funding stream through Sponsorships, to support innovative community events and recognise long term existing funding arrangements between the former Councils and a number of community events.

The Community Grants and Partnerships Program seeks to provide equity, transparency and fairness across the Northern Beaches community under a streamlined process that provide certainty to community event organisers.

Since November 2018, Council staff have contacted and assisted a number of community organisations to apply for a grant or sponsorship and six have been received.

The applications were assessed against six criteria by an internal assessment panel and recommend the following:

- Community benefit
- priority areas (as defined in the event strategy)
- value for money
- environmental and waste management
- organisational capacity to deliver
- marketing and evaluation strategy.

An assessment panel comprising three staff members from the Events, Place and Economic Development and Parks and Reserves teams with input from the Manager, Events and Executive Manager Community Engagement and Communications reviewed the applications to make the following recommendations for consideration. It is recommended that the following financial support be provided to the organisations to deliver community programs and events:

Organisation	Event	Request	Recommendation
Dee Why RSL	Anzac Day	\$10,000 pa 3 year sponsorship plus waiver of \$2,000 bond	\$10,000 pa 3-year sponsorship. Upfront payment of Bond of \$2,000 be waived.
Pittwater Ocean Swim	Pittwater Ocean Swim Series	\$6,000 pa 3-year sponsorship	\$6,000 pa 3-year sponsorship.
Avalon SLSC	Avalon Carols	\$5,000 pa 3-year sponsorship	\$5,000 pa 3-year sponsorship.
Mona Vale Rotary	Mona Vale Carols	\$5,000 pa 3-year sponsorship	\$5,000 pa 3-year sponsorship.

Organisation	Event	Request	Recommendation
Mona Vale Chamber of Commerce auspicing 3 x NB choirs	Various choir performances at community events	\$5,000 grant to cover support musicians and percussion instruments	\$2,000 toward instrument purchase and support to apply to Community/cultural.

These organisations will be required to enter into a funding agreement and acquit payments on an annual basis.

The 3 year sponsorship arrangement for the Pittwater Ocean Swim, Avalon and Mon Vale Carols will be back dated to cover the 2018 Carols and the 2019 ocean swims that have already taken place. This has been discussed with the event organisers and formalises pre-existing arrangements to support these events.

TIMING

A number of the events are in progress and awaiting Council decision.

FINANCIAL CONSIDERATIONS

The initial funding will be from the existing 2018/19 Events Grant Program which was not fully allocated (\$155,583).

SOCIAL CONSIDERATIONS

The events partnerships and grants program recognises that community events promote connectedness, celebrate diversity, encourage participation, strengthen social cohesion and support local businesses and job creation.

ENVIRONMENTAL CONSIDERATIONS

All Northern Beaches events delivered in partnership are required to adhere to Council's Waste Management Policies and processes and gain approval before the event can be approved through the events bookings process.

GOVERNANCE AND RISK CONSIDERATIONS

All applicants are assessed objectively by a staff panel against a set of public assessment criteria. Any conflicts of interest are declared as part of this process.

ITEM 9.7	VOLLEYBALL AUSTRALIA REQUEST FOR SPONSORSHIP FOR VOLLEYFEST 2019 - MANLY BEACH
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/047771
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council's endorsement to provide support through Council's Community Grants and Partnership Program – Sponsorship for the major event, VolleyFest 2019.

EXECUTIVE SUMMARY

Volleyball Australia has applied for financial and in-kind support through Council's Community Grants and Partnership Program via the Sponsorship funding stream for the major event, VolleyFest 2019. Significantly, this event is part of the 2020 Tokyo Olympics qualification and is expected to attract more attendees and media exposure than previous events. The event is to be held at Manly Beach from Friday 1 March to Sunday 10 March 2019 and includes:

- Round 3 of the Australian Beach Volleyball Tour
- NSW Beach Volleyball Schools Cup
- Beach Volleyball World Tour 3-star Event.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016 and twice in 2017. VolleyFest 2019 will:

- host more than 750 competitors and more than 5,000 spectators a day
- be part of the 2020 Tokyo Olympics qualification, anticipated to attract more attention and attendance than previous events
- present the highest standard beach volleyball event in Australia this summer and the biggest standalone beach volleyball event in Australia since 2008
- promote local business by encouraging athletes, staff and spectators to spend and stay locally and involve local businesses.

Volleyball Australia applied for a \$50,000 cash grant for operational costs, as well as a request for Council to waive fees for use of Manly Beach, to cover waste services, parking and access to flag poles.

Their application was assessed by a staff panel, in accordance with Council's guidelines for Community Grants and Partnership Program – Events Grants and Sponsorship 2018/19. The final calculation of the total cost of the fee waiver request is \$204,420. The panel determined the event was classified as a Major Event and recommends that Volleyball Australia is provided with support for VolleyFest 2019 as follows:

- \$24,970 cash grant towards covering the cost of sandbagging, beach levelling and volunteer meals (to be supplied by local business)

- \$204,420 fee waiver for access to Manly Beach from Friday 1 March to Sunday 10 March 2019 and pay and display parking.

This sponsorship would be conditional on Council being recognised as a major sponsor, promotion of the Northern Beaches and submission of a detailed post event report that includes an analysis and assessment of local economic and community benefits.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Council provides Volleyball Australia with cash and fee waiver support for VolleyFest 2019 through the Community Grants and Partnership Program
 - B. Council provides \$24,970 cash grant towards the cost of sandbagging, beach levelling and volunteer meals
 - C. Council provide \$204,420 fee waiver for access to Manly Beach from Friday 1 March to Sunday 10 March 2019 and pay and display parking as outlined in this report.
-

REPORT

BACKGROUND

Volleyball Australia has applied for support through Council's Event Grants and Sponsorship Program 2018/19 for VolleyFest 2019. This event is to be held at Manly Beach (adjacent to the North Steyne beach volleyball courts) from Friday 1 March to Sunday 10 March 2019 and includes:

- Round 3 of the Australian Beach Volleyball Tour, 1 to 3 March
- NSW Beach Volleyball Schools Cup, 4 and 5 March
- Beach Volleyball World Tour 3-star Event, 6 to 10 March
- Bump in (set up) 20 to 28 February and bump out (pack up) 11 to 14 March.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016 and twice in 2017. Volleyball Australia have indicated that each of these events had over 1.5 million social media engagements promoting Manly and over 75,000 online viewers. For the 2017 event there was an estimated spend of \$150,000 with local business.

Volleyball Australia's objectives for VolleyFest 2019 event include to:

- Increase awareness and participation of beach volleyball with a focus on Manly
- Showcase the sport to the existing and new commercial supporters
- Create the best opportunity for Australian athletes for Tokyo 2020 Olympic qualification

Volleyball Australia indicates in their application that the 2019 event:

- Targets more than 750 competitors and more than 5,000 spectators a day
- Is part of the 2020 Tokyo Olympics qualification and is expected to attract more exposure than previous events
- Will be the highest standard beach volleyball event in Australia this summer and the biggest standalone beach volleyball event in Australia since 2008
- Will promote local business by encouraging athletes, staff and spectators to spend and stay locally and aims to involve as many local businesses as possible (nine local businesses are identified as having involvement)
- Will have an extensive media campaign including social and traditional media, paid advertising, signage, live stream of centre court, TV broadcast, in store advertising, promotion through partner organisations and sporting bodies.

Council has provided in-kind support and fee waivers for the four previous VolleyFest events held at Manly Beach.

Event Grants and Sponsorship

Council's Community Grants and Partnership Program which includes Events Grants and Sponsorship funding streams, is designed to provide new and existing events with support to add value, vitality and deliver on a range of social, economic and recreational outcomes that meet the needs of the community. Funding is determined by the classification of the event - local, regional or major.

VolleyFest 2019 is a major event and eligible for funding of between \$20,000 - \$50,000, as well as fee waivers. There is currently \$155,583 available for allocation through the Event Grants and Sponsorship funding streams 2018/19.

Volleyball Australia have applied for:

- \$50,000 grant towards operational costs of
 - Sandbagging and beach levelling \$12,650
 - Volunteer meals \$12,320
 - Athlete official meals from local business \$40,400
- Fee waiver for use of Manly Beach, waste services, parking and access to flag poles.

Council fees for Volleyfest 2019 have been determined based on the Volleyball Australia's booking application and are as follows:

Venue Hire (event days)	\$183,540
Venue Hire (bump in / bump out days)	\$ 5,850
Pay and display parking (bump in/out and event days)	\$ 20,880
Waste services	\$ 2,778
Flag pole access	<u>\$ 1,350</u>
	\$214,398

Volleyball Australia's application has been assessed by a panel of staff and management from the Community Engagement and Communications and Parks and Recreation teams with oversight by the Grants Coordinator. Their application was assessed against these Program criteria:

- Community benefit
- Value for money
- Environmental and waste management
- Organisational capacity to deliver
- Marketing and evaluation strategy
- Priority areas (outlined in the Events Strategy 2018 - 2023).

Following the panel's assessment, the recommendation is that Volleyball Australia is provided with sponsorship for VolleyFest 2019 as follows:

- \$24,970 (inc GST) grant towards the cost of sandbagging, beach levelling and volunteer meals (to be supplied by local business)
- \$204,420 fee waiver for access to Manly Beach from Friday 1 March to Sunday 10 March 2019 and pay and display parking.

If the sponsorship recommendation outlined in this report is supported, Volleyball Australia will be charged \$9,258 for access to Manly Beach for bump in and bump out, waste services and use of flag poles. A bond of \$10,000 will also be applied to recover costs associated with restoration of park areas or infrastructure if any damage occurs as a result of the event.

This sponsorship would be conditional on Council being recognised as a major sponsor, promotion of the Northern Beaches and submission of a detailed post event report that includes an analysis and assessment of local economic and community benefits. The Community Engagement and Communications team will determine Volleyball Australia's requirements to meet these conditions. The terms and conditions of any approved sponsorship will be detailed in a Grants and Sponsorship Agreement.

The terms and conditions for the use of Manly Beach will be detailed in Council's booking approval.

CONSULTATION

Council staff have met regularly with Volleyball Australia to establish Council's requirements for VolleyFest 2019 particularly in working with local business and minimising resident impacts.

TIMING

VolleyFest 2019 is to be held at Manly Beach (North Steyne, adjacent to the beach volleyball courts) from Friday 1 March to Sunday 10 March 2019 and includes:

- Round 3 of the Australian Beach Volleyball Tour, 1 to 3 March
- NSW Beach Volleyball Schools Cup, 4 and 5 March
- Beach Volleyball World Tour 3-star Event, 6 to 10 March
- Bump in (set up) 20 to 28 February and bump out (pack up) 11 to 14 March.

FINANCIAL CONSIDERATIONS

There is \$155,583 available for allocation through the Event Grants and Sponsorship Program 2018/19. If the recommendation for \$24,970 grant funding for VolleyFest 2019 is approved, then the unallocated grant funding remaining would be \$130,613.

If the recommendation for a \$204,420 fee waiver is approved, this represents an opportunity cost for the potential benefits arising from hosting VolleyFest 2019 in Manly. Volleyball Australia will be required to present to Council a detailed post event report that includes an assessment of local economic and community benefits from this event.

SOCIAL CONSIDERATIONS

Through VolleyFest 2019, Volleyball Australia aims to increase awareness and participation of beach volleyball with a focus on Manly and to promote local business. The event also provides an elite performance pathway for athletes, coaches, officials and administrators to develop to the national and international level.

Council staff have been working with Volleyball Australia to ensure that impact on local residents is minimised during bump in/out and on event days. Organisers will be contactable throughout the event to respond to resident enquiries.

ENVIRONMENTAL CONSIDERATIONS

Volleyball Australia will be required to ensure VolleyFest 2019 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Volleyball Australia's application for sponsorship of VolleyFest 2019 has been managed and assessed in accordance with Council's Event Grants and Sponsorship Program 2018/19 guidelines.

ITEM 9.8	RFT 2018/316 - UNIFIED COMMUNICATIONS SOLUTION
REPORTING MANAGER	EXECUTIVE MANAGER CUSTOMER SERVICE
TRIM FILE REF	2019/025449
ATTACHMENTS	1 Tender Evaluation Report (Included In Attachments Booklet) (Confidential)

SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2018/316 – Unified Communications Solution.

EXECUTIVE SUMMARY

The purpose of the project is to procure a Unified Communication system to provide Council with a single telephony platform including

- specialised customer call centre software
- customer website chat functionality
- internal voice, video and digital collaboration tools
- a new inbound number range.

The required outcome is to consolidate the existing multiple communication systems to a single managed service to provide enhanced capability of mobility, hosted technology, reliability and customer service.

The maintenance of three aged telephony systems has been identified as a major risk to services with significant administration time and knowledge required for the functioning of each system. A further risk identified for this project is around the cessation of the contracts associated with the three legacy systems including ongoing support issues and the ongoing costs while the new system is being implemented.

An RFT was issued on 28 November 2019 for a Skype for Business Unified Communications platform (and provision to upgrade to Microsoft Teams during the term of the contract) with a Genesys PureCloud platform for the Call Centre, and 6 tender responses were received by the closure date of 20 December.

The Evaluation Panel meet throughout January and February 2019 and evaluated the 6 responses received.

The Council Officers involved in the development of the tender specification and documents were:

Chief Information Officer
Executive Manager Customer Service
Manager Service Delivery, Information & Digital Technology
Independent Consultant
Senior Procurement & Contracts Specialist - Procurement

This RFT 2018/316 - Unified Communications Solution should be considered and discussed by Council in closed session of Council 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 tenders received for RFT 2018/316 Unified Communications Solution and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision making because the disclosure of this information would prejudice the commercial position of the organisations who supplied it.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Council considers and discusses RFT 2018/316 Unified Communications Solution in closed session under section 10A(2)(d(i)) of the Local Government Act 1993.
 - B. Council adopts the recommendation contained in the confidential attachment to this report.
-

REPORT

BACKGROUND

In June 2017 the then Executive Management Team endorsed the recommendations that were made from the initial integration project that reviewed the existing 3 telephony systems of the former Councils.

The recommendations were to maintain the existing 3 separate telephony systems in the interim and commence a phase 2 procurement project to tender for a Unified Communications solution that included a call centre solution. This was based on the finding that upgrading any of the former Council systems was essentially an entire rebuild which would be prohibitively costly and would result in the implementation of obsolete technology.

At the time of amalgamation there was a contract held with the provider of the former Warringah Council telephone service. This contract expired on 3 June 2018 and is currently on a month to month arrangement. Contracts with the providers for the other 2 Council systems were expired at the time of amalgamation and have been operating on a month to month arrangement.

At the Council meeting of 27 November 2018 Council resolved to reject all responses to the tender for a Unified Communications system RFT 2018/365, and to retender with a revised scope.

RFT 2018/316 was subsequently issued on 28 November 2018 and closed at 2pm on 20 December 2018.

CONSULTATION

Council has undertaken consultation with internal stakeholders during the design process including Council's Systems and Information, Customer Service and Parks and Recreation teams.

The relevant requirements and user feedback were considered in the development of the final design and preparation of the tender documentation.

TIMING

The tender proposals were evaluated for a two-year contract period.

FINANCIAL CONSIDERATIONS

Council's Operating Budget for 2018/19 has funding allocated for telephony systems which will be applied to the costs of the Unified Communication system. Council's Capital Budget for 2018/2019 has funding allocated for IT infrastructure replacements which will be applied to the costs of the Unified Communication System.

SOCIAL CONSIDERATIONS

A single unified communications system will demonstrate a social impact and an improved customer experience, specifically through enhanced accessibility, via integrated staff presence, voicemail functionality and improved internal staff communication.

ENVIRONMENTAL CONSIDERATIONS

There is no environmental impact as a result of the recommendation.

GOVERNANCE AND RISK CONSIDERATIONS

Risks associated with the project have been addressed within the evaluation reports.

10.0 ENVIRONMENT AND INFRASTRUCTURE DIVISION REPORTS

ITEM 10.1 LONG REEF SURF LIFE SAVING CLUB - OUTCOMES FROM COMMUNITY ENGAGEMENT

REPORTING MANAGER EXECUTIVE MANAGER PROPERTY

TRIM FILE REF 2018/753845

ATTACHMENTS

- 1 [Long Reef Surf Life Saving Club -Stage 2 Engagement Report - January 2019 \(Included In Attachments Booklet\)](#)
- 2 [Long Reef Surf Life Saving Club - Original Concept Design \(Included In Attachments Booklet\)](#)
- 3 [Long Reef Surf Life Saving Club - Alternative Concept Design \(Included In Attachments Booklet\)](#)

SUMMARY

PURPOSE

To report on the outcomes of the community engagement for Long Reef Surf Life Saving Club.

EXECUTIVE SUMMARY

Northern Beaches Council is proposing to build a new surf club building and beach facilities to meet the existing and future needs of Long Reef Surf Life Saving Club (LRSLSCL) and the local community.

In line with Community Strategic Plan Goal 22, Council has worked in a highly collaborative manner to develop two concepts for decision by the elected Council. The proposed new building site in the Long Reef foreshore area is highly valued by many community groups for a range of reasons including its intrinsic environmental value, the active recreational value and the social value.

The concepts presented address these complex interactions with the intent to provide a solution that delivers on the CSP Goal 9 "Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities".

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council determine to:
 - a. Progress with original concept design, or
 - b. Progress with the alternative concept design
 - B. Council progress to Development Application with the preferred concept and report back to Council with final costings and a proposed funding model.
-

REPORT

BACKGROUND

Formed in 1950, the Long Reef Surf Life Saving Club is one of the smaller surf clubs on the Northern Beaches. The club's membership numbers have remained reasonably steady since 2011 sitting in the high 700's to low 800's, with more than half of those members being nippers.

Over the past decade Council has worked with Long Reef Surf Life Saving Club and the community to renew the club building. To date, none of the previous proposals were accepted by all parties.

In 2017, Long Reef Surf Life Saving Club approached Council to seek support to reactivate the renewal of the Long Reef SLSC clubhouse and associated community facilities.

Council officers worked closely with key representatives of Long Reef Surf Life Saving Club throughout the development of the design brief.

A community engagement approach was developed to ensure the community had an opportunity to provide input at all stages of the project, supported by an extensive three-stage community engagement strategy.

During stage one engagement held between 26 May and 22 June 2017, Council collected the community's ideas for the renewal of Long Reef Surf Life Saving Club. Community members were asked to identify the values, needs, challenges and opportunities for the facility's future design.

A Community Working Group was also established in June 2017 and was a key part of the engagement strategy.

The working group was made up of 13 members representing the following segments of the community:

- Long Reef Surf Life Saving Club Executive Committee
- Board Riders Group
- Manly Surf School
- Local Residents
- Environmental Groups
- Surf Life Saving Northern Beaches
- Key User/ Hirer
- Local Community Rep (including Youth)
- Save Long Reef Group

The working group met five times over a nine month period, with the first two working group meetings being used to develop further detail for the design brief to assist with the engagement of the design consultant.

Key outputs identified during stage one community engagement were:

- Any new facility needs to blend into the landscape
- The draft concept design needs to address environmental concerns
- No overdevelopment

The last three working group meetings allowed the members to work with the appointed Architects Adriano Pupilli Architects and Council to develop a draft concept design to be presented to the community during stage two engagement (Attachment 2).

The Long Reef Surf Life Saving Club and Beach Facilities Renewal draft concept design was developed to:

- provide a fit for purpose modern facility to suit the needs of the club, lifeguards and the community
- address storage shortcomings of the current facility
- provide additional storage for community groups
- improve amenities and accessibility
- blend into and fit within the constraints of the environmentally sensitive environment

On 13 September 2018, prior to the second stage of community engagement, Council finalised a Memorandum of Understanding (MOU) with Long Reef Surf Life Saving Club. The purpose of the MOU is to reflect the Parties' respective required outcomes, commitments and obligations regarding the funding and delivery of the project and subsequent management and operation of the Facility.

The second stage of engagement held between 28 September and 11 November 2018 invited community comment on the draft concept design.

A further statutory public exhibition will be held as part of any future Development Application process.

CONSULTATION

The development of the draft concept design is supported by an extensive three-stage community engagement strategy.

First Stage Community Engagement

The first stage of community engagement took place between 26 May and 22 June 2017.

A total of 46 comments were received online via our online comment form and feedback received via the working group nomination process.

Three drop in sessions were held, two at Long Reef Surf Life Saving Club and one at Council's Dee Why office. During the first stage, approximately 50 residents were engaged over the three sessions.

A Community Working Group was also established in June 2017 to further detail the brief for the design consultant.

Second Stage Community Engagement

The second stage of engagement held between 28 September and 11 November 2018 was designed to identify the level of support for the draft concept by inviting community comment.

During the engagement period, Council encouraged feedback through:

- a stakeholder meeting with surf club members
- three face-to-face drop-in sessions
- an online survey

Community members were invited to complete an online survey through the Your Say website. The community were presented with the concept plans and asked three specific questions focusing on the key community drivers identified in stage one engagement:

- Do you think the concept design blends into the landscape?
- Do you feel the concept design has addressed environmental sensitivities?
- Do you support the inclusion of these [function space, storage locker, café] community facilities?

A total of 1,141 individual comments were received from 533 respondents. A summary of responses for each engagement activity are provided below.

Drop in sessions

68 participants attended over the three sessions. In total 56 comments were received.

Comments reflected support for the design with many stating they liked the sloping roof and how it blended into the natural environment. Some attendees did indicate support for the concept design but noted they would not like it to be any bigger than currently proposed.

Others comments included support for the increased space for community use.

Comments were also received expressing concern about the size of the proposed areas within the new surf club and facilities, requesting more space for marshalling and social space for nippers and their families.

Online survey

A total of 413 responses were received. 87% of the survey respondents were supportive of the draft concept design overall.

Answers to the survey clearly reflect that most respondents of the survey wanted a new facility; however, responses were divided on the issue of the size of the proposed building. Some felt it would not be large enough, with others stating they would not like to see anything larger than currently proposed.

5% of survey respondents did not support the concept as proposed. A further 8% were unsure whether they supported the concept design.

The online survey results indicated that some respondents wanted:

- more functional space for Nipper activities
- a secure courtyard space and shade

Email and written submissions

Four email and written submissions were received. Some of the issues raised included:

- size and proposed location of public amenities
- general dislike of the proposed concept design
- impacts on environment

Outcomes of Engagement

Overall, 96% of comments received reflected support for the draft concept design.

Comments regarding support for the concept design, reflected it:

- will fit in with the surrounds
- was thoughtful
- would like it to be larger to accommodate growing SLSC needs
- was long overdue, and much needed

4% of the comments were opposed to the draft concept design.

Of those who objected to overall design, comments included:

- future needs were not catered for
- concern regarding height of the building
- dislike for the visual impact and configuration of the amenities.

Although not specifically requested, a large portion of the feedback received centered on the size and space allocation of the proposed facilities. The issues raised were divided, with some community members (150 comments) supporting a larger facility and others (264 comments) opposed to the facility being any larger than identified in the draft concept design.

Proposed Alternative Concept:

At the completion of the second stage of community engagement, Long Reef Surf Life Saving Club requested changes to the draft concept including:

- Extend the club pavilion to the east to provide increased storage space
- Extend the function space on Level 1
- Increase the size of the deck on Level 1
- Provide a larger courtyard space suitable for nippers
- Provide a kitchenette/canteen area on Ground Level for nippers
- Relocate the entrance to the public amenities away from the main courtyard space
- Reorient the café pavilion

These have been incorporated into an Alternative Concept (Attachment 2) by Adriano Pupilli Architects and a revised cost plan has been prepared by the consultant quantity surveyor. The internal layout of this alternative concept still requires further refinement, which will be done in consultation with the Long Reef Surf Life Saving Club should this option be chosen to progress.

TIMING

Project Milestone	Date
DA Lodgement	May 2019*
Potential Construction Commencement	April 2020

*subject to there being no further changes to the designs

FINANCIAL CONSIDERATIONS

The consultant quantity surveyor has prepared cost estimates based on both the original concept design presented to the community during stage two engagement and the alternative concept design.

Original Concept Design:

Construction Cost Estimate	\$5,160,056
Consultants Fees	\$539,845
PM Costs / Authority Fees	\$280,000
TOTAL COST	\$5,979,901*

Alternative Concept Design

Construction Cost Estimate	\$5,475,951
Consultants Fees	\$539,845
PM Costs / Authority Fees	\$320,000
TOTAL COST	\$6,335,796*

* costs are concept QS costs only and will be subject to further refinement as the detailed design is developed

The project funding currently confirmed as at January 2019 is in the order of \$4.2m as shown in the table below.

<u>Funding Source</u>	<u>Amount</u>	<u>Spent to Date</u>
Warringah Council – Specific Internal Reserve	\$171,000	\$113,000
Council Active Play Program	\$554,500	-
Stronger Communities Fund	\$3,000,000	-
LR SLSC Contribution	\$500,000	-
TOTAL	\$4,225,500	\$113,000

The expenditure to date include the engagement of the design consultants and quantity surveyor for the concept design stages and staff costs for the 2017/18 and 2018/19 financial years.

Remaining to Be Funded

There is a project budget gap of approximately \$1.75m on the original concept design presented to the community during stage two engagement and approximately \$2.1m on the alternative design.

Council is currently seeking a grant for the funding gap. Should this not eventuate, a report will come to Council to identify the funding of the shortfall.

SOCIAL CONSIDERATIONS

This project will deliver an excellent outcome for the area, providing a valuable community asset that will not only support surf lifesaving activities, but also provide community spaces.

ENVIRONMENTAL CONSIDERATIONS

Environmental impacts will be assessed and managed as part of the project, with the design being in accordance with the Coastal Engineers recommendations. The matter relating to the encroachment into the coastal erosion zone within the alternative concept will be managed within the standard assessments and approach of Northern Beaches Council and may be subject to additional controls or design iterations.

GOVERNANCE AND RISK CONSIDERATIONS

To ensure transparency the project has been subject to a lengthy community engagement process, with a public exhibition of the design forming part of the Development Application process.

Project risks will be managed in accordance with Council's risk management practices.

ITEM 10.2	MONA VALE SURF LIFE SAVING CLUB BUILDING PROJECT
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2018/770750
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council's approval to proceed with the construction stage for the proposed new Mona Vale Surf Life Saving Club Building.

EXECUTIVE SUMMARY

At the meeting of 17 April 2018, Council resolved to provide support for the new Surf Life Saving Club building at Mona Vale Beach. Following the Public Exhibition of the concept plans and the completion of Stage 2 of Community Engagement, that noted very strong support for the project - 94% of comments received reflected support for the overall draft concept design - a Development Application (DA) was lodged in October 2018.

The April 2018 Council resolution required that a:

"proposal come back to Council once the Development Application has been approved and designed with a business case showing how extra funds are sourced".

The Development Application for this proposed building was approved by the Sydney North Planning Panel on 13 February 2019.

Therefore, as noted in the body of the report, with the recently allocated additional funds now meeting the previously identified funding gap, approval is being requested to progress this project.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council note the proposed project funding and approve the Mona Vale Surf Life Saving Club building project to proceed to construction.

REPORT

BACKGROUND

At the meeting of 17 April 2018, Council provided support for the new surf club building at Mona Vale as resolved:

- A. *Council having considered the information and evidence in the Feasibility Study, continue to support the project to provide a new surf club building at Mona Vale Beach.*
- B. *Council approve for the concept plans to be placed on Public Exhibition and to proceed with the next stages of the project.*
- C. *A proposal come back to Council once the Development Application has been approved and designed with a business case showing how extra funds are sourced.*

On 23 October 2018, the Member for Pittwater Rob Stokes announced that the NSW Government has provided an additional \$2.5m to the project from the Stronger Communities Fund. These additional funds are in addition to \$1.4m already allocated to the project from this Stronger Communities Fund last year.

These additional funds have put the project into a strong financial position for delivery. The total project costs for the new building have been further refined, analysed and third party estimated at the DA cost plan stage as \$6.7m including internal costs, Council fees, professional consultancy fees and escalation costs.

Therefore, the proposed funding approach for the project with this additional injection of funds has been updated as follows:

Funding Source	Amount	Expenditure to Date
Pittwater Council SRV Program	1,000,000	216,084
NSW's Stronger Communities Fund	3,900,000	
Council's Active Play Program	554,500	-
Mona Vale SLSC Contribution	500,000	-
Council budget for asset renewal *	745,500	
Funds Confirmed	\$6,700,000	\$216,084

* note that in the feasibility report to Council in April 2018 it was proposed that allocation of Council funds was in excess of \$1m. This has been reduced to match the estimated project budget.

CONSULTATION

The final community engagement report was published on Council's YourSay page in October 2018 following the completion of the second stage of public exhibition regarding the concept plans. This report displayed that there is significant community support for the project – 94% of comments

received reflected support for the overall draft concept design - and a Development Application (DA) was subsequently lodged on 31 October 2018.

More information and a copy of this report is available at:

https://yoursay.northernbeaches.nsw.gov.au/MonaValeSLSC?utm_source=northernbeaches.nsw.gov.au&utm_medium=301&utm_campaign=Website

On 13 February 2019 the Development Application for this building was approved by the Sydney North Planning Panel.

TIMING

This project is programmed to commence construction by mid-2019.

FINANCIAL CONSIDERATIONS

The funding required to deliver this project is now in place and that the project is financially ready to proceed.

SOCIAL CONSIDERATIONS

The project will provide a fit for purpose facility that suits the needs of the surf club and the community. The new building will address ongoing storage issues, improve accessibility and safety, and provide commercial activities to generate revenue for Council.

ENVIRONMENTAL CONSIDERATIONS

The design team includes for a Coastal Engineer to provide specialist advice with regards to construction of the building in a coastal environment as well as installation of solar panels and rainwater tanks. Matters relating to flooding, inundation and the effects of climate change are also considered in the design process and adjustments made accordingly to ensure they are appropriately managed.

GOVERNANCE AND RISK CONSIDERATIONS

A strong community engagement process was undertaken to ensure transparency. Project risks will be managed in accordance with Council's risk management practices.

ITEM 10.3	NANBARREE RESERVE, BALGOWLAH HEIGHTS - PROPOSED EASEMENT TO DRAIN WATER IN FAVOUR OF 11 HOGAN STREET, BALGOWLAH HEIGHTS
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/000520
ATTACHMENTS	1 Draft Easement Plan

SUMMARY

PURPOSE

To consider a request for an easement to drain water through a Council reserve (Nanbarree Reserve, Balgowlah Heights) (Community Land) by an adjacent property owner for the installation of an underground stormwater drainage pipe for connection to Council's underground stormwater drainage pipe within Council's reserve.

EXECUTIVE SUMMARY

The owner of 11 Hogan Street, Balgowlah Heights (the applicant) proposes to construct a new dwelling and garage at 11 Hogan Street, Balgowlah Heights. Prior to receiving a Complying Development Certificate (CDC) for the development, the applicant requires a formal easement to drain water through Council's adjoining reserve (Nanbarree Reserve, Balgowlah Heights) as the applicant's property is located on the low side of Hogan Street and is required to adequately deal with the stormwater overflow generated from the proposed development.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council, subject to Item C of this recommendation, authorise a 1 metre wide Easement to Drain Water and associated Positive Covenant, by underground pipe within Lot 58 DP 31731 Nanbarree Reserve Balgowlah Heights in favour of 11 Hogan Street, Balgowlah Heights (Lot 30 DP 36454) for an amount in accordance with Council's adopted Fees and Charges.
 - B. Council delegate authority to the Chief Executive Officer to execute the necessary documentation in order to give effect to this resolution.
 - C. All costs associated with the granting of the proposed easement and associated Positive Covenant as referred to in item A of this recommendation, including but not limited to, Council's legal costs, GST if applicable, document registration and reinstatement of land post authorised drainage works, be funded by the applicant.
-

REPORT

BACKGROUND

The owner of 11 Hogan Street, Balgowlah Heights (the applicant) proposes to construct a new dwelling and garage at 11 Hogan Street, Balgowlah Heights. Prior to receiving a Complying Development Certificate (CDC) for the development, the applicant requires a formal easement to drain water through Council's adjoining reserve (Nanbarree Reserve, Balgowlah Heights).

11 Hogan Street, Balgowlah Heights is located on the low side of Hogan Street, therefore, is required to adequately deal with the stormwater overflow generated from the proposed development.

Council's policy on Stormwater Drainage from Low Level Properties PDS – POL 136 recommends obtaining a drainage easement over the downstream property to Council's drainage infrastructure as a first option to deal with stormwater disposal.

The proposed easement is illustrated in the Draft Easement Plan attached to this report.

Section 46 (1) (a1) of the Local Government Act 1993 specifically allows for such easements over Community Land and Council has granted similar easements over other Council reserves in the past. The proposed easement will require that the stormwater drainage pipe be placed under the surface of the ground; therefore, the drainage pipe will have minimal impact on the use of the reserve after installation.

Rectification of the Council reserve following installation of the proposed stormwater drainage pipe will be done by the applicant and the applicant will be required to submit an appropriate bond, prior to the commencement of construction, for works within the Council reserve. Ongoing maintenance obligations for the underground pipe by the owner of 11 Hogan Street will be registered in a Positive Covenant over 11 Hogan Street as a condition of granting the proposed easement.

CONSULTATION

The application for Easement was publicly notified for a period of 28 days in accordance with *Section 47 of the Local Government Act 1993* which included a Public Notice in The Manly Daily on 17 November 2018, notice on Council's website, notice letters to surrounding property owners and notice signs at Nanbarree Reserve seeking public submissions. The submission period concluded on 19 December 2018. No objections to the proposed easement were received by Council during the notification period.

FINANCIAL CONSIDERATIONS

The compensation amount for the proposed easement has been valued by an independent qualified valuer at \$5,000 (excluding GST). However, in accordance with Council's adopted Fees and Charges a minimum compensation fee to Council of \$11,450 (including GST) for such an easement applies.

SOCIAL CONSIDERATIONS

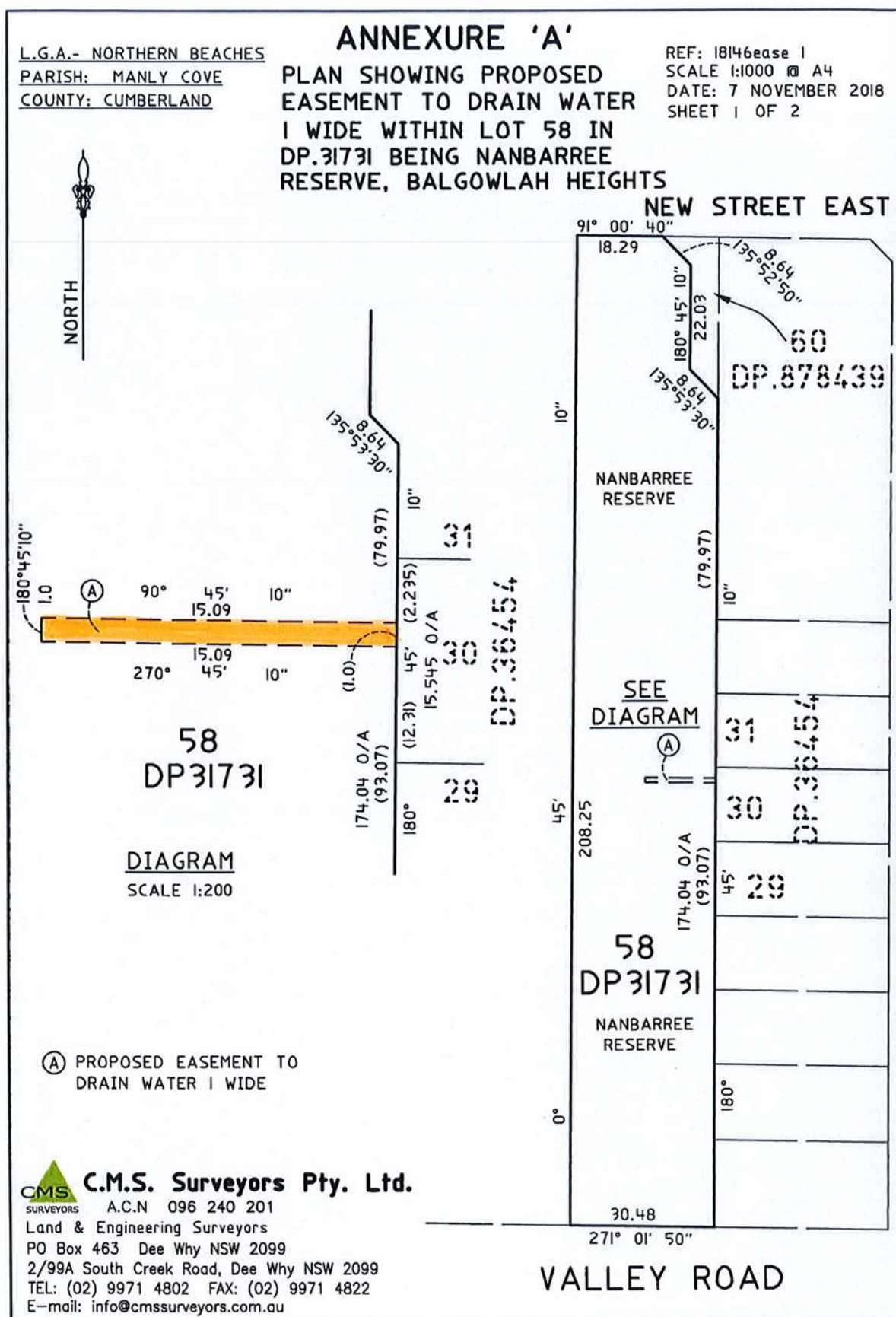
There will be minimal impact to the Community as the stormwater drainage pipe will be installed under the surface of the ground.

ENVIRONMENTAL CONSIDERATIONS

Rectification of Nanbarree Reserve after construction and ongoing maintenance of the proposed underground drainage pipe will be undertaken by the owner of 11 Hogan Street, Balgowlah Heights.

GOVERNANCE AND RISK CONSIDERATIONS

This is consistent with Council policy.



ITEM 10.4	NOMINATION OF NATIVE TITLE MANAGER AS REQUIRED UNDER SECTION 8.8 OF THE CROWN LAND MANAGEMENT ACT 2016
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/015280
ATTACHMENTS	1 ↓ Council Crown Land Management Newsletter 26 October 2018

SUMMARY

PURPOSE

To seek Council's approval to give notice to the Minister administering the Crown Land Management Act 2016 for nomination of Northern Beaches Council's Native Title Managers.

EXECUTIVE SUMMARY

The Crown Land Management Act 2016 commenced on 1 July 2018. Council is now required to give notice to the Minister for Lands and Forestry of the name and contact details of Council's nominated Native Title Manager/s.

Giving notice to the Governor or Minister is a non-delegable function and requires a Council resolution having regard to section 377(1) of the Local Government Act 1993.

Two Council officers have attended training and have qualified as Native Title Managers.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council give notice to the Minister for Lands and Forestry of the name and contact details of any person the Council has engaged or employed as a Native Title Manager, as required under Section 8.8 of the Crown Land Management Act 2016.
 - B. Council provide such notices as required by the Crown Land Management Act 2016 in relation to its engaged or employed Native Title Managers.
 - C. Council authorise the Chief Executive Officer to execute any necessary documentation to give effect to this resolution.
-

REPORT

BACKGROUND

The Crown Land Management Act 2016 (CLM Act) was passed by the NSW Parliament on 9 September 2016 and commenced from 1 July 2018. A key foundation of the new legislation will enable Councils to manage Crown reserves principally under the Local Government Act 1993 with less oversight by the Minister for Lands and Forestry or the Department of Industry – Lands & Forestry.

The practice of managing Crown Lands in the Northern Beaches local government area will be changing in order to comply with the requirements under the CLM Act. To support this change, the CLM Act contains provisions to facilitate compliance by Council with Commonwealth Native Title Act 1993 and clarifies responsibilities where native title has not been extinguished or determined.

Native title refers to the rights and interests in relation to land and waters held continuously by the Aboriginal people under their traditional laws and customs, recognised by Australian law.

The CLM Act requires Council who manages Crown reserves to employ or engage trained native title managers. Additionally, each Council is required to nominate its qualified Native Title Manager. To be qualified as a Native Title Manager, the person must attend a training session jointly provided by the Crown Solicitors Office and the Department of Industry (Crown Lands Office).

Completion of the training qualifies Council staff as Native Title Managers for the purpose of the CLM Act. Two of Council's officers have attended this training on 31 October 2017 and attained the Native Title Manager qualification. Further Council Officers will be trained as Native Title Managers in the coming years.

The Native Title Managers will be responsible for providing advice on certain dealings undertaken by Councils on Crown land that may be affected by Native Title. The advice and oversight of Native Title Managers will apply to certain land management dealings including issuing of leases, licences and permits and the approval or submission for approval of Plans of Management (POM) that authorise or permit certain dealings that may affect native title. Additionally, the Native Title Managers will ensure those dealings are valid under the native title legislation and compliant with all procedural requirements of the Native Title Act.

CONSULTATION

No consultation is required for the appointment of Native Title Manager as this is an administrative issue only.

TIMING

In accordance with Section 8 of the Crown Land Management Act 2016, Council is required to give written notice to the Minister administering the CLM Act. The notice must be given as soon as practicable after 30 June (but no later than 31 October) of each year. As the CLM Act came into force in July 2018 the requirement to submit these details by 31 October 2018 was not enforced in this first year of the new CLM Act.

FINANCIAL CONSIDERATIONS

The nomination is absorbed in the existing Council officer positions. No financial implications are expected at this stage from these nominations. External consultants may be engaged to initially review new POM's that are required to comply with the CLM Act.

SOCIAL CONSIDERATIONS

The appointment of Native Title Managers will allow Council to fulfil its obligations under the Crown Lands Management Act 2016.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations relating to these appointments.

GOVERNANCE AND RISK CONSIDERATIONS

Section 8.8 of the Crown Land Management Act 2016 (CLM Act) requires each Council to give notice to the Minister for Lands and Forestry of the name and contact details of any person the Council has engaged or employed as a native title manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year.

Section 377(1) of the Local Government Act 1993 states that the giving of a notice to the Governor or Minister is a non-delegable function meaning a resolution of Council is required.

The CLM Act includes specific provisions to comply with the Native Title Act 1993 (Cth).

**Council Crown Land
Management Newsletter****26 October 2018****Important information about Native title manager notice to Minister for Lands and Forestry**

Section 8.8 of the Crown Land Management (CLM) Act 2016 requires each council to give notice to the Minister Lands and Forestry of the name and contact details of any person the council has engaged or employed as a native title manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year.

Such notices should be straightforward, addressing only the items required under the legislation (ie: the name and contact details of any person the council has engaged or employed as a native title manager). If no native title manager has been engaged by the council, the notification should indicate this.

Councils are reminded that section 377(1)(s) of the Local Government Act 1993 states that the making of an application, or the giving of a notice, to the Governor or Minister is a non-delegable function meaning a resolution of council is required for such purposes.

It is expected that some councils may miss the 31 October deadline. If your council finds itself in this position, please provide the notification to DOI as soon as possible.

Notices should be sent to council.clm@crowland.nsw.gov.au.

Plan of management training webcast now live

A condensed webcast version of the face to face training sessions for council staff delivered by OLG and Department of Industry – Land and Water in August and September 2018 is now available to download from the [OLG Crown Land Resources webpage](#).

The purpose of the training is to inform council staff of the requirements for developing compliant Plans of Management for Crown Reserves. However, the training also emphasises the importance of preparing for the POM process as early as possible, especially by ensuring that councils understand how the initial categorisation process acts as a critical gateway step to developing a POM.

This webcast provides an opportunity for those who missed the face to face sessions to understand the key information provided, but also allows staff who did attend the sessions to revisit the information.

The webcast is divided into two parts which can be viewed or downloaded separately:

1. Recap of transition arrangements (including the classification and initial categorisation process).
2. The PoM development and adoption process.

Where to go for further information

For further information about the impending legislation, including the abovementioned support materials and details of upcoming training and events visit the OLG Crown Land webpage www.olg.nsw.gov.au/crownland.

General enquiries about OLG's Crown Land support project should be directed to 1300 117 784 or by email to councilcrownland@olg.nsw.gov.au.

Further information on the CLM Act generally, including Native title issues and the Land Negotiation Program can be found on the Department of Industry – Lands & Water [website](#).

ITEM 10.5	ALTERNATIVE PROCUREMENT – EXTEND AVALON GOLF COURSE MANAGEMENT AGREEMENT
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/024703
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council approval to undertake an alternative procurement process to extend the Avalon Golf Course Management Agreement with the existing Manager, in accordance with Section 55, Clause 3(i) of the Local Government Act 1993.

EXECUTIVE SUMMARY

In 2014, through a Tender process, Council appointed Teed Up Management Pty Ltd (Teed Up) to manage Avalon Golf Course (excluding golf course maintenance) and Pittwater Golf Centre. The Avalon Golf course management agreement was for a 5 year term, expiring February 2019, whilst the driving range expires February 2024. The management agreement was only for a 5 year period as it was thought an alternative use may be determined for the Avalon Golf Course by this time.

This alternative use has not eventuated and the other proposed potential for the Avalon Golf Course as the northern Creative Space for the Northern Beaches is about to be resolved. As such, it is requested that Council extend the existing Management Agreement for a further 12 months to allow for a full public tender process to be completed on this or a suitable alternative service.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council exercise its authority under Section 55 (3) (i) of the Local Government Act 1993 and approve exemption from tendering for the management of Avalon Golf Course, for an interim period of up to 12 months based on the following extenuating circumstances:
 - a. A tender process was not undertaken prior to the expiry of the current contract as potential alternative uses of the site were being investigated that would have changed the ongoing use of the site.
 - B. Authority be delegated to the Chief Executive Officer to negotiate and extend the Management Agreement with Teed Up Management Pty Ltd for 12 months for the management of Avalon Golf Course to allow for the completion of a public tender process and to execute all necessary documentation to give effect to this resolution.
-

REPORT

BACKGROUND

Avalon Golf Course (AGC) is a 9 hole golf course with an area of 13.5 hectares, including 1.4 hectares of remnant bushland. Land within AGC is owned by Council, classified Community and zoned RE1 Public Recreation under the Pittwater LEP 2014. The Plan of Management for AGC authorises use of the site as a public golf course.

AGC and Pittwater Golf Centre (PGC) are Council owned assets, and in 2014 an open market Tender process was undertaken for management services of both AGC and PGC to fully leverage the opportunity provided by both sites.

Five (5) Tender submissions were received and after a formal tender process Teed Up were selected as the successful tenderer. Of the 5 tender submissions only two were evaluated, as two were found to be non-complying and one tenderer was disqualified from the process for trying to influence the tender outcome.

In 2014 Council entered into a 5 year management agreement with Teed Up for AGC, which expires in February 2019 and a 10 year management agreement with Teed Up for the PGC, which expires in February 2024. The management agreement for AGC requires the Manager to manage the Avalon Golf Course clubhouse, including the day to day operation of the pro shop and café.

The management agreement was only for a 5 year period as it was thought an alternative use may be determined for the Avalon Golf Course by this time. This alternative use has not eventuated and the other proposed potential for the Avalon Golf Course as the northern Creative Space for the Northern Beaches is about to be resolved.

As such, this reports requests that Council exercise its authority under Section 55 (3) (i) of the Local Government Act 1993 and approve exemption from tendering for the management of Avalon Golf Course, for an interim period of up to 12 months based on the following extenuating circumstances: A tender process was not undertaken prior to the expiry of the current contract as potential alternative uses of the site were being investigated that would have changed the ongoing use of the site.

Should this extension be granted, this will allow for a full public tender process to be completed on this or a suitable alternative service.

CONSULTATION

Property has been in consultation with the Parks and Recreation group and the Community, Arts & Culture group regarding the proposed extension of the management agreement and with Procurement regarding the process.

TIMING

To commence immediately.

FINANCIAL CONSIDERATIONS

The proposed extension is for 12 months and the estimated budget required for management fees has been budgeted for within Council's current operational budget.

SOCIAL CONSIDERATIONS

If a Management Arrangement cannot be agreed, Council would be required to hire staff and manage the site internally which previously Council has found challenging given the specialised field. This may be something Council would consider at the end of this term with a greater focus

on recreation management with a new Executive Manager, Recreation Business, joining Council soon.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations in extending this agreement.

GOVERNANCE AND RISK CONSIDERATIONS

Section 55 (3) (i) of the Local Government Act 1993 allows for councils to be exempt from the tendering requirement where there are extenuating circumstances.

ITEM 10.6	DRAFT OUTDOOR DINING AND FOOTPATH MERCHANDISE POLICY
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/062364
ATTACHMENTS	1 📄 Draft Outdoor Dining and Footpath Merchandise Policy (Included In Attachments Booklet) 2 📄 Outdoor Dining and Footpath Merchandise Guide (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to place the draft Outdoor Dining and Footpath Merchandise Policy on public exhibition.

EXECUTIVE SUMMARY

On 18 December 2018 this item was deferred to the February Council meeting pending further clarification on this matter. Minor amendments to the draft policy have been made and the report is being presented for further consideration and approval.

The purpose of the draft Outdoor Dining and Footpath Merchandise Policy is to provide structure for consistency and transparency in the assessment process as well as providing effective guidelines for compliance and enforcement of approvals. The Outdoor Dining and Footpath Merchandise Policy is supported by the Outdoor Dining and Footpath Merchandise Guide.

Once adopted the draft policy would replace the Outdoor Dining and Footpath Merchandise Policies of the three former Councils, thus supporting a single approach to the assessment and regulation of Outdoor Dining and Footpath Merchandise approvals.

It is proposed to place the draft Policy on public exhibition, after which submissions will be considered and the final policy will be reported to Council seeking adoption.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council place the draft Outdoor Dining and Footpath Merchandise Policy on public exhibition for a period of at least 28 days.
 - B. A report be brought back to Council following the closure of the public exhibition period.
-

REPORT

BACKGROUND

Prior to amalgamation, the former Manly and Warringah Councils had adopted Outdoor Dining policies in place, and the three former Councils issued approvals and collected fees based on Council's fees and charges.

The former Manly Council adopted and implemented its own Merchandise Policy, and both Manly Council and Pittwater Council issued approvals and collected fees based on Council's fees and charges.

The proposed Outdoor Dining and Merchandise Policy will consolidate the Outdoor Dining and Footpath Merchandise Policies of the three former Councils to a consistent, single Northern Beaches Council approach for assessment and regulation of Outdoor Dining and Footpath Merchandise Approvals.

The Policy Principles include:

- Contributing to a vibrant and welcoming street environment while supporting local economic development.
- Maintaining the pedestrian thoroughfare as the primary purpose of the footpath and promoting accessibility by maintaining a consistent and predictable clear path of travel for all users.
- Ensuring street furniture, display stands, racks or containers are of a suitable standard and visually pleasing, contributing to the creation of an appealing streetscape
- Fostering neighbourhood amenity through minimising additional noise, visual and other adverse impacts.
- Encouraging the use of sustainable materials and eco-friendly management practices.
- Minimising public liability risk through the issue of approvals considered against the Outdoor Dining and Footpath Merchandise Guide.
- Monitoring compliance with approvals and undertaking enforcement action when appropriate.
- Charging a fee for the use of the footpath as set out in Council's Fee and Charges.

The Policy also comes with a "Northern Beaches Outdoor Dining and Footpath Merchandise Guide" that provides practical information and considerations about how outdoor dining and merchandising will be assessed, as well as a range of other considerations that applicants will need to think about. This will also be released as part of the proposed consultation. The visual images in the draft guide will be updated with local images as they become available.

CONSULTATION

The draft policy was developed in consultation with Council stakeholders related to the assessment and compliance process. Additionally, guidelines and applications from other Councils in close proximity were also consulted as part of the investigation process.

The consultation process includes:

- a briefing to the Economic and Smart Communities SRG
- information on the 'Your Say' project web page including online submission form
- copies of the policy will be available in all customer service and library locations

- advertisements in the Manly Daily
- bulk emails to our community engagement database, registered community groups, and other key stakeholders
- notifying existing outdoor dining and merchandise approval holders
- notifying the Mona Vale, Warringah and Manly Chambers of Commerce.

TIMING

The public exhibition period will be from 7 March 2019 to 8 April 2019. At the conclusion of the exhibition period the submissions will be considered and the final policy will be presented for adoption at the Council Meeting in April 2019.

FINANCIAL CONSIDERATIONS

The implementation of the policy will have a minimal impact on Council's income budgets as income is proposed to continue to be generated for outdoor dining and merchandise approvals. The setting of Council's outdoor dining fees and charges are a separate decision for Council.

SOCIAL CONSIDERATIONS

The adoption of the draft Policy will ensure that the ancillary use of the footpath does not interfere with the safety and functioning of the footpath or any nearby road.

They will enable the compliance of appropriate use of the footpath so that they contribute to the diversity and attractiveness of the area and contribute to the local character and identity.

ENVIRONMENTAL CONSIDERATIONS

The adoption of the draft policy will facilitate the use of sustainable materials and eco-friendly management practises within outdoor dining areas.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy would support a consistent, single approach to the assessment and compliance of Outdoor Dining and Footpath Merchandise approvals across the Northern Beaches Council Area.

ITEM 10.7	1ST ELANORA HEIGHTS SCOUTS GROUP HALL
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/060920
ATTACHMENTS	1 Site Inspection Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the present condition of the 1st Elanora Heights Scouts Group Hall, along with actions to bring the building in line with present and foreseeable requirements.

EXECUTIVE SUMMARY

The report considers the following four options in regard to the damage to the Elanora Scout Hall building caused by termite infestations:

- Demolish the building and retain only the public toilets
- Carry out repairs to re-establish the building to its original design/purpose
- Carry out repairs as above but using non-timber framing materials
- Full demolition and rebuild as a multi-use facility.

This report recommends renewal of the building in the interests of the community in a manner that is most likely to prevent future damage by termites.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council endorse the strategy to repair and upgrade the 1st Elanora Heights Scout Hall using metal frames, and non-timber cladding and internal linings.
 - B. Council propose a suitable budget via the 2019/20 budget process to progress the project via a tender process.
-

REPORT

BACKGROUND

The Scout Hall located at Bilarong Reserve, Wakehurst Parkway, North Narrabeen, was built in the mid 1980's and is leased to the 1st Elanora Heights Scouts for their exclusive use on a community based lease until February 2025. The building is constructed primarily of timber frames, flooring, wall panels and piers, and has a metal roof. The building has an internal floor area of approximately 380 m². There is a brick and concrete public toilet building attached to the scout hall which was built at a later date.

On October 2018 Council resolved (Resolution 309/18)

That:

- A. *Staff prepare a report on Council's overall building asset management plan by February 2019.*
- B. *Staff as part of this report to Council report on and make recommendations in relation to:*
 - a. *The present condition and adequacy of the 1st Elanora Heights Scouts Group Hall*
 - b. *Options to bring the building into line with present and foreseeable requirements*
 - c. *The funding options available, for a new or upgraded building, including Government Grants.*
- C. *Staff meet with the 1st Elanora Heights Scout group in the next four weeks to update them on the next steps and that the Mayor and Ward Councillors be invited to attend.*

Building Asset Management Plan

The Building Asset Management Plan has been prepared and is listed on the agenda for the February 2019 meeting of the Audit Risk and Improvement Committee and Council will be briefed in early March 2019.

Condition and Adequacy of the 1st Elanora Heights Scout Hall

The Scout Hall has had a number of cases of termite activity detected and treated over the past 4 years, with a Nemesis Baiting System installed in February 2016 by a contracted pest control company. However, in July 2017, structural damage was uncovered in the bathroom and kitchen timber wall frames due to this past termite activity.

In the first half of 2018 a range of investigations were done to determine the extent of the damage, and following discussions with the Elanora Heights Scouts, it was determined that they would need to vacate the building to allow for detailed examination of the damage to be carried out. These investigations revealed the termite damage was significant and widespread throughout the entire building.

Engineering company, James Rose Consulting, were initially engaged to undertake a visual inspection of the exposed termite damage and provide structural advice on required remediation repairs. Their report (Attachment 1) highlighted extensive termite damage throughout the building including the top and bottom plate of wall frames, wall frames and columns and LVL roof beam that required further investigation. It also noted that although the majority of the wall tiles in the bathrooms had not been removed allowing a complete inspection, based on the extent of the damage to the kitchen wall which was visible and the other walls at the eastern end of the building, it is anticipated that the bathroom walls will be significantly affected by termite damage. The report also noted that the timber piers had no ant-capping installed.

Building Repair Options

Due to the extent of the works required to repair the termite damage, the following options have been investigated and estimated for consideration:

- Demolish the building and retain only the public toilets
- Carry out repairs to re-establish the building to its original design/purpose
- Carry out repairs as above but using non-timber building materials
- Demolition, redesign and rebuild as a multi-use facility.

Demolish the building and retain only the public toilets

The main hall building and storage area impacted by the significant termite damage could be demolished and returned to park/reserve use. The public toilet building which is predominately constructed of brick and concrete and is not impacted by termite damage, would be retained.

Carry out repairs to re-establish the building to its original design/purpose

Based on the engineering report from James Rose Consulting, the building can be repaired. This would retain the current layout and timber frame design. Due to likely termite damage to the bathroom and kitchen walls these areas would be extensively refurbished as part of the repairs. Termite or ant caps would also need to be installed on each of the piers supporting the building to limit future termite access.

Carry out repairs as above but using non-timber framing materials

Whilst the installation of termite or ant caps will reduce the risk of future termite activity it will not eliminate the risk. Consideration was therefore given to utilising non-timber (steel) framing as part of the repairs. This would again retain the current layout of the building but would substantially reduce the risk of future termite damage.

It is possible, based on building industry advice, to replace the wall frames, external cladding and internal lining with non-timber building materials whilst retaining the existing roof structure. Alternatively, the roof structure could also be replaced which would renew the building from the floor up.

Demolition and rebuild as a multi-use facility

The site is flood prone so there are likely to be restrictions placed on any potential rebuild.

At a minimum, these would lead to higher than normal costs for the build. With a building area of 380 m² this would require a budget of approximately \$2m, potentially as a multi-use community facility based on a building of around the same dimensions, including consultancy fees and design costs.

Table 1:

Option	Estimated Cost*	Est. Timeframes
Demolish the building and retain only the public toilets	\$60,000	6 months from project approval
Carry out repairs to re-establish the building to its original design/purpose	\$275,000 including a 10% contingency	6-8 months from project approval
Carry out repairs as above but using non-timber building materials	\$300,000 - \$350,000	6-8 months from project approval
Option that includes a new roof structure	\$500,000	
Demolition, redesign and rebuild as a multi-use facility	\$2,000,000**	2 years from project approval

* All cost estimates are subject to market testing via a public tender.

** Indicative cost estimate based on similar sized building projects with no allowance for extra design considerations due to flood and bushfire risks

Building Functionality

The building currently works well as a Scout Hall but would require modifications to enable it to function effectively as a community centre.

Planning Approval Considerations

Demolition of the building is exempt development under the provisions of Subdivision 13 of SEPP (Exempt & Complying Development Codes) 2008. No approvals are required for this option provided the demolition complies with *Australian Standard 2601-2001 The demolition of structures*.

Renovating the existing building does not require Development Consent, as Division 12, Clause 65 of SEPP (Infrastructure) 2007, states that development for any purposes can be carried out without consent if the development is for the purposes of implementing a plan of management. The Bilarong Reserve Plan of Management gives a works program that includes investigating refurbishment requirements for the Scout Hall. As such, this option would require preparation of a Part 5 assessment, however this would only be to renovate the building in its current form, not to add anything to it.

Any new building would need to be a minimum of 1.5 metres above natural ground level, and contain two storeys to allow for shelter in place. Accessibility would need to be via ramps and stairs and the building would need to be built to withstand flood events. There may be additional bushfire and parking requirements. Consideration should also be given to whether it is appropriate to locate a new community facility in an area with poor public transport links, where the nearest bus stop is nearly a kilometre away and in an area which is known to flood regularly.

CONSULTATION

Council has met with representatives of the Scouts to provide feedback on the status of the building condition assessment and also to understand the needs of the Scouts.

TIMING

Depending on the solution agreed, the works are estimated to take from 6 months to 2 years to complete, as per Table 1.

FINANCIAL CONSIDERATIONS

No funds have currently been allocated to carry out any works on the 1st Elanora Heights Scout Hall. The Scouts have been approached and indicated that they are unable to provide any funding for these works at this time.

It may be possible to make an application for some funding from the Crown Reserves Improvement Fund Program (CRIFP) as the Scout Hall building is located partially on Crown Land, however should this not be available then it is proposed to prioritise renewal funding in the 2019/20 Council Capital Works budget to complete these works.

SOCIAL CONSIDERATIONS

The Scout Hall is a well-used Community facility with a variety of community groups using it for events. Scouts Australia aim to provide fun youth development activities to build resilient boys and girls in the 5 to 25 age range.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance and risk considerations.

ITEM 10.8	CROWN LAND RESERVE TRUST LAND CATEGORIES
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/061203
ATTACHMENTS	<ol style="list-style-type: none"> 1 Proposed Changes to Recommended Guidance Land Categories (Included In Attachments Booklet) 2 Additions to Recommended Guidance Land Categories (Included In Attachments Booklet) 3 No Change to Recommended Guidance Land Category (Included In Attachments Booklet) 4 NSW Department of Industry Category Definitions (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek endorsement to notify the Minister for Lands of the Project Steering Group's recommended land categories for 168 Reserve Trust lands for which Council is becoming Crown Land Manager.

EXECUTIVE SUMMARY

With the introduction of the Crown Land Management Act 2016 (CLM Act), Northern Beaches Council will become Crown Land Manager of 168 reserves that were previously managed under Reserve Trusts. In line with the CLM Act, land categories need to be assigned to each reserve. The Crown has provided guidance land categories and requested that Council confirm their preferred land categories. The Project Steering Group has recommended:

- Alternate land categories for 21 reserves (See Attachment 1)
- Acceptance of the Crown's guidance land category plus request additional land categories for 52 reserves (see Attachment 2)
- Acceptance of the Crown's guidance land categories for 95 reserves (see Attachment 3).

As a general principle, where a Plan of Management (PoM) exists, it is recommended that Council endorse the category or categories that align with the PoM. This is important as the process to alter or add a land category in the future when developing a new or updated PoM will require a public hearing – which in most cases have already occurred.

Given that extensive community consultation has already been undertaken to develop the PoMs, it is recommended that all relevant categories be assigned to the reserves now. This process does not propose any changes to the use of reserves. Notification to the Minister of Council's preferred land categories is a non-delegable function and requires a Council resolution.

**RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND
INFRASTRUCTURE**

That:

- A. Council endorse the Steering Group's preferred land categories.
 - B. Council resolve to notify the Minister for Lands of Council's preferred land categories for Reserve Trust lands for which Council is taking on the role of Crown Land Manager.
 - C. Council authorise the Chief Executive Officer to approve the provision of any documentation required to support Council's proposed land categories.
-

REPORT

BACKGROUND

A review into the management of Crown land and future direction commenced in 2012. This resulted in the introduction of the Crown Land Management Act 2016 (CLM Act), which authorises Crown land to be managed as public land under the Local Government Act 1993 (LG Act). Under a simplified management model Council is to be appointed Crown Land Manager of land previously held under Reserve Trust.

In line with the CLM Act all Crown land classified as Community land is to be included in a Plan of Management (PoM) that is compliant with both Acts by 31 June 2021. It is a requirement that the PoMs categorise the reserve according to one or more of the following land categories (refer to Attachment 4 for definitions):

- Park
- General Community Use
- Sportsground
- Area of Significant Cultural Significance
- Natural Area:
 - Bushland
 - Wetland
 - Watercourse
 - Escarpment, and/or
 - Foreshore.

The Crown has provided guidance land categories for the 168 Reserve Trust reserves for which council is becoming Crown Land Manager. The guidance land categories align directly with the purpose for which the land was originally reserved. For example, all those that were reserved for the purpose of Public Recreation have been allocated a guidance land category of Park.

Council is required to respond by proposing preferred land categories, with any deviation from the Crown's guidance category to be justified. In considering the most appropriate land category for each reserve, consideration has been given to existing PoMs. The Crown did not refer to individual PoMs when applying a broad scale approach to the initial guidance land categories, however, they have encouraged councils to do so as part of their response.

Throughout the development of council PoMs a more considered approach to the use of the reserves has been taken, with comprehensive community consultation having occurred. In many cases, land reserved for the purpose of Public Recreation has instead been categorised as Natural Area, Sportsground or General Community Use – or a combination of these.

As a general principle it is recommended that Council's preferred category should reflect the category or categories in the PoM, where a PoM exists. If the category does not align then a public hearing will be required to add or alter a category when a new PoM is developed, even though in many cases a public hearing has already been held for that purpose. This would not be an efficient use of Council's time or resources.

Furthermore, if the final assigned category differs from an existing PoM then the PoM is at risk of becoming non-compliant at the end of the transition period on 31 June 2021.

It is important to note here that the purpose of this categorisation process is to facilitate the management of Crown land as if it were public land under the LG Act. No change of use is proposed through this process. Proposed changes to land use would not be an acceptable justification for proposing a land category that differs from the guidance land category. Such requests would be rejected by the Minister.

This is the first step in a process for managing former Reserve Trust lands in line with the CLM Act. Other steps include:

- Prioritisation for developing new or updated PoMs by 31 June 2021
- Native Title considerations under the CLM Act.

CONSULTATION

The allocation of preferred land categories was undertaken with the assistance of staff across the following business units: Parks and Recreation; Natural Environment and Climate Change; and Property.

Community consultation is not required at this stage as no changes to use are proposed. Community consultation would be included in the process for developing new or updated PoMs.

TIMING

The Crown has requested a response to their guidance land categories as soon as practicable. The confirmation of land categories is a fundamental component of developing compliant PoMs by 31 June 2021. The agreed land categories and any subsequent changes will affect the process and timing for developing compliant PoMs. This process is therefore a key dependency in the development of PoMs.

FINANCIAL CONSIDERATIONS

This process of determining preferred land categories is absorbed within Council's operational expenditure. The State Government has provided \$99,784 to assist with the development of compliant PoMs by 31 June 2021. A prioritisation process is underway, however, it is likely that additional resources will be required if this deadline is to be met for all PoMs.

SOCIAL CONSIDERATIONS

This process of confirming land categories does not propose any changes to current activities or land use on the affected reserves.

ENVIRONMENTAL CONSIDERATIONS

This process of confirming land categories does not propose any changes to land use and as such there are no environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required to respond to the Crown's guidance land categories as soon as practicable. The Minister's confirmation of land categories will influence the process and timing of developing compliant PoMs by the proposed 31 June 2021 deadline. Advice may be sought to ensure that future PoMs are compliant with both the CLM Act and LG Act.

ITEM 10.9	ALTERNATIVE PROCUREMENT – RESTORATIONS, SECURITY SERVICES, TRADE SERVICES (PLUMBING AND ELECTRICAL) AND SPECIALIST MARINE MAINTENANCE SERVICES
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/061785
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council approval for exemption from tendering in accordance with section 55 (3) of the *Local Government Act 1993* for Restorations, Security Services and Plumbing and Electrical Services for an interim period to allow time for the development of the appropriate panel contracts.

To also seek Council approval for exemption for Specialist Marine Maintenance Services for a period of up to three years to enable the completion of the tidal pool asset restoration program ensuring continued management of the significant environmental risks associated with these works with regards to endangered species.

EXECUTIVE SUMMARY

Section 55 of the Local Government Act (the Act) states that tenders must be called for contracts over \$150,000. However, it allows exemptions from the tender process for “*a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders*”.

Council is implementing an ongoing program of amalgamation of contracts. Accumulative expenditure across Council with individual suppliers is being monitored on a monthly basis to ensure compliance with the tendering requirements of s55 of the Act. A range of works and services have been identified for which appropriate panel contracts are not currently in place and where the aggregated expenditure across the organisation is such that a tender process is required to be run in accordance with the Act.

The tender process can take up to six months depending on the complexity of the requirement; therefore, exemption from tendering for Restorations, Security Services and Plumbing and Electrical Services is requested to enable continued delivery of Councils capital and operational commitments while a tender process is undertaken.

As there are significant environmental risks associated with the Specialist Marine Maintenance Services, and there is only one contractor in Sydney that specialises in the maintenance of tidal pools and translocation of sea horses, exemption from tendering for up to three years is sought. This will enable a contract to be negotiated for completion of the tidal pool asset restoration program, mitigating the environmental risks and maintaining the endangered White’s Sea Horse population.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council exercise its authority under Section 55 (3) of the *Local Government Act 1993* and approve an alternative procurement process for Restorations, Security Services, Plumbing and Electrical Services for an interim period to 30 September 2019, to allow time for the development of the appropriate panel contracts. A satisfactory result would not be achieved by inviting tenders based on the following “*extenuating circumstances*”:
 - a. A range of works and services have been identified for which appropriate panel contracts are not currently in place and where the aggregated expenditure across the organisation is such that a tender process is required to be run in accordance with the Act.
 - b. It will take up to six months to complete the tender process for each panel. Council has a range of complex requirements which make it ineffective to transition to new providers for this interim period of time prior to the new contracts commencing.
 - B. Council exercise its authority under Section 55 (3) of the *Local Government Act 1993* and approve an alternative procurement process for Specialist Marine Maintenance Services for a period of up to three years to 26 February 2022, to enable the completion of the tidal pool asset restoration program. A satisfactory result would not be achieved by inviting tenders based on “*the unavailability of competitive tenders*”:
 - a. Rachel and Carl Fallon Pty Ltd (trading as Sea Dragon) are the only contractor in Sydney that specialises in the maintenance of tidal pools and translocation of sea horses and other related fish species. Engagement of a specialist contractor is critical for Council to manage its environmental risks and ensure preservation of the endangered White’s Seahorse populations.
 - C. Authority be delegated to the Chief Executive Officer to enter into negotiations with Rachael & Carl Fallon for Specialist Marine Maintenance Services, and if successful to execute all necessary documentation to give effect to this resolution.
-

REPORT

BACKGROUND

Section 55 of the Local Government Act (the Act) states that tenders must be called for contracts over \$150,000. However, it allows exemptions from the tender process for *“a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders”*.

Accumulative expenditure across Council with individual suppliers is being monitored on a monthly basis to ensure compliance with the tendering requirements of s55 of the Act. A range of works and services have been identified for which appropriate panel contracts are not currently in place and where the aggregated expenditure across the organisation is such that a tender process is required to be run in accordance with the Act.

Restorations

Due to current unprecedented capital and renewal works across the locality, contractors on the current Civil Infrastructure Panel Contract have been fully allocated on capital delivery works. As such, the smaller volume and less productive works of permanent road restoration works are often declined by the current panel members due to these other commitments. Additionally, Council's road restoration team is experiencing a marked increase in permanent restoration requirements due to the high volumes of current construction and service utility upgrades to service increased development demands.

Road restoration projects typically range from \$1000 to \$20,000 per project. To meet demand and community expectations of undertaking the permanent restorations within reasonable timeframes, Council's restoration team have packaged up multiple projects to seek competitive quotations from numerous local contractors on Council's approved concrete vehicular crossing list. The total year to date sum of works undertaken by one of the local contractors, ARM Building Services Trust, has exceeded the \$150,000 threshold with additional commitments outstanding.

A tender for a restorations minor works panel contract is being developed however this process typically takes 6 months. In the interim, in order to continue with meeting current demand, it is proposed that should the current Civil Infrastructure Panel contractors decline the works, then three quotes be sought from alternative local contractors and that an exemption from tendering be approved for minor restorations for an interim period to September 2019.

Security Services

Anchor Security are used by staff across the organisation for a variety of scheduled and one-off services. The accumulative expenditure this financial year is now approaching the tender threshold so action is required to prevent a breach of the tendering requirements of the Act.

A tender process is commencing for a security services contract for Council, however, this will take several months to finalise as the requirements for scheduled services are considerable. In the interim to minimise additional expenditure with Anchor, alternative providers will be used for one-off service requirements. However, there are some ongoing requirements (detailed below) which are more complex and consequently it is ineffective to transition to a new provider for the short period of time prior to the new contract commencing. It is proposed that exemption from tendering be approved for Anchor Security for an interim period to September 2019 for:

- Lakeside Caravan Park: Anchor are on-site overnight where they also provide after-hours check-in service

- Brookvale Oval: Anchor have been issued a purchase order covering until the end of the financial year to provide an alarm monitoring, security response service & a daily lockup & unlock service of the oval gates.
- Community Services youth band nights: Anchor have a team of staff experienced and trained specifically for youth events, this is quite a specific skill and very different to standard security work.

Trade Services – Plumbing and Electrical

Until recently, Council had two trade services panel contracts – former Pittwater Council (T05/14) and Warringah Council (2014/009). T05/14 has expired with no extension options being available.

The remaining contract (2014/009) expires at the end of May this year and a tender process is underway for a comprehensive trade services panel covering all of the required services and with an appropriate number of contractors to service Councils' significant workload.

In the interim, Council has ongoing requirements for contractors with specialist skills and equipment, being civil works (such as trenching) and specialist drainage services. These are not available on contract 2014/009 and Council is continuing to use the contractors on the former contract T05/14 (Brad Palmer Plumbing and Paul Innes Plumbing).

The accumulative expenditure with these two contractors is now approaching the tender threshold and action is required to prevent a breach of the tendering requirements of the Act. It is proposed that exemption from tendering be approved for Brad Palmer Plumbing and Paul Innes Plumbing for an interim period to June 2019.

Similarly, Council continues to utilise the services of an electrician from the former contract T05/14 to provide services to Lakeside Caravan Park. The nature of this servicing requires significant knowledge of the site and historical works and these complex requirements make it ineffective to transition to a new provider for the short period of time prior to the new contract commencing. Expenditure with the contractor is now approaching the tender threshold and action is required to prevent a breach of the tendering requirements of the Local Government Act. It is proposed that exemption from tendering be approved for Innuku Electrical for an interim period to June 2019.

Specialist Marine Maintenance Services

Council manages nine tidal pools. The pools have been assessed to be in generally poor condition with extensive maintenance required on most of them. They are located in an extremely sensitive environment requiring significant mitigation measures, protocols, permits and planning. Extra-ordinary protection measures are required to protect rare populations of threatened and soon to be endangered species. The Little Penguin is nested and known to forage near all pools. It has also been established that Council tidal pools are providing significant habitat for White's Sea Horse with established colonies detected on nearly all Council tidal pools. The sea horse has had population reductions of up to 95% due largely to loss of habitat and is soon to be declared an endangered species.

The Fisheries Department has identified the management of Council's tidal pools as a key aspect to the protection of the White's Sea Horse species. It is therefore imperative that Council engages contractors effectively to ensure extra-ordinary measures are implemented continually to protect these species when maintaining the structures.

Of note, the sea horses are small, hard to identify and extremely delicate. It requires experience to identify and handle them. It is the requirement from the Fisheries Department that '*burly divers cannot handle the sea horses*' and that an aquatic ecologist is required to be present to translocate the sea horses. Council has negotiated for a specialist contractor, Sea Dragon, to be approved based on extensive experience to conduct translocations and monitoring.

Rachel and Carl Fallon Pty Ltd (trading as Sea Dragon) are currently the only contractor in Sydney that specialises in the maintenance of tidal pools and translocation of sea horses and other related fish species. The company has eighteen years' experience in maintaining tidal pools for Sydney Councils and in running Sea Horse tagging programs for the community. They have worked for Northern Beaches Council since 2015 and demonstrated exceptional professionalism, knowledge and care in management of the tidal pools.

The accumulative expenditure with Sea Dragon over numerous critical projects undertaken to date, has now exceeded the tender threshold and action is required to address the tendering requirements of the Act. For Council to manage its environmental risks, ensure the continuation of the White's Seahorse populations and advance itself as a leader in tidal pool management, it is proposed that that exemption from tendering be approved for Sea Dragon for the specific works related to tidal pool maintenance for a period of up to three years in order to complete the asset restoration program.

Council Engineers and Environment Officers have the requisite knowledge to manage any contractual arrangements with Sea Dragon to ensure Council achieves ongoing value for money.

CONSULTATION

Advice has been sought from Council's procurement department on development of the panel contracts and the interim actions required while the tender process is undertaken.

TIMING

Tenders are to be developed with panel contracts for Restorations Minor Works, Security Services and Trade Services to be in place by the end of September 2019.

FINANCIAL CONSIDERATIONS

The capital and operational costs associated with aforementioned contracts are included in Councils current budget.

SOCIAL CONSIDERTIONS

Unfinished temporary restorations present a risk to the public in terms of safety. Additionally, unfinished restoration works attract significant public scrutiny and complaints if left in an unfinished manner.

ENVIRONMENTAL CONSIDERATIONS

The specialist maritime maintenance services required are critical in Council managing its environmental risks, ensuring the continuation of the White's Seahorse populations and advancing itself as a leader in tidal pool management.

Temporary restorations present significant risk to asset integrity especially road pavements. As such, it is imperative from an asset protection perspective that permanent restorations to suitable standards are undertaken as soon as practicable from disturbance to minimise long term asset failure and costs to Council.

ITEM 10.10	SAFER ROADS AROUND OUR SCHOOLS
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/041972
ATTACHMENTS	1 ↓ Schools Catchment Maps 2 ↓ School Priority Assessment Tool

SUMMARY

PURPOSE

To report to Council on specific actions and scheduled plans that will be used to improve pedestrian and road safety around schools.

EXECUTIVE SUMMARY

Council resolved on 27 November 2018, that staff prepare a report for Council on measures to improve pedestrian safety around our schools.

Pedestrian safety around schools is an ongoing concern in every local government area. In the Northern Beaches LGA there are 59 primary schools, 14 high schools, and 7 special schools.

Council implements a range of road safety initiatives across the LGA and is responsible for the implementation of the Transport for NSW (TfNSW) Local Government Road Safety Program at a local level, with partial funding provided by Roads and Maritime Services (RMS). Council's Road Safety Officers and Traffic Engineers work closely with local schools to discuss and address pedestrian safety concerns. Since May 2016 there have been safety improvements completed at 17 schools with scheduled improvements at an additional 6 schools by the end of June 2019.

An accelerated and targeted school road safety program is planned over the next 2 years to address safety concerns, particularly at schools adjacent to high traffic roads and those in the growth areas of the Northern Beaches.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council note the investment in road safety around schools to date and support the ongoing collaboration between Council's road safety and traffic engineering staff and schools to address safety issues.
 - B. Council endorse the proposed accelerated school road safety program to address safety concerns around schools, including the development of traffic, parking, infrastructure, and pedestrian reviews specific to each school in the Northern Beaches Local Government Area over the 2019/2020 and 2020/2021 program cycles.
 - C. Council work with the State Agencies to secure funding opportunities to enhance the safety of students at all schools in the Northern Beaches Local Government Area.
-

REPORT

BACKGROUND

Council resolved on 27 November 2018 that:

- A. *Staff prepare a report for Council on measures to improve pedestrian safety around our schools, including consideration of a program traffic and pedestrian safety inspections around all the schools in the Local Government Area to identify current and future traffic safety issues taking into account the future growth areas and changing traffic conditions of the Northern Beaches.*
- B. *This be reported to Council within three months.*
- C. *The report focuses on prioritising particular areas of concern based on risk for students and pedestrians.*

Pedestrian safety around schools is an ongoing concern in every local government area. In the Northern Beaches LGA there are 59 primary schools, 14 high schools, and 7 special schools. Of the 80 schools in total, only 6 of the Private schools have combined primary and high schools on campus.

Council's current road safety program for schools

The Transport Network Team, including the Road Safety Officers and the Traffic Engineering staff, currently have regular contact with local schools to discuss and address pedestrian safety concerns. While pedestrian safety is a concern for the whole LGA, priority is given to vulnerable road users, such as children. With a concentration of children crossing roads around schools during drop off and pick up times, the risk to child safety increases.

In the last 5 years there have been 37 reported incidents involving children of school age on the Northern Beaches, and whilst this number is lower than other parts of Sydney, one incident that could have been prevented is one too many.

The pattern of drop off and pick up is similar across most schools. In the morning children arrive over a period of around 30 minutes before school starts and in the afternoon most children leave as soon as school finishes for the day. This pattern leads to a greater potential for an incident to occur in the afternoon.

Few issues occur at the special education school campuses as the arrival and departure of students is managed differently to main stream schools with most pick up and drop off areas being located within the grounds. The safety of students around special schools is more closely monitored by staff and the parents/carers resulting in a reduction in the potential for incidents to occur.

Since May 2016 there have been safety improvements completed at 17 schools with scheduled improvements at an additional 6 schools by the end of June 2019. These have been undertaken to address a specific issue that has been raised by the school community.

Planned accelerated school road safety program

It is planned that the school road safety program be accelerated within existing resources to address safety concerns, commencing with the primary schools adjacent to high traffic roads and those in the growth areas of the Northern Beaches, then moving to the remainder of the primary schools followed by the High Schools.

This would involve over the next 2 years:

- Questionnaires sent to all 80 schools to determine the perception of safety around the school, local issues, including those that affect student and parent travel behaviour
- Desktop assessment of all 80 schools on the Northern Beaches to determine priority in the assessment of onsite requirements.
- Where required an individual Road Safety Audit of the streets around the schools and the main travel routes to the school from the catchment (this will not include every street).
- A local pedestrian and mobility study may be completed to determine the infrastructure required to address any issues.
- A priority list for the infrastructure requirements now and staged additional works for those schools where student populations are predicted to increase.

Investigations of each location will take into account the routes the students take to get to the school including the main crossing points, parking around the school campuses and the way traffic moves in the precinct at each location. Some locations may need new infrastructure, other upgrades to the existing assets, or better management of traffic and parking in adjoining streets.

Some initiatives like walking, buses and better connections, will make getting to school safer, with the direction taken straight from our Transport Strategy to increase student trips to school by active travel. Working with the schools to access RMS funded crossing supervisors, and providing resources to the schools to complement the work we can carry out in the physical environment to improve safety.

CONSULTATION

There will be a multi stage consultation process undertaken to identify and address pedestrian and road safety issues around schools.

As part of the initial risk and safety audit process the Transport Network Team will consult the School community and the broader community in each location to determine what the stakeholders perceive the risks are, and their views on what needs to be resolved to make the school precinct safer. This work has already occurred at some school locations.

For high priority areas, once the school precinct assessment is complete and a report produced for the school area, the Transport Network Team will exhibit the draft plan for comment and give the community a period of 28 days to provide feedback prior to the final plan being completed.

If the investigation shows the need for any pedestrian and road safety improvements, then the school will be notified by the Transport Network Team on what is proposed, and further consultation is undertaken with the school community and local residents. Provided the school agrees with the proposal then a report would be submitted to the Northern Beaches Local Area Traffic Committee meeting for consideration. Once approved the school is then notified of the outcome and given an estimated timeframe for the work to be completed based on the budget constraints.

TIMING

The assessment of the school road safety environment is likely to take two years to complete due to the process required to be undertaken for each school location.

The pedestrian and road safety improvements at schools will be an on-going project to be delivered on a risk based priority basis over several years.

FINANCIAL CONSIDERATIONS

The program to assess the schools can be done within the existing resourcing of the Transport Network Team. Any works required will be prioritised within the existing capital works budgets and where possible additional grant funding will be sought.

Where schools are to be redeveloped or upgraded the program will develop a list of required infrastructure to assist Council staff in providing feedback to the department on these development proposals.

SOCIAL CONSIDERATIONS

The on-going support to schools to improve pedestrian and road safety will help keep our children safe. Communication and cooperation between schools and Council will be strengthening the beneficial relationships.

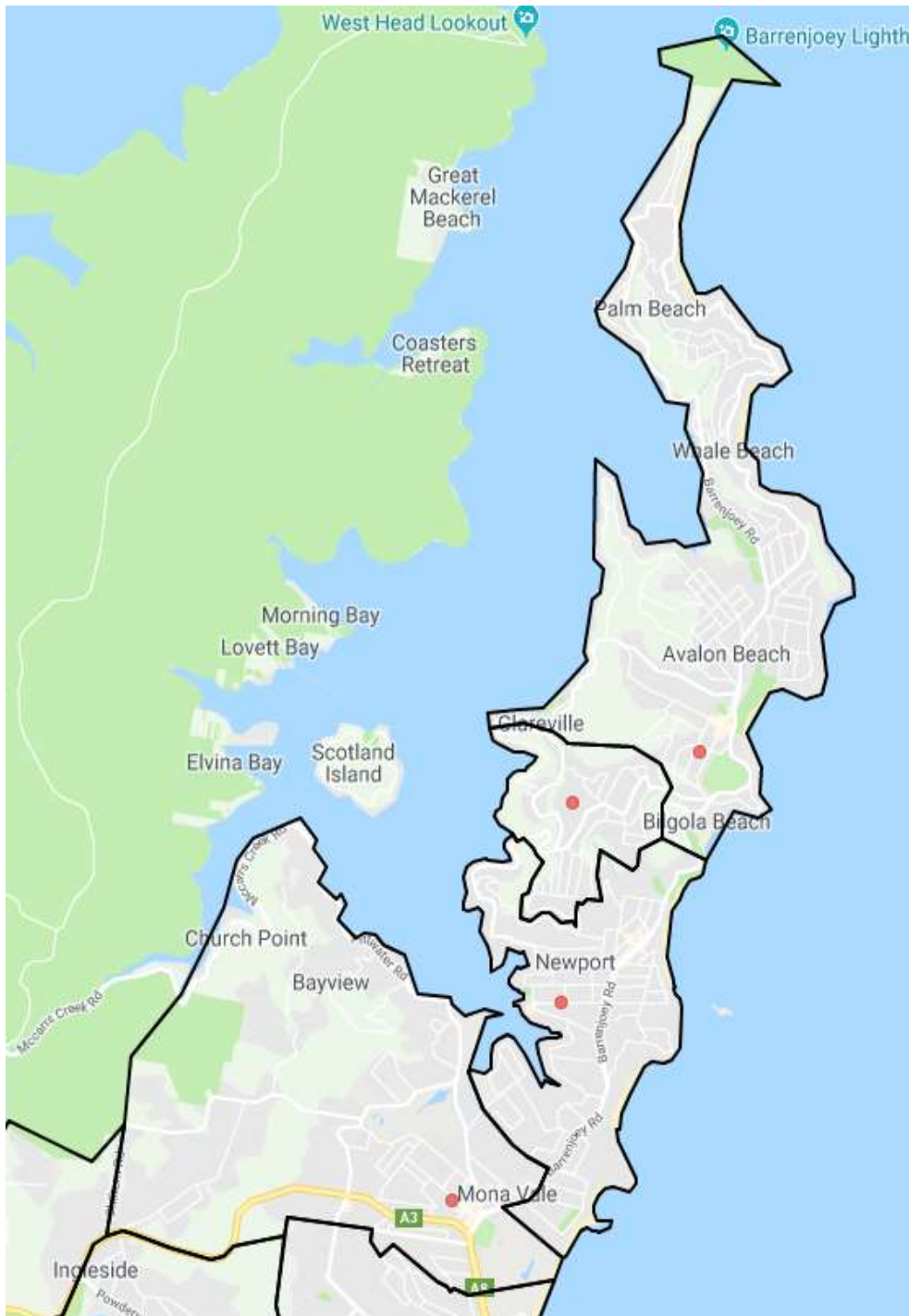
ENVIRONMENTAL CONSIDERATIONS

Any designs are done in consultation between the Design Team and the Traffic Engineering staff. As part of the design process environmental impacts are taken into account and where possible changes made to minimise the impact of the works on the local environment.

GOVERNANCE AND RISK CONSIDERATIONS

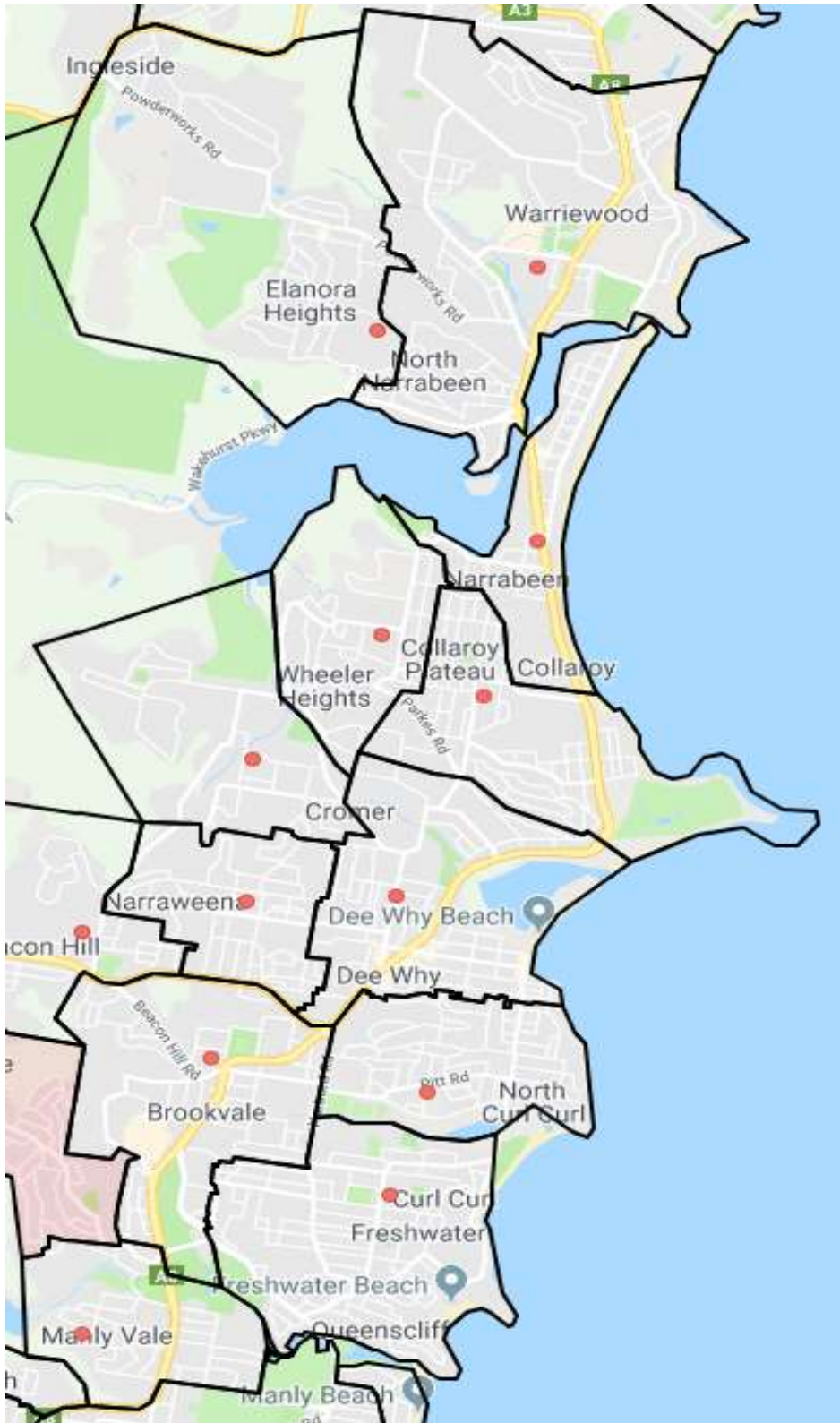
Any pedestrian or road safety infrastructure improvements are assessed through a community engagement process involving consultation with the school and residents in the area. All infrastructure items are considered and approved through the Northern Beaches Local Area Traffic Committee before implementation.

Catchment Maps – <http://schoolzones.net.au/nsw/schools/allambie-heights-public-school/>



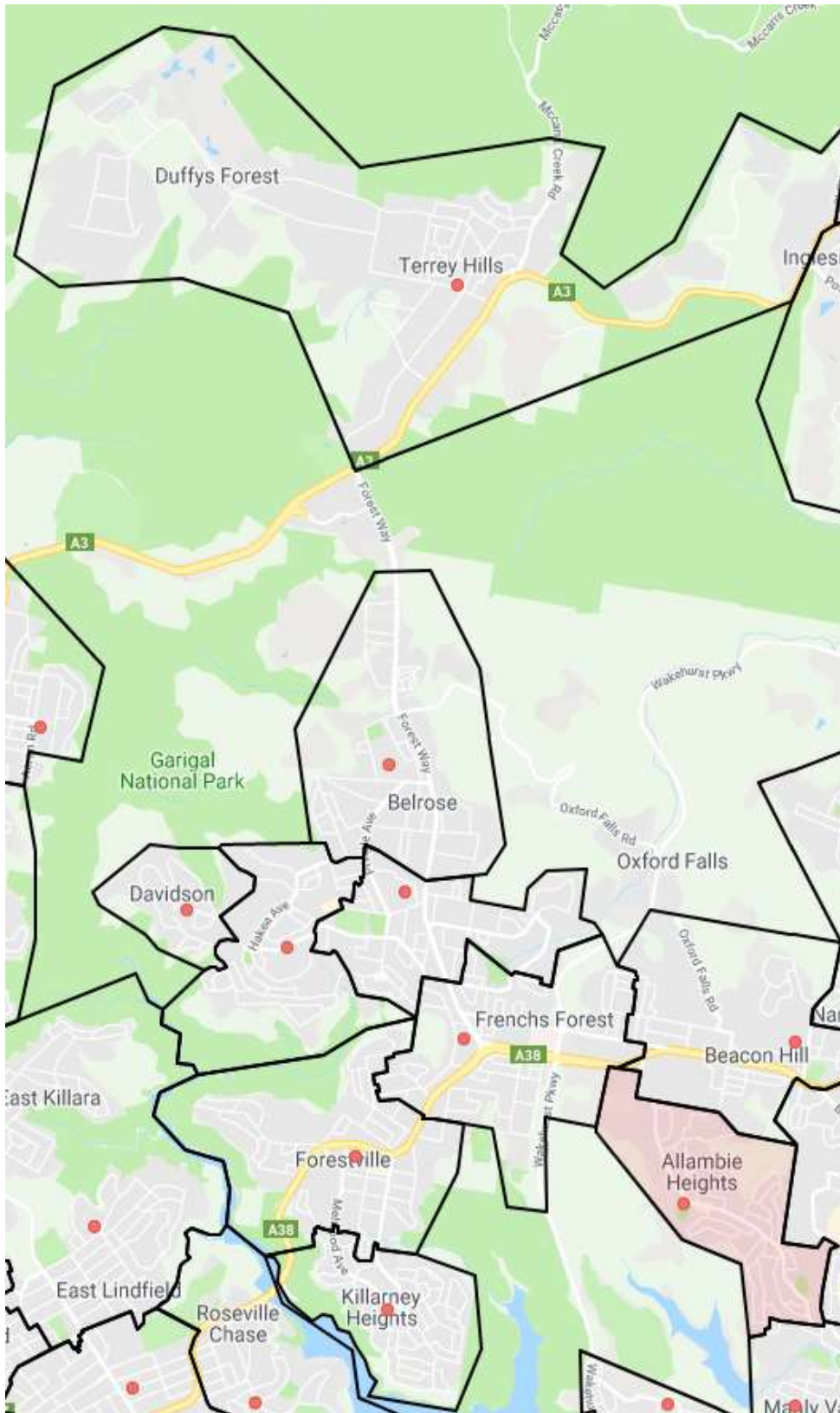
Catchment for:

1. Avalon Public
2. Bilgola Plateau Public
3. Newport Public
4. Monavale Public



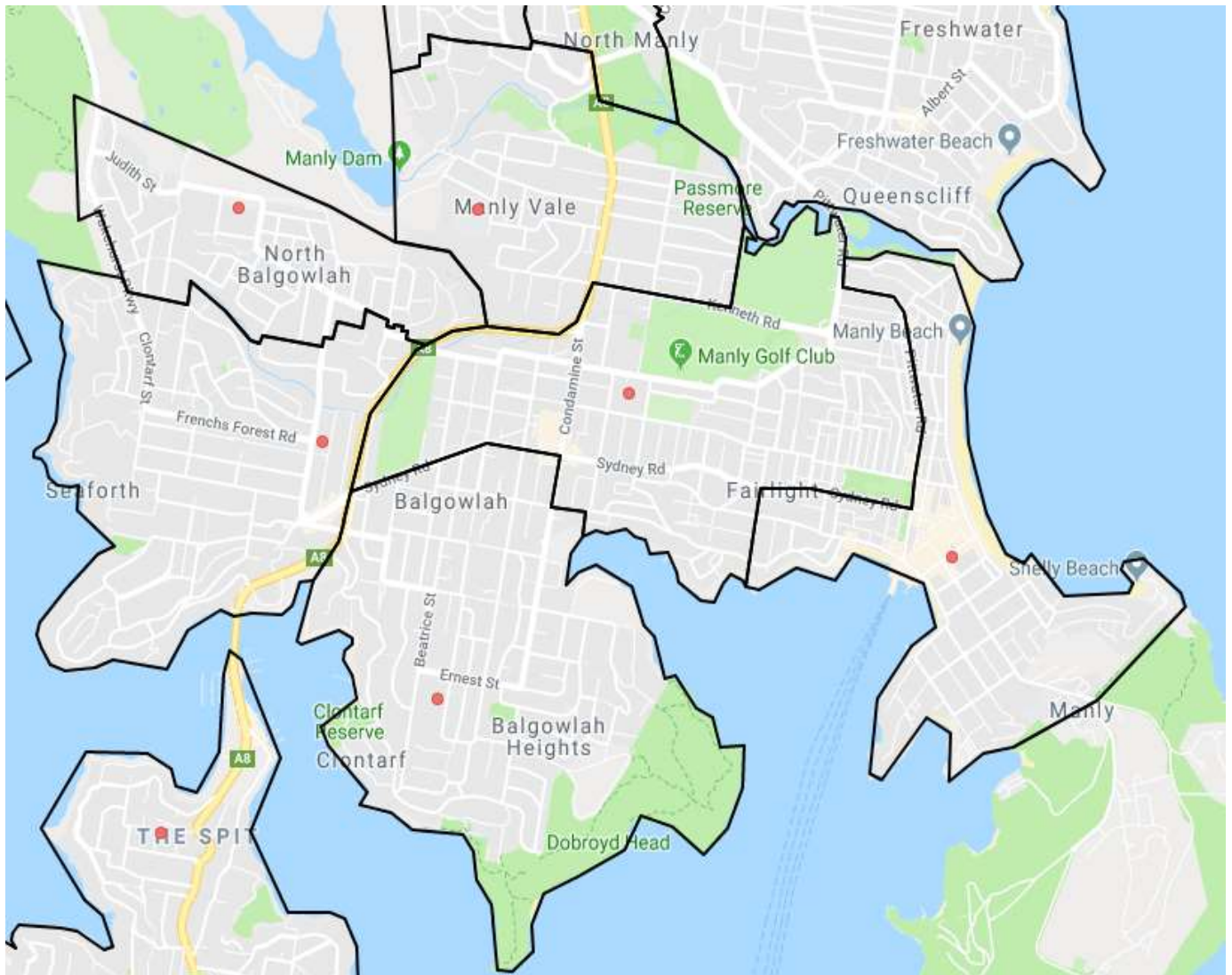
Catchment for:

1. Elanora Heights Public
2. North Narrabeen Public
3. Narrabeen Lakes
4. Wheeler Heights
5. Collaroy Plateau Public
6. Cromer Public
7. Dee Why Public
8. Narraweena Public
9. Brookvale Public



Catchment for:

1. Terrey Hills Public
2. Belrose Public
3. Kambora Public (Davidson)
4. Mimosa Public (Davidson)
5. Wakehurst Public
6. Frenchs Forest Public
7. Beacon Hill Public



Catchment for:

1. Manly Vale Public
2. North Balgowlah Public
3. Seaforth Public
4. Manly West Public

Primary Schools Public (State & Private) (Green)	Address	Suburb	Ward	Approx # of students figures ending for year ending 2017	Streets Surrounding School	School Zone speed reduction	POSTED Speed Limit (km/h)	Speed Factor	Response from initial survey	Number of Staff	On the parking space	Staff parking ratio	Day to Day Traffic Management plan	Kia and Drop on side	Kia and Drop on adjacent street	Wall connected to catchment by footpath	Recent Traffic Counts AM/PM	BSH Permitting	Road Safety Audit Complete	No Further Assessment required	Stage 2 Assessment required	Stage 3 Assessment required	Priority Score
Alexander Primary School	Cur Thindunga & Numbia Roads	Duffry Forest	Pittwater	42	South Road, Numbia Road, Birnam Road, Thindunga Road, Numbia Road, Griffith Place, Russett Avenue	40	60																
Alamanda Heights Public School	Alamanda Rd	Alamanda Heights	Frenchs Forest	562	Thindunga Road, Numbia Road, Griffith Place, Russett Avenue	40	60																
Avonlea Public School	Old Barrenjoey Road	Avonlea Beach	Pittwater	901	Old Barrenjoey Road, Sanderling Lane, Russett Avenue	40	50																
Balgowlah Heights Public School	Lowell St, Balgowlah	Balgowlah	Manly	738	Lowell St, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Balgowlah North Public School	Manning St	Balgowlah North		609	Manning Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Beacons Hill Public School	Triffin Rd	Beacons Hill	Frenchs Forest	590	Beacons Hill, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Belmore Public School	Balston Ave	Belmore	Frenchs Forest	303	Balston Avenue, Catherine Road, Nursery Place	40	50																
Bilgla-Tanana Public School	Platanus Road	Bilgla-Tanana	Pittwater	508	Platanus Road, Old Pittwater Rd	40	50																
Brookvale Public School	Old Pittwater Rd	Brookvale	Cur Curl	310	Old Pittwater Rd, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Collaroy Platanus Public School	Platanus Rd	Collaroy Platanus	Narrabeen	631	Platanus Road, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Covepoint Christian School - combined PS & HS	212 Forest Way	Belmore	Frenchs Forest	880	Forest Way, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Cromer Public School	Crocoble Rd	Cromer	Narrabeen	204	Crocoble Road, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Cur Curl North Public School	Playfair Rd	Cur Curl	Cur Curl	188	Playfair Road, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Dee Why Public School	Rugby St	Dee Why	Cur Curl	188	Rugby Street, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Elmore Heights Public School	413 Elmore Road	Elmore Heights	Narrabeen	579	Elmore Road, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Forestville Montessori School	1 Angel Pl	Forestville	Frenchs Forest	182	Forestville, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Forestville Public School	Midwood Ave	Forestville	Frenchs Forest	182	Midwood Avenue, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Frenchs Forest Public School	Ann St	Frenchs Forest	Frenchs Forest	70	Ann Street, Russett Avenue, Russett Avenue, Lowell Street	40	70																
Gauloisian College German International School - combined PS & HS	5 Chiltern Road 33 Mycona Road	Inglefield Terry Hills	Pittwater	296 278	Chiltern Road, Mycona Road, Russett Avenue, Russett Avenue, Lowell Street	40 40	50 50																
Harbord Public School	Oliver St	Frenchwater	Cur Curl	1140	Oliver Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																
John Gledhill School Inc.	6 Wyatt Ave	Belmore	Frenchs Forest	215	Wyatt Avenue, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Kemana-Radloff Steiner School	220 Forest Way	Belmore	Frenchs Forest	182	Forest Way, Russett Avenue, Russett Avenue, Lowell Street	40	80																
Nambora Public School	Woodloch Cres	Darwin	Frenchs Forest	217	Nambora Avenue, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Kilmarney Heights Public School	Toller Ave	Kilmarney Heights	Frenchs Forest	691	Toller Avenue, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Mima School	127 Cooksway Rd	Terry Hills	Pittwater	76	Cooksway Road, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Merly Vale Public School	Sandstone St	Merly Vale	Manly	468	Sandstone Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Merly Village Public School	Darby Rd	Manly	Manly	697	Darby Road, Russett Avenue, Russett Avenue, Lowell Street	40	40																
Merly West Public School	Griffiths St	Balgowlah	Manly	860	Griffiths Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Maria Regina Catholic School	42 Central Road	Avonlea	Pittwater	115	Central Road, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Mimosa Public School	Mimosa St	Frenchs Forest	Frenchs Forest	579	Mimosa Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																
Mona Vale Public School	Waratah Street	Mona Vale	Pittwater	1130	Waratah Street, Russett Avenue, Russett Avenue, Lowell Street	40	50																

ITEM 10.11	TRAILER PARKING CONTROL TRIAL
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/041978
ATTACHMENTS	1 Signage Trial Location Plans (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report Council on the Trailer Parking trial involving installation of “No Parking – Motor Vehicles Excepted” signage at 11 locations across the Northern Beaches Local Government Area.

EXECUTIVE SUMMARY

Trailer parking is becoming an increasing safety issue and cause of frustration for local residents, however the ability of Council to address the issue is limited by its regulatory delegations.

Council trialed a new approach of installing regulatory signage “No Parking – Motor Vehicles Excepted” at eleven sites across the Northern Beaches. The signs were installed by late June 2018 and the trial for six months commenced upon installation of the signs.

The trial resulted in the relocation of all trailers in the designated areas. 30% of trailers that were located in the zones have not been detected again within the Northern Beaches LGA, with the remaining 70% relocating to the adjoining streets and nearby reserves.

Further work is required to address the issue of unattended trailers parked on roads and in reserve parking areas across the Northern Beaches, however this type of signage has been shown to be a useful tool to assist in the management of this issue in some locations.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council note the outcomes of the “No Parking – Motor Vehicles Excepted” regulatory signage trial to manage trailer parking in suitable locations across the Northern Beaches as part of a suite that can assist in managing the parking of unattended trailers in undesirable locations.
 - B. Council endorse the exploration of further options to manage trailer parking as part of the Northern Beaches Parking Plan, including:
 - a. Applying area restrictions as required.
 - b. A ‘trailer-parking permit’ system for residents to park trailers in their area.
 - c. Advocating to the State Government for further changes to legislation.
 - d. Investigating the options to partner with operators for off-street parking provision.
 - C. Council note that any further requests for “No Parking – Motor Vehicles Excepted” will be assessed on a site by site basis using consistent criteria that consider safety, proximity to children’s activities and schools, impacts on local residents and visitors, alternatives such as timed parking, and impacts on surrounding streets of trailer relocation.
-

REPORT

BACKGROUND

In response to significant issues with the changes to the impounding act and the increase in the number of unattended trailers parked in areas where they are causing problems for residents and visitors, a trial was undertaken of regulatory signage “No Parking – Motor Vehicles Excepted”. The Northern Beaches Local Traffic Committee approved five sites in February 2018 and six sites in April 2018. The signs were installed by late June 2018 and the trial for six months commenced upon installation of the signs.

The trial locations (See attachment 1) were chosen based on the number of complaints and other safety issues.

- Allambie Road, Allambie Heights, is a regional road connecting Warringah Road and Kentwell Road. The surrounding area consists of a mix of residential and bushland. This road carries higher levels of traffic with a 50km/h local traffic area speed limit with various levels of traffic calming devices installed.
- Bassett Street, Mona Vale, is a local street surrounded with a mix of residential and light industrial.
- Harbord Park, Freshwater, on Robert Street, Waratah Street and Wyndora Avenue with some angle parking within the road reserve.
- John Fisher Park, North Curl Curl along Abbott Road facing John Fisher Park between Pitt Road and Griffin Road.
- Lake Park Road, North Narrabeen, parked along Lake Park Road facing onto Lakeside Park between Pittwater Road and Main Street.
- Richmond Avenue, Dee Why, facing the Dee Why Reserve between Avon Road and Clyde Road Dee Why.
- Kenneth Road, Manly Vale, is a regional road connecting Condamine Street and Pittwater Road. The surrounding areas consist of a mix of residential and light industrial with the Manly Golf Club occupying the eastern half, and Manly Andrew ‘Boy’ Charlton Swim Centre located on the eastern end of the road.
- Balgowlah Road, Fairlight, carries higher levels of traffic with a combination of 50km/h local and 40km/h local traffic area, with various levels of traffic calming devices installed.
- Aitken Reserve, Queenscliff, carpark is an unpaved carpark for approximately twelve parking spaces. This location also had ‘4P 8:00am - 6:00pm Everyday’ signs installed.
- Jacka Park, Wyndora Avenue, Freshwater, on Wyndora Avenue, is an unpaved carpark for approximately twelve vehicles. Similar to Aitken Reserve, the proposal also had ‘4P 8:00am - 6:00pm Everyday’ signs installed.
- Barrenjoey Road, Avalon Beach, the western side, between the carpark entrance of Avalon Soccer Club and Etival Street, Palm Beach, has a gravel unformed shoulder of varying widths between 3m and 9m. Additional ‘Parallel Parking’ signs have been installed.

Outcome of the trial

The trial resulted in the relocation of all trailers in the designated areas with 70% relocating to the adjoining streets and nearby reserves. Approximately 30% of trailers that were located in the zones where the signs were installed have not been detected again within the Northern Beaches LGA.

Some trailers were from as far away as Queensland, but the majority were owned by residents of the Northern Beaches with some owners indicating that they did not have the ability to store them on their own property due to the lack of access.

The relocation of trailers to adjoining streets and reserves can also create issues, so the location and extent of these zones need to be carefully considered.

Next steps

The trial produced a valuable data set that will inform Council's ongoing management of this issue. It is not considered the signs are the solution to the overall issue of trailer parking on the Northern Beaches, however they do represent a valuable tool in managing the issue in some locations, particularly where safety is an issue. Trailer parking, particularly of boats, is a reality for the Northern Beaches and not one that can be easily shifted to another location.

Council is currently developing a Northern Beaches Parking Plan and the trial will be used to inform the strategies in the Plan. It is planned a discussion paper will be released in March 2019 for community consultation. Council staff have identified a number of additional options that are being considered to manage the issue of unattended trailers, including:

- Applying area restrictions as required. However, a consideration with this approach is that it could lead to a proliferation of signage and would require significant resources to develop, implement and manage. To comply with the road rules Council would need to implement an LGA wide parking scheme and a large number of repeater signs to allow for suitable enforcement.
- A 'trailer-parking permit' system for residents to park trailers in their area. This is currently not possible across the Northern Beaches as it is not currently supported by Roads and Maritime Services and would require similar signage to a Residential Parking Permit Scheme. This will be investigated further as part of the Parking Plan but the ongoing management and enforcement resources required will need to be carefully considered.
- Advocating to the State Government for further changes to legislation to facilitate the effective management of the unattended trailers on public roads and reserves.
- Investigating the options to partner with operators for off-street parking provision for trailer in suitable locations on the Northern Beaches to provide an alternative to parking trailers on the street.

In the interim, it is intended that consistent criteria will be applied to any request for additional sites of regulatory signage "No Parking – Motor Vehicles Excepted". Staff would conduct a site by site impact assessment, considering criteria including:

- issues associated with safety for road users and pedestrians
- proximity to concentration of children activities and schools
- impacts on local residents and visitors
- whether alternatives such as timed parking would be more appropriate
- impacts on surrounding streets of trailer relocation.

CONSULTATION

Prior to approval by the Traffic Committee of the trial locations, a 28-day consultation period was carried out in the affected areas. Council has received feedback on the trial locations from the community and multiple requests for additional signage to be installed in other locations, which includes Cromer Community Centre and Cromer Park, Brookvale Industrial area, Pittwater Road at

Mona Vale, Baringa Avenue and the area around the Seaforth Community Centre. There are also small pockets around most reserves, including the associated carparks that may need to be addressed although this may be achieved through timed restrictions as an alternative option.

Whilst most feedback was positive, there were a few localised issues where due to topography local residents who parked trailers around the corner or on an adjacent street complained and wanted an exception to the signs.

Council is planning to release a Parking Discussion paper in March as a precursor to the draft Parking Plan, which will be further developed during April/May. Council will be conducting further consultation during this project.

TIMING

The current time line is to have the final Parking Plan considered for adoption by Council in late 2019.

FINANCIAL CONSIDERATIONS

Financial impacts cannot be fully assessed at this stage. Council may need to relocate some signs as part of the ongoing management of parking. There may be an opportunity to allow this type of vehicle to parking in areas where there may need to be a fee or permit to manage the turnover of vehicles, etc. Further detail regarding estimated costs and likely income will be considered in the Parking Plan.

SOCIAL CONSIDERATIONS

The social impacts include a potential for impacts on local residents if all trailers are required to be parked within the private property of the owners. There may also be a decrease in visitors to the area if we cannot accommodate some parking of this type.

ENVIRONMENTAL CONSIDERATIONS

The environmental impacts are limited to the visual issues with additional signage being installed in areas where controls are required.

GOVERNANCE AND RISK CONSIDERATIONS

The only impacts from a risk or governance perspective will be the management of the requests for signage and the response from those that lose the ability park their trailers in areas where no restrictions applied previously.

ITEM 10.12	ENDORSEMENT OF LICENCE WITH PROPERTY NSW OVER BARE CREEK BIKE PARK
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/078708
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council approval to enter into a licence agreement with Property NSW to operate and maintain the Bare Creek Bike Park, Belrose for 20 years.

EXECUTIVE SUMMARY

The Bare Creek landfill site in Belrose closed in 2014. After the closure Waste Asset Management Corporation (WAMC) an agency of Property NSW worked with the community, State Member for Davidson and Warringah Council to determine the best use for the site. Due to the topography and restrictions of building on a landfill it was determined that the most appropriate use was a mountain bike park. Warringah Council was reluctant to take on the liability or financial burden of the facility alone and consequently WAMC unsuccessfully tendered the construction and operation of the bike park.

WAMC subsequently reduced the scope of the bike park and received in principle support from Northern Beaches Council in 2016 to operate and maintain the bike park after WAMC had constructed it and Council was satisfied its exposure to liability was reasonable.

Since amalgamation in 2016 Northern Beaches Council and WAMC have worked together to finalise the design for the bike park, access arrangements and negotiate a licence agreement. Once Council agrees to the licence agreement WAMC will immediately set about completing the construction of the Bike Park and it would be anticipated it will be open in December 2019 to February 2020, weather permitting.

Under the terms of the agreement Council will licence the area for a nominal fee of \$1 per annum for 20 years and receive any remaining funding in the "Belrose Enhancement Fund" to contribute towards ongoing operational costs for the Bike Park. This amount is expected to be in the vicinity of \$1.5 million which will be used to offset maintenance costs.

The bike park once completed will provide the Northern Beaches community with a regional, first class mountain bike facility that meets the growing demand for this type of recreational pursuit.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council enter into an agreement with Property NSW to maintain and operate the Bike Park at Bare Creek Landfill site, Crozier Road, Belrose subject to Council's satisfaction with managing the issues set out in the Governance and Risk section of this report.
 - B. Council delegate authority to the Chief Executive Officer to do all that is necessary to enter into an appropriate agreement with Property NSW including execution of the agreement.
-

REPORT

BACKGROUND

The Bare Creek landfill site in Belrose closed in 2014. After the closure Waste Asset Management Corporation (WAMC) an agency of Property NSW worked with the community, State Member for Davidson and Council to determine the best use for the site. Due to the topography and restrictions of building on a landfill it was determined that the most appropriate use was a mountain bike park. Warringah Council was reluctant to take on the liability or financial burden of the facility alone and consequently WAMC unsuccessfully tendered the construction and operation of the bike park.

WAMC subsequently reduced the scope of the bike park from 35 hectares to 3.5 hectares and received in principle support from Northern Beaches Council in 2016 to operate and maintain the bike park after WAMC had constructed it and Council was satisfied its exposure to liability was reasonable.

Since 2016 Council and WAMC have worked together to finalise the design for the bike park, access arrangements and negotiate a licence agreement. Once Council agrees to the licence agreement WAMC will immediately set about completing the construction of the Bike Park and it would be anticipated it will be open in December 2019 to February 2020.

The plan for the Bike Park was given Development Approval in 2016 and is shown below.



CONSULTATION

The development of the Bike Park was undertaken by a Community Committee established by WAMC and including local neighbours, community representatives, Trail Care biking advocacy group, Council and the State Member of Davidson. The community has been consulted through the development of the design, the development application process for the original 35-hectare park and the modification of consent for the revised 3.5-hectare park.

Under the terms of the Licence Agreement a new committee comprising of Council, WAMC and Trail Care will be set up to advise Council on the management of park moving forward.

TIMING

It is anticipated that the Bike Park will be completed 10 to 12 months following the execution of the licence agreement.

FINANCIAL CONSIDERATIONS

It is envisaged that the Bike Park will cost Council approximately \$26,895 in depreciation per annum based on the cost breakdown of the assets being constructed and approximately \$55,000 per annum in maintenance and operations. Given Council anticipates a \$1.5 million contribution towards these costs it is forecast that the facility's net cost to Council will only be \$6,985 per annum over the term of the 20-year licence.

SOCIAL CONSIDERATIONS

There is clear evidence that there is currently unmet demand for downhill mountain bike trails, dirt bike jumps and other bike orientated skill areas. Council is committed to providing appropriate recreational facilities to encourage our community to engage in active lifestyles. This facility will be a significant regional facility that meets these needs at no capital cost to Council either for construction or land acquisition.

There is also evidence based on modelling done by the Western Australian Department of Sport and Recreation that facilities of this type will deliver a direct return of investment to the local economy of \$1.92 for every dollar spent and an indirect return on investment of \$7.12.

ENVIRONMENTAL CONSIDERATIONS

The Bare Creek Landfill is a heavily contaminated site and WAMC will manage that risk in perpetuity. Council and WAMC have ensured that the bike park has been constructed in such a way that there is minimal risk that either the construction or the operation of the bike park or access road will elevate the risk of contamination to the surrounding National Park or Middle Harbour catchment.

Council has encouraged WAMC to permit the planting of trees and appropriate other plantings on the site to help stabilise the area, improve the amenity of the site and to reduce urban heat island effect.

The development of this Bike Park will also help in some part to addressing the emerging issues of illegal trail development through Council's bushland reserves and National Parks. These trails are generally constructed with little or no regard for the environmental impacts created such as loss of sensitive vegetation and trees, erosion and sediment issues and water quality amongst other problems.

GOVERNANCE AND RISK CONSIDERATIONS

The most significant risk to Council is exposure to potential liability for operating a facility on a former landfill of this size. Council operates a number of sportsfields on former landfill sites

including John Fisher Park and is fully aware of the issues and costs that come with them. The following table sets out the risk issues and the mitigation measures proposed to be employed.

Issue	Mitigation approach
<p>Operating and maintaining a facility on a landfill, including:</p> <ul style="list-style-type: none"> • Differential settlement leading to unexpected damage to infrastructure • Contamination effects on human health and natural environment • Managing sediment pond and other landfill related infrastructure within the bike park • Exposure to third party claims • Exposure to regulatory action for pollution or contamination • Contribution to remedial action if required 	<p>Council intends that WAMC retains responsibility for the environmental condition of the land, which includes:</p> <ul style="list-style-type: none"> • Injury or illness suffered by patrons; • Significant disturbance in the infrastructure • Pollution incidents; and • Any works associated with the environmental condition of the land, <p>relating to the former use of the land as a landfill. The sediment pond will be located outside of the licensed area and waste management infrastructure within the bike park will maintained by WAMC. Council will provide indemnity to WAMC in relation to any damage to this infrastructure or pollution incidents. However, this will be limited only to the extent that the damage was caused or contributed to by negligence or default by Council.</p>
<p>Council will have non-exclusive possession. WAMC requires access to the licenced area to conduct landfill maintenance. Risks relating to access include:</p> <ul style="list-style-type: none"> • the possibility for access to the licenced area to be restricted • inability to control licenced area (when access unavailable) • damage (direct or through wear and tear) to assets such as the Access Road, from third parties accessing licenced area 	<p>WAMC will be required to use reasonable endeavours to ensure the site is available for use by Council. There will be agreed reasons for which WAMC may enter and use the licenced area (for example, to carry out landfill maintenance). When Council access is required to be restricted, prior notice will be provided (except for in emergencies) and Council's obligations under the licence will be suspended during the period that access is unavailable.</p>

Issue	Mitigation approach
<p>The facility is not yet constructed and is to be constructed by WAMC. Risks involved in the construction include:</p> <ul style="list-style-type: none"> the standard of construction budgeted construction costs identification and repair of defects in construction availability of remedies against third-party contractors incomplete construction 	<p>Council is providing input in the design and construction of the facility through a project steering committee. Certifications will be provided as to the standard of construction and a written warranty provided by WAMC. A period will be provided during which Council can identify defects to be repaired.</p> <p>There is no obligation on WAMC to actually construct the facility. Should the construction not proceed to finalisation (for any reason), the licence will not commence and, after an agreed sunset date, the parties can terminate the agreement and the project would not proceed in its current form.</p>
<p>Public liability, including:</p> <ul style="list-style-type: none"> the inherent level of risk in activities like mountain/downhill biking risk of injury and illness to patrons from the environmental condition of the land risk of injury and illness to patrons gaining unauthorised access to other areas of the landfill 	<p>Council will work with our insurer to ensure that adequate controls are in place to protect users and Council's risk.</p> <p>WAMC will be responsible for injury and illness caused to patrons arising out of its negligence and will indemnify Council for any injury or illness arising out of its negligence.</p> <p>Fencing around the site is required to be maintained by Council. Council will only be responsible for injury suffered by patrons gaining unauthorised access to the landfill where Council has failed to maintain this fencing.</p>
<p>Cost to operate and maintain. Risks include changes in the:</p> <ul style="list-style-type: none"> amount of funding provided by WAMC anticipated maintenance obligations (yet to be agreed) anticipated maintenance costs (for example, due to the nature of the assets, construction of clay and crushed rock deteriorating faster than anticipated or defects in the construction only becoming evident after the defect period) level of service expected by users (for example, the expectations of patrons may increase over time resulting in upgrades to the facility) extension to term of licence 	<p>Property NSW have indicated approximately \$1.5 million will be made available for future maintenance costs, however, Property NSW may seek to reduce this figure if costs incurred in constructing the facility are higher than anticipated.</p> <p>Council has estimated its costs to maintain the facility to be approximately \$55,000 per annum. However, the details of these costs will not be known until Council's responsibilities to maintain the facility are agreed (after the facility has been constructed). Any agreement will be subject to termination if an agreement on these maintenance obligations is unable to be reached.</p>

Issue	Mitigation approach
	<p>In the event that funding provided by Property NSW is unable to cover agreed maintenance costs or other unanticipated costs or services, Council will be responsible for those costs or need to rely upon volunteers to provide the additional services.</p> <p>At the end of the 20-year licence period, Council will have the option to renew for another 20 years. Council is not required to exercise the option and will have the ability to seek further funding or allocate additional expenditure at that time. There is no assurance that funding will be available.</p>

ITEM 10.13	SUSPENSION OF THE ALCOHOL PROHIBITED AREA ON MANLY BEACH FOR VOLLEYBALL AUSTRALIA'S VOLLEYFEST 2019 EVENT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/051270
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To consider the request from Volleyball Australia to suspend the Alcohol Prohibited Area at Manly Beach for their VolleyFest 2019 event from Friday 1 March to Sunday 10 March 2019.

EXECUTIVE SUMMARY

Volleyball Australia has requested a suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2019 event. This event will be held at Manly Beach (adjacent to the North Steyne beach volleyball courts) from Friday 1 March to Sunday 10 March 2019.

Volleyball Australia propose to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 9pm each event day from 1 March to 10 March 2019. Alcohol and security management plans will be in place where alcohol will be served.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016 and twice in 2017. The APA was suspended for VolleyFest in 2017 without incident.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Volleyball Australia's VolleyFest 2019 event as outlined in this report.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council suspend the Alcohol Prohibited Area at Manly Beach for Volleyball Australia's VolleyFest 2019 event from Friday 1 March 2019 to Sunday 10 March 2019 for the service of alcohol in a designated VIP area from no earlier than 12noon to no later than 9pm each event day.
 - B. Council provide appropriate notice of the suspension of the Alcohol Prohibited Area.
 - C. Council continue to liaise with Volleyball Australia and Northern Beaches Police Local Area Command about safe management of service of alcohol at VolleyFest 2019 during the suspension of the Alcohol Prohibited Area at Manly beach.
-

REPORT

BACKGROUND

Volleyball Australia has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2019 event. This event will be held at Manly Beach (adjacent to the North Steyne beach volleyball courts) from Friday 1 March to Sunday 10 March 2019. The event includes:

- Round 3 of the Australian Beach Volleyball Tour, 1 to 3 March
- NSW Beach Volleyball Schools Cup, 4 and 5 March
- Beach Volleyball World Tour 3-star Event, 6 to 10 March
- Bump in (set up) 20 to 28 February and bump out (pack up) 11 to 14 March.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016 and twice in 2017. The APA was suspended for VolleyFest in 2017 without incident.

Volleyball Australia propose to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 9pm each event day from 1 March to 10 March 2019 with final days and times to be confirmed by Volleyball Australia and the licensee in consultation with Council and Police. The Northern Beaches Police Local Area Command are aware of this request.

Volleyball Australia propose to appoint a licensee responsible for ensuring the responsible service of alcohol in the designated VIP area at all times of operation. Agreed alcohol and security management plans will be in place where alcohol will be served, including enforcement notification by signage and security personnel provided by Volleyball Australia. Where required by Police, additional user-pays Police personnel will also be on-site at the expense of Volleyball Australia. The following controls are also proposed to be applied:

- Light, mid strength or reduced quantity of drinks will be served in the VIP area only
- Security will be on site at all times when alcohol is available for consumption
- Alcohol will not be sold or distributed to members of the public.

The VolleyFest 2019 event site is situated within a current APA, and as such, any alcohol being consumed may be tipped out or confiscated by Police or authorised officers under section 632 of the Local Government Amendment (Confiscation of Alcohol) Act 2010.

Under the provisions of section 645(1) of the Local Government Act 1993, Council “may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned”. The provisions under section 632A of the Local Government Act in regards to APAs do not define the requirements for the suspension of an APA. However, in order to adhere to best practice, it is recommended that Council approve the suspension of the APA for VolleyFest 2019 in accordance with the legislated process for suspension of an Alcohol Free Zone.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Volleyball Australia’s VolleyFest 2019 event as outlined in this report.

CONSULTATION

Council will continue to collaborate with Volleyball Australia and Northern Beaches Police Local Area Command about safe management of service of alcohol at VolleyFest 2019 during any suspension of the Alcohol Prohibited Area at Manly beach.

TIMING

Volleyball Australia propose to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 9pm each event day from 1 March to 10 March 2019 with final days and times to be confirmed by Volleyball Australia and the licensee in consultation with Council and Police.

FINANCIAL CONSIDERATIONS

As part of their final booking approval, Volleyball Australia will be required to meet all costs associated with the service of alcohol, licensing and the suspension of the APA including all advertising requirements and signage.

SOCIAL CONSIDERATIONS

The consumption of alcohol will only be allowed within the approved designated and licensed event VIP area. Volleyball Australia will be required to provide sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol.

The VIP area where alcohol is served will have strict capacity limits enforced to control crowd size and behaviour. Northern Beaches Police Local Area Command may also impose licensing restrictions on the service of alcohol to minimise potential for alcohol-related incidences.

ENVIRONMENTAL CONSIDERATIONS

Volleyball Australia will be required to ensure that VolleyFest 2019 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Volleyball Australia will be required to provide detailed risk, security and alcohol management plans, appropriate structures, staffing, fencing and signage. Draft plans have been received. Council and Police satisfaction with these plans will form part of the final booking approval.

ITEM 10.14	SUSPENSION OF THE ALCOHOL PROHIBITED AREA ON MANLY BEACH FOR SURFING NSW'S VISSLA SYDNEY SURF PRO 2019 EVENT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/051297
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To consider the request from Surfing NSW to suspend the Alcohol Prohibited Area at Manly Beach for their Vissla Sydney Surf Pro 2019 event from Wednesday 20 March to Sunday 24 March 2019.

EXECUTIVE SUMMARY

Surfing NSW has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their Vissla Sydney Surf Pro 2019 event. This event will be held at Manly Beach (south of the North Steyne SLSC building) from Saturday 16 March to Sunday 24 March 2019.

Surfing NSW propose to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 7pm each event day from Wednesday 20 March to Sunday 24 March 2019. Alcohol and security management plans will be in place where alcohol will be served.

Surfing NSW is the largest and longest running of the recognised state bodies for the sport of surfing in Australia. Surfing NSW is responsible for managing events across the state from grassroots through to international professional events. Surfing NSW successfully held the Vissla Sydney Surf Pro at Manly beach in 2018. The APA was suspended for this event without incident.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Surfing NSW's Vissla Sydney Surf Pro 2019 event as outlined in this report.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council suspend the Alcohol Prohibited Area at Manly beach for Surfing NSW's Vissla Sydney Surf Pro 2019 event from Wednesday 20 March to Sunday 24 March 2019 for the service of alcohol in a designated VIP area from no earlier than 12noon to no later than 7pm each event day.
 - B. Council provide appropriate notice of the suspension of the Alcohol Prohibited Area.
 - C. Council continue to liaise with Surfing NSW and Northern Beaches Police Local Area Command about safe management of service of alcohol at Vissla Sydney Surf Pro 2019 during the suspension of the Alcohol Prohibited Area at Manly beach.
-

REPORT

BACKGROUND

Surfing NSW has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their Vissla Sydney Surf Pro 2019 event. This event will be held at Manly Beach (south of the North Steyne Surf Life Saving Club building) from Saturday 16 March to Sunday 24 March 2019. The event includes:

- Men, women pro junior and local board riders battle surf events, 16 and 17 March
- Men, women QS 6000 surf events, 18 to 24 March
- Bump in (set up) 7 to 15 March and bump out (pack up) 25 to 28 March.

Surfing NSW, established in 1963, is the largest and longest running of the recognised state bodies for the sport of surfing in Australia. Surfing NSW is responsible for managing events across the state from grassroots through to international professional events.

As reported to the Council meeting held 18 December 2018, Surfing NSW successfully held the first Vissla Sydney Surf Pro at Manly Beach in 2018 and that:

The Vissla Sydney Surf Pro is the only event of its kind in Sydney and a major event that attracts significant national and international media on Manly. It is recognised as a major hallmark event in NSW and supported by Destination NSW. The event attracts tens of thousands of visitors each year, delivering broad reaching benefits to Manly and the Northern Beaches visitor economy.

The APA was suspended for the Vissla Sydney Surf Pro 2018 event without incident.

Surfing NSW plan to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 7pm each event day from Wednesday 20 March to Sunday 24 March 2019. The Northern Beaches Police Local Area Command are aware of this request.

Surfing NSW will appoint a licensee responsible for ensuring the responsible service of alcohol in the designated VIP area at all times of operation. Agreed alcohol and security management plans will be in place where alcohol will be served, including enforcement notification by signage and security personnel provided by Surfing NSW. Where required by Police, additional user-pays Police personnel will also be on-site at the expense of Surfing NSW.

The Vissla Sydney Surf Pro 2019 event site is situated within a current APA, and as such, any alcohol being consumed may be tipped out or confiscated by Police or authorised officers under section 632 of the Local Government Amendment (Confiscation of Alcohol) Act 2010.

Under the provisions of section 645(1) of the Local Government Act 1993, Council “may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned”. The provisions under section 632A of the Local Government Act in regards to APAs do not define the requirements for the suspension of an APA. However, in order to adhere to best practice, it is recommended that Council approve the suspension of the APA for Vissla Sydney Surf Pro 2019 in accordance with the legislated process for suspension of an Alcohol Free Zone.

It is recommended that Council suspend the Alcohol Prohibited Area (APA) at Manly Beach for Surfing NSW's Vissla Sydney Surf Pro 2019 event as outlined in this report.

CONSULTATION

Council will continue to collaborate with Surfing NSW and Northern Beaches Police Local Area Command about safe management of service of alcohol at Vissla Sydney Surf Pro 2019 during any suspension of the Alcohol Prohibited Area at Manly beach.

TIMING

Surfing NSW plan to make alcohol available in a designated VIP area only and not available to the public. The VIP area is planned to operate no earlier than 12noon to no later than 7pm each event day from Wednesday 20 March to Sunday 24 March 2019. The Northern Beaches Police Local Area Command are aware of this request.

FINANCIAL CONSIDERATIONS

As part of their final booking approval, Surfing NSW will be required to meet all costs associated with the service of alcohol, licensing and the suspension of the APA including all advertising requirements and signage.

SOCIAL CONSIDERATIONS

The consumption of alcohol will only be allowed within the approved designated and licensed event VIP area. Surfing NSW will be required to provide sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol.

The VIP area where alcohol is served will have strict capacity limits enforced to control crowd size and behaviour. Northern Beaches Police Local Area Command may also impose licensing restrictions on the service of alcohol to minimise potential for alcohol-related incidences.

ENVIRONMENTAL CONSIDERATIONS

Surfing NSW will be required to ensure Vissla Sydney Surf Pro 2019 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Surfing NSW will be required to provide detailed risk, security and alcohol management plans, appropriate structures, staffing, fencing and signage. Plans have been received. Council and Police satisfaction with these plans will form part of the final booking approval.

ITEM 10.15	REQUEST FOR FUNDING FOR DEE WHY BEACH WAR MEMORIAL RENOVATIONS
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/055043
ATTACHMENTS	NIL

SUMMARY

PURPOSE

Request for funding of renovations to Dee Why War Memorial being undertaken by the Dee Why RSL Sub-branch.

EXECUTIVE SUMMARY

Dee Why RSL Sub-branch is currently renovating the Dee Why War Memorial located at The Strand, Dee Why Beach.

They have approached Council to request a funding contribution to ensure the full renovation of this important memorial and community asset.

Staff have identified some savings in the Reserves and Sportsfields Maintenance Program budget that could be used to fund this work.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council provide \$12,000 funding to the Dee Why RSL Sub-branch for the renovation of the Dee Why Beach Memorial.
 - B. Council provide a plaque recognising Council's contribution to the project.
-

REPORT

BACKGROUND

Dee Why RSL Sub-branch is in the process of renovating the Dee Why War Memorial located at The Strand, Dee Why Beach. The Vice President, Mr John Lang, has approached Council to request a funding contribution to ensure the full renovation of this important memorial and community asset.

The memorial is under the administration of the Dee Why SLSC, according to the Controller of Cenotaphs. The Sub-branch received their permission to renovate the memorial.

The Sub-branch has secured partial funding for the renovations. This includes a grant from the Federal Member for Mackellar, Mr Jason Falinski, to the value of \$40,909. The Dee Why RSL Ltd and Dee Why RSL Sub-Branch also have funding of \$17,901.

Works required to upgrade the cenotaph include:

- Poulitice entire monument for desalination of the stone
- Remove and replace existing damaged pointing
- Removal of marble works and existing lead, re-leading of all text as well as rehoning the marble surface
- Manufacture and supply of new sandstone capping, removal of existing capping and insertion of new stone

Total cost of the works is \$70,000. This means a shortfall of \$12,000, which the Sub-branch is requesting Council fund. They have also requested funding for a plaque to recognise Council's contribution to the project.

The memorial was constructed approximately a century ago and is obviously a significant historical asset for the community. It is recommended that Council support the renovation of the memorial through provision of the requested funding, including costs of a plaque to recognise the contribution.

FINANCIAL CONSIDERATIONS

Additional funding is required to contribute to the renovations. The \$12,000 grant will be funded with savings identified in the Reserves and Sportsfields Maintenance Program. The plaque preparation can be funded from existing budget sources.

SOCIAL CONSIDERATIONS

The Dee Why War Memorial is an important an important community & historical asset and its full restoration is considered to be in the community interest.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

Council involvement in the works is only through potential provision of funding. We are not part of the contract with the company undertaking the renovations so there is no financial risk.

ITEM 10.16	ECO SCHOOLS GRANTS PROGRAM
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/070340
ATTACHMENTS	1 Eco Schools Grants Project Descriptions

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's 2018/19 Eco Schools Grant Program in accordance with the recommendation of the Eco Schools Grant Program Assessment Panel.

EXECUTIVE SUMMARY

Northern Beaches Council has committed \$10,000 to the 2018/19 Eco Schools Grants Program. This program is divided into five streams and provides grants up to \$2,000 for local schools to implement environmental and sustainability programs including bush regeneration, carbon reduction, waste reduction, sustainability education, and water reuse/reduction.

Council received 6 applications from local schools, 5 for Waste Reduction and 1 for Sustainability Education. Applications were reviewed for eligibility in the first instance, followed by assessment undertaken by the Assessment Panel. All applications met the minimum requirements and are recommended for funding as per the following table:

School	Category	Recommendation	\$ Funding
Beacon Hill Public School	Waste reduction	Full funding	\$1,106.00
Narrabeen North Public School	Waste reduction	Partial funding	\$1,778.80
Bilgola Plateau Public School	Waste reduction	Full funding	\$1,778.80
Balgowlah Heights Public School	Sustainability Ed.	Partial funding	\$1,778.80
Belrose Public School	Waste reduction	Full funding	\$1,778.80
Balgowlah North Public School	Waste reduction	Full funding	\$1,778.80
Total			\$10,000.00

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That funding under the 2018/19 Eco Schools Grants Program be approved and distributed to schools as outlined in this report.

REPORT

BACKGROUND

Council has implemented a centralised community grant program across four streams including Sport and Recreational Infrastructure, Community and Cultural Development, Events and Eco Schools. The total grant funding across all four streams is \$560,000 in 2018/19.

As this is the first round of grant funding in this format, there will be a comprehensive review of all programs and processes so that future grant rounds will continue to improve and develop.

Northern Beaches Council has committed \$10,000 to the 2018/19 Eco Schools Grants Program. This program is divided into five streams including bush regeneration, carbon reduction, waste reduction, sustainability education, and water reuse/reduction and provides grants to eligible schools of up to \$2,000.

The Eco Schools Grants Program will see enhanced economic, social, environmental and/or cultural benefits for the Northern Beaches community and has been developed to build the skills and resources of our local schools in implementing sustainable behaviours.

As per the briefing to Councillors on 15 May 2018, the 2018/19 Eco Schools Grant Program opened on 26 November 2018 and closed 21 December 2018. Applications were sought from eligible schools for projects that addressed the Assessment Criteria as follows:

1. Environmental impact – the measurable difference your initiative will make to your school's carbon footprint. Long term and Short term.
2. Capacity to deliver – experience and/or resourcing allocated to implement the initiative.
3. Longevity of the initiative – how long will your initiative continue after the funding has been expended.
4. Other benefits derived including social, progress/leadership, educational and Economic.

The Eco Schools grants were promoted amongst Northern Beaches Schools through various sustainability groups, the Northern Beaches Learning Alliance Principals meetings and Peninsula Community of Schools meetings. The grants were also promoted through Council's Community Grants and Eco Schools webpage.

Council received 6 applications from local schools. Applications were reviewed for eligibility in the first instance, followed by assessment undertaken by the Assessment Panel comprising:

- Manager from the Greener Communities team;
- Senior Corporate Planner from the Corporate Strategy team
- Climate Change Adaptation Officer from the Environment, Resilience & Climate Change team.

The Assessment Panel's role is to make recommendations to Council on the Eco Schools applications that should be funded. The panel members undertook individual assessments and submitted a score for each application against the above criteria resulting in a priority ranking. A round table discussion of the Panel was held and consensus on the recommended Eco Schools or activations and funding allocation was obtained.

As all schools met the minimum requirements for their applications, they will receive equal amounts of funding (with the exception of Beacon Hill Public School which did not request the full amount of available funding).

The comments and scores for all levels of assessment will remain confidential however all applicants will be able to seek feedback on their application.

As the program grows, further consideration will be given to the selection criteria so that the funding allocation will be more closely tied to the impact each project is expected to have.

CONSULTATION

The timing of the program and the criteria for assessment was part of a briefing to councillors on 15 May 2018. The Eco Schools grants were promoted amongst Northern Beaches Schools through various sustainability groups, the Northern Beaches Learning Alliance Principals meetings and Peninsula Community of Schools meetings. The grants were also promoted through Council's Community Grants and Eco Schools webpage.

Staff also provided appropriate assistance and guidance to applicants where requested.

TIMING

Funding is required to be allocated to groups as soon as practicable to allow funds to be expended this financial year.

Further feedback will be sought from schools to determine if the timing of the application process had an effect on the number of applications received.

FINANCIAL CONSIDERATIONS

A total of \$10,000 has been approved by Council for this program in 2018/19. The recommended funding allocation for this round of the Eco Schools Grants Program is \$10,000.

SOCIAL CONSIDERATIONS

The Eco Schools Grants Program has been developed to build the skills and resources of schools on the Northern Beaches in educating students about environmental sustainability.

ENVIRONMENTAL CONSIDERATIONS

All Eco Schools applications will result in a positive environmental impact for the schools and local community. All Eco Schools applications are required to meet Council's waste management requirements before the project is approved to take place.

GOVERNANCE AND RISK CONSIDERATIONS

Applications were assessed objectively by a staff panel against the assessment criteria and all conflicts of interest declared as part of this process.

Brief Project Descriptions

Applicant School Name	Beacon Hill Public School
Funding stream	Waste reduction
Project Title	Waste management to enhance recycling and reduce contribution to landfill
Project Start Date	01/02/2019
Project End Date	30/12/2019
Brief Project Description	<p>To create an effective waste management that will decrease contaminants in the recycling and reduce the amount of recyclable materials and organic material going to landfill. The project site will be the Primary and Infants eating areas, as we currently have incorrect and damaged bins and too many of them. When we did a waste-audit of our school rubbish bins with the council, we found:</p> <ul style="list-style-type: none"> - 37.44% of the contents in the general waste were compostable materials - 16.75% of general waste contents were recyclable containers <p>Having less bins but ones that are clearly signed and all together will assist our students to recycle more efficiently. The grant will be spent on the purchase of 2x general waste bins, 2 x organic material bins and 2 x soft plastic bins for the K-2 and 3-6 eating areas, as well as signage for the bins. We already have plastic recycling and paper recycling bins.</p>
	Funding recommended: \$1,106

Applicant School Name	Narrabeen North Public School
Funding stream	Waste reduction
Project Title	Narra Goes Green
Project Start Date	01/02/2019
Project End Date	18/12/2019
Brief Project Description	<p>Ultimate goal is to reduce the overall waste created by the school and its canteen. Strategies will include:</p> <ul style="list-style-type: none"> - replace single use plastic with reusable containers and utensils. - purchase additional transparent waste-specific bins to replace current general waste bins. - purchase plants and seeds to provide sustainable produce to the canteen through student gardening programs. - purchase supplies for compost and Eco-warrior programs such as dolomite, mulch and gloves.
Funding recommended: \$1,778.80	

Applicant School Name	Bilgola Plateau Public School
Funding stream	Waste reduction
Project Title	Recycling at BPPS
Project Start Date	01/02/2019
Project End Date	20/12/2019
Brief Project Description	<p>BPPS does not currently have a co-mingled recycling program. As part of a real-world problem solving project, students and teachers have designed a recycling program for our school which requires the purchase of resources (recycling bins for playground and classrooms plus signage for those bins), as well as student education (excursion to Kimbriki for Stage 2 and 3). An effective recycling program would reduce the volume of recyclable containers sent to landfill by approx. 4.35kg PER DAY (Waste Audit figure 05/05/2018), that is 174kg per year.</p>
Funding recommended: \$1,778.80	

Applicant School Name	Balgowlah Heights Public School
Funding stream	Sustainability education
Project Title	BHPS Sustainability Project
Project Start Date	04/02/2019
Project End Date	20/12/2019
Brief Project Description	This project will focus on different elements of sustainability including waste reduction, waste management and student leadership involvement in environmentally friendly practices. The grant will be spent on purchasing new bins to separate waste and building compost facilities.
	Funding recommended: \$1,778.80

Applicant School Name	Belrose Public School
Funding stream	Waste reduction
Project Title	Waste Reduction at Belrose Public School
Project Start Date	01/02/2019
Project End Date	31/12/2019
Brief Project Description	<p>We are yet to implement a Waste Reduction Program at Belrose Public School and available funds have prevented this from happening to date. Our school alone contributes over 1200 bags of rubbish into landfill each year and our aim is to significantly reduce this by implementing a full Waste Reduction program across the school.</p> <p>This program would include:</p> <ul style="list-style-type: none"> •Co-Mingling Recycling •Soft plastic recycling with RED •Food waste opportunities i.e. composting / chooks •Further paper recycling •General waste audits •Educating parents, students, teachers, canteen and office staff on reducing waste •Improved product / less plastics sold and less waste in the canteen <p>In the Playground, Staffroom, Front Office and Classrooms we plan to provide collection bins - most of which will need to be purchased. All bins will have clear signage. Waste and soft plastic bins will be 'see-through' so we can clearly see what is going into these bins.</p>
Funding recommended: \$1,778.80	

Applicant School Name	Balgowlah North Public School
Funding stream	Waste reduction
Project Title	Responsibility, Recycle, Revitalise
Project Start Date	04/02/2019
Project End Date	20/12/2019
Brief Project Description	Our goal is to introduce a whole school recycling system where waste is reduced and recycling options are implemented i.e. container and paper recycling bins, compost and landfill bins. Our whole school goal is to reduce landfill into the environment and educate students K-6 on the benefits and importance of recycling. We want to become a school that is proud of our sustainability practices and continued education. We require 2 sets of easily identifiable bins, one for each of our two major playground areas (with a view to purchase more in the future), and opportunities for staff professional development through Environmental Education groups such as Cool Australia and the Coastal Environmental Centre (CEC).
	Funding recommended: \$1,778.80

11.0 PLANNING PLACE AND COMMUNITY DIVISION REPORTS

ITEM 11.1	NORTHERN BEACHES COAST WALK PUBLIC ART STRATEGY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2018/760616
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Northern Beaches Coast Walk Public Art Scoping Study, Draft Report, February 2019 (Included In Attachments Booklet) 2 ⇒ Northern Beaches Coast Walk Public Art Strategic Plan, Draft Report, February 2019 (Included In Attachments Booklet) 3 ⇒ The Coast Walk Public Art - Community Engagement Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council endorsement to release the draft Northern Beaches Coast Walk Public Art Strategic Plan for public exhibition.

EXECUTIVE SUMMARY

This report provides the project background, process of community consultation and the subsequent development of the Northern Beaches Coast Walk Public Art Strategy. The objective of the project is for artworks to reflect the cultural, heritage and natural significance of the Coast Walk. This is with the view to creating a world class walking experience for both the local community and visitors.

Extensive community engagement, marketing and communication plans have been undertaken to engage with and inform the community about the project. These plans enabled the team to develop the strategic direction of the Coast Walk as a long term plan. The plan includes:

- The Northern Beaches Coast Walk Scoping Study (Attachment 1).
- The Northern Beaches Coast Walk Public Art Strategic Plan (Attachment 2).

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council endorse the public exhibition of the draft Northern Beaches Coast Walk Public Art Strategic Plan and supporting documents for at least 28 days.

REPORT

BACKGROUND

On 27 June 2017 the Northern Beaches Council Administrator resolved to allocate \$2 million over four years to fund public art in key locations along the Northern Beaches Coast Walk (Coast Walk) from Manly to Palm Beach.

Extract from Item no. 5.4 at 27 June 2017 Council Meeting:

The funding is for Public Art in key locations e.g. the Coast Walk, with commissions from local artists where possible - \$500,000 per year for four years commencing in 2017/18.

The defined objective for the project was that the public artworks would reflect the cultural, heritage and natural significance of the Coast Walk. This was with the view to creating a world class walking experience for both the local community and visitors.

To ensure the ongoing quality of the Coast Walk Public Art Program, Council required a clear and robust Strategic Plan, informed by a thorough scoping study of the 36km of Coast Walk to support a cost-effective and strategic implementation framework.

In April 2018 GML Heritage were contracted to work with Council, to develop the Strategic Plan and Implementation Framework to guide Council's vision for the long term implementation for the Coast Walk Public Art Project. Extensive stakeholder engagement has been undertaken to inform the strategic direction and development of the project. A range of community engagement activities were designed to capture the cultural, social, environmental and heritage significance of the Coast Walk.

The draft Coast Walk Scoping Study (Attachment 1) provides detailed information on the research undertaken to develop the draft Coast Walk Public Art Strategic Plan and will assist in the development of curatorial responses through public art at key locations along the Coast Walk.

The draft Strategic Plan (Attachment 2) provides guidance for Council to deliver high quality public artworks at various sites along the walkway that reflect the cultural, heritage and natural significance of the Northern Beaches coastline. Focusing on the cultural, heritage and natural elements has been essential for the project team to effectively engage with the stakeholders that share our coast line and care about how Northern Beaches Council delivers the project.

The Plans will assist Council in facilitating best practice processes for:

- artist and community engagement
- site identification of appropriate artwork locations
- the establishment of successful selection, acquisition and commissioning
- appropriate materials, fabrication and installation
- a maintenance program of a series of new public artworks.

In addition, the documents include commissioning style suggestions.

The draft Coast Walk Strategic Plan is also underpinned by the draft Northern Beaches Cultural Collection Management and Gift Policy and the draft Public Art Policy, both currently on public exhibition. These documents provide policy and procedures for the commissioning, selection, procurement, acquisition, installation and maintenance of public artworks.

PROJECT PROGRESS TO DATE

The project milestones achieved to date are detailed in the table below.

Activity	Timing
Internal Project Steering Group (PCG) formed and project scope definition detailed, including the need for a long term strategic approach to the project	September 2017
Coast Walk Public Art Working Group established (comprised of members of the local arts community)	November 2017
Appointment of consultant GML Heritage to undertake the Strategic Plan, Scoping Study and Implementation plan	April 2018
Extensive Community Engagement undertaken with internal and external stakeholders	July - September 2018
Development of the Draft Coast Walk Scoping Study, Strategic Plan and Implementation Framework for Public Exhibition	September - December

COMMUNITY CONSULTATION

Community engagement has been an important platform in developing the draft Coast Walk Strategic Plan, with the main objective being to understand what the community wants the Coast Walk to provide in the long term as an interactive experience.

From April 2018 the Northern Beaches Project, Engagement, Communications Teams worked with GML Heritage, Insite Landscape Solutions and JOC Consulting to deliver community and stakeholder engagement to inform the Northern Beaches Coast Walk Public Art Strategic Plan through many face to face forums and workshops. In addition, Council managed an online survey through the 'Your Say' website page.

The Northern Beaches Coast Walk Community Engagement Report (Attachment 3) details the objectives and outcomes from the engagement. The consultation process was designed to reach a diverse population sample from across the Northern Beaches Local Government Area. The engagement methods were primarily qualitative in method but where possible, quantitative data has been provided as well as priorities and areas of importance by identified participants.

Participants in the consultation identified the following issues for consideration when planning for public art along the Coast Walk:

- The need for art to be sympathetic to the natural setting and context.
- A need and opportunity for Aboriginal heritage to be better integrated along the Coast Walk.
- Art was not always seen as physical and permanent with a desire for temporary and activation based experiences that enhanced the Coast Walk.
- Views and vistas are important and they should be preserved or enhanced.
- Desire for the Coast Walk to be an educational experience.

The following are the number of people informed and engaged by the Community Engagement and Marketing Campaign during the consultation process for the Coast Walk Public Art Project.

Engagement Process	People made aware of the project through the engagement process including Your Say.	29,837
	Formally engaged via workshops or pop ups	1,206
Media and Marketing	Electronic Direct Mail	127,657
	Advertising	396,823
	Social Media	135,336
	Channel 9 – Media Coverage Views of clip	421,000
Total number of people engaged and informed		1,111,859

The Coast Walk Consultation Summary Report has been developed according to four themes synthesised from the above key insights. These themes include: Artforms, Locations, Celebration and Experiences. Community and stakeholder engagement findings are discussed under each theme (Attachment 3).

THE STRATEGIC PLAN SUMMARY

The draft Northern Beaches Coast Walk Strategic Plan (Attachment 2) provides Council and the community with the curatorial direction and an historic framework for the interpretation of sites and delivery of public art projects along the Coast Walk. The Public Art Strategic Plan contains the following:

Vision

The Northern Beaches Coast Walk will showcase our extraordinary coastal environment and heritage through a celebration of art and culture.

Mission

To create vibrant, distinctive places that inspire artistic collaborations and connect communities from Manly to Palm Beach.

Aims

The draft Northern Beaches Coast Walk Strategic Plan has three main aims to:

- Activate the Coast Walk with works of public art that will contribute to the character, design and quality of the Coast Walk experience
- Provide engaging interpretation of the coastline's history that reflects and celebrates the many stories of the area, including Aboriginal, environmental and cultural histories
- Deliver a distinctive program of art and cultural projects to promote the Northern Beaches as an exciting part of Sydney's cultural and creative landscape.

Principles

In delivering the Vision, eight key principles are defined as being the highest priority by the community survey conducted as part of the community engagement. The principles will provide guidance when selecting sites, developing projects, preparing artists' briefs, commissioning artists work as well as fabricating and installing artworks. They strive to balance the Coast Walk as a landscape corridor and user experience (with its specific context and layers of significance), with the people that live, work and play in the area and the unique culture and values of the Northern Beaches.

The eight principles are:

1. Respect and acknowledge Aboriginal cultural heritage
2. Celebrate and conserve significant natural and cultural values
3. Connect places and people along the coast
4. Foster artistic and cultural expression and encourage creative collaboration
5. Enrich places through high quality art and design
6. Interpret the history and significance of the coast
7. Value artistic and cultural diversity and be inclusive
8. Create a distinctive and recognisable Northern Beaches Coast Walk identity.

Of critical importance is Principle 8, with careful consideration of this principle to be undertaken by the selection panel when selected artworks at priority sites. These artworks will be assessed as to how they work together to create a distinctive and recognisable identity for the Coast Walk.

Curatorial Framework

A curatorial framework connects public art to the vision and principles for the Coast Walk. The framework establishes an overarching structure based on a high-level analysis of the environment, landscape, history, heritage, themes, character and community. It provides a frame of reference to support the realisation of artworks and cultural programs. All works should contribute to one or more of the key areas identified in the curatorial framework.

The higher level strategic curatorial vision for the Coast Walk is **Connection**. This can be interpreted through **Connection** to people, place, headlands, beaches and villages.

The vision is supported by four curatorial themes which draw from the natural, Aboriginal, local and contemporary histories and significant places along the Coast Walk. They provide inspiration for artists in developing place-based responses.

Curatorial Framework for public art on the Coast Walk



SITE SELECTION

Approach to Sites

There are two recommended approaches to sites:

1. Integrated Artworks

High quality art that integrates with and compliments our urban and natural landscape. Works will demonstrate:

- Artistic excellence
- Empathy to specific sites
- Functionality such as seating
- Diversity in function and form.

2. Artistic Programming

Cultural programs and art-based activities, which may include; activations and ephemeral art installations, talks, tours, festivals, events and temporary exhibitions.

Staging of Sites

The sites have been selected by the Public Art Working Group and through the community engagement process. These sites are reflected in the Scoping Study (Attachment 1) and the Strategic Plan (Attachment 2). The selected sites are from Manly to Palm Beach. The rollout of the artworks will occur in three stages. For Stage 1, 10 sites have been identified and other potential sites will be supported by information signage and the Coast Walk Map and App.

The draft sites and recommended artwork approach for the first three stages are detailed in the table below. The works will be selected, commissioned, designed, fabricated and installed in conjunction with Council project teams and a Selection Panel of Arts Industry Experts. The delivery of the works will vary for each artwork in accordance with the timing of any associated works occurring at these sites and priority capital projects. Listing of the identified sites is shown below.

Stage 1 – 10 Priority Sites

- Manly Corso Beachside (East) Coast Walk Entrance Sign only
- Dee Why Headland
- Long Reef Headland
- Collaroy Beach South
- North Narrabeen Rockpool and surrounds
- Turrimetta Headland Reserve
- Mona Vale South Headland (Robert Dunn Reserve)
- Mona Vale North Headland
- Little Av - South Avalon Headland
- Bangalley Park
- Pittwater Park - Palm Beach.

Stage 2 - Further 10 Priority Sites and Headland Markers

- Observation Point- Palm Beach
- Avalon Beach Reserve
- Newport Beach Reserve
- Bilgola Headland
- Mona Vale Surf Life Saving Club
- Warriewood Surf Club Landscape
- Long Reef Surf Life Saving Club
- Dee Why Rock Pool
- Freshwater Beach Reserve
- Queenscliff Headland - Freshwater Park
- Manly Surf Life Saving Club.

Stage 3 – Further 10 Priority sites to be identified (funding permitted)**TIMING**

The draft Strategic Plan is recommended to go on public exhibition in February 2019 until late March 2019, for a minimum of 28 days.

During this time a call will be put out for Artists to Register Their Interest (RTI) to participate in works to be commissioned by Council in 2019.

FINANCIAL CONSIDERATIONS

Project Funding

This project is funded from the allocation of \$2 million from the Merger Savings Fund, as per the Council resolution of 27 June 2017. This budget will cover project management fees, payments for curators (if required), community engagement and the design, fabrication and installation of permanent public art works. The current estimate for artworks to be developed and installed is from \$100,000 ex GST to \$250,000 ex GST. It is noted that through the procurement process some of the works may come under \$100,000.

Additional resources will be required for ongoing maintenance of the art works and activation events or programming that occurs on the Coast Walk in accordance with the draft Strategic Plan.

Grants and Sponsorship

Council is seeking funding from state and federal grant funding bodies and other sources. An application has already been undertaken with the Clubs Community NSW Infrastructure Fund.

A Sponsorship and Gifts Plan will be developed on finalisation of the Northern Beaches Draft Cultural Collection Management and Gifts Policy.

Charitable Trust Status

Northern Beaches Council project team has spent significant time researching the establishment of a Charitable Trust, for the purpose of receiving tax deductible donations, gifts of money or artworks for the Coast Walk.

Legal advice has been sought from King & Wood Mallesons in relation to extending the Manly Art Gallery and Museum Tax Deductible Status, with the view to developing the Coast Walk Art Collection.

Current Value of Art Works

No formal cost estimate has been undertaken of the (approximately) fifty artworks that are currently in situ along the Coast Walk. It is estimated that Council potentially owns works that are worth over \$1 million.

Probity

In accordance with Council's Procurement Policy a Probity Plan is to be developed for the implementation of the procurement and commissioning of works for the project.

SOCIAL CONSIDERATIONS

The social and community impact of implementing the Coast Walk Public Art Strategy over the next three years will be more art, community engagement, projects and programs that will add vibrancy to the Coast Walk. The project will benefit the entire Northern Beaches community by drawing a connection between the villages, beaches and headlands from the north to the south of the Northern Beaches.

Public art on the Coast Walk will serve to connect the community through the arts and contribute to social wellbeing and community cohesion. It will provide a source of civic pride and assist to create a vibrant community, providing opportunities for events, the arts and education.

The Coast Walk's significant values can be reimagined through public artworks and this can generate lasting community benefits. It will enhance the vitality and attractiveness of the public realm and support longer term investment in artistic and creative innovation, capacity and capability.

The art can be integrated into the design and function of places through the engagement of artists in design teams for public domain works. Traditional mediums for public art such as sculpture are well known. Interactive and alternative forms of contemporary work and installations in digital and other new innovative media create exciting new opportunities.

ENVIRONMENTAL CONSIDERATIONS

Feedback from the community strongly states that they do not want to see the natural environment destroyed by development of the Coast Walk. It is recommended to implement sustainable procurement principles, including protecting the natural environment. Energy, water and environmentally sustainable design measures will be considered in the planning processes of all artworks and their delivery.

GOVERNANCE AND RISK CONSIDERATIONS

To facilitate the project, a clear Governance framework was developed and agreed upon in line with Northern Beaches Council's Committee Framework, Terms of Reference and policies. Other Council policies and Governance frameworks were adhered to in accordance with Council's protocols including our Community Engagement Policy and Project Management Methodology.

A high level Risk Management Plan was developed as part of the Project Initiation Documentation and includes Stage Gate Planning to minimise the risk to Council.

A construction and materials Risk Management Plan will be undertaken with regards to the design and construction of the artworks due to the extremely corrosive environment that many of the artworks will be placed in. Adherence to the plan will also ensure that the works are designed and developed to withstand the extreme conditions of the ocean and beach environment.

ITEM 11.2	ALTERNATIVE PROCUREMENT – GLEN STREET THEATRE
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2018/720085
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek exemption from tendering under *section 55 (3) of the Local Government Act 1993* for the purchase of theatrical programs and activities for Glen Street Theatre due to extenuating circumstances.

EXECUTIVE SUMMARY

Glen Street Theatre presents to the community a broad annual program of cultural productions and events designed to attract a range of community audiences. Procurement within the performing arts industry is a complex activity involving a range of industry-specific selection and delivery mechanisms that do not easily align with Council's procurement framework. This report will outline the use of industry mechanisms to procure a diverse program for Glen Street Theatre that delivers optimum value for money.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council exercise its authority under Section 55 (3) of the *Local Government Act 1993* and approve an alternative procurement process for purchase of theatrical programs and activities for Glen Street Theatre. The proposed alternative procurement is based on the following "*extenuating circumstances*":

The tendering requirement would allow only a tiny subset of possible productions to be assessed due to the complex industry selection and delivery mechanisms specific to the professional performing arts industry.

REPORT

BACKGROUND

Glen Street Theatre is a professional theatre managed by Council that presents to the community a broad annual program of cultural productions and events designed to attract a range of community segments and audience.

Glen Street Theatre's activities are driven by two approaches:

- Hire – the venue receives payment for the use of the facility and staff. The venue retains the ticketing rights and provides box office services. Hirers are both commercial and community in nature.
- Self-presentation program – in order to ensure that the community may access a range of professional performing arts activities that are not made available by commercial or community hirers, the venue selects a range of shows and events, negotiates a financial agreement with the producers, markets the shows and retains the income from tickets sold.

As a result of its activities, Glen Street Theatre remits funds to third parties.

Hirers

In the case of venue hirers, the venue holds ticket income in trust for the hirer and remits the income, less costs incurred, after the event. This practice is a "business as usual" industry practice and regulated by the *Live Performance Australia Ticketing Code of Practice – Industry Code*.

The remitting of hirer funds held in trust by the venue is not procurement.

Self-Presentation Program

Each individual production and event is selected by the Glen Street Theatre Director based on a range of criteria including artistic merit, art form and genre, appropriateness for target markets and price, using industry-specific procurement and delivery processes. A Programming Assessment Framework is used in the selection of programs and is a proven approach, successfully increasing the 2019 theatre season by over 50% when compared to the 2018 season.

Existing financial delegations are used in the approval process of each program, requiring a purchase order and approval at the delegated level. All shows require approval by the Executive Manager Community Arts & Culture and includes a review of the program in accordance with the Programming Assessment Framework. The assessment criteria include considerations in the areas of:

- Artistic quality
- Logistics & technical requirements
- Marketing
- Scheduling
- Financials.

Financial relationships are negotiated to balance the defrayment of financial risk with other programming objectives. All financial agreements for the annual theatre season include a separate non-negotiable royalties component, calculated on the final ticket income.

Financial agreements fall into two general types, dependent upon the nature of the financial responsibilities of each party:

- Joint venture between the venue and the producer, where the financial arrangement is predominantly based on a percentage division of ticketing income (not to be confused with royalties which is a separate issue).
- Sell-off model – involves a guaranteed fee plus royalties paid by the venue to the producer/touring agency.

Exemption

An exemption from tendering is sought based on the complex industry selection and delivery mechanisms specific to the professional performing arts industry:

- Each production is artistically unique and therefore each selection is made from a sole supplier – no two productions, even of the same script, are alike and each is different in their specific artistic attributes.
- Performing arts suppliers do not participate in tender processes. Suppliers make their productions and events available for venues to select in an ad hoc manner through a range of industry mechanisms and processes that do not allow for a tender process. Delivery is often dependent upon government funding applications by third parties.
- Developing an annual program is a complimentary and iterative exercise that may happen over a timeline of up to 24 months. Adherence to the tendering requirement of the Local Government Act 1993 would allow only a tiny subset of possible productions to be assessed, leading to poor outcomes for the community, both artistically and financially.
- Program selection is based upon the cumulative attributes of a specific production or event, and while the ability and reputation of the supplier is taken into account, the purchase decision is purely on the suitability of the activity. In the iterative process of developing an annual program, the final program might encompass multiple productions from aggregators (touring agencies or large producers) leading to an inadvertent potential breach of the total value thresholds. This situation would not be evident until the end of the programming process after the commitments required to access government funding have already been given.
- Timing – the industry programs are on a calendar basis and as a consequence a supplier may deliver two shows in the same financial year, but different calendar years, thus unintentionally contravening the total value thresholds. An example of this would be *The Wharf Revue* from Sydney Theatre Company.
- Determining price – The complex financial relationships and negotiations always include royalties expressed as percentages, part of which are regulated by non-negotiable industry agreements and pre-existing contracts. The total price can never be determined in advance, and purchase is based on sensitivity analysis. If the price cannot be determined prior, the venue risks contravening the procurement regulations retrospectively.

Approximately two-thirds of performing arts venues in Australia are owned and managed by local government. They participate in the same industry-based procurement processes as Glen Street Theatre in order to maximise outcomes for their communities.

CONSULTATION

Consultation was undertaken with the Manager of Procurement.

TIMING

To commence immediately.

FINANCIAL CONSIDERATIONS

Standard arts industry processes are more likely to deliver financial savings through amortisation of costs through the touring process.

The Glen Street Theatre operational budget for performance fees has historically been under \$450,000 per annum, with an average of 15 shows procured within this budget. It must be noted that expenditure to one production company over \$150,000 is uncommon.

SOCIAL CONSIDERATIONS

Adherence to the procurement guidelines and tendering requirement would allow only a tiny subset of possible productions to be assessed, leading to poor outcomes for the community, both artistically and financially. An exemption will enable Glen Street to continue to provide an annual program of cultural productions and events designed to attract a range of community segments.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations for this proposal.

GOVERNANCE AND RISK CONSIDERATIONS

Section 55 (3) of the Local Government Act 1993 allows for councils to be exempt from the tendering requirement where there are extenuating circumstances. In the case of Glen Street Theatre, a satisfactory result would not be achieved through the process outlined in Section 55 (3).

The selection of shows for the self-presenting program is undertaken through the use of a Programming Assessment Framework. This includes assessment criteria and consideration of artistic quality, logistics & technical requirements, marketing, scheduling and financials. This process ensures that the shows are critically assessed to deliver a program that is well received by the community and financially viable for Council.

ITEM 11.3	CREATIVE ART SPACE NORTH - SITE LOCATION
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2018/746650
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council on the outcomes of the Creative Art Space North Stage 2 community engagement and recommend that Council proceed with the repurposing of the Mona Vale Civic Centre into a creative arts space, and the refurbishment of the downstairs area of the Avalon Golf Club into artist studio and teaching space.

EXECUTIVE SUMMARY

The concept of a creative arts space in the northern end of the local government area has received high levels of engagement, interest and support from the community during all stages of the project. It addresses Goal 10 and associated strategies in the Community Strategic Plan (Shape 2028):

Goal 10: Our community is stimulated through a diverse range of cultural and creative activities and events

Strategies: a. Support the arts and creative communities

b. Expand cultural events and creative opportunities, including safe nightlife opportunities

Two potential sites, the Avalon Annexe and the Avalon Golf Club House, were placed on public exhibition in October 2018, receiving 214 submissions. The submissions primarily related to the potential loss of multi-purpose community space at the Avalon Annexe, rather than comments on which site is the best location for a creative space, with 80% of submissions in support of the Avalon Golf Club House.

Since the initial investigation into suitable site options, a unique opportunity to utilise a large part of the Mona Vale Civic Centre for a creative arts space has been identified. As Mona Vale was considered a strong location throughout the community engagement, it is recommended that the Creative Space North be located within the Mona Vale Civic Centre. It meets all of the identified user and location requirements for a successful arts centre.

While it is not recommended to proceed with the conversion of the Avalon Golf Club House into a creative arts centre, there is an short term opportunity to refurbish the downstairs area to deliver two multipurpose artist studios and teaching space. This will provide a minimum of four new artists' studios in the north of the Local Government Area. These studios will be allocated on an annual basis to different artists per year, and use of the space will be reviewed regularly to ensure that the space meets community needs and expectations.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council support the refurbishment of the Avalon Golf Club House lower ground floor, within the existing footprint, to include artist's studios and teaching space.
 - B. Council support the repurposing of the Mona Vale Civic Centre into a creative arts space, including exhibition, artists' studios and teaching space.
-

REPORT

BACKGROUND

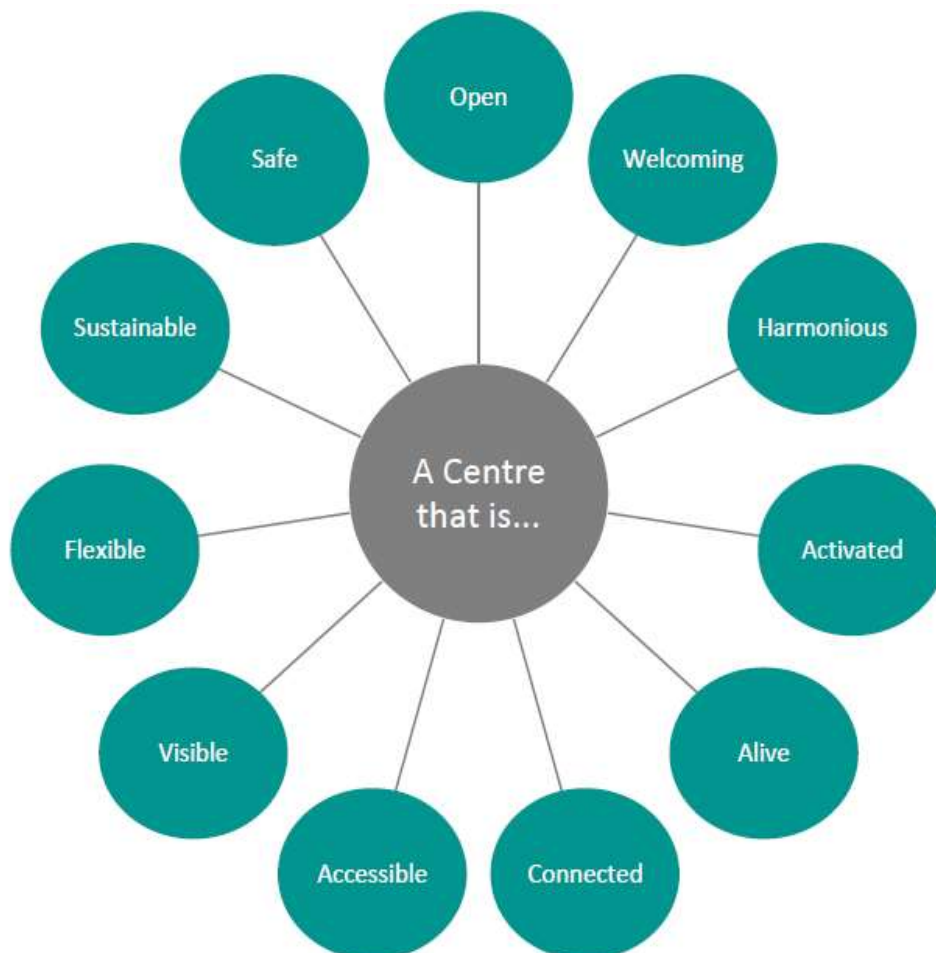
At its meeting on 27 June 2017 Council resolved to allocate \$1million from the Merger Savings Fund to establish a Creative Space in the northern part of the Local Government Area (Administrator's Minute 09/2017).

Stage 1 of the community engagement (August 2017 to March 2018) sought general feedback on the proposal of establishing a creative space, as well as invited input from an Advisory Group that identified key user and location requirements for a successful creative arts space. The overwhelming responses from more than 650 people during this stage were in support of a new creative arts space in the northern area of the Local Government Area.

Key user requirements

The community identified the following essential user requirements; exhibition space, artist studios; teaching space and communal space. Desirable user requirements included; accessible toilet/s, additional toilets (for exhibition openings), café/kiosk, outdoor/deck area, the potential for surrounding space activation and a quality, attractive building. See Figure 1.

Figure 1: Workshop participants used the following terms when describing what their ideal centre would be.



Location Criteria

In terms of the optimum location for exhibition space, the Advisory Group highlighted the need for a central location and emphasised that key success criteria for an exhibition space include visibility, pedestrian traffic, public access, 'reason to stay' (e.g. café) and general ambience of the place.

Key requirements:

- Visibility
- Accessibility
- Supporting Facilities
- Unique
- Size
- Flexible outdoor space
- Attractive location/ visual appeal
- Fit-for-purpose
- Reason to stay
- Council's ownership and control
- Adequate parking
- Vehicle access for delivery of work.

Options

Based on the key user and location criteria, five site options were identified, assessed and initial concept designs and costings developed. These assessments found that it would not be possible to satisfactorily meet identified user requirements within the original budget of \$1 million. The options were:

- Option 1a: Avalon Annexe Building (reduced scope, \$1.25 million)*
- Option 1b: Avalon Annexe Building (full scope, \$2.1 million)*
- Option 2a: Avalon Golf Club House (reduced scope, \$1.22 million)*
- Option 2b: Avalon Golf Club House (full scope, \$2 million)*
- Option 3: Mona Vale/Avalon Bowling Green sites (greenfield development, \$3.5 million+)*.

**These initial estimates have recently been revised to include works to surrounding areas (e.g. fit out, footpaths, landscaping) as well as updated contingencies to take into account staff capitalisation, building work contingency, scope variation, additional items and building cost escalation since project inception. This has increased all of the above estimates by over \$650K, with any works at the Avalon Annexe or Golf Club House now estimated to be between \$1.8M and \$3M.*

The five options above were reported to Council on 25 September 2018, where it was resolved:

- A. *Council endorse the exhibition of the draft concept design for the proposed Creative Art Space North at the site of the Annexe Building, Dunbar Park, Avalon*
- B. *Council investigate additional funding sources to enable the construction of the full scope of the proposed Creative Art Space North*
- C. *Council also consult on the Avalon Golf Club.*

Option 3: Mona Vale/Avalon Bowling Green sites were eliminated as both of these green field sites were not supported for development. At that time there were no other greenfield sites or existing property available to be repurposed in Mona Vale.

Since September 2018 an opportunity has arisen regarding the Mona Vale Civic Centre site. This location has now been revisited and assessed against the user requirements and location criteria, and it meets all of the desired needs and uses.

CONSULTATION

In total, 214 community members provided valuable feedback on the Stage 2 consultation on site options.

Table 1: Stage 2 engagement activities and participation

Engagement activity	Date	Objective	Participation
'Your Say' Community engagement webpage	13 Oct – 18 Nov 2018	Seek feedback from the community	182* submissions
Pop up engagement information stalls	25 Oct 2018 3 Nov 2018	Provide information and engagement opportunities, seek feedback from the community	Avalon Recreation Centre – 30 attendees Avalon Golf Club House – 60 attendees
Email, telephone and free form submissions	13 Oct – 18 Nov 2018	Seek feedback from the community	Over 25* submissions received
Petition (1)		Community Feedback	88 signatures**

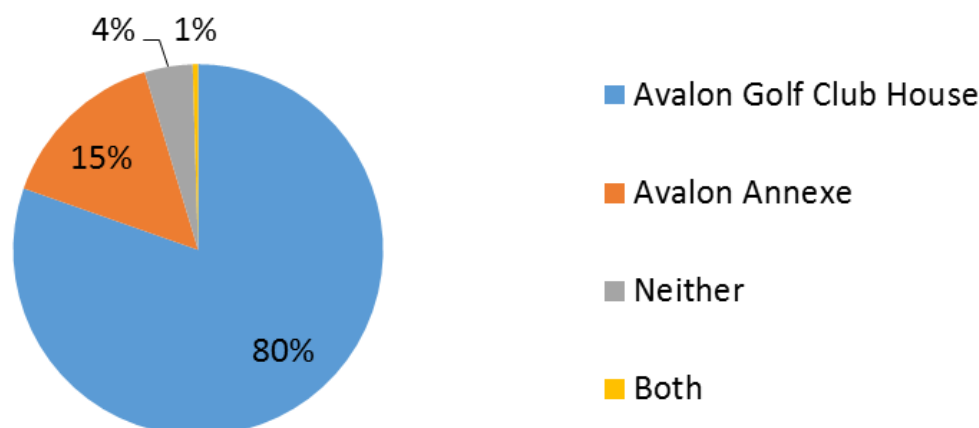
**Note that some submissions were duplicates with the same comments from the same applicant received multiple times, sometimes in differing formats e.g. Your Say, letter and email. These were counted as a single submission.*

***Petition treated as a single submission*

Community engagement key findings

The submissions were overwhelmingly in support of locating the creative space at the Avalon Golf Club House, as shown in the **Figure 2** below.

Figure 2: Submission response to presented options (n=214)



The community engagement found that there is a strong desire for establishing a new creative space in the northern part of the Local Government Area, but not at the expense of existing facilities and opportunities. In general terms, the community sentiment related more to the potential loss of multi-purpose community space at the Avalon Annexe than to what is the best location for a creative space. The existing users of the Avalon Golf Club would also like to see the Club House site reinvigorated, as it is recognised that it is currently under-utilised. These are the key drivers that identified the Avalon Golf Club House as the preferred site by the community, over the Annexe.

Key findings from the community engagement include:

- Strong community concern has been expressed over the potential loss of multi-purpose community space at the Avalon Annexe and the need to relocate existing users should the creative space be located there. In particular, concerns were raised over the difficulties in relocating tap dancers, who are current users of the Annexe.
- Of the 15% of submissions supporting the Annexe site, the main reason was around location, with close proximity to the town centre and good visual and pedestrian access. This reflected the Advisory Groups advice that good access, visibility and pedestrian flow were essential components to a successful art centre, particularly for the exhibition space component. In particular, concerns were raised over the relatively more remote location and low visibility of the Avalon Golf Club House, in relation to the viability of an exhibition space.
- Existing users of the Golf Club are largely supportive of locating some form of creative space at Avalon Golf Club House, as they welcome the activation and increased visitation to a site that is currently underutilised. This was conditional on being provided with space and facilities to continue playing golf and have an area suitable for golfing social functions.
- There was a desire to maintain and enhance the heritage values of the Golf Club House.

Proposal

From research and the consultation analysis, the Avalon Golf Club House is recommended for the location of artist's studios and some teaching space on the ground floor level only. This location has overwhelming community support and it meets some user requirements. The Avalon Golf Club House location is not considered suitable for an exhibition space due to its relatively isolated location and low pedestrian traffic.

Each studio will be allocated on an annual basis and all creative/ studio spaces will undergo regular review to ensure that they are meeting community needs and expectations.

Since these previous investigations and community consultation took place, the Mona Vale Civic Centre has become available for consideration. The previous plans to relocate staff to this location have been revisited and the existing Customer Service Centre will move to the rear of the building, at ground level, while maintaining the Call Centre operations in the building.

Throughout the community engagement for the project Mona Vale was considered a strong location and the Mona Vale Civic Centre meets all of the communities desired criteria for an art space:

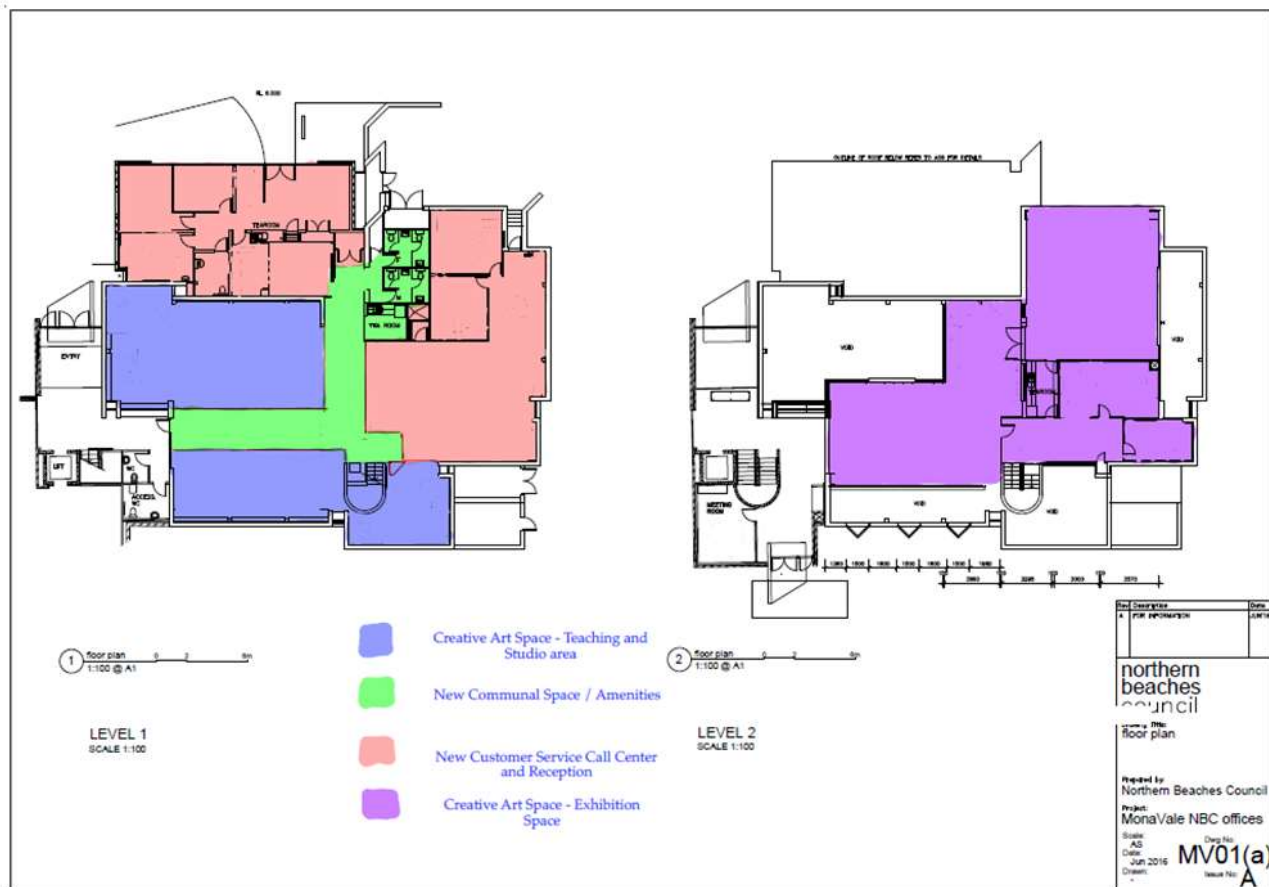
- It meets the intent of a creative space for all the required creative production opportunities, providing dedicated studio and teaching spaces, opportunities for outdoor sculptures, activations on the Village Green and a large dedicated exhibition space.
- The site would not require relocation of existing community users (with a potential knock-on effect to other facilities) or loss of multi-use community space, as with the Avalon Annexe.
- It will become an active arts hub in a central location, which is desired by the community.

A summary of the benefits of the Mona Vale Civic Centre as a creative arts space are:

- meets all of the identified desired criteria of an arts space
- meets desirable criteria for location
- accessible with north/south and western road network, good public transport and parking
- accessible by pedestrians and passers-by, with good foot traffic
- large flexible, open floor space, which can be adapted to desired uses
- opportunities for sustainable growth
- centralised location for access by the Northern Beaches community
- 'Reason to stay' with connection to existing cafes, shops, park, library, Mona Vale Memorial Hall, Council Customer Service.
- space for additional creative activations on adjoining land. e.g.: sculpture exhibitions, live performances.

Initial concepts indicate that Level 2 of the Mona Vale Civic Centre could be utilised for a large, flexible exhibition space, while Level 1 can be utilised for artists' studios and teaching space, along with the existing Customer Service Call Centre. See Figure 3 for a draft allocation of space.

Figure 3 – Mona Vale Civic Centre. Initial Concept of potential uses.



TIMING

Subject to Council endorsement the internal refurbishment at Avalon Golf Club House is envisaged to be carried out within the next 12 months.

A timeline for the redevelopment of the Mona Vale Civic Centre site is yet to be developed in detail, however it is envisaged that it will not commence construction until late 2020.

FINANCIAL CONSIDERATIONS

Indicative costings:

Mona Vale Civic Centre \$3.5- 4mill

Includes: large exhibition area, studios, teaching space, additional toilets, improved connectivity to other facilities (e.g. café), external refurbishment, air conditioning refurbishment (required regardless of future use).

Avalon Golf Club

\$260-300k (+additional \$165k if a lift is required)

Includes: Studios and shared space – downstairs area only

To date \$1million has been allocated from the Merger Savings Fund for the project. It is envisaged that the current budget will be more than sufficient to complete the Avalon Golf Club House refurbishment. The additional cost for the Mona Vale Civic Centre could be partly funded from programmed savings on future works and savings on relocation costs, in the order of \$260,000.

This would still leave a shortfall of approximately \$2.24 – 2.74 million that would need to be identified from other sources such as grants. Should the Mona Vale Space be the preferred option a further report will be provided to Council identifying funding sources.

The project will also incur ongoing maintenance, management, operational and depreciation costs that are not presently identified in the existing Operational Budget or Long Term Financial Plan.

Section B of the Council Resolution on 25 September 2018 regarding the investigation of additional funding sources has commenced. Initial investigations into grant funding indicate that Northern Beaches is outside the current CreateNSW grant program identified priority areas, and is therefore unlikely to be successful with funding applications.

SOCIAL CONSIDERATIONS

A review of current access to community art spaces on the Northern Beaches identified that this project would fill a gap in the northern area of the Local Government Area. The Creative Art Space North will provide ongoing social benefits for the area through;

- Connection - providing an environment that is welcoming, a place where artists and the community can meet, create and view art
- Access - affordable rates, with equitable access for users.
- Enrichment – offering a diverse range of community activities.
- Stimulation - providing opportunity for programming to learn and experience art.
- Belonging - enhancing community identity and emphasising the unique characteristics of the Northern Beaches.

The Avalon Golf Club House building is currently under-utilised and it is likely that the proposal will have positive social impacts on the existing facility, the cafe and the golfers, drawing increased visitation and activation to the site.

The Mona Vale Civic Centre site is in the centre of Mona Vale and has connectivity to the town centre, library, Mona Vale Memorial Hall, cafés, bars, village green and local shops. There is huge potential for further artistic activation around the centre using these other assets, creating a vibrant creative heart for Mona Vale.

ENVIRONMENTAL CONSIDERATIONS

The Avalon Golf Club House has recognised heritage values that will need to be considered.

There is a possibility that the Avalon Golf Club House building may contain asbestos, which will need to be dealt with under relevant guidelines.

GOVERNANCE AND RISK CONSIDERATIONS

The project is still at concept stage and it is not considered there are any unmanaged governance or risk issues.

ITEM 11.4	MONA VALE PERFORMANCE SPACE FEASIBILITY STUDY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2018/697801
ATTACHMENTS	1 Community Engagement Summary Report - Mona Vale Performance Space (Included In Attachments Booklet) 2 Mona Vale Performance Space Feasibility Study - August 2018 (Included In Attachments Booklet) (Confidential)

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement to not progress the Mona Vale Performance Art Space project.

SUMMARY

This report summarises the results from the Mona Vale Performance Space Feasibility Study, Charitable Trust investigation, Community Engagement Report and the independent Community Survey as requested by Council on 08 August 2017.

The Mona Vale Performance Space Feasibility Study has been completed and the results are that:

- The project is not viable from a capital funding cost.

The annual operational model of the project is viable, however without capital funding the project is not able to be developed.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council not progress the Mona Vale Performance Space project to the Business Case stage.
 - B. Council provide the State Government and the Department of Education the Feasibility Study, Community Engagement Report and the independent Community Survey.
 - C. Council not progress with the establishment of a Charitable Trust for the Mona Vale Performance Space.
-

REPORT

BACKGROUND

In April 2017 the Northern Beaches Council Art, Culture and Heritage Strategic Reference Group Directions Paper stated that there was an identified community need to have a musical performance space in the Northern Beaches.

In addition, in the Mona Vale Place Plan (Imagine Mona Vale, Draft Mona Vale Place Plan 2016), concept plans for an auditorium were developed as part of a civic and cultural precinct. Since then the opportunity has arisen for a potential site at Mona Vale Public School.

The concept of a site at the school was originally proposed around 2014 and has gained further support from various stakeholders including the Department of Education (DE), who have offered school land at the corner of Bungan and Waratah Streets, Mona Vale.

At Council on 8 August 2017 The Administrator tabled a Minute that stated:

"I recently met with The Hon. Rob Stokes MP, Minister for Education, Dr. Martin Hardy and Mr. Greg Jones, Principal of Mona Vale Primary School, to discuss the idea of creating a large indoor performance space in Mona Vale for the purpose of live music and other appropriate performances."

Further to this, the Administrator adopted on 8 August 2017:

That the Chief Executive Officer be requested to:

- A. *Prepare a detailed business case for the establishment of a large indoor performance space within the Mona Vale Town Centre.*
- B. *Establish a Charitable Trust for the purpose of receiving funds toward the construction and operation of a Mona Vale Performance space. (extract of Administrators Minute 8 August 2017)*

The Mona Vale Performance Space project commenced in September 2017.

The original concept of the proposal was for Northern Beaches Council to develop, design, build and operate a facility for music and other performing arts in Mona Vale. The proposed venue would provide for the existing and future needs of the entire Northern Beaches performing arts community. The community performance space was to include:

- An auditorium with 600 – 1000 seats
- Stage size for concert orchestra: 15m x 10m
- Warm up and rehearsal spaces
- Potential retail/commercial use
- Adequate on site car parking.

Council sought the community's input on the need for a Performance Space in this location through a variety of community engagement activities and consultations that included markets, Special Interest Groups (SIG's) and one-on-one interviews with performing arts industry specialists.

Music and performance groups from the Northern Beaches are currently using a mix of school halls, community centres and Glen Street Theatre to rehearse and perform. In addition, some are going out of area to use venues such as The Concourse in Chatswood.

Stage 1 of the project was the Feasibility Study and included the following activities:

- Project Steering Group (PSG) initiated (internal staff).
- Mona Vale Performance Space Advisory Committee formed (community members, Department of Education and Councillors).
- Commencement of Deductible Gift Recipient (DGR) Status, including legal advice.
- Appointment of consultant, Value Network Pty. Ltd. to undertake the Feasibility Study and Business Case.
- Extensive Community Engagement (Attachment 1).
- Benchmarking of similar venues.
- Cost Estimate Report for three venue options, in terms of size, obtained from WT Partnership Pty. Ltd., Quantity Surveyors.
- Independent Community Survey, undertaken by Micromex Research (Contained in Attachment 1).
- Feasibility Study Report presented to Mona Vale Performance Space Advisory Committee 5 September, 2018 (Attachment 2: Confidential).

COMMUNITY CONSULTATION

Public consultation was an important first step in developing the Feasibility Study; to assess community appetite for the proposal as well as to raise awareness of the project within the local area.

Between March to May 2018, a total of 956 community members were consulted on the project. Discussions with residents centred on the perceived need for a performance space on the Northern Beaches. Conversations explored the potential uses of a venue, how it would be run, and whether the size would be appropriate for the needs of the users.

Overall, the initial community feedback was for a building they could be proud of, one that is accessible, well used and large enough to fit at least 800 to 1000 people. The main concerns raised were regarding affordability of hiring the space, noise and adequate parking at the selected site for the venue.

In addition, 606 residents took part in an independent phone survey undertaken by Micromex Research. The results showed that over 89% of community members were somewhat to very supportive of the project and 82% of respondents were at least 'somewhat likely' to visit the venue.

The Feasibility Study Outcomes

The Mona Vale Performance Space Feasibility Study - August 2018 (Full report Attachment 2, Commercial in Confidence) has been prepared as a 'scalable' study that can be readily developed into a final Business Case if required. Accordingly, the study has to the maximum extent possible been aligned with the NSW Treasury Guidelines for Capital Business Cases (December 2008). That is, the feasibility study is effectively an early version of the final Business Case.

The analysis provided in this feasibility study is intended to provide Northern Beaches Council with sufficient information to identify the overall viability of the project.

Concept for the Performance Space

The concept for a Mona Vale Performance Space was originally proposed in 2014 as part of a civic and cultural precinct in the Mona Vale Place Plan and has since gained support from various stakeholders. On 9 August 2017, the Northern Beaches Council Administrator and the NSW Minister for Education outlined a proposal for the Department of Education to grant Northern Beaches Council permission to create a purpose-built performance and arts facility within Mona Vale Public School. This proposal included the establishment of a Charitable Trust for the purpose of receiving tax deductible donations for the construction and operation of the venue.

Having regard to the 2017 announcement that the performance space would be in the range of 600 to 1000 seats, and noting that the stakeholder consultation identified a preference for a minimum of 800 seats, three options were considered: Option 1 (600 seats), Option 2 (800 seats), and Option 3 (1,000 seats). The performance space concept is that it would be a concert space and not a theatre facility. The feasibility study also considered the need to provide for a multiple use space to broaden the commercial appeal of the facility.

The proposed Mona Vale Performance Venue has been scoped in keeping with the provision of a high end performance space as reflected in the AECOM Guide¹, which includes functional and area provisions for an 'International Standard Concert Hall'. The option area requirements and capital cost estimates are:

Mona Vale Performance Space seat option	Proposed Area	Capital Cost Estimate
Option 1: 600 seats	5,570m ²	\$26,936,000
Option 2: 800 seats	6,040m ²	\$29,960,000
Option 3: 1,000 seats	6,510m ²	\$32,990,000

Operationally, the Performance Space concept has been developed as:

- A commercial 'hall-for-hire' in which the hirers carry all of the event / performance patronage and revenue risk. This differentiates the performance space from many other venues which include a 'curated program' under which the venue purchases a production and then carries the 'presenter' risks associated with staging, patronage and revenue.
- A fully activated space through the inclusion of commercial opportunities (Bungan Street retail and foyer restaurant / café) that will result in the Mona Vale Performance Space being utilised throughout the day and evening.

Conclusion

The Feasibility Study has concluded that the proposed Mona Vale Performance Space is operationally affordable with appropriate / available capital funding.

In order for the proposed facility to be self-sufficient, a capital injection of \$16M is required, either through philanthropic donations or from Council. With that level of capital funding, Option 3 (1,000 seats) could support a capital loan from the operational income of the facility, subject to Council approval on borrowings of up to \$17M.

Option 1 (600 seats) and Option 2 (800 seats) do not have the same capacity to support the required capital loan to develop these options, even with the same level of capital funding.

¹ AECOM Cost Model New Build Concert Halls July 2017

TIMING

The project is on track and the Feasibility Study was presented by Value Network Pty Ltd to the Mona Vale Performance Space Advisory Committee on 5 September 2018.

FINANCIAL CONSIDERATIONS**Funding status and options**

If Council were to proceed with the project, the capital funding required for the preferred option is \$32.9M. Current funding available is \$2.5M (Stronger Communities Fund).

If the project were not to proceed Council would identify alternative projects that meet the requirements of the Stronger Communities Fund and seek to have funds reallocated with the agreement of the Local Member and relevant State Government departments.

Without \$16M of capital funding, the capital borrowing capacity using the operating surplus of the facility will not meet the project cost requirement. Council will be required to use the retail and operations income to enter into loan borrowings to raise the remaining \$30.4M for a 20-year period to progress this project. The annual operations of the project will then need to be funded through Council's Operational budget to an estimated average amount of \$1.02M per annum for the period of the loan.

Due to the high level of subsidy required by Council to progress this project it is not considered financially feasible.

Capital Estimates

Three options for the Performance Space were developed for the Feasibility Study and costed by WT Partnership Quantity Surveyors.

The Estimates were developed for a medium to high quality Performance Space with good acoustics as was requested by the community consultation feedback that was researched.

Three options developed for the Feasibility Study and costed by WT Partnership are as follows:

- 1000 seat venue = \$32.9M including retail
- 800 seat venue = \$29.9M including retail
- 600 seat venue = \$27.9M including retail

Charitable Trust

Northern Beaches Council has researched the establishment of a Charitable Trust, for the purpose of receiving tax deductible donations for the construction and operation of the Mona Vale Performance Space. It was proposed that the Trust would assist community funding of the project with potential community members interested in making donations.

Legal advice has been sought from King & Wood Mallesons in relation to establishing the Trust. The legal advice is that the organisation (Trust) would be required to operate the venue and be required to be at arm's length from Council.

Further matters were raised regarding how the site would be managed, including:

- How the relationship with Council, the Trust and the Department of Education would work
- Who the Directors of the Trust would be
- The Charter of the Trust.

If the development was to go ahead, it is recommended to not seek tax deductible status at this stage. This is due to the fact that Council would lose control of the building and its management.

Probity

Council received advice regarding probity that recommends a probity auditor be appointed immediately, if the project is to proceed. A draft Probity Plan has been developed for this to be implemented, if required.

SOCIAL CONSIDERATIONS

The social and community impact of implementing a Performance Space in Mona Vale will benefit the entire Northern Beaches Local Government Area. It will serve to connect the community through the arts and contribute to social wellbeing and community cohesion. It will provide a source of civic pride and assist to create a vibrant community, creating opportunities for events, the arts and education.

ENVIRONMENTAL CONSIDERATIONS

If the project were to proceed, it is recommended to implement sustainable procurement principles, including protecting the natural environment. Potential operational cost savings may be made through energy, water and environmentally sustainable design measures being considered in the planning process.

GOVERNANCE AND RISK CONSIDERATIONS

To facilitate the project, a clear Governance framework was developed and agreed upon in line with Northern Beaches Council's Committee Framework, Terms of Reference and policies. Other Council policies and Governance frameworks were adhered to in accordance with Council's protocols including our Community Engagement Policy and Project Management Methodology.

A high level Risk Management Plan was developed as part of the Project Initiation Documentation and included Stage Gate Planning to minimise the risk to Council.

ITEM 11.5	DRAFT MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD 6 DECEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/010883
ATTACHMENTS	1 Community Safety Committee Minutes - 6 December 2018 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report the minutes of the Community Safety Committee meeting held on 6 December 2018.

EXECUTIVE SUMMARY

The Community Safety Committee is an advisory committee of Council to collaborate, consider and advise on ways to maintain, improve, resolve and progress issues that impact on community safety and crime prevention across the Northern Beaches.

The discussion at the meeting of 6 December 2018 included:

- Ongoing management of East Esplanade Reserve including support for continuation of the 8pm to 8am Alcohol Prohibited Area and endorsement of the sprinkler trial.
- Final report on the Suicide Prevention Working Group.
- Process for the alignment of Alcohol Prohibited Areas across the Local Government Area.
- Community Safety Plan proposal.

Minutes from 6 December 2018 are presented for notation.

FINANCIAL CONSIDERATIONS

This report contains no financial considerations.

ENVIRONMENTAL CONSIDERATIONS

This report contains no environmental considerations.

SOCIAL CONSIDERATIONS

The Committee provides valuable advice relating to social and community based outcomes. It includes involvement and engagement with a broad range of stakeholders.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee is conducted according to Council's governance framework and adopted Terms of Reference.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council note the Minutes of the Community Safety Committee meeting held on 6 December 2018.

ITEM 11.6	DRAFT COMMUNITY DEVELOPMENT & SERVICES POLICY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/046090
ATTACHMENTS	1 ↓ Draft Community Development & Services Policy 2 ↓ Community Services Hub Research & Background Paper

SUMMARY

PURPOSE

To seek Council endorsement to release the draft Community Development & Services Policy for public exhibition and to introduce community service hubs in the Northern Beaches.

EXECUTIVE SUMMARY

The draft Community Development & Services Policy (draft Policy) provides Council with a clear framework that focuses on facilitation and collaboration to achieve community outcomes. (Attachment 1) The Policy is aligned with Goal 11 of the Community Strategic Plan, '*Our community feels safe and supported.*'

The draft Policy will inform the nature and scope of Council community development programs and services into the future, including the provision of community service hubs within Council owned and managed buildings in appropriate locations throughout the Northern Beaches.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council endorse the draft Community Development & Services Policy to be placed on public exhibition for at least 28 days.
 - B. Council endorse in principle the introduction of community service hubs in central locations across the Northern Beaches, within Council owned and managed facilities.
 - C. Council authorise the Chief Executive Officer to commence discussions with community groups to progress the first community service hub in Manly.
-

REPORT

BACKGROUND

Council currently provides a range of community development activities and delivers community services that contribute to strategic goals that aim to improve the quality of life for residents of the Northern Beaches. These activities range from the coordination of information forums and seminars, distribution of newsletters to key target groups regarding services available in the area, delivery of youth events and programs, provision of community grants and the delivery of meals, community lunches and counselling services.

As State and Federal Governments fund the majority of community, education, health and welfare services in Australia, the activities undertaken by local government are complementary to the services provided and/or funded by the other levels of government. As the level of government closest to the community, local government has a pivotal role of facilitator and enabler for local groups and organisations, as a provider of community facilities as well as, in certain circumstances, delivery of services addressing the social and cultural wellbeing of its local communities.

Council does not have the capacity or responsibility to directly provide or fund all essential direct community services for its community, but is involved principally in planning, grant funding, research and advocacy, as a facilitator of services and a provider of affordable facilities. The commitment of Council to community development and services is outlined in the draft Policy, which will provide the framework for Council activities in this area.

Legislation

Under the *Local Government Act 1993* it is not a requirement for local government to provide direct community services in the areas of health, community support, housing or welfare services.

Section 8A provides guiding principles for councils, including:

- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.

The draft Policy is aligned with these guiding principles.

The draft Community Development & Services Policy

This policy provides a high level community development and services framework to enable holistic and informed decision making by Council.

The draft Policy outlines Council's commitment to community service planning, facilitation and service provision to contribute to the quality of life and wellbeing of Northern Beaches residents, in line with the Vision and Goals set out in the outcome area of Community & Belonging in the Community Strategic Plan (Shape 2028).

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.

Associated goals and strategies are:

Goal 11 - Our community feels safe and supported

- a. *Promote social inclusion through neighbourhood programs and quality services*
- b. *Build stronger communities where neighbours know and support each other*
- c. *Promote health and wellbeing through fair access to information, health and support services*

Goal 12 - Our community is friendly and supportive

- a. *Support community groups and facilitate volunteer opportunities*
- b. *Build an inclusive community and break down institutional and social barriers to enable all people, irrespective of age, gender and identity, to participate in community life*

The draft Policy covers all activities undertaken by Council in the area of community development and services, and does not include children's services, governed by the Education and Care Services National Law Act 2010 and library services, governed by the Library Act 1939.

Implementation of the draft Policy

The draft Policy reflects current activities undertaken by Council, with examples for each activity identified in the draft Policy listed below.

Activity	Current examples
Community / Social Planning	<ul style="list-style-type: none"> • Draft Arts & Creativity Strategy • Draft Community Centre Strategy (under development) • Community Safety Plan (early stages of development)
Leadership & Advocacy	<ul style="list-style-type: none"> • Lobbying State and Federal Government for funding for community facilities • Representations to Local Government NSW on information and service provision gaps and opportunities
Promoting Social Cohesion & Volunteering	<ul style="list-style-type: none"> • Provision of Grants promoting social inclusion • Youth events and programs • Managing and supporting volunteers
Information Provision	<ul style="list-style-type: none"> • Council's website, e-newsletters, direct mail • Disability Newsletter • Seniors Directory • Coordination of Seniors Expo, Grandparents Expo • Dementia Seminars • Aged & Disability Information Referrals

Activity	Current examples
	<ul style="list-style-type: none"> Community Centre Activity Booklet
Collaboration & Support	<ul style="list-style-type: none"> Co-ordination of the Suicide Prevention Working Group Interagencies including disability, youth, aged, multicultural, homelessness, mental health and social isolation Community Grants Program Coordination of the ClubGRANTS program
Community Facilities & Subsidised Accommodation	<ul style="list-style-type: none"> Provision of 41 multipurpose community centres for hire Heavily subsidised concession and not-for-profit rates for the hire of community facilities Subsidised rent for a number of buildings to groups ranging from Bridge Clubs to the Benevolent Society and the Manly Warringah Women's Refuge.
Provision of direct Community Services	<ul style="list-style-type: none"> Meals on Wheels, Manly Youth & Family Counselling Service

These activities will continue and be reviewed on a regular basis to ensure that they are addressing community priorities and the draft Policy.

Community service hubs

Recently many community organisations have approached Council to assist in the provision of subsidised accommodation to provide direct community services to the community, putting a spotlight on the activity area within the draft Policy of Community Facilities and Subsidised Accommodation. The model of community service hubs was also raised in a number of forums in 2018, including the Community & Belonging Strategic Reference Group and community engagement for the draft Community Centre Strategy, currently under development. In order to identify the appropriate model for the provision of subsidised accommodation to community and not-for-profit organisations, research has been undertaken regarding community service hubs, summarised in Attachment 2.

The primary benefits of community service hubs have been identified as an increase in accessibility, to improve service delivery through effective integration and to reduce capital requirements and operating costs for community service organisations. The principal reasons for Council to consider a community service hub model are to support community service organisations to:

- Improve accessibility to community services.
- Improve outcomes for the community, with enhanced services and referral mechanisms.

As such, it is recommended that Council consider community service hubs when reviewing its property portfolio and identifying the future use of buildings under Councils ownership and management. Location and space requirements for successful community service hubs include:

- located in, or close to, a town centre
- located near a large population base
- have good access, visibility, and foot access
- close to public transport
- have the ability to accommodate a range of services sharing common features such as amenities, meeting rooms, foyers.

Areas for consideration for community service hubs include Manly, Dee Why, Brookvale and Mona Vale, with Frenchs Forest a key location for consideration during planning for the proposed town centre.

An opportunity for the first Northern Beaches community services hub was identified during the development of the draft Community Centre Strategy and staff accommodation plan. The ground floor of the Manly Soldiers Memorial Hall, Raglan St, Manly is available for other purposes. This facility has the ability to meet the location and space requirements of a community services hub, with some modifications and improved access.

As demand for accommodation for community service providers in Manly is critical, and rentals deemed as cost prohibitive to not-for-profit organisations, it is recommended that Council progress the implementation of a community service hub at this location. It is proposed that discussions commence immediately with community groups, including Community Northern Beaches, regarding the proposal. These discussions will include investigation into the appropriate management model for the proposed community service hub, which could include:

- Council to enter into a head lease with an organisation that is contracted to facilitate the integration of services and other organisations at the hub. This process should be managed through an open Expressions of Interest process.
- Council managing the hub through the provision of core services at a fee to the selected community organisations operating from the hub.
- Establishment of a tenancy committee to oversee the management of the hub, with representatives of the organisations located in the facility.

Each of these models involve a number of risks, challenges and benefits which will be taken into account in the development of the proposed Manly community service hub and any subsequent community service hubs on the Northern Beaches.

CONSULTATION

Several organisations, including Community Northern Beaches, have indicated interest in collaborating in a community service hub on several occasions, the concept has been part of local feedback to representatives of the Department of Family and Community Services (FaCS) and through the community engagement process for the draft Community Centre Strategy (currently under development).

The local service sector has strong links in local interagencies and would be very interested to explore options for increased collaboration. Were the concept to be approved, further consultation will take place in researching the most appropriate service model.

TIMING

This report seeks approval to commence discussions with local community organisations in view of establishing a community service hub in Manly towards the end of the year.

Research indicates that sufficient lead time is required (6 months plus) to establish the following; management modelling, procurement processes, recruiting member organisations, establishing service policies, building relationships, remodelling, fit out and promotion.

FINANCIAL CONSIDERATIONS

The exhibition and subsequent adoption of the draft Policy will have no financial impact.

In regards to community service hubs, financial considerations include costs associated with the required fit-out of community service hub locations to ensure they are accessible and fit for purpose for relevant community organisations. It may also include a reduction in income due to proposed rental subsidies for community organisations utilising space that might otherwise be used for other fee paying or commercial purposes.

SOCIAL CONSIDERATIONS

Research has shown the significant social outcomes that can be achieved through community service hubs and co-location including efficiency of service and stronger collaboration amongst local community services.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

A Governance Framework will be developed to progress the community service hub model, including a Memorandum of Understanding with each relevant community organisation involved to ensure clear roles, responsibilities and expectations so as to minimise risk to Council.



Community Development & Services Policy

Policy Statement

Northern Beaches Council acts principally as a facilitator and enabler of community development and services, with activities carried out in collaboration with service providers including community groups, charitable organisations, government and non-government agencies, and neighbouring Councils.

Council is involved in community planning, research, advocacy, promoting social cohesion and participation, information provision, grant funding and as a facilitator of services and provider of affordable and subsidised facilities. Through these activities Council will work strategically with local services to maximise the efficiency and quality of service delivery to the Northern Beaches community.

Council encourages, enables and assists local groups and organisations to provide relevant services and activities for residents of the Northern Beaches and will consider providing services directly when there is an identified priority and where no other organisation has the capacity or ability to provide the required service.

Principles

Community development and service activities will be conducted in accordance with the following foundational social justice and sustainability principles outlined in Council's Community Strategic Plan (Shape 2028):

Equity

There should be fairness in decision making, prioritising, and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances

Intergenerational Equity

Planning and decision making should ensure short term solutions do not compromise long term conditions and opportunities. The health, diversity and productivity of the environment must be maintained or enhanced for the benefit of future generations.

Precautionary Principle

Lack of full scientific certainty should not be used as a reason for postponing measures to prevent any risks of serious harm to people or the environment.

Access

Everyone should have fair access to services, resources and opportunities to improve their quality of life.

Participation

Everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives.

Rights

Equal rights should be established and promoted, with opportunities for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

The Community Development & Services Policy also includes the following principle:

Inclusion

Ensuring all members of the community feel safe, supported, valued, and given opportunities to participate meaningfully in community life.

Scope and application

The Community Development and Services Policy provides a clear framework for Council and the local community to maximise the quality and effectiveness of services, relevant to community priorities, contributing to the vision of the Community Strategic Plan (Shape 2028):

'A safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.'

The implementation of this Policy includes the following activities for community development and services:

1. Community / Social Planning

Community and social planning provides a strategic planning framework for community development, services and facilities in the Northern Beaches area. Council will investigate and document local priorities, in consultation with service providers and local residents. Council also makes available important research and planning information to assist other agencies, particularly community-based organisations, to effectively plan their services and programs.

2. Leadership & Advocacy

Council acknowledges its strategic capacity to influence decision-making in other levels of government and the wider community, in ways that can enhance the quality of life of the Northern Beaches community. As a result, Council will play an advocacy role to other levels of government, agencies and businesses and contribute to regional interagencies and forums.

3. Promoting Social Cohesion & Volunteering

Council supports, facilitates and provides funding for social and cultural activities through strategic activations and programs as an important means of promoting social cohesion. Council supports volunteering within Council and acts as an advocate for volunteering in the broader community.

4. Information Provision

Council informs the community about community development and services through the provision of a broad range of information through Council's website, libraries, community centres and customer service centres, e-newsletters, a range of media, poster, banners, brochures and by word of mouth through Council staff. Council will facilitate the sharing of information within the community and between service providers and agencies to promote access to community services and activities.

5. Collaboration & Support

Council will facilitate, support and encourage program and service delivery through effective collaboration with other levels of government, other councils, service providers and community based organisations and groups. Council supports community organisations through grants programs as well as information sharing, collaborative projects and community interagencies. Council will work strategically and support local service providers to maximise the efficiency and quality of service delivery as supported community organisations contribute to a well-served community and assists the capacity of the community to determine and achieve its own outcomes.

6. Community Facilities & Subsidised Accommodation

Council will manage and maintain community facilities that are responsive to community priorities and support community organisations through the provision of facilities at a subsidised rate, if and when available. As public trustee and guardian of public and community assets Council will provide access for all members of the community. Council will actively pursue innovative ways to maximise the use of public and community assets, including co-location of services and the provision of community service hubs.

7. Provision of direct Community Services

Council will consider and continue to provide appropriate direct community services that are responsive to the strategic priorities of the local community if another government or non-government agency is unable to provide an accessible and equitable service to residents of the Northern Beaches. This will include an assessment of:

- The importance of the service to the Northern Beaches community in terms of contribution to community wellbeing, connections and quality of life.
- The ability of an external organisation to provide an effective and efficient service.
- The ability of an organisation to demonstrate quality outcomes for the Northern Beaches community, with particular reference to disadvantaged residents.
- The availability of relevant resources.

This policy covers all activities undertaken in the area of community services, with the exception of children's services, governed by the Education and Care Services National Law Act 2010 and library services, governed by the Library Act 1939.

References and related documents

- NSW Office of Local Government Integrated Planning and Reporting (IP&R) Framework (2009)
- Local Government Act 1993, Chapter 3, Section 8 & Chapter 6
- Northern Beaches Council Community Strategic Plan (Shape 2028) 2018-2028
- Northern Beaches Council Delivery Program and Operational Plan 2017-2021
- Northern Beaches Council Arts & Creativity Strategy 2018-2028 (Draft)
- Northern Beaches Council Community Centres Strategy 2019 (under development)
- Northern Beaches Council Social Infrastructure Study (under development)
- Northern Beaches Council Social Plan (under development)

Previous Council Strategies;

- Pittwater Social Plan 2012-2016 – Pittwater Council
- Manly Youth Strategy 2014 - Manly Council
- Warringah Youth Strategy 2013-2023– Warringah Council
- Living Well - Warringah Ageing Strategy 2014 – Warringah Council
- Creative Warringah Strategy 2014-2020 – Warringah Council
- Warringah Multicultural Strategy 2015–2020 – Warringah Council

Definitions

Community Development: working with communities to enhance well-being and build a stronger and more connected community. Community development principles include inclusion, empowerment, social justice, human rights, self-determination and collective action. Community development activities are aimed at reducing social isolation and empowering individuals to live within a supported community.

Community Services: are direct services that are provided to the most vulnerable in our community, including services for seniors, youth, children and families, people with disabilities and carers, communities and in the areas of mental health, housing support, legal aid, migrant support and domestic violence. Direct services are generally funded and within the remit of the NSW Department of Family & Community Services (FaCS) and the Federal Department of Social Services.

Responsible Officer

Executive Manager Community, Arts & Culture

Review Date

March 2023

Revision History

Revision	Date	Status	TRIM Ref
1	5 Feb 2019	First draft Community Development & Services policy	2019/062915
2			



Community Service Hubs

Research & Background Paper

Purpose

To research alternate models that will support not-for-profit organisations and community groups to provide improved services to the Northern Beaches community, including consideration of community service hubs, co-work models to support the centralisation of non-council community service providers.

Summary

Direct community services are provided through a range of non-government organisations and charities across the peninsula, with a range of accommodation arrangements. While most services would be positive about co-locating and collaborating with other similar services to get better community outcomes, there is a lack of suitable and affordable space to do so, especially in town centres, where there is the best access for community members, but also the highest rental costs.

Research indicates improved outcomes using a community service hub model that focuses on integration and collaboration. The principal reasons to consider a community service hub type model are:

- Improved accessibility – when located in, or close to, a town centre with good access, visibility, foot access and close to public transport
- Improved outcomes for the community, with enhanced services and referral mechanisms.

Background

Community service provision involves a broad array of stakeholders including Local, State and Federal Government and Non-Government Organisations (NGOs). The State and Federal Governments fund the majority of community, education, health and welfare services in Australia. Local Government, as the level of government closest to the community, has a pivotal role of enabler for local groups and organisations, as well as providing services and facilities addressing the social and cultural wellbeing of its local communities.

Current provision of direct community services is through a range of government and non-government organisations and charities etc. These are historically located across the peninsula, in a range of accommodation arrangements, including subsidised or full commercial rent. High rental costs on the Northern Beaches means services are either spending a high proportion of their budget on rent, which could be used for community benefit, or locating in not so suitable locations, such as industrial areas, due to lower costs. These locations often lack visibility, passing and foot traffic access, convenience, public transport access and collaborative opportunities with other like services. Despite good intentions, this diversity of locations can lead to a lack of service co-ordination, particularly for highly vulnerable members of the community who may require a multitude of services across numerous practices (e.g. housing, mental health, disability, drug and alcohol use). Community service hubs are fit-for-purpose, multi-use, multi-tenant community spaces that aim to increase the quality and efficiency of community services.

There are many terms used to describe Community service hubs, such as service cluster, service hub, one-stop-shop and a multi-tenant service centre. This report aims to provide a summary of the available research on community service hubs, and put forward a case for the strategic co-location and service integration opportunities.

Rossiter (2007) defines a community service hub as:

^c
'A conveniently located public place that is recognised and valued in the local community as a gathering place for people and an access point for a wide range of community activities, programs, services and events.' (Rossiter 2007, p2)

By co-locating activities, programs and services, community service hubs present an opportunity to work in partnership and integrate services to provide more responsive and holistic care. Subsidised rental (based on a percentage of commercial rate), co-use of administration and office infrastructure (meeting rooms, computers, photocopiers etc) also mean that in many cases funds that would have been spent on high commercial rental and equipment duplication can now be redirected to assist community members.

Benefits of Community service hubs

The primary benefits of community service hubs are to increase accessibility, to improve service delivery through effective integration and to reduce capital requirements and operating costs for community service organisations. According to Fine (1997), the benefits of community service hubs are:

'Improved access for consumers; increased efficiency, achieving more from the use of limited resources; and enhanced effectiveness, resulting in enhanced outcomes for consumers and funders.' (Fine 1997)

The Multi-Tenant Service Centre (MTSC) Pilots Project prepared for the Department of Communities, Queensland Government (2008) found the following benefits of community service hubs:

- Better accommodation and space.
- Improved financial savings and 'economies of scale'.
- Access to more funding and capacity to take on larger projects.
- Organisational and governance improvements.
- Development of a 'seamless' referral process.
- Improved service delivery and client access to services.
- Increased skills and capacity building of staff and committee members.
- New or shared knowledge, understanding and learning.
- Broader perspectives and attitudes.
- Building strong relationships and linkages and improved support.
- Stronger capacity to advocate for clients and negotiate with government.
- Building relationships and cooperation between the various parties involved.
- The active involvement and support of key departmental staff and agencies.
- Energy, flexibility and ability to embrace the new.
- Planning at the regional/consortium level, and use of fair decision-making processes.
- Providing resources and training to support the consortiums.

In a study by Barbee and Antle (2011) the benefits from integrated services for workers, government and the community included:

- Workers – reduced stress, higher knowledge levels and higher collaboration
- Government – reduced turn-over rate by 31%, saving \$320,000 per year (in 2011)
- Community – improved access and more efficient intake and assessment.

The above research is part of a growing body of evidence showing community service hubs to be an effective strategic planning model for consideration by all levels of Government.

Models of shared and collaborative service delivery

The co-location model involves a number of agencies sharing common premises and common resources and facilities. Co-location models or community service hubs have been successfully adopted by a number of organisations around Australia. Well-known examples of this model include:

- Service NSW – where a range of NSW Government Services can be accessed in one location
- Child Care and Family Support Hubs established by the Department of Families in Queensland
- Child & Family Centres (CFCs) funded by the Department of Education in Tasmania
- The National Community Hubs Program funded by the Federal Government
- City of Ryde Community Centres
- Brookvale Community Health Centre – co-location of government health services
- Numerous Neighbourhood Centres in rural and regional areas which operate on community development principles.

Co-location can take on many different management models, such as; co-governance, co-operative, lead agency management and the amalgamation model. Each of these models involve a number of risks, challenges and benefits that need to be taken into account. The management model adopted needs to be assessed for each individual identified location and situation.

Initial thoughts, given the extensive population and geographic size of the area, indicate that a series of community service hubs could be established at key town centres throughout the Northern Beaches Local Government Area. Possible sites including Manly, Dee Why, Frenchs Forest and Mona Vale, as these are spread throughout the region and have many of the characteristics of successful Hub locations, including; population centre, good access, public transport and high visibility. However, final locations may also depend on opportunity, as council controlled space becomes available. This might include council buildings made vacant through staff relocation, or new future developments, such as the Frenchs Forest Town Centre project.

Case Study: City of Ryde Council [www.ryde.nsw.gov.au]

The City of Ryde Council have three examples of community service hubs including:

- West Ryde Community Centre
 - Includes a large hall for public use, a village square where the community can relax or gather for special events, and public arts based on the history of the area.
 - Created to co-locate eight complimentary services dedicated to the wellbeing of local children and families.
- Brush Farm House

- A premier historical property with several multipurpose rooms, a small community hall and large gardens.
- Co-locates four services dedicated to learning and development.
- Council worked closely with the tenants to establish a shared vision, partnership projects, and processes to facilitate the maximum use of the building for the community.
- Integrated Youth Service Hub
 - Co-locates three complimentary services, dedicated to the wellbeing of local young people and will also have space for sessional services.
 - Integrated service intake and intra-referral process.

Consultation

Indications are that local community organisations would be receptive to this idea. The local service sector has strong links in local interagencies and would be very interested to explore options for increased collaboration. Community Northern Beaches (CNB) have indicated interest in collaborating in a community service hub on several occasions and been part of local feedback to representatives of the Department of Family and Community Services (FaCS) and through the community engagement process for the draft Community Centre Strategy (currently under development). Were the concept to be approved, further consultation will take place in researching the most appropriate service model.

Community Northern Beaches (CNB) is an example of a local service already operating within a community service hub model, with several other services utilising space and resources from their centre in Manly. Another local example is the Avalon Youth Hub. This was set up in 2018 in response to the lack of full time services for young people at the northern end of the peninsula. This is a consortium of existing local youth services, contributing time and resources, working from a council owned space. Council has also provided two years of seed funding for the project.

Timing

As indicated, the establishment of a community service hub may depend on opportunity when council facilities become available, or new facilities are built. However, research indicates that sufficient lead time is required (6 months plus) to establish; management modelling, procurement processes, recruiting member organisations, establishing service policies, building relationships, remodelling, fit out and promotion.

ITEM 11.7	ASSESSMENT OF DRAFT VOLUNTARY PLANNING AGREEMENT (VPA 2018/0001) PREPARED BY GLN PLANNING ON BEHALF OF NORTHERN BEACHES COUNCIL AND FRASERS PROPERTY - 9,11,12 &13 FERN CREEK ROAD, WARRIEWOOD
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2018/687830
ATTACHMENTS	<ol style="list-style-type: none"> 1 Council Concept - Sector 8 & 9 Open Space Masterplan (Included In Attachments Booklet) 2 Memorandum Of Understanding and Deed of Agreement (Included In Attachments Booklet) 3 Amended Draft Voluntary Planning Agreement (Included In Attachments Booklet) 4 Amended Draft Explanatory Note (Included In Attachments Booklet) 5 Proposed Plan of Subdivision (Included In Attachments Booklet) 6 Probity Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To inform Council of the lodgment of a draft Voluntary Planning Agreement (draft VPA) for 9, 11, 12 and 13 Fern Creek Road Warriewood, prepared and amended by GLN Planning on 12 October 2018 on behalf of Northern Beaches Council (Property Business Unit) and Frasers Property, in accordance with an Executed Deed of Agreement signed by Council and Frasers Properties in March 2016.

This report presents the assessment of the draft VPA and seeks Council's resolution to place the draft VPA and supporting documentation on public exhibition.

EXECUTIVE SUMMARY

To support the incoming residents of the Warriewood Valley Release Area, Council identified the need for the creation of a Central Local Park on either side of Fern Creek in Warriewood Valley. To this end, in 2008 Council purchased the land at 9 Fern Creek Road, Warriewood with funds from the Warriewood Valley Contributions Plan. It was recognised at the time that the 9 Fern Creek Road property did not correspond exactly with the desired shape of the future park, however, it was necessary to secure this parcel to ultimately enable the future delivery of the park.

In 2013, the owner of adjoining land parcels 11, 12 & 13 Fern Creek Road presented a land swap proposal to Council to facilitate the achievement of the preferred open space layout for the sector and provide for the development of the owner's landholdings. A period of consultation followed with adjoining land owners and the Warriewood Valley Residents Association. From this consultation, the Council agreed to a park layout on 18 May 2015, being Council Concept – Sector 8 & 9 Open Space Masterplan (Attachment 1) and authorised the General Manager to commence negotiations with Frasers Property. This was formalised via a Memorandum of Understanding (MOU) and Deed of Agreement (Attachment 2) that was executed following the Council decision on 19 March 2016. The Deed of Agreement represents the final agreed position between the two parties and has attached the agreed land swap plan referred to as Annexure A.

At its meeting of 19 December 2017, Council resolved to progress the Planning Proposal (PP0002/16) by rezoning the subject properties to enable the creation of the southern portion of the planned Central Local Park in the Warriewood Valley release area, and to enable the development of the remaining land in an orderly and economic manner for housing. Commercial negotiations to deliver the Central Local Park resulted in adjustments to the zoning boundaries within 9, 11, 12 and 13 Fern Creek Road and the allocation of an amended dwelling yield to the subject properties. These changes to Pittwater Local Environmental Plan 2014 came into effect on 20 April 2018 and were published on the NSW legislation website.

The draft VPA was lodged on 18 July and seeks to deliver the infrastructure obligations of each party in accordance with the executed Deed of Agreement following the rezoning of the subject lands. On 12 October 2018, GLN Planning submitted an updated draft VPA which has since been amended following legal review initiated as part of the assessment of the draft VPA (Attachment 3), Amended Draft Explanatory Note (Attachment 4) and the proposed Plan of Subdivision (Attachment 5).

Procure Group, engaged in an oversight capacity and to undertake a probity audit of the assessment by Council's Development Infrastructure Working Group and the roles of Council in the assessment process, has prepared a Probity Audit report (Attachment 6). This report concludes that correct probity processes have been followed and the draft VPA can progress to public exhibition.

If agreed to by Council, the draft VPA and supporting documentation will be placed on public exhibition.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council note the assessment of the draft Voluntary Planning Agreement, and place on public exhibition the draft Voluntary Planning Agreement between Northern Beaches Council and Frasers Property relating to 9, 11, 12 and 13 Fern Creek Road Warriewood including supporting documents in accordance with legislative requirements.
 - B. Council be presented with a further report on the outcomes of the public exhibition of the draft Voluntary Planning Agreement.
-

REPORT

BACKGROUND

In accordance with the Memorandum of Understanding (MOU) and the Deed of Agreement (Deed) that mandated the terms of a land swap agreement, the draft Voluntary Planning Agreement (draft VPA) has been lodged to facilitate the expansion of the planned Central Local Park as well as allowing the development of the remaining land in an orderly and economic manner for housing.

Council purchased 9 Fern Creek Road in 2008, a rectangular shaped lot that adjoins Fern Creek. At the time of purchase, it was recognised that the property was not ideal in shape for expanding Central Local Park to create a more linear shaped open space area for the community. Council waited for the opportunity of using this land as a means to achieve the vision of a linear park through a land swap. This opportunity came in 2013 when Frasers Property put forward a proposal to swap their lands (11, 12 and 13 Fern Creek Road) with Council's land at 9 Fern Creek Road. This proposal would result in swapping the northern portions of Frasers' three properties for the southern portion of Council's land.

Council consulted other adjoining landowners and the Warriewood Residents Association (WRA) prior to making its decision on the proposition. This consultation resulted in a concept plan for the land swap being endorsed by Council on 18 May 2015, including authorisation for the General Manager to commence negotiations with Frasers. The MOU, signed by the respective General Manager of Frasers and Council on 29 September/1 October 2015, identifies details of the areas of land to be swapped and retained by the parties. The proposed terms of the MOU was ratified by Council on 19 March 2016, and Council's General Manager was authorised to sign the Deed. A locality plan showing the land swap arrangements is shown in figure 1 below.

Figure 1 – Locality Plan



The Deed, signed by the parties on 29 March 2016, contains details of the provision of infrastructure such as extension to Fern Creek Road, new east-west road, stormwater infrastructure and undergrounding the high voltage power lines. This Deed represents the final agreed position of Council and Frasers, with the agreed land swap plan referred to in the Deed as obligations stipulated under steps 3 and 4 of the Deed. The draft VPA is, after the subject lands being rezoned in April 2018, the statutory mechanism that brings the land swap agreement (as reflected in the executed Deed) to fruition.

It is understood that a subdivision to create 6 'superlots' and that part of the land containing the Fern Creek Road extension and east-west road is being progressed via the Exempt Development provisions. The Plan of Subdivision being progressed by the applicant on behalf of both parties does not involve construction or earthworks as a prerequisite of this subdivision, and is due to be registered with the NSW Office of Lands (Attachment 4).

Assessment Of The Draft Voluntary Planning Agreement

The infrastructure listed in the draft VPA comprises:

1. Construction of a Fern Creek Road extension and dedication to Council.
2. Construction of a new east-west road and dedication to Council.
3. Construction of all stormwater infrastructure associated with the roadworks – (Fern Creek Road extension and new east-west road).
4. Construction of the stormwater infrastructure (an underground stormwater pipe) by Council from Fern Creek Road extension to Fern Creek across the linear park.
5. Completion of works to underground the 33kV powerlines (with each party contributing 50% each to the total cost of the undergrounding the 33kV powerlines).

The infrastructure items 1, 2 and 3 listed above will be delivered by Frasers Properties as well as a cash contribution, at 50% of the total cost, for the undergrounding of the 33kV powerlines. Council will deliver the stormwater infrastructure from the road to Fern Creek and the undergrounding of the 33kV powerlines including contributing 50% of the total cost of undergrounding the powerlines.

The infrastructure listed in the draft VPA constitutes 'enabling infrastructure' as this is essential to a land release development generally. For this part of the Warriewood Valley release area, the infrastructure will facilitate development for future housing and the southern portion of the Central Local Park.

The design detail and timing of delivery of this infrastructure is still subject to a future development application to be lodged with Council for its assessment and subsequent determination. In the case of infrastructure on the northern portion of the land, within the Central Local Park, Council as the proponent will still require completion of an environmental assessment of the future works on this land.

The land at 9 Fern Creek Road, essential to this draft VPA, is owned by Northern Beaches Council and should provide sufficient leverage in ensuring timely delivery of this enabling infrastructure.

Council will become the future owner of the 'enabling infrastructure' and therefore will require appropriate certifications and inspections before the assets are transferred into Council ownership. The standard and quality of construction including inspection and certification regime are generally conditions in a development consent. Should Council desire, though unnecessary to provide certainty, Council may seek changes to the terms of the draft VPA insofar as indicating the quality and construction standard that the 'enabling infrastructure' needs to be completed at time of transfer to Council.

The stormwater infrastructure within the southern portion of the Central Local Park is an underground stormwater pipe to drain water from the roads into Fern Creek. The location of the stormwater pipe can be determined as part of the assessment of the future Development Application for the construction of the Fern Creek Road extension and new East-West Road wherein its location does not need to be in the middle of the future park. Additionally, Council is responsible for installing this infrastructure as per the draft VPA and therefore is in control of its location such that it will not be located where the recreational utility of the future park is compromised.

As stormwater infrastructure for the future residential development has not been contemplated by the draft VPA, it is appropriate to advise the applicant that stormwater infrastructure for the future residential development be designed and located on the southern portion of the subject lands zoned R3 Medium Density.

The draft VPA, being a legal instrument, was the subject of a legal review undertaken as part of the assessment phase.

The 'enabling infrastructure' and nominated party responsible for its delivery, as listed in the draft VPA is in accordance with the executed Deed of Agreement. The VPA is the final statutory step that brings the land swap agreement (as reflected in the executed Deed) to fruition.

Forward Path

If Council agrees, the draft VPA and supporting documents will be publicly exhibited in accordance with statutory requirements. The outcomes of the public exhibition of the draft VPA will be presented to Council thereafter.

FINANCIAL CONSIDERATIONS

Council is responsible for the installation of the stormwater infrastructure (underground stormwater pipe) between Fern Creek Road extension and Fern Creek, and the undergrounding of the 33kv powerlines (with 50:50 funding by Council and Frasers). Both items are included in the design and cost for the construction of the southern portion of the Central Local Park. The Central Local Park is listed in the *Warriewood Valley Development Contributions Plan*.

All money to be gained by Council as a result of the land swap agreement will, in effect, forward fund the embellishment works associated with the southern part of Central Local Park and is already identified in the 2018/2019 Capital Works program.

POLICY CONSIDERATIONS

The draft VPA was assessed in accordance with Section 7.4 of the *Environmental Planning and Assessment Act and Regulations*. It was also assessed against the *Warringah Council Policy Voluntary Planning Agreements Policy No PL 600 VPA* in lieu of a Northern Beaches Council Policy on Voluntary Planning Agreements.

The 'enabling infrastructure' identified in the draft VPA will facilitate orderly development of the remaining land in this part of the Warriewood Valley release area, delivering road connections that will provide satisfactory vehicular and pedestrian connectivity in this part of the release area whilst it assists in improving the utility and design of the passive open space layout to deliver a large linear shaped open space area spanning both sides of Fern Creek, known as the Central Local Park. The road network and park layout at this location are already articulated in Control C6.11 of Pittwater 21 DCP and supported by the *Warriewood Valley Strategic Review Addendum Report as amended 19 December 2017*.

SOCIAL CONSIDERATIONS

The draft VPA identifies which party is responsible for delivery of the enabling infrastructure that, in turn, will facilitate orderly development at this remaining undeveloped land in the release area. It facilitates the delivery of the southern half of the Central Local Park, improving the utility and design of the passive open space layout to deliver a large linear shaped open space area spanning both sides of Fern Creek for the release area that would encourage social activities/interactions; and assists in fostering a sense of community identity; enhance existing public space and recreation networks for the benefit of future generations and improve the quality of public space through upgrading and managing existing networks.

Additionally, the 'enabling infrastructure' associated with the draft VPA facilitates access connections to serviceable residential land that can be developed for housing.

Progressing the draft VPA is in the public interest.

ENVIRONMENTAL CONSIDERATIONS

The draft VPA is the statutory mechanism for delivery of the 'enabling infrastructure' by the said parties. The design and assessment of the infrastructure will still be subject of a future development application to be lodged with Council for its assessment and subsequent determination. In regard to infrastructure delivered by Council an environmental assessment will be undertaken by Council in accord with legislative requirements. Progressing the draft VPA to public exhibition at this time does not lock Council into a position when it comes time to assess and determine that future development application.

GOVERNANCE AND RISK CONSIDERATIONS

External probity specialists were engaged in an oversight capacity and to undertake a probity audit of the assessment by Council's Development Infrastructure Working Group and the roles of Council in the assessment process. A Probity Audit report concludes that correct probity processes have been followed and the draft VPA can progress to public exhibition.

ITEM 11.8	DEE WHY TOWN CENTRE DRAFT DEVELOPMENT CONTROL PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2018/712460
ATTACHMENTS	1 Dee Why DCP Amendments - Submission Responses (Included In Attachments Booklet) 2 Development Control Plan Amendments - February 2019 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval for amendments to Warringah Development Control Plan 2011 relating to Dee Why Town Centre.

EXECUTIVE SUMMARY

Council exhibited proposed amendments to Warringah Local Environmental Plan (WLEP 2011) and Warringah Development Control Plan (WDCP 2011) to implement the recommendations of the Dee Why Town Centre Masterplan (2013) from 24 February to 25 March 2018.

At its meeting on 25 September 2018 Council resolved to adopt the amendments to the WLEP 2011 and re-exhibit further proposed amendments to the WDCP 2011.

The proposed LEP amendments were submitted to the NSW Department of Planning and Environment in October 2018. The changes to the LEP are anticipated to occur shortly.

The further proposed changes to WDCP 2011 were publicly exhibited from 13 October until 11 November 2018 (WDCP 2011 re-exhibition).

Council received ten (10) submissions in response to the WDCP 2011 re-exhibition (Attachment 1). The main issues related to requirements regarding: pedestrian connections, kerb setbacks, awnings and colonnades; objections to the requirement for developments to comprise 20% of 3 bedroom apartments and large tower setbacks; rates for provision of car share spaces and the need to incentivise sustainability and car share. For Key Sites, issues raised included the need to specify the number of parking spaces for Site A; building heights for Site C and requirements around the Civic Centre Site.

A number of changes are proposed to the WDCP 2011 to address issues raised in the re-exhibition (Attachment 2).

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council adopt the amendments to Warringah Development Control Plan 2011 relating to Dee Why Town Centre.
 - B. Council give public notice of the commencement date of Warringah Development Control Plan 2011 that coincides with updates to Warringah Local Environmental Plan 2011.
-

REPORT

BACKGROUND

Council placed a Planning Proposal and draft Warringah Development Control Plan (WDCP 2011) amendments on public exhibition from 24 February to 25 March 2018. The intended outcome was to amend both the Warringah Local Environmental Plan (WLEP 2011) and WDCP 2011 to implement the recommendations of the Dee Why Town Centre Masterplan (2013).

Following a review of submissions, Council resolved at its meeting on 25 September 2018 to:

- Send the Planning Proposal to the Minister of Planning and Environment to finalise the amendments to WLEP 2011, and
- Re-exhibit further changes to WDCP 2011, including updated controls for sustainability, retail activation, public domain, housing mix and Key Sites.

The Planning Proposal was forwarded to the NSW Department of Planning and Environment in October 2018. It relates to new provisions for the Town Centre (Figure 1) and Key Sites (Figure 2). The Planning Proposal is currently with the Parliamentary Counsel's Office for drafting of the LEP amendments. The amendments are likely to be finalised in February 2019.

Further changes to WDCP 2011 were publicly exhibited from 13 October until 11 November 2018 (WDCP 2011 re-exhibition). The re-exhibition was considered necessary as proposed changes to the DCP originally exhibited in February/March 2018 were considered significant. This report summarises the outcomes of the WDCP 2011 re-exhibition and recommends the adoption of amendments to WDCP 2011.

Figure 1 – Dee Why Town Centre



Figure 2 – Key Site Map



Current DCP Provisions

The WDCP 2011 contains special area controls for Dee Why within section G1 – Dee Why Mixed Use Area, including special provisions for 10 designated areas (see Figure 3). It also includes requirements for build-to-lines, central courts and pedestrian links as shown in Figure 4. Provisions relating to build-to-lines require variations in building façades to add visual interest, while central courts were proposed to provide shared parking behind buildings when not provided underground.

These provisions were not included in the past two exhibitions of WDCP 2011, as they did not address the Masterplan (e.g. Key Sites), were considered out of date, and in some cases duplicated design requirements for mixed use developments outlined in the NSW Government's Apartment Design Guidelines (2015).

Figure 3 - Dee Why Areas within WDCP 2011

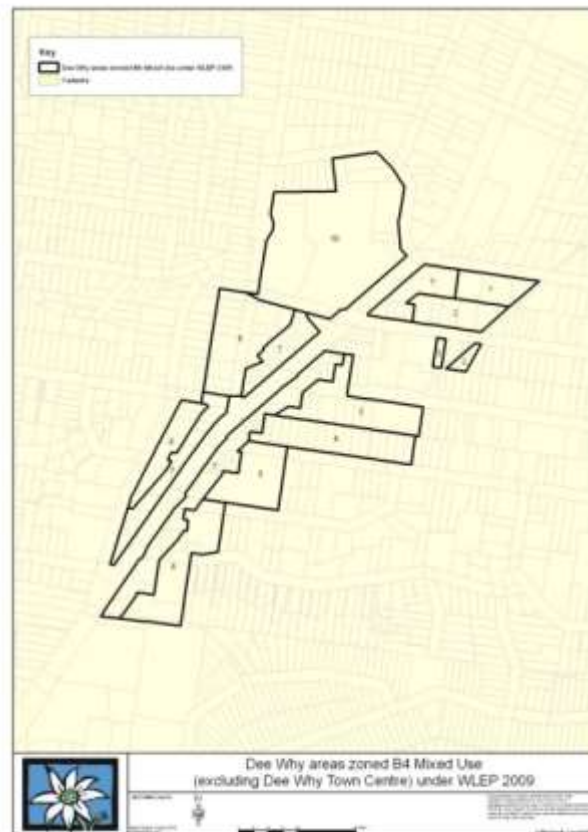
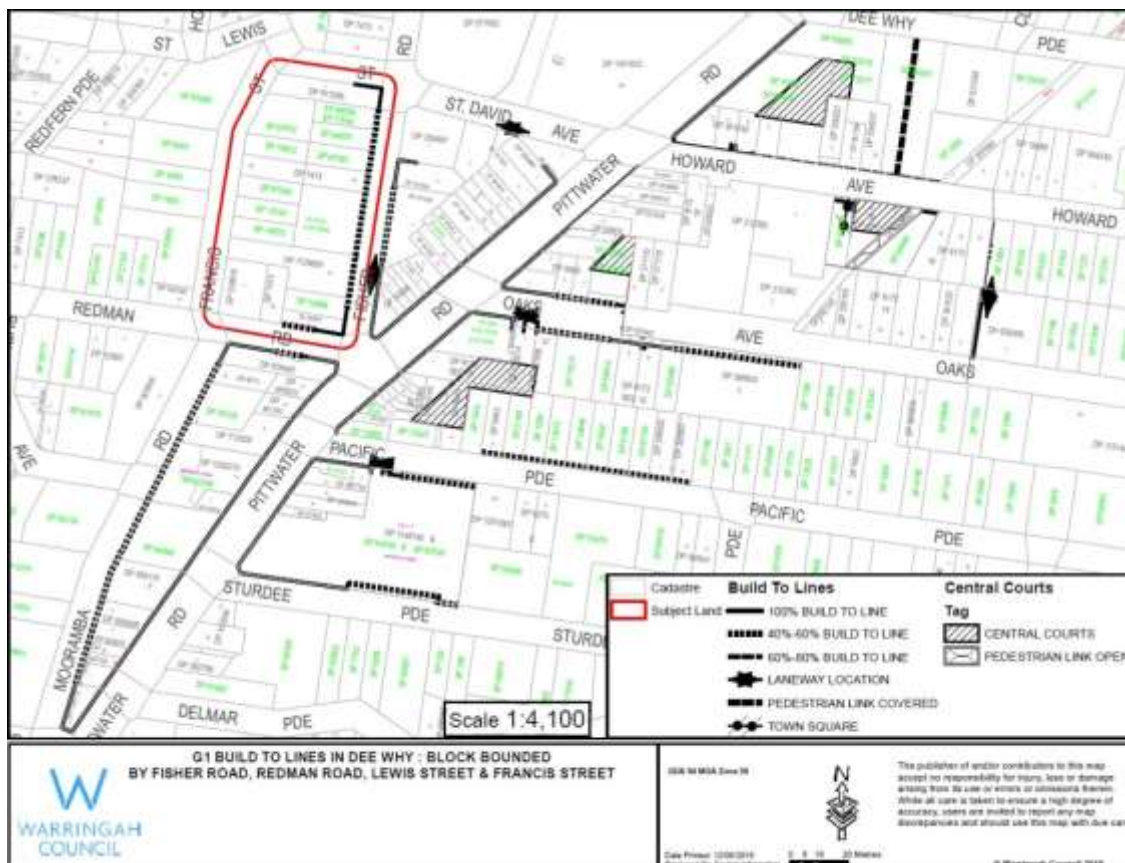


Figure 4 - Build to lines in Dee Why and Central Courts



Exhibited Planning Controls

A summary of amendments to WDCP 2011 that were re-exhibited include the following:

- Encouraging further pedestrian connections throughout the Town Centre.
- Updated controls for Key Sites providing more information regarding community infrastructure requirements.
- Retaining provisions within the existing WDCP 2011 that require greater setbacks than the minimums specified in the Masterplan.
- Further provisions promoting retail activation of the ground level.
- Provisions regarding design requirements for the public domain including the promotion of public art.
- Updated controls for car share and new controls for electric vehicle charging points and freight and delivery requirements.
- Updating the controls requiring a 5 Star Green Star rating for commercial development to require a 4 Star Green Star rating for all new buildings with a cost of works over \$5 million including both commercial and residential uses.
- Provisions promoting housing mix and adaptable housing.
- Provision of landscaping within the town centre.
- Requirements for parking/standing facilities for wedding vehicles, funeral vehicles, etc., to be provided adjacent to St. Kevins Church.
- Updates to address the impending State Heritage Listing of the Civic Site.

CONSULTATION

Council re-exhibited amendments to WDCP 2011 from 13 October until 11 November 2018. The exhibition material included:

- Notification letters to surrounding owners and occupiers.
- Notices in the Manly Daily.
- One drop in session at Dee Why Civic Centre.
- Availability of printed material at Dee Why Customer Service Centre.
- Updates to the project website with frequently asked questions and links to exhibition documents.
- Targeted emails to respondents to the exhibition of the Master Plan.
- Email to Council's community engagement register.

Submissions

Council received ten (10) submissions in total. Five (5) submissions from the general public, one (1) submission from a car share operator (GoGet), two (2) submissions from architects representing land owners (23 Fisher Road and Site C) and one (1) internal submission. The final submission was from Transport for NSW who had no comments.

In summary, the submissions raised the following issues:

Streetscape and public domain

- The need for additional pedestrian connections.
- Kerb setbacks are either too great for Site C or too small for St David Avenue (kerb setbacks dictate the width of the footpaths).
- Requirements too prescriptive for awning heights and colonnades.
- Support for retail activation.

Design and architectural diversity

- Objection to the proposed minimum requirement for 3 bedroom dwellings to comprise 20% of all dwellings in new developments.
- Tower setbacks are too excessive on Oaks Avenue.

Traffic and parking

- Need to reduce parking requirements for office spaces or residential visitors.
- Car share:
 - Support for encouraging car share.
 - Request to incentivise the provision of car share.
 - Request to provide a rate of reduction for private parking spaces.
 - Suggested amendments to location and design of car share spaces.

Sustainability

- Support for sustainability requirements.
- Request for sustainability to be incentivized.

Landscaping

- Request for specification of native species.
- Request for landscaping at the ground level.
- Clarification of the definition for 'landscaped area'.

Site A

- Request to specify the number of public parking spaces to be provided.

Site C

- The height of 46 m is insufficient to deliver the desired public benefits (x 1).
- The proposed building heights are excessive (x 2).
- The proposed road is not needed.
- The proposed road should be pedestrian only.
- The proposed road is too wide.

Civic Site

- Public access to Pacific Lodge is not safe or feasible.
- The site needs its own masterplan, developed with full community involvement.
- The proposed building will obscure the soon to be State heritage listed site.

Other

- Suggested redrafting on various issues and minor corrections and clarifications.

Proposed Amendments and Submissions Response

The below list is a summary of proposed amendments to WDCP 2011 to address issues raised during the re-exhibition. Further detailed responses to submissions can be viewed in Attachment 1 and Attachment 2.

Streetscape and public domain

- Pedestrian connections – updated requirements with respect to safety.
- Kerb Setbacks - amendments to the kerb setback map to require:
 - A 4m kerb setback on St David Avenue as recommended in the Masterplan (changed from 0m within the current controls)
 - Clarification that the 6m setback for properties adjoining the Civic Centre Site is a 6m front building setback and not a kerb setback.

Awnings and colonnades

- Minor drafting amendments.

Design and architectural diversity

- Minor drafting amendments to objectives and requirements for adaptable dwellings.

Traffic and parking

- Requirement to ensure residential car parking areas can't be accessed by the general public in mixed use developments.
- Car share:
 - Clarification that properties with less than 25 dwellings are not required to provide car share.
 - The allowance for each car share space to replace one (1) regular car parking space to ensure there is no disincentive.

- Updated controls with respect to location and design of car share spaces.
- Updated advice to ensure that 'car share services' are in place prior to issue of occupation certificates.

Landscaping

- Requirements for facades at the street level to incorporate landscaping on structures, for example with green walls, green roofs or planter boxes.
- Updates to definitions.

Key Site A

- Removal of reference to public parking spaces as this is the subject of a separate Council resolution.
- Removal of reference to the requirement for a road as this is specified in WLEP 2011.

Civic Centre Site

- Requirements to improve connectivity within the site.
- Removing the requirement for continuous access through the site to the heritage listed Pacific Lodge.
- Residential Flat Buildings - updates to clarify the side boundary setback.
- Minor corrections and clarifications.

Note that no changes were made to building heights as a result of these submissions as the heights are controlled by WLEP 2011 (not WDCP 2011) which has already been approved by Council.

Furthermore, the request to reduce the kerb and tower setbacks on Oaks Avenue were not supported as these controls have been in place since the commencement of Warringah Local Environmental Plan 2000.

NEXT STEPS

Further minor amendments may be required to the draft DCP amendments to align with the final drafting of the Dee Why Town Centre Masterplan LEP amendments. The DCP amendments will come into effect when notice is given of the commencement in the Manly Daily.

TIMING

Council aims to give notice of commencement of the amended WDCP 2011 to coincide with commencement of the amended WLEP 2011.

FINANCIAL CONSIDERATIONS

Adoption of the amended WDCP 2011, aligned with amended WLEP 2011, will facilitate the provision of community infrastructure identified through the Dee Why Town Centre Masterplan. The new controls will stimulate development which will contribute to developer contributions to fund further public domain improvements.

SOCIAL CONSIDERATIONS

Implementation of the amended WDCP 2011 will support sustainable and efficient development for Dee Why Town Centre.

ENVIRONMENTAL CONSIDERATIONS

Implementation of the amended WDCP 2011 will support developments which require Water Sensitive Urban Design, and Energy and Water efficiency in all new developments.

GOVERNANCE AND RISK CONSIDERATIONS

The adoption of the amended WDCP 2011 will aid in the implementation of the Dee Why Town Centre Masterplan 2013 and actions of the North District Plan.

ITEM 11.9	SUBMISSION TO DEPARTMENT OF PLANNING AND ENVIRONMENT ON PROPOSED BOARDING HOUSE PLANNING CONTROLS
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/010553
ATTACHMENTS	1 ↓ Submission to the Department of Planning and Environment - 18 December 2018 2 ↓ Explanation of Intended Effect - Draft Limits on Boarding House rooms

SUMMARY

PURPOSE

To report a submission made to the Department of Planning and Environment regarding proposed amendments to State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009 seeking to limit the number of boarding rooms in boarding house developments.

EXECUTIVE SUMMARY

The Department of Planning and Environment issued an "Explanation of Intended Effect" (EIE) in late November 2018 which proposed amendments to State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009 to limit the number of boarding rooms in a boarding house development to a maximum of twelve (12) boarding rooms in low density residential (R2) zones (Attachment 2).

As the deadline for submissions on the EIE was 18 December 2018, Council officers prepared and submitted a response without reporting the matter to Council.

Council's submission strongly supports the proposed changes but indicated that the proposal did not address overdevelopment of smaller sites nor prevents proliferation of boarding house development in low density residential zones on the Northern Beaches (Attachment 1).

Advice was also sought regarding whether Council should make amendments to its Local Environmental Plans (LEPs) to ensure the 12 room limit applied to boarding house development not otherwise subject to the SEPP.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council note the submission made to the Department of Planning and Environment regarding proposed amendments to State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009.

REPORT

BACKGROUND

Boarding Houses are a significant component in the delivery of affordable rental housing. However, State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009 has led to poor development outcomes for the Northern Beaches over the years. These state-wide provisions have failed to consider local context and neighbourhood planning considerations including amenity and parking.

Northern Beaches Council has made a number of submissions to the Minister for Planning and the Department of Planning and Environment about the impact of the current controls for boarding houses, particularly in low density residential areas. Recent amendments made to the SEPP requiring increased parking for boarding house developments were supported by Council.

On 28 November 2018 the Department of Planning and Environment released draft amendments to the SEPP to limit the number of boarding rooms in a boarding house development to a maximum of twelve (12) boarding rooms in R2 Low Density Residential Zone (R2 zone).

COUNCIL SUBMISSION

The submission strongly supports the proposal to limit the number of boarding rooms in a boarding house development in R2 zones to a maximum of twelve (12) boarding rooms. The submission considered that proposed amendments would prevent excessively large/ high density residential development on larger sites in the Council area.

The submission also identified the following additional issues:

- ***Proposed controls do not address overdevelopment of small sites***
 - The proposed amendments will not prevent the overdevelopment of smaller sites in the R2 zone which are unsuitable for boarding houses with twelve (12) boarding house rooms due to the inability to provide appropriate setbacks and open spaces to meet the needs of residents and to reduce impacts on adjoining properties.
- ***Proposed controls do not prevent proliferation of boarding house development***
 - The proposed amendments would not prevent the redevelopment of a number of allotments in one street or locality, with consequent impacts related to additional traffic, car parking demand and changing local character.
- ***Proposed controls will not apply to boarding house DAs not subject to the SEPP***
 - Whilst development applications for boarding houses subject to the SEPP will be required to meet the proposed new controls, there is concern that some boarding house applications will not be subject to the new requirements unless Councils also amend their LEPs to reflect the new standards. In this regard the submission sought the advice of the Department regarding whether Council should prepare amendments to its LEPs to include the new SEPP requirements. To date no response has been received.

TIMING

It is anticipated that the proposed amendments to the SEPP will commence in the first quarter of 2019.

FINANCIAL CONSIDERATIONS

The proposed amendments will not impact Council's budget.

SOCIAL CONSIDERATIONS

The proposed amendments will help to reduce the opportunity for excessively large/ high density residential development on larger sites in the Northern Beaches Local Government Area.

ENVIRONMENTAL CONSIDERATIONS

The proposed amendments will help to reduce the opportunity for excessively large/ high density residential development on larger sites in the Council area, reducing potential for traffic and parking impacts and privacy and visual impacts.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed amendments do not raise any general Governance or risk considerations. However, Council will consider whether additional planning controls should be incorporated in its LEPs to ensure that the 12 room boarding house control applies to all boarding house development in low density residential zones on the Northern Beaches.



18 December 2018

Deborah Brill
Director, Housing and Infrastructure Policy
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Our Ref: 2018/770391

Dear Ms Brill

Proposed Amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009

Northern Beaches Council welcomes the opportunity to comment on proposed amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP).

The proposal to limit the number of boarding rooms in a boarding house development in the R2 zone to a maximum of twelve (12) boarding rooms is strongly supported by Council.

You would be aware that Council has made a number of submissions to the Minister for Planning and the Department about the impact of the current controls for boarding houses, particularly in low density residential areas. The proposed amendments will prevent excessively large/ high density residential development on larger sites in the Council area and will discourage the consolidation of smaller sites for this use.

Proposed controls do not address overdevelopment of small sites

The proposed amendments will not prevent the overdevelopment of smaller sites in the R2 zone which are unsuitable for boarding houses with 12 boarding house rooms due to the inability to provide appropriate setbacks and open spaces to meet the needs of residents and to reduce impacts on adjoining properties.

While it is acknowledged that the development of smaller sites for boarding houses may be less likely due to minimum on-site parking requirements, local planning controls should better reflect the desired future character of local areas. Such low density neighbourhoods are typically characterised by 1-2 storey dwellings with generous setbacks and rear yards.

Proposed controls do not prevent proliferation of boarding house development

The proposed amendments would not prevent the redevelopment of a number of allotments in one street or locality, with consequent impacts related to additional traffic, car parking demand, and changing local character.

An accumulation of smaller sized boarding houses in a local area will have detrimental effects on streetscapes and local character.



In the context of Northern Beaches low density residential areas, boarding houses of up to 12 rooms should be subject to strategically determined locational criteria, including controls for minimum allotment size and width.

Proposed controls will not apply to boarding house DAs not subject to the SEPP

Whilst development applications for boarding houses subject to the SEPP will be required to meet the proposed new controls, there is concern that some boarding house applications will not be subject to the new requirements unless Councils also amend their LEPs to reflect the new standards.

Council has received advice that Division 3 of Part 2 of the SEPP (entitled Boarding Houses) does not apply to development on land that is not in an accessible area (clause 27(2)).

As Boarding Houses are permissible in the R2 zone under all LEPs as a mandated use under the standard instrument, they may be approved in circumstances where the SEPP, and its requirements, do not apply.

We therefore seek your advice regarding the acceptability to the Department, of Council's preparation of a Planning Proposal to include the new SEPP requirements in Council's LEPs.

Should you require any further information about matters raised in this letter please contact Neil Cocks, Manager Strategic and Place Planning, on 9942 2746.

Yours faithfully



David Kerr
General Manager Planning Place & Community



Planning &
Environment

Explanation of Intended Effect

*Proposed
amendment to the
State Environmental
Planning Policy
(Affordable Rental
Housing) 2009*

November 2018

© Crown Copyright, State of New South Wales through its Department of Planning and Environment, November 2018.

Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of NSW, its agents and employees, disclaim all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in Explanation of Intended Effect: Proposed amendment to the State Environmental Planning Policy (Affordable Rental Housing) 2009 – Boarding Houses. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.

Contents

Executive summary	4
Explanation of Intended Effect	5
Background and Planning Context	6
Boarding houses	6
Review of boarding houses provisions	7
Proposed change	8
Limit on number of boarding houses rooms for development in the R2 Low Density Residential zone	8

Executive summary

Clause 30A of the Affordable Rental Housing SEPP states a consent authority must not consent to boarding house development unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

Some councils and communities have advised the Department of Planning and Environment that the built form of larger boarding house proposals can be fundamentally incompatible with the typical and expected built form in a R2 Low Density Residential zone (R2 zone), regardless of whether a proposal complies with other controls such as height of building limits and floor space ratios.

As a result, the Department has reviewed recent boarding house development applications, Land and Environment Court judgements and undertaken targeted consultation with local government.

To facilitate the development of boarding houses in the R2 zone that are compatible with the character of residential density that is typically expected in that zone, it is proposed to amend the boarding house provisions in the Affordable Rental Housing SEPP so that a boarding house in the R2 zone can consist of no more than 12 boarding rooms.

This EIE supports an amendment to the Affordable Rental Housing SEPP in recognition of the role that boarding house development plays in contributing to the diversity and affordability of housing, while ensuring that the built form of boarding house development in the R2 zone is responsive to the character of the local area.

Have your say.

The Department of Planning and Environment is seeking your feedback on the proposed changes to the boarding houses provisions in the Affordable Rental Housing SEPP

This Explanation of Intended Effect is available on the Department of Planning and Environment's website: www.planning.nsw.gov.au/onexhibition.

Submissions can be made at the website or by writing to:

Director, Housing and Infrastructure Policy

Department of Planning and Environment

GPO Box 39 Sydney NSW 2000

Explanation of Intended Effect

State Environmental Planning Policy (Affordable Rental Housing) 2009

This Explanation of Intended Effect (EIE) has been prepared for the purposes of Section 3.30 of the *Environmental Planning and Assessment Act 1979* to explain the intended effect of a proposed amendment to the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (Affordable Rental Housing SEPP).

This EIE provides an overview and background to what is proposed to be included in an amendment to the Affordable Rental Housing SEPP.

Background and Planning Context

The Affordable Rental Housing SEPP was introduced in 2009 to increase the supply and diversity of affordable rental and social housing throughout New South Wales. The SEPP provides a consistent, State-wide planning framework for the assessment of certain affordable housing developments including in-fill affordable housing, secondary dwellings, boarding houses and group homes.

Boarding houses

Boarding houses cater to a diverse range of residents which can include retirees, students, people with additional needs and people working in key local service industries.

The Standard Instrument (Local Environmental Plans) Order 2006 defines a boarding house as a building that:

- is wholly or partly let in lodgings
 - provides lodgers with a principal place of residence for three months or more
 - may have shared facilities, such as a communal living room, bathroom, kitchen or laundry
 - has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers.
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation seniors housing or serviced apartments.

The Affordable Rental Housing SEPP facilitates two key types of boarding house developments, namely a boarding house that provides access to shared facilities (traditional boarding house) or provides self-contained kitchen and / or bathroom facilities (new generation boarding house).

The Affordable Rental Housing SEPP makes boarding houses permissible in the following zones: R1 General Residential; R2 Low Density Residential; R3 Medium Density Residential; R4 High Density Residential; B1 Neighbourhood Centre; B2 Local Centre and B4 Mixed Use.

Under clause 27 (2) and (3) of the Affordable Rental Housing SEPP, boarding houses can only be approved within the R2 zone in locations:

- close to public transport services where the location is situated within the Sydney region (that is, in defined accessible areas), or
- within 400 metres walking distance of a B2 Local Centre or a B4 Mixed Use zone where the location is situated outside the Sydney region.

Clause 29 of the Affordable Rental Housing SEPP includes the standards for boarding houses that, if met, cannot be used as grounds on which a consent authority could refuse consent to a boarding house development. Clause 30 of the Affordable Rental Housing SEPP includes the standards for boarding houses that must be met before consent can be granted by a consent authority for a boarding house development.

Clause 30A of the Affordable Rental Housing SEPP states a consent authority must not consent to boarding house development unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

Review of boarding houses provisions

The Affordable Rental Housing SEPP has been instrumental in facilitating the provision of diverse affordable rental housing across NSW. The Department continues to review the Affordable Rental Housing SEPP to ensure that provisions appropriately respond to the changing needs of residents of affordable rental housing, councils, the community and developers.

On 1 June 2018 car parking standards for boarding houses were amended in response to concerns around the impact of boarding houses on on-street car parking as a result of varied car ownership rates among boarding house residents. This amendment increased the car parking requirement for boarding houses in all circumstances to 0.5 spaces per boarding house room. The previous car parking rates of 0.2 spaces and 0.4 spaces in accessible and non-accessible locations respectively were retained for social housing providers in response to feedback that social housing providers should be supported in providing boarding houses for lower income earners and other groups.

As part of its ongoing SEPP review, feedback from key stakeholders including councils has raised the following key issues:

- built form outcomes of boarding houses in R2 zoned areas, particularly if they have a large number of rooms, can be incompatible with the low-density nature of surrounding development.
- large scale boarding house developments do not comply with the R2 zone objective of the Standard Instrument (Local Environmental Plans) Order 2006, which is to provide for the housing needs of the community within a low density residential environment.

The Department has prepared this EIE in response to these concerns around the built form of boarding houses in low density residential areas.

As noted above, boarding houses are only permissible in the R2 zone if they are in accessible locations within the Sydney region, that is close to public transport, or near certain commercial zones in areas outside the Sydney region. The Department would welcome feedback about whether these locational restrictions are facilitating the development of boarding houses in the right locations.

Proposed change

Limit on number of boarding houses rooms for development in the R2 Low Density Residential zone

The proposed amendment to the Affordable Rental Housing SEPP will provide for a new provision that limits the number of boarding rooms in a boarding house development in the R2 zone to a maximum of 12 boarding rooms.

The intention of the proposed amendment is to ensure that the built form of boarding house development in the R2 zone is compatible with the built form of other development in the local area.

The proposed introduction of a maximum room number for boarding houses is considered to assist in ensuring that amenity impacts of boarding house development on adjoining and nearby properties, such as overlooking, overshadowing and car parking impacts, are able to be better managed.

This EIE does not propose to amend any other provisions of the Affordable Rental Housing SEPP.

ITEM 11.10	PLANNING PROPOSAL FOR MANLY CREEK RIPARIAN LANDS IN THE VICINITY OF MERMAID POOL
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/001905
ATTACHMENTS	1 📎 Draft Planning Proposal for submission to the Department of Planning and Environment (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to submit a Planning Proposal to the Department of Planning and Environment to rezone certain land in the vicinity of “Mermaid Pool” from Low Density Residential (R2) to Public Recreation (RE1) under Warringah LEP 2011 and to omit residential development standards and controls that would no longer be relevant for land zoned for Public Recreation.

EXECUTIVE SUMMARY

Council resolved to rezone two parcels of land in the vicinity of “Mermaid Pool” from Low Density Residential (R2) to Public Recreation (RE1) at its Ordinary Meeting on 27 November 2018:

- Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale.
- Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close.

In preparing a Planning Proposal to submit to the Department of Planning and Environment for a Gateway determination, Council identified a further two allotments in the vicinity which should also be rezoned in the same manner:

- Lot 7371 DP1165577 located to the rear of properties south of Blamey St and Bate Avenue, Allambie.
- Part unmade road at the southern end of Wandella Road, King Street, Manly Vale and east of the Manly Water Laboratory (Research Station).

It is also proposed to remove development standards for height and minimum lot size for subdivision for this land given residential development will no longer be permitted.

Council’s Environment and Climate Change Division supports the proposal based on the sites’ ecological and scientific values, cultural values (listed Aboriginal Places) and aesthetic and community values. This view is supported by a range of previous studies, investigations and environmental map data.

Council’s Local Planning Panel supports the progression of the Planning Proposal to a Gateway Determination.

Crown Land Office staff have acknowledged the merits of the Planning Proposal but have recommended consultation with the Metropolitan Local Aboriginal Land Council as the lands are subject to claims under the *Aboriginal Land Rights Act 1983*.

It is anticipated that the Department of Planning and Environment will require consultation with the Crown Land Office, Metropolitan Local Aboriginal Land Council and local community stakeholders as a condition of any Gateway approval.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council submit the attached Planning Proposal to the Department of Planning and Environment for a Gateway Determination to rezone the following parcels of land from Low Density Residential (R2) to Public Recreation (RE1) and to remove height and minimum allotment size controls from the land:
- Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale
 - Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close
 - Lot 7371 DP1165577, Allambie, south of Blamey Street
 - Part unmade road at the southern end of Wandella Road, King Street, Manly Vale.
- B. Council prepare and exhibit consequential amendments to Warringah DCP 2011 to remove residential development controls, including setback and minimum landscaped area controls, from this land.
-

REPORT

BACKGROUND

At its Ordinary Meeting on 27 November 2018 Council considered a Notice of Motion (65/2018) in relation to the zoning of various parcels of land around Manly Warringah Memorial Park. As part of Council's resolution (360/18) Council resolved as follows:

That:

Council prepare a Planning Proposal to rezone two lots owned by the Crown in the vicinity of King Street and Wandella Rd from Low Density Residential (R2) to Public Recreation (RE1) under Warringah LEP 2011. The two lots are identified as:

- Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale.
- Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close.

During the preparation of the Planning Proposal a further 2 parcels have also been identified as warranting the same rezoning and are recommended for inclusion into the Planning Proposal:

- Lot 7371 DP1165577 located to the rear of properties south of Blamey St and Bate Avenue Allambie.
- Part unmade road at the southern end of Wandella Road, King Street, Manly Vale and east of the Manly Water Laboratory (Research Station).

Both these parcels are Crown land in the vicinity of the riparian corridor and zoned Low Density Residential (R2).

The Crown Lands Office and Council's Natural Environment and Climate Change Division have been consulted regarding the inclusion of the parcels in the Planning Proposal and have indicated their support for the proposal.

Figure 1 shows the location of the four parcels of land to be included in the Planning Proposal.



Figure 1: Location of rezoning sites

CONTEXT

The subject lots are located within David Thomas Reserve and surrounding bushland in the vicinity of Manly Creek and Mermaid Pool. The land is part of a creek-line corridor from Manly Dam to Manly Lagoon. While the land is bounded by low density residential development to the north and south, the subject lots and surrounding bushland provide the only vegetative link from Manly Dam to the coast.

The subject lots are zoned R2 Low Density Residential under Warringah LEP 2011 but are included in numerous local and state ecological studies and databases which support the proposed RE1 Public Recreation zoning. Council's Natural Environment and Climate Change Division has identified the following relevant policies and studies:

- Local Habitat Strategy (Warringah Council 2007).
- Warringah Creek Management Study 2000.
- Mapping of Native Vegetation, and Waterways and Riparian Lands Warringah DCP.
- Biodiversity Values Mapping by Office of Environment and Heritage.
- Manly Creek/Mermaid's Pool Restoration Plan (Total Earth Care 2003).

Figure 2 shows the current zoning of the parcels of land and figure 3 shows the proposed zoning of the parcels.



Figure 2: Current zoning under Warringah LEP 2011



Figure 3: Proposed zoning under Warringah LEP 2011

Planning Proposal

The Planning Proposal (Attachment 1) has been drafted in accordance with the NSW Department of Planning and Environment's Planning Proposals: A guide to preparing planning proposals (2016).

Part 1 of Council's Planning Proposal sets out the Objectives and intended zoning outcomes. In summary, the objectives or intended outcome is to provide planning provisions for certain Crown Land parcels within the riparian corridor of Manly Creek, downstream of Manly Dam, Manly Vale. The land is to be zoned for public open space and recreational purposes and provide for a range of recreational settings, activities and compatible land uses. The planning provisions will better protect and enhance the natural environment and the values of the land.

Part 2 of Council's Planning Proposal provides a detailed explanation of provisions. The Planning Proposal seeks to amend Warringah LEP 2011 by Zoning Map amendments which rezone certain lands from Low Density Residential (R2) to Public Recreation (RE1). It is also proposed that certain residential development standards for height and minimum lot size for subdivision are removed for the subject parcels given residential development will no longer be permitted on the land.

Similarly, it is proposed that a range of residential development controls, including setback and minimum landscaped area controls, are removed from the Warringah DCP for this land.

Part 3 of Council's Planning Proposal justifies the need for the Planning Proposal and identifies that the Planning Proposal is the best means of achieving the objectives or intended outcomes. The Planning Proposal is supported by the objectives and actions contained in the Sydney Region Plan and North District Plan and related strategies. The Planning Proposal is also consistent with Council's local strategies as well as applicable State Environment Planning Policies and Ministerial Directions. In particular, critical habitat or threatened species, populations, or ecological communities, or their habitats, will be positively impacted by the proposal.

There are no likely detrimental environmental, social or economic impacts resulting from the Planning Proposal.

CONSULTATION

Public exhibition of the Planning Proposal will take place following receipt of any Gateway Determination from the Department of Planning and Environment. The Gateway Determination will prescribe the minimum requirements for consultation including the exhibition period and government agency consultation requirements. Council would usually undertake consultation as follows:

- Manly Daily advertisement of the Planning Proposal at the commencement and midway through the exhibition
- Electronic copies of the exhibition material on Council's website
- Hard copies of the exhibition material at Council's Dee Why, Manly and Mona Vale Customer Service Centres
- An email to registered community members who have listed their interest on Council's Community Engagement Register.

The views of State and Commonwealth public authorities would be addressed in consultations undertaken in accordance with the Gateway Determination.

NSW Department of Industry - Lands and Water

Council has consulted the NSW Department of Industry - Lands and Water - Regional Services (Crown Lands Office) in the preparation of the Planning Proposal.

The Crown Lands Office generally confirmed the merits of the Planning Proposal but noted that the lands were subject to Aboriginal Land claims and encouraged consultation with the Metropolitan Local Aboriginal Land Council (MLALC).

Council's Property Assets Team has also advised that part of the land is subject to the Crown Land Negotiation Program involving Crown Lands, Council and MLALC.

Whilst the Department of Planning and Environment has advised that 'there is no restriction on a planning proposal to rezone land proceeding where the relevant land is subject to a pending land claim', given the possible relationship of the Planning Proposal with these other projects, Council has indicated that the Planning Proposal will be consulted with the Metropolitan Local Aboriginal Land Council.

Other community consultation recommended in the Planning Proposal includes the local environmental conservation group 'Save Manly Dam Catchment Committee' which has been actively involved with the subject land since 2002, including the restoration of Mermaid Pool. This Committee advocates for the establishment of a 'small bird habitat corridor' for the locality and is a relevant community stakeholder in relation to the Planning Proposal.

Local Planning Panel

In accordance with requirements for Planning Proposals introduced by the State government, the report and draft Planning Proposal was submitted to Council's Local Planning Panel meeting on 6 February 2019 for consideration and advice.

The Local Planning Panel supported the progression of the Planning Proposal to a Gateway determination as follows:

Decision of the Panel (unanimous vote 4/0)

That:

- A. *Council submit the attached Planning Proposal to the Department of Planning and Environment for a Gateway Determination to rezone the following parcels of land from Low Density Residential (R2) to Public Recreation (RE1) and to remove height and minimum allotment size controls from the land:*
- *Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale*
 - *Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close*
 - *Lot 7371 DP1165577, Allambie, south of Blamey Street*
 - *Part unmade road at the southern end of Wandella Road, King Street, Manly Vale.*
- B. *Council prepare and exhibit consequential amendments to Warringah DCP 2011 to remove residential development controls, including setback and minimum landscaped area controls, from this land.*

The Local Planning Panel provided a Statement of Reasons for the Decision as follows: The Panel was of the opinion that the planning proposal should proceed as the proposal constitutes the optimal use of the land whilst preserving the environmental integrity of the subject land.

TIMING

It is anticipated that the Planning Proposal will be completed in 6 – 12 months from the date of Council's approval to proceed. Following the issue of a Gateway determination, Council will be required to formally exhibit the Planning Proposal for 28 days. The matter will be reported back to Council for final consideration following that exhibition.

FINANCIAL CONSIDERATIONS

The Planning Proposal process will be undertaken within the existing Strategic and Place Planning budget.

SOCIAL CONSIDERATIONS

The Planning Proposal supports social considerations in relation to rezoning certain land which is well known locally for its beauty and use for public recreation activities including bush walking, and picnics. The local community are invested in the protection and restoration of bushland around Mermaid Pool since a major clean-up of the site in 2002. The site has a long history of human-use and enjoyment for recreational activities. The area also contains listed Aboriginal Places.

ENVIRONMENTAL CONSIDERATIONS

The Planning Proposal supports environmental considerations in relation to rezoning certain land for public open space or recreational purposes and to provide for a range of recreational settings, activities and land uses that are compatible with the values of the land. The proposal will also better protect and enhance the natural environment and the values of the land.

GOVERNANCE AND RISK CONSIDERATIONS

Rezoning the riparian lands from a residential zone to a public recreational zone will reduce potential risks of this land being developed and compromising its environment qualities.

ITEM 11.11	PLANNING PROPOSAL FOR 28 LOCKWOOD AVENUE BELROSE - WITHDRAWAL
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/026493
ATTACHMENTS	1 Letter from the NSW Department of Planning and Environment

SUMMARY

PURPOSE

To seek Council approval to withdraw the Planning Proposal for 28 Lockwood Avenue, Belrose following a request from the Department of Planning and Environment (the Department) to withdraw the proposal and submit a revised proposal (Attachment 1).

EXECUTIVE SUMMARY

At its meeting on 19 December 2017, Council resolved to submit a Planning Proposal to the Department to permit additional land uses of “residential flat building” and “multi dwelling housing” on part of the former Belrose Library site and to establish a minimum floorspace ratio for commercial uses on the land (Council did not support the applicant’s proposal to increase the maximum height of buildings control on the site from 8.5 metres to 15 metres).

The Planning Proposal was submitted to the Department on 11 January 2018 and Council subsequently met with Department officers and provided further information as requested.

By letter dated 11 December 2018 the Department requested that Council withdraw the Planning Proposal and submit a revised proposal. This request was made on the grounds that the Planning Proposal as submitted did not result in “...improved planning outcomes for the site, or the community, beyond which could be achieved under the current LEP controls”.

Council does not agree with the reasons outlined by the Department to consider revising the Planning Proposal. Having regard for the time taken to date, lack of a clear forward path and that the fees for the Planning Proposal have been expended, it is recommended that the Planning Proposal be withdrawn.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council advises the Department of Planning and Environment that it wishes to withdraw the Planning Proposal for 28 Lockwood Avenue, Belrose and that it will not be submitting a revised Planning Proposal for the reasons outlined in this report.
 - B. Council advises the Proponent of its decision.
-

REPORT

BACKGROUND

Council at its meeting on 19 December 2017, resolved that:

- A. Council does not support a Planning Proposal which changes the height standard for 28 Lockwood Avenue, Belrose.
- B. Council supports an amended Planning Proposal which:
 - (a) Permits additional land uses of “residential flat building” and “multi dwelling housing” on that part of the land fronting Lockwood Avenue only.
 - (b) Prohibits the granting of development consent for a residential flat building or multi dwelling housing on the land unless a minimum Floor Space Ratio of 0.5:1 is provided on the site for commercial premises.
 - (c) Negotiates and finalises a formal Voluntary Planning Agreement offer from the proponent which addresses pedestrian connections through the site, the provision of affordable rental housing, public space, and retention of green space to be included with the exhibition of the Planning Proposal following the Gateway Determination.

A Planning proposal was subsequently lodged with the Department of Planning and Environment (the Department) on 11 January 2018.

CONSULTATION WITH DEPARTMENT

Since the lodgement of this Planning Proposal, Council has provided further details and clarifications to the Department on a number of occasions in response to requests received. Council also met with the Department to discuss the Planning Proposal and submitted additional information.

Despite regular contact with the Department about progress of the Planning Proposal, the Department advised by letter dated 11 December 2018 that the Planning Proposal was not supported and asked that Council withdraw it and submit a revised Planning Proposal.

RESPONSE TO DEPARTMENT’S REASONS FOR REQUEST TO WITHDRAW

The Department’s reasons for the request to withdraw the Planning Proposal and Council’s responses are outlined below:

1. *The retention of the B2 zone has not been justified given the site is predominantly envisaged for residential purposes*

The site is not predominantly envisaged for residential purposes (see comments under Point 4). In addition, Council in correspondence with the Department dated 10 April 2018 advised that it had not sought to rezone land fronting Lockwood Avenue to a residential zone as an alternative because:

- There is no Study or Strategy known to Council that would support the downsizing of this B2 Local Centre zone for sole residential purposes.
- The land zoned B2 Local Centre, including 28 Lockwood Avenue, comprises a diversity of retail, business, entertainment and community uses that serve the needs of the local community as required under the LEP objectives for this zone. In this regard the B2 zone provides for a mixed use development with both residential and non-residential uses which are compatible with this locality.

- 28 Lockwood Avenue is a single parcel of land which Council anticipates will be redeveloped as a singular mixed use development. The introduction of a dual zoning for the site would potentially constrain flexibility in future quality design outcomes for the site.
 - The future redevelopment of 28 Lockwood Avenue is made possible under the initiatives of the Belrose Revitalisation Project and Masterplan in 2013. Public investment in local centre improvements has been partly realised by the disposal of this site for redevelopment. The retention of the B2 zone is considered appropriate to provide opportunities for the revitalisation of the Local Centre with a range of uses which serve the local community.
- 2. *The introduction of a minimum floorspace requirement for commercial premises is not justified given it is not required on other B2 zoned sites and there is no economic evidence that it is required***

The 'requirement' was included in the proponent's original submission to Council to ease potential concerns that providing for an additional permitted use on the site would result in a loss of potential retail floorspace in any redevelopment.

A key purpose of the Council's Planning Proposal has been to kerb the extent of residential uses for the site and not provide for an entirely residential use of the site, but rather provide for a locally determined solution with both residential and commercial street frontages.

- 3. *The retention of the 8.5 metre height limit is not justified when Council has indicated that additional density and a height of three storeys is expected***

The current Planning Proposal contemplates a potential minor increase in residential density, resulting from additional permitted uses (multi dwelling housing and residential flat building) in lieu of street fronted shops on that part of the land fronting Lockwood Avenue. Council specifically resolved not to support an increase to the 8.5 metre height limit.

- 4. *The exclusion of all permitted land uses other than residential on the Lockwood frontage of the site is not justified whilst retaining the B2 zone for this part of the site***

This comment seemingly demonstrates a misunderstanding of the Planning Proposal submitted to the Department. Council in correspondence with the Department dated 10 April 2018 confirmed:

"The Planning Proposal submitted for Gateway Determination is not intended to 'limit the use of land fronting Lockwood Avenue to residential uses only', but rather to provide for additional residential uses at that side of the site...This limitation is proposed in order to retain the integrity of the existing local centre/B2 zone."

- 5. *The Planning Proposal does not explain any consistency or inconsistency with SEPP 65 – Design Quality of Residential Apartment Development***

As the Planning Proposal included only schematic drawings and is not reliant upon these drawings to proceed, it was not considered necessary to assess the drawings against SEPP 65. Council has not been previously advised of this concern.

- 6. *The Planning Proposal incorrectly refers to consistencies with relevant 9.1 Directions***

It is unclear what this comment refers too.

7. *The Planning Proposal is not supported by key technical information including a traffic study to demonstrate the impact on the road network as a result of the uplift*

As mentioned in Point 3 above, the Planning Proposal contemplates only a minor increase in residential density, offset by a minor reduction in retail floorspace on the site. Given that residential development generally generates less traffic than retail development and given the scale of the changes proposed, it was not considered necessary to support the Planning Proposal with a traffic study.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the withdrawal of the Planning Proposal. As the fees for the Planning Proposal have been expended, any future Planning Proposal for the site would be subject to a new set of fees.

SOCIAL CONSIDERATIONS

Social matters were considered in the preparation and lodgement of the Planning Proposal and the withdrawal of the Planning Proposal is based on a request from the Department of Planning.

ENVIRONMENTAL CONSIDERATIONS

Environmental matters were considered in the preparation and lodgement of the Planning Proposal with the Department. There are no environmental considerations associated with the withdrawal of the Planning Proposal.

GOVERNANCE AND RISK CONSIDERATIONS

There are no Governance or risk considerations associated with the withdrawal of the Planning Proposal being initiated by the Department.



IRF18/6073

Mr Ray Brownlee
Chief Executive Officer
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Attention: Mr Neil Cocks

Dear Mr Brownlee



Planning proposal for 28 Lockwood Avenue, Belrose (former Belrose Library)

I refer to Council's planning proposal to amend the Warringah Local Environmental Plan (LEP) 2011 as it relates to land at 28 Lockwood Avenue, Belrose (Lot 1 DP 1199795) seeking to introduce 'residential flat buildings' and 'multi-dwelling housing' as additional permitted uses on land fronting Lockwood Avenue and a clause requiring the provision of a minimum floor space ratio of 0.5:1 (with respect to the total site area) for commercial premises before development consent can be granted for a 'residential flat building'.

I appreciate Council's vision to revitalise the site and create for a mixed-use development that provides additional housing and new commercial opportunities in Belrose.

I understand that the planning proposal is an amended version of a proposal lodged by Willana Urban on behalf of Property Platinum Advisors Pty Ltd. At Council's meeting of 19 December 2017, Council resolved to support an amended planning proposal to enable the site's redevelopment. These amendments included not agreeing to any increase in the maximum building height standard as sought by the proponent, requiring that residential development be permitted only to the land fronting Lockwood Avenue and that there be a minimum floor space ratio for commercial development on the site.

I am advised that the Department of Planning and Environment has had ongoing communications with Council representatives and the proponent to clarify what the planning proposal seeks to achieve.

Following the discussions, the Department has formed a view that Council's request for a Gateway determination for the planning proposal as submitted cannot be supported. The Department therefore asks that Council withdraw the proposal and submit a revised proposal.

The Department notes that the planning proposal does not demonstrate how the proposed amendments to the Warringah LEP 2011 will result in improved planning outcomes for the site, or the community, beyond that which could be achieved under the current LEP controls for the site.

In particular the Department is concerned that the following matters have not been adequately explained or justified:

- the retention of the B2 Local Centre zone when the site is predominantly envisaged for residential uses;
- the introduction of a minimum floor space requirement of 0.5:1 for commercial premises, when this is not required of other B2 Local Centre-zoned sites in the remaining parts of the village centre and there is no economic evidence of this requirement being necessary;
- that there be no increase in the maximum permitted building height standard of 8.5m, yet the indication from Council is that development on the site is expected to achieve additional density and scale of three storeys in height; and
- the exclusion of all permitted land uses and permitting only residential development on the land fronting Lockwood Avenue, and yet retaining the B2 zone for this part of the site.


The planning proposal does not explain any consistency, or inconsistency, with relevant state environmental planning policies (SEPPs), particularly SEPP No 65 – Design Quality of Residential Apartment Development. The planning proposal also incorrectly refers to consistencies of the proposal with the relevant section 9.1 Directions.

Additionally, the planning proposal is not supported by key technical information including a traffic study to demonstrate the impact on the road network as a result of the eventual uplift.

I encourage Council to liaise with the Department prior to submitting a revised planning proposal and to work with the proponent to address the above matters. The Department is willing to work with Council on potential options to align with Council's visions for the site.

Should you have any questions in relation to this matter, please contact Ms Yolande Miller, Senior Planner, Sydney Region East, at the Department on 9274 6500.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

11/12/2018

ITEM 11.12	MINUTES OF THE INGLESIDE COMMUNITY REFERENCE GROUP MEETING HELD ON 19 DECEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/044330
ATTACHMENTS	1 Minutes of the Ingleside Community Reference Group Meeting 19 December 2018 (Included In Attachments Booklet)

REPORT

PURPOSE

To present the minutes of the Ingleside Community Reference Group (ICRG) meeting held on 19 December 2018.

REPORT

On 13 November 2018, the NSW Minister for Planning's announced that the Draft Ingleside Precinct Structure Plan was being withdrawn due to unacceptable bushfire risk to new residents.

At its meeting of 19 December 2018, the Ingleside Community Reference Group was presented with the findings of the Bushfire Risk Assessment on the Draft Ingleside Precinct Structure Plan.

The Minutes of the Ingleside Community Reference Group meeting of 19 December 2018, including the presentations to the ICRG are attached.

Council established the Ingleside Community Reference Group (ICRG) as a forum for discussions between Council, the Ingleside Project Team and the Project Control Group (comprising officers from the Department of Planning and Environment, Landcom and Council), the community and interested groups on a range of issues throughout the various stages of the Precinct Planning Process for Ingleside. The ICRG comprises two Councillors (Councillor Ferguson and Councillor De Luca) and up to 15 community representatives. The principle aim of the ICRG is to bring together the expertise and diverse community knowledge needed to suitably manage any potential release of Ingleside. In keeping with the ICRG Charter, the minutes are being reported to Council for noting.

FINANCIAL CONSIDERATIONS

The draft Structure Plan previously had implications on Council's budget with regard to development contributions and possible land acquisition. Although these considerations are no longer relevant as the exhibited draft Plan has been withdrawn, there is potential financial implications if any infrastructure upgrades are identified following completion of further studies for this precinct.

POLICY CONSIDERATIONS

Planning for the Precinct will continue via a detailed Bushfire Evacuation Model to be commenced this year. This Study aims to determine the level of development, if any, that can occur within the area.

ENVIRONMENTAL CONSIDERATIONS

Environmental sustainability outcomes will continue to be pursued in any subsequent development scenario.

SOCIAL CONSIDERATIONS

The withdrawal of the draft Structure Plan has implications for the provision of housing and infrastructure within the area. These considerations will be reviewed during the completion of the Bushfire Evacuation Model as noted above.

GOVERNANCE AND RISK CONSIDERATIONS

The Bushfire Evacuation Model, to be commenced this year, aims to determine the level of development, if any, that can occur within the area following a risk assessment approach. The outcomes of this study will, when available, be communicated to stakeholders and a future ICRG meeting.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council note the Minutes of the Ingleside Community Reference Group meeting held on 19 December 2018.

ITEM 11.13	RFT 2018/326 - NORTHERN BEACHES SOCIAL INFRASTRUCTURE STUDY
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/048230
ATTACHMENTS	1 Social - RFT Evaluation Report - Social Infrastructure Study (Included In Attachments Booklet) (Confidential)

SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2018/326 – Consultancy Services for Northern Beaches Social Infrastructure Study (Attachment 1).

EXECUTIVE SUMMARY

Council ran a public open tender process for consultancy services for the Northern Beaches Social Infrastructure Study as detailed in RFT2018/326. The Social Infrastructure Study will provide an overarching analysis of social infrastructure and open space for the Northern Beaches for the next 20 years. It will enable Northern Beaches Council to align future growth with infrastructure. The study will inform Council's Local Strategic Planning Statement (LSPS), Northern Beaches Local Environment Plan (LEP), Local Housing Strategy, Open Space Strategy and Social Plan.

The tender closed on Thursday 31 January 2019 and ten submissions were received.

The lump sum tender price of all ten submissions was within budget and evaluation of price and non-price criteria for each submission was undertaken by the Evaluation Committee. The Evaluation Committee has identified a preferred tenderer for the project.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council adopts the recommendation contained in the Confidential attachment to this report.

REPORT

BACKGROUND

The Social Infrastructure Study will provide an overarching analysis of social infrastructure and open space in the Northern Beaches for the next 20 years. It will enable Northern Beaches Council to align growth and infrastructure.

The Social Infrastructure Study will be used by Council to inform the following:

- Local Strategic Planning Statement (LSPS)
- Northern Beaches Local Environmental Plan (LEP)
- Local Housing Strategy
- Open Space Strategy
- Social Plan.

The Social Infrastructure Study is a fundamental input into local strategic planning that will guide the future growth in the Northern Beaches over the next 20 years, giving effect to the 'Greater Sydney Region Plan – Metropolis of Three Cities' and the 'North District Plan'.

The study will assist Council in aligning growth and infrastructure. It will position Council to pursue collaborative partnerships with other levels of government and other key stakeholders, including the private sector, in attracting funding for new social infrastructure, facilitate better use of existing facilities and services and increase investment in local infrastructure, programs and service delivery.

RFT2018/326 was issued on 20/12/2018 and closed at 2pm on 31/01/2019.

Ten (10) submissions were submitted by the closing date and time:

1. UTS Institute of Public Policy
2. Urbis
3. SGS Economics and Planning Pty Ltd
4. Root Partnerships Pty Ltd
5. KPMG
6. GHD Pty Ltd
7. Ethos Urban
8. Ernst & Young
9. Elton Consulting
10. Cardno (NSW/ACT).

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Criteria	Schedule	Weighting	MAS
Demonstrated past experience of the Tenderer	Schedules F3 and F5	20%	60
Demonstrated past experience Personnel and Subcontractors	Schedules F9 and F10	25%	60
Proposed Methodology (including QA)	Schedules F6 and F13	35%	70
Environmental Sustainability and Social Equity	Schedule F8	5%	50
The Fee including Schedule of Lump Sum Fee, Schedule of Rates and Materials, Schedule of Rise and Fall and Other Fee	Schedule of Fees	15%	N/A

Detail of the tender assessment is contained in the confidential Evaluation Report (Attachment 1).

CONSULTATION

Consultation was undertaken with key internal stakeholders to inform development of the project brief. This included a workshop on 21st August 2018 and face to face conversations with key stakeholders as required. This internal consultation was further supported by collaboration between Strategic and Place Planning, Open Space and Recreation Planning and Social Planning and Community Development teams to ensure this Social Infrastructure Study would satisfy requirements for LSPS, LEP, Local Housing Strategy, Open Space Strategy and Social Plan.

Each of the projects that the Social Infrastructure Study will inform will have community engagement plans.

TIMING

The contract is scheduled to commence 1 March 2019.

The contract term is 6 months with an option for extension at Council's discretion for an additional 3 months.

The completion date for this contract is 1 September 2019 (or 1 December 2019 with extension).

FINANCIAL CONSIDERATIONS

The recommended tender submission is within the budget allocated in Council's Operational Plan for 2018/19.

SOCIAL CONSIDERATIONS

A positive social impact will be implemented through the recommendations of the Social Infrastructure Study through Council's LSPS, LEP, Local Housing Strategy, Open Space Strategy and Social Plan.

ENVIRONMENTAL CONSIDERATIONS

There is no environmental impact as a result of this recommendation. The recommended tender submission included a comprehensive sustainability policy with their submission.

GOVERNANCE AND RISK CONSIDERATIONS

Respondents were required to submit all mandatory schedules in the RFT. Minimum Acceptable Scores (MAS) were established in the Evaluation Plan to ensure the preferred respondent possessed the capability to successfully complete the works.

The consultant's contract is low risk. As a technical study it will inform strategic planning for social infrastructure and open space across the Northern Beaches. A detailed community engagement plan has been prepared for each of the broader LSPS and LEP projects which are likely to be of high public interest.

To not proceed with the contract is a risk in relation to meeting the NSW State Government requirements for Council to align local strategic planning with district and regional planning (including the need to align projected population growth with social infrastructure).

ITEM 11.14	RFT 2018/328 - NORTHERN BEACHES EMPLOYMENT STUDY
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/048221
ATTACHMENTS	1 Employment - RFT Evaluation Report - Employment Study (Included In Attachments Booklet) (Confidential)

SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2018/328 – Consultancy Services for Northern Beaches Employment Study (Attachment 1).

EXECUTIVE SUMMARY

Council ran a public open tender process for consultancy services for the Northern Beaches Employment Study as detailed in RFT 2018/328. The Employment Study will identify opportunities for job and economic growth across the Northern Beaches. It will enable Northern Beaches Council to plan for future growth and will inform the Local Strategic Planning Statements (LSPS), Northern Beaches Local Environment Plan (LEP) and the Economic Development Plan (EDP).

The tender closed on Thursday 31 January 2019 and six submissions were received.

The lump sum tender price of all six submissions was within budget and evaluation of price and non-price criteria for each submission was undertaken by the Evaluation Committee. A clear frontrunner achieved the highest ranked scores in all four weighted non-price criteria.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council adopts the recommendation contained in the Confidential attachment to this report.

REPORT

BACKGROUND

The Employment Study will identify opportunities for job and economic growth across the Northern Beaches. It will enable Northern Beaches Council to plan for future growth.

The Employment Study will be used by Council to inform the following:

- Local Strategic Planning Statement (LSPS)
- Northern Beaches Local Environmental Plan (LEP)
- Economic Development Plan.

The Employment Study is a fundamental input into local strategic planning that will guide the future growth in the Northern Beaches over the next 20 years, giving effect to the 'Greater Sydney Region Plan – Metropolis of Three Cities' and the 'North District Plan'.

The Northern Beaches Employment Study will document the existing employment and economic context for the Northern Beaches. It will provide thought leadership, considering future change and disruption to our existing industries and use a strategic regional perspective to identify opportunities for value add economic activity with growth of employment opportunities that match the skills of our community. It will consider investment in new infrastructure, as well as population growth, as a signal of where consumption-based employment may be best located. It will analyse supply and demand for employment and economic activity. It will carefully consider and provide recommendations to review planning controls across employment precincts. It will evaluate opportunities for accommodating and managing growth in economic activity and jobs. It will provide a vision for employment precincts and recommendations that consider both the local context and the broader direction set by the Region Plan and North District Plan.

RFT 2018/328 was issued on 20/12/2018 and closed at 2pm on 31/01/2019.

Six submissions were received from:

- BIS Oxford Economics Pty Ltd
- HillPDA Consulting
- KPMG Australia
- SGS Economics and Planning Pty Ltd
- URBIS PTY LTD
- MacroPlan Holdings Pty Ltd.

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Criteria	Schedule	Weighting	MAS
Demonstrated past experience of the Tenderer	Schedules F3 and F5	20%	60
Demonstrated past experience Personnel and Subcontractors	Schedules F9 and F10	25%	60

Criteria	Schedule	Weighting	MAS
Proposed Methodology (including QA)	Schedules F6 and F13	35%	70
Environmental Sustainability and Social Equity	Schedule F8	5%	50
The Fee including Schedule of Lump Sum Fee, Schedule of Rates and Materials, Schedule of Rise and Fall and Other Fee	Schedule of Fees	15%	N/A

Detail of the tender assessment is contained in the confidential Evaluation Report (Attachment 1).

CONSULTATION

Consultation was undertaken with key internal stakeholders to inform development of the project brief. This included a workshop on 21st August 2018 and face to face conversations with key stakeholders as required. This internal consultation was further supported by extensive collaboration between Strategic Planning and Economic Development teams to ensure this Employment Study would satisfy requirements for Local Strategic Planning Statements, Local Environment Plan and the Economic Development Plan.

Feedback was sought from the Greater Sydney Commission over a number of face to face meetings undertaken for the Brookvale Structure Plan. Direct feedback on the draft framework and methodology was sought in June 2018. Advice received in September was incorporated into the Consultancy Services Requirements for this RFT.

The scope of works for the Employment Study was presented to two Strategic Reference Groups: Places for People (13 September 2018) and Economic and Smart Communities (26 September 2018) for feedback which was incorporated before it was finalised.

This technical study will inform three projects (LSPS, LEP review and Economic Development Plan) which each have community engagement plans.

TIMING

The contract is scheduled to commence 1 March 2019.

The contract term is 6 months with an option for extension at Council's discretion for an additional 3 months.

The completion date for this contract is 1 September 2019 (or 1 December 2019 with extension).

FINANCIAL CONSIDERATIONS

The recommended tender submission is within the budget allocated in Council's Operational Plan for 2018/19.

SOCIAL CONSIDERATIONS

A positive social impact will be realised through implementation of the recommendations of the Employment Study through changes to planning controls (Local Strategic Planning Statements and Local Environmental Plan).

ENVIRONMENTAL CONSIDERATIONS

There is no environmental impact as a result of this recommendation. The recommended tender submission included a comprehensive sustainability policy with their submission.

GOVERNANCE AND RISK CONSIDERATIONS

Respondents were required to submit all mandatory schedules in the RFT. Minimum Acceptable Scores (MAS) were established in the Evaluation Plan to ensure the preferred responded possessed the capability to successfully complete the works.

The consultant's contract is low risk. As a technical study it will inform strategic planning for future jobs and economic growth across the Northern Beaches. A detailed community engagement plan has been prepared for each of the broader LSPS and LEP projects which is likely to be of high public interest.

To not proceed with the contract is a risk in relation to meeting the NSW State Government requirements for Council to align local strategic planning with district and regional planning (including the need to meet job targets, projected population growth and complete a strategic review of industrial lands).

ITEM 11.15	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS - SEPP 1
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2019/029661
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council variations to development standards granted under State Environmental Planning Policy No. 1 – Development Standards (SEPP 1) or under Clause 4.6 of the Manly Local Environmental Plan (MLEP 2013), Pittwater Local Environmental Plan (PLEP 2014), and the Warringah Local Environmental Plan (WLEP) 2011, as required by the NSW Department of Planning and Environment.

EXECUTIVE SUMMARY

During the period 1 October 2018 to 31 December 2018, the following variations were granted.

- 0 variations under State Environmental Planning Policy No.1 – Development Standards.
- 21 Variations under Clause 4.6 of Manly Local Environment Plan 2013.
- 6 Variations under Clause 4.6 of Pittwater Local Environment Plan 2014.
- 12 Variations under Clause 4.6 of Warringah Local Environment Plan 2011.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council notes the development applications granted approval with variations to development standards during the period 1 October 2018 to 31 December 2018.

REPORT

BACKGROUND

The following tables indicate all variations under each planning instrument and the level of determination either by staff under delegation, from the General Manager or by a determination panel. The independent external panels include the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal staff panel is the Development Determination Panel (DDP).

Clause 4.6 Variations granted under the Manly LEP 2013.

The following applications had a Clause 4.6 Variations granted during the period 1 October 2018 to 31 December 2018:

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2018/0046	36 Malvern Avenue MANLY	Residential - Alterations and additions	Floor space ratio	12.90%	DDP
DA2018/0439	80 The Corso MANLY	Other	Height of buildings	19.36%	NBLPP
DA2018/0723	138 & 139 North Steyne MANLY	Residential - New multi- unit	Height of buildings	3%	Delegated Authority
DA2018/0832	149 A Seaforth Crescent SEAFORTH	Residential - Single new detached dwelling	Height of buildings Special height provisions	33% 4.50%	DDP
DA2018/0852	12 Moore Street CLONTARF	Residential - Alterations and additions	Floor space ratio	34.70%	DDP
DA2018/0890	404 Sydney Road BALGOWLAH	Mixed	Height of buildings	44.80%	NBLPP
DA2018/1074	8 Alma Street CLONTARF	Residential - Alterations and additions	Height of buildings	9.40%	Delegated Authority
DA2018/1089	5 / 174 - 176 Sydney Road FAIRLIGHT	Residential - Alterations and additions	Height of buildings	27%	NBLPP
DA2018/1101	43 West Street BALGOWLAH	Residential - Alterations and additions	Height of buildings	20.70%	DDP
DA2018/1187	4 Pacific Parade MANLY	Residential - Alterations and additions	Floor space ratio	17.53%	DDP
DA2018/1207	42 Rosedale Avenue FAIRLIGHT	Residential - Alterations and additions	Floor space ratio	4%	Delegated Authority
DA2018/1313	109 Frenchs Forest Road SEAFORTH	Residential - Single new detached dwelling	Floor space ratio	5.30%	Delegated Authority
DA2018/1394	60 Raglan Street MANLY	Residential - Alterations and additions	Floor space ratio	25.60%	DDP

DA2018/1421	5 Eustace Street MANLY	Residential - Alterations and additions	Floor space ratio	28.60%	NBLPP
DA2018/1494	129 Seaforth Crescent SEAFORTH	Residential - Alterations and additions	Special height provisions	1.14%	Delegated Authority
DA2018/1496	3 / 4 Reddall Street MANLY	Residential - Alterations and additions	Height of buildings	21.10%	NBLPP
DA2018/1542	76 Seaforth Crescent SEAFORTH	Residential - Single new detached dwelling	Height of buildings Floor space ratio	0.59% 9.2%	Delegated Authority
DA2018/1652	57 / 20 Bonner Avenue MANLY	Residential - Alterations and additions	Height of buildings	207.70%	NBLPP
REV2018/0029	27 Alma Street CLONTARF	Residential - Alterations and additions	Floor space ratio	43.40%	DDP

Clause 4.6 Variations granted under the Pittwater LEP 2014.

The following applications had a Clause 4.6 Variations granted during the period 1 October 2018 to 31 December 2018.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2018/0654	95 A Cheryl Crescent NEWPORT	Residential - New second occupancy	Height of buildings	22.70%	Delegated Authority
DA2018/0850	3 Wollombi Road BILGOLA PLATEAU	Residential - New second occupancy	Height of buildings	16.36%	DDP
DA2018/1011	50 Hudson Parade CLAREVILLE	Residential - New second occupancy	Height of buildings	9%	Delegated Authority
DA2018/1043	57 Robertson Road SCOTLAND ISLAND	Residential - Alterations and additions	Height of buildings	11.50%	DDP
DA2018/1113	1753 Pittwater Road MONA VALE	Mixed	Height of buildings	4.60%	NBLPP
DA2018/1325	25 Brinawa Street MONA VALE	Residential - New multi-unit	Minimum lot sizes for dual occupancies	12.18%	NBLPP

Clause 4.6 Variations granted under the Warringah LEP 2011

The following applications had a Clause 4.6 Variations granted during the period 1 October 2018 to 31 December 2018.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2018/0676	15 Myoora Road TERREY HILLS	Residential - Alterations and additions	Height of buildings	9.41%	Delegated Authority
DA2018/0696	58 Greycliffe Street QUEENSCLIFF	Residential - Single new detached dwelling	Height of buildings	16.50%	Delegated Authority
DA2018/0706	45 Undercliff Road FRESHWATER	Residential - Alterations and additions	Height of buildings	2%	Delegated Authority
DA2018/0823	1 / 48 A Queenscliff Road QUEENSCLIFF	Residential - Alterations and additions	Height of buildings	63.50%	Delegated Authority
DA2018/0864	72 Beacon Hill Road BEACON HILL	Residential - Alterations and additions	Height of buildings	9%	Delegated Authority
DA2018/0946	7 Gilmore Avenue COLLAROY PLATEAU	Residential - Alterations and additions	Height of buildings	2.60%	Delegated Authority
DA2018/1129	14 Oceanview Road FRESHWATER	Residential - Alterations and additions	Height of buildings	1.60%	Delegated Authority
DA2018/1152	18 Government Road BEACON HILL	Subdivision only	Minimum subdivision lot size	Lot 1 21.82% Lot 2 24.98%	NBLPP
DA2018/1300	69 Middleton Road, 18 Inman Place & 4-7 Villiers Place CROMER	Industrial	Height of buildings	50.45%	Delegated Authority
DA2018/1429	20 Lindley Avenue NARRABEEN	Residential - Alterations and additions	Height of buildings	6%	Delegated Authority
DA2018/1699	37 Condoover Street NORTH BALGOWLAH	Residential - Alterations and additions	Height of buildings	3.50%	Delegated Authority

FINANCIAL CONSIDERATIONS

The costs associated with the assessment of variations are part of the Development Application assessment process.

SOCIAL CONSIDERATIONS

All Development Applications are required to consider the social impact through Section 79C of the *Environmental Planning and Assessment Act 1979*.

ENVIRONMENTAL CONSIDERATIONS

All Development Applications are required to consider the social impact through Section 79C of the *Environmental Planning and Assessment Act 1979*.

GOVERNANCE AND RISK CONSIDERATIONS

Reporting variations to Council satisfies the Department of Planning and Environment's requirements and provides transparency in decision making, hence reducing the risk to the organisation.

12.0 NOTICES OF MOTION

ITEM 12.1	NOTICE OF MOTION NO 01/2019 - RANDOM DRUG TESTING OF COUNCILLORS AND COUNCIL STAFF
TRIM FILE REF	2019/008463
ATTACHMENTS	NIL

Submitted by: Councillor Pat Daley OAM

MOTION

That staff come back within one month with a report outlining the various options for the random drug testing of Councillors and Council staff.

BACKGROUND FROM COUNCILLOR PAT DALEY OAM

With the escalating drug menace in our community causing increasing concerns it is time for our elected representatives at every level of Government to take a much stronger stand and set an example in combating the drug scourge which is now impacting on so many.

By supporting this motion Northern Beaches Councillors have a real opportunity to send a meaningful message that we are taking the drug problem very seriously.

I understand that Council has a zero tolerance policy regarding maintenance and other staff being under the influence of alcohol and or drugs whilst on the job. Therefore, it is totally reasonable to expect the same of our elected Councillors. To help achieve this I believe random drug testing of Councillors and Council staff should be implemented as soon as possible.

N.B. Drug testing is a common practice in many workplaces across Australia.

ITEM 12.2	NOTICE OF MOTION NO 02/2019 - PLASTIC FREE JULY 2019
TRIM FILE REF	2019/015474
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

MOTION

That staff report to the May 2019 Council meeting on:

- A. Council's proposed actions/program for its involvement in Plastic Free July 2019.
- B. The feasibility and cost of installing temporary structures to the effect of that shown in Figure 1 for part of or all of Plastic Free July 2019 (not functioning bins but could include a feature to the effect of or similar to Figure 1, or banners or signs to the effect of Figure 1) in key areas around the Northern Beaches, possible including not on but around the Manly, Dee Why, Collaroy and Mona Vale Beach areas.

BACKGROUND FROM COUNCILLOR RORY AMON

Council can play an important role in education, lobbying and promotion regarding the conservation and enhancement of our local marine and terrestrial environment.

Plastics, including single use plastics, have a negative impact on our local environment.

Council has committed to participating in Plastic Free July movement that dramatically reduces plastic use and improves recycling.

A part of Council's role in educating the community is showing the negative impact of single use plastics on our environment in a relatable and emotive way. The feature at Figure 1 is one example which strikes a chord in showing the impacts single use plastics can have on our marine environment and these kind of features, be they physical or by way of banner or sign can be effective in communicating a message about plastics.

Figure 1



ITEM 12.3	NOTICE OF MOTION NO 03/2019 - URBAN NIGHT DARK SKY PLACE
TRIM FILE REF	2019/051161
ATTACHMENTS	NIL

Submitted by: Councillor Kylie Ferguson

MOTION

That:

- A. Council investigate registering Palm Beach Headland as an Urban Night Sky Place under the International Dark Sky Places Program.
 - B. Staff prepare a report to the next Council meeting outlining any required funding and resource impacts associated with this registration.
-

BACKGROUND FROM COUNCILLOR KYLIE FERGUSON

Definition of an Urban Night Dark Sky Place

An Urban Night Sky is a municipal park, open space, observing site or other similar property near or surrounded by large urban environs whose planning and design actively promote an authentic night-time experience in the midst of significant artificial light.

What is the issue

Northern Beaches Council possesses a particularly beautiful natural environment. This has stemmed from the strong advocacy for the preservation of wildlife, natural resources and pristine environments. 50% of our natural environment is made up of the sky, and an unpolluted night-time, such as that over Palm Beach, is an environment that is fast becoming a rare commodity around the world.

Palm Beach Headland offers the perfect place to become Australia's First Urban Night Sky Park, a 'black-belt' and wildlife sanctuary, a place to educate the public of the benefits of sustainable lighting principles, and a benchmark for councils around Australia.

The area, from preliminary findings, has been deemed as a suitable candidate by the International Dark Sky Association (IDA).

What is involved

A working group of council, local residents and stakeholders near the area could be convened to help advise on the start-up and rollout of the program.

National Parks and Wildlife have confirmed they are happy to hold at least one event each year. It would be hoped that other businesses in the park, or local service providers may also assist in creating public awareness.

How do they do it

The application process requires the following steps to be fulfilled:

- A. A defined area is mapped and agreed upon by all parties including consideration of how the area will be used and accessed. Supporting documentation such as high-res images, endemic species, tourist information are all gathered.
- B. All lights within the area must be photographed and read for their lux and various criteria.
- C. At least 4 outreach programs must be scheduled each year by various stakeholders. A history of similar events and numbers in the area give weight to the application.
- D. A lighting management policy must be written and adhered to by local stakeholders and administered by Council. This document could become a template for ongoing lighting policy within the area. Non-compliant lighting must be retrofitted, with 80% lighting compliant on application and 2 years to address outstanding issues.
- E. Implement any necessary changes to park lighting.
- F. Implementation of public information boards (back of toilet doors).
- G. Installation of appropriate signage including IDA logo (on designation).

Resources

It is likely that additional funding and/or resources will be required to:

- Install and design signage/fixtures that promote the Dark Sky Status
- Retrofit appropriate lighting
- Create and publish materials to educate the community and raise public awareness of the site
- Develop a lighting management policy (consultancy)
- Outreach events
- Submission of annual reports.

When do they do it

The project can commence immediately following Council approval of the required resources. An application may take as long as 12 - 18 months to receive the designation, subject to Council procedures, with 6 rounds of the application taking place each year.

Reporting back

Iterations of the lighting management plan and lighting / public outreach compliance should go back between working group members bi-monthly or quarterly for review, as deemed viable by the group. An annual report should also be provided to the International Dark Sky Association with *“a synopsis of the Park’s activities and initiatives during the intervening year. The report should include dates and brief descriptions of any interpretive events, lighting retrofit projects, outreach efforts, etc. Samples of printed materials and press articles should also be included”*.

ITEM 12.4**NOTICE OF MOTION NO 04/2019 - REVIEW OF POLICY
ALLOWING DEVELOPMENT CERTIFICATES BEING ISSUED BY
PRIVATE CERTIFIERS****TRIM FILE REF****2019/059955****ATTACHMENTS****NIL**

Submitted by: Councillors Stuart Sprott and David Walton

MOTION

That:

- A. Council writes to the NSW Government requesting a review of the current policy that allows private accredited certifiers to issue development certificates to confirm they are satisfied with developments and meet legislative requirements.
 - B. This review strongly consider a gradual return of development certificates, construction certificates and complying development certificates returned to Councils and that the principal certifying authority for developments are gradually returned to Council in the relevant Local Government Area.
-

BACKGROUND FROM COUNCILLORS STUART SPROTT AND DAVID WALTON

In light of the recent defects found in the Opal Tower at Homebush and the devastating effects it has had on the residents and community that Council supports a review of its policy and revert Control of the appointment of certifiers back to local Government.

ITEM 12.5	NOTICE OF MOTION NO 05/2019 - LITTER REDUCTION STRATEGY
TRIM FILE REF	2019/075286
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

MOTION

That:

- A. Staff prepare a Litter Reduction Strategy to be reported to the April or May Council meeting, setting out the steps council can take to reduce littering (including illegal dumping) through various strategies, but especially through increased enforcement.
 - B. The cost of implementing the Plan be included in 2019/20 budget process.
-

BACKGROUND FROM COUNCILLOR RORY AMON

On the Northern Beaches, you are 8,000 times more likely to receive a parking fine than a littering fine. Is this because there are 8,000 times more parking infringements than litter infringements? I doubt it.

The balance is wrong, especially when parking fines are usually accidental and littering offences are usually deliberate or based on laziness or a lack of awareness.

In the last year, Council issued 63,417 parking fines for \$7.904m revenue. In the same period, Council issued 8 litter fines for \$2,250 revenue.

There is clearly an organisational focus on parking fines over litter fines. However, time and again, our community tell us they care deeply about our local environment. We must do more and be seen to be doing more regarding this issue.

Whilst littering offences are harder to police and enforce due to a need to evidence and obtaining personal details of the litter bug, but it can be done. City of Sydney rangers frequently patrol smoker's hot spots with a camera and fine litterers.

This motion does not suggest diverting resources from rangers who monitor parking restrictions, but having a more balanced focus on enforcing litter laws. Litter becomes a massive issue over summer when the Northern Beaches is transformed to a tourism destination.

This motion is aimed at Council taking a holistic approach to litter reduction through a consider approach and strategy.

ITEM 12.6	NOTICE OF MOTION NO 06/2019 - COOLER ROADS INITIATIVE
TRIM FILE REF	2019/089468
ATTACHMENTS	NIL

Submitted by: Councillors Candy Bingham and Natalie Warren

MOTION

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 trialing 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 trialing 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.
-

BACKGROUND FROM COUNCILLORS CANDY BINGHAM AND NATALIE WARREN

Cooler Roads:

Most roads in the Northern Beaches area are black, and become darker each time they are resurfaced. This is a problem as it is known that darker surfaces create hotter environments, contributing to the "urban heat island" effect.

Of significance are the 845 kilometers of roads managed by Council, most of which are black bitumen surfaces. These black road surfaces absorb heat from the sun and are contributing substantially to the heat generated in our local environment.

Some Sydney councils are taking this on board and resurfacing their roads with pale, gray-white materials. Trials have shown that this change alone can reduce road surface and air temperature significantly. As well the cooler air temperatures mean that any new shade trees do better, giving a cumulative cooling effect.

Specifically, City of Sydney street trials in Chippendale have shown that light coloured roads have a surface temperature 27 degrees lower than a standard surface, and an ambient air temperature 2 degrees lower. The Council's 'cool roads' are made of a mix of concrete slurry and asphalt – known as 'ascrete slurry'.

The link below is a detailed Guide to Urban Cooling Strategies 2017 for Australia and includes 'Cool' road surfaces:

<http://apo.org.au/sites/default/files/resource-files/2017/08/apo-nid101751-1236426.pdf>

Global warming and larger built-up areas mean that heat problems are just going to get worse. We can't rely on the sea breeze to save us forever! The cooling down of our roads could be a worthwhile step for the Council to take, along with tree planting and other heat mitigation measures that are already planned.

Using Recycled Materials for Roads

In a few areas worldwide, trials are underway of a new road material which incorporates soft plastics and glass which would otherwise potentially end up in landfill. In Australia, the suburban roadway in Craigieburn uses 200,000 plastic bags and other soft plastic packaging; 63,000 glass bottles; toner from more than 4,500 used printer cartridges; and 50 metric tons of recycled asphalt to create 250 metric tons to create what its makers Downer EDI is currently calling "Plastiphalt".

In Sutherland Shire in 2018, 176,000 plastic bags, 55,000 glass bottles, 4,000 used printer cartridges and 60 tonnes of recycled asphalt were repurposed to create 220 tonnes of asphalt used in the construction of the road along Old Princes Highway.

The material could help to expand the local market for recycled plastics and glass, now that the option of exporting these to China is not available. Running a trial on the Northern Beaches could be a good opportunity for council to demonstrate environmental leadership and sustainability.

It should be noted that there may well be reasons not to proceed (for example potential micro plastic runoff from the roads), and this is why an investigation and staff report is required.

<http://wastemanagementreview.com.au/tag/plastiphalt/>

ITEM 12.7	NOTICE OF MOTION NO 07/2019 - PARKING FINE DATA TO REDUCE NON-SAFETY RELATED PARKING FINES
TRIM FILE REF	2019/089613
ATTACHMENTS	NIL

Submitted by: Councillor David Walton

MOTION

That:

- A. Council management conduct an analysis of the parking infringement notices (parking fines) issued by Council Rangers on the Northern Beaches, to determine the types and costs of non-safety related parking fines issued for the calendar year 2018.
- B. Council management determine the reduction in fine revenue for a financial year for opting into the NSW Government's changes to road rules and regulations designed to introduce a fairer and more common sense approach to parking fines in NSW, including the reduction from \$112 to \$80 of the 52 non-safety related parking offences.
- C. Council management report back to Council at the April Council meeting with its ability to opt-in to this parking fine regulation change at the regulation's opportunities in June, September or December 2019.
- D. Council management report back to Council on any impact on the FY 19/20 budget from the reduced parking fine revenue and how this can be managed.

BACKGROUND FROM COUNCILLOR DAVID WALTON

Two of the key changes for motorists in the NSW Government's 'Fines Review' are parking fine reductions and a grace period for parking.

These changes are designed to introduce a fairer and more common sense approach to the issuing of parking fines in NSW.

Fines should be used as deterrents not a license to raise revenue. Parking fines on the Northern Beaches are higher than many other cities around the world, including New York and London.

18 NSW councils and five universities have already opted in to start lowering their fines from \$112 to \$80 from 1 March 2019. The residents of the Northern Beaches should not be excluded.

This motion follows an unsuccessful attempt to gain this data and information through a Councillor request to Council management in 2018.

ITEM 12.8	NOTICE OF MOTION NO 08/2019 - DUNBAR PARK EAST AVALON (AKA "WOOLIES CAR PARK")
TRIM FILE REF	2019/091929
ATTACHMENTS	NIL

Submitted by: Councillor Alex McTaggart

MOTION

That Council upgrade the car park paying particular attention to:

- A. Filling pot holes and raising surface level where water ponds.
- B. Replacing the rotten damaged and missing timber wheel stops.
- C. Revegetating where necessary.
- D. Replanting missing major trees.
- E. Fixing damaged pavers and removing damaged concrete slabs.
- F. Steam cleaning the rear lane way/loading dock.
- G. Put in place a regular tree trimming schedule for the Canary Island Palms which require regular attention.
- H. The path leading from the beach alongside the service station to the bridge over the creek needs some road base or crusher dust to fill in the muddy informal track.

BACKGROUND FROM COUNCILLOR ALEX MCTAGGART

The Dunbar Park East car park locally known as 'Woolies Car Park' is in a rundown dilapidated condition with little maintenance in the last 10 years. This is a heavily used area and a focal point of Avalon.

A funding source is not required as Woolworths has a licence to use the side lane as a loading dock on a shared basis as negotiated with the former Pittwater Council. A condition of the licence was that the rental be allocated to Dunbar Park East. The lane way is particularly unpleasant and needs a good steam clean.

ITEM 12.9	NOTICE OF MOTION NO 09/2019 - SEISMIC OIL AND GAS TESTING & EXPLORATION OFFSHORE OF THE NORTHERN BEACHES
TRIM FILE REF	2019/092096
ATTACHMENTS	NIL

Submitted by: Councillors Natalie Warren and Alex McTaggart

MOTION

That:

- A. Council oppose both offshore exploration and mining activity due to unacceptable environmental impacts, and negative economic impacts on the recreational and commercial fishing and tourism industries.
- B. Council notes the NSW Government's Minister for Resources, Energy and Utilities, the Hon. Don Harwin MLC, has publically opposed exploration off the NSW coast, asserting that federal approval processes are not robust and do not adequately consider the environment risks of testing.
- C. Council makes a formal submission to the NSW Government that:
 - a) prohibit the processing and transport of gas produced from wells offshore from the NSW coastline to the NSW mainland.
 - b) Prohibit the construction of infrastructure relating to offshore exploration and mining activities in NSW.
- D. Council makes a formal submission to the Federal Government to request:
 - a) The current approval for exploration activity associated with Petroleum Exploration Permit 11 (PEP 11), including any proposal for further seismic testing, be suspended and reviewed based on a full assessment of the environmental impact of both the exploration activity and the potential mining activity associated with this approval
 - b) That future offshore oil and gas exploration on the NSW Coast from the Northern Beaches in Sydney to Newcastle be prohibited
 - c) An explanation of the concerns raised by Minister Harwin and the Federal Government's response to these concerns.
- E. Council liaise with the Newcastle, Port Stephens, Lake Macquarie and Central Coast Councils and relevant community environmental groups to communicate this decision and identify opportunities for collaboration on this matter.

BACKGROUND FROM COUNCILLORS NATALIE WARREN AND ALEX MCTAGGART

Some time prior to February 2018 a Federal Government agency "National Offshore Petroleum Safety Authority" NOPSEMA issued a licence to explore an offshore area from Newcastle to Manly and in some cases only 5km off the coast for oil and gas.

On March 15 to May 31 2018 the prospecting company, using 2D HIGH RESOLUTION SONIC GUN SEISMIC SHOTS tested a small area off Newcastle during the whales' migration season.

The local community was not consulted and minimal "safety" practices were put in place. The prospector now wants to complete a 3D high resolution survey of the entire licence area which extends to Manly. Both Newcastle City Council and Central Coast Council have called for bans on testing and exploration. The NSW Government Minister for Resources, Energy and Utilities, the Hon Don Harwin has also called for a ban. The Northern Beaches community has just woken up to the immediate threat to our beaches, the migratory whales and dolphins and the offshore fishing industry.

ITEM 12.10	NOTICE OF MOTION NO 10/2019 - SUPPORTING RURAL COMMUNITIES IN DROUGHT
TRIM FILE REF	2019/092515
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

MOTION

That Council staff brief Councillors within 2 months on innovative options to assist our drought stricken rural communities noting that Northern Beaches Council is already trialling alternate water equipment options.

BACKGROUND FROM COUNCILLOR SUE HEINS

Noting Councillor Daley's earlier Notice of Motion in assisting our rural communities, our Council is already successfully trialling innovative options in producing water through hydro panels at Currawong. Our residents have asked that our Council support drought affected communities such as Walgett and we should also look at the assistance required by our own sister cities of Brewarrina and Gunnedah. Council can offer assistance with water equipment and supporting these communities in becoming self-sustainable. Given Walgett has been specifically mentioned by people in our community, it would be advisable for our Council to contact Walgett's sister city which I believe is the Central Coast Council to see how we can work together in assisting those communities who can benefit from innovative water technologies.

ITEM 12.11	NOTICE OF MOTION NO 11/2019 - DOG WATER PARKS
TRIM FILE REF	2019/092544
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

MOTION

That Council come back with a report within 5 months with options on providing a park with water features for dogs with a range of water supplies from innovative to traditional.

BACKGROUND FROM COUNCILLOR SUE HEINS

As every coastal council has passionate debates about dogs on beaches up and down the coastline and noting that Northern Beaches Council has 28 dog parks and limited water access at our beaches, it is time to start thinking about the future of water activities for our dogs.

Even though there is a constant call for more access to our beaches for dogs, we are limited to the number of beaches we have. This number will never change and the number of dogs in our LGA is constantly increasing as people welcome more dogs into their families and our local population increases.

However, as Sydney's population grows, the number of people visiting our beaches each year also increases. This is exceptionally visible during Summer periods when many Sydneysiders and tourists visit our beaches. This seasonal influx further exacerbates the tension between dog owners and those afraid of dogs, those who want to enjoy quiet time at the beach and those who don't pick up after their dogs.

As an option, it is time that Council investigate the possibility of adding water features to future or existing dog parks. Whether they are as extensive as what is in the US or Spain or something simple as water features that are currently in parks such as Walter Gors in Dee Why or Manly Corso I believe it is time to investigate alternative options and to also start a conversation with our local community.

ITEM 12.12**NOTICE OF MOTION NO 12/2019 - ECONOMIC AND SOCIAL
BENEFITS OF INCREASING SOLAR ELECTRICITY
PRODUCTION****TRIM FILE REF****2019/092622****ATTACHMENTS****NIL**

Submitted by: Councillor Stuart Sprott

MOTION

That:

- A. Council conduct a review of its annual expenditure on solar panel installation on Council buildings.
 - B. Council undertake financial analysis on increasing expenditure on increased solar panel use in council, its effect in reducing operational expenditure on electricity and modelling on pay back times through reduced operational expenditure.
 - C. Councillors be provided with a briefing on the effect of increased capital expenditure on solar panels upon the budget, prior to the finalisation of the 2019/20 budget.
-

BACKGROUND FROM COUNCILLOR STUART SPROTT

The environment ranks as one of the highest priorities for the residents of the Northern Beaches. We need to protect the natural and built environment from the impacts of climate change and population pressures.

We have an opportunity to reduce the risks of climate change and show real leadership in environmental sustainability. With the increased cost of electricity and council wanting to lead the community in being environmentally aware I am asking for council to lead the way with a look into the economic and social benefits of increasing solar electricity production through roof top and other means of solar installations on council properties.

13.0 QUESTIONS ON NOTICE

ITEM 13.1	QUESTION ON NOTICE NO 01/2019 - EXPENDITURE OF THE ESPLANADE, MANLY
TRIM FILE REF	2019/011936
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION:

Since amalgamation what have been the total costs for the following at East Esplanade, Manly:

- A. Ranger Patrols and salaries:
 - a. Day
 - b. Night
 - c. After Hours Ranger Call Out.
- B. Landscaping and capital works.
- C. Rubbish collection:
 - a. On staff to collect rubbish
 - b. To dispose of rubbish.
- D. Fireworks and other activities.
- E. Gardening/Maintenance staff salaries.

ITEM 13.2	QUESTION ON NOTICE NO 02/2019 - MANLY CINEMA
TRIM FILE REF	2019/089911
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

QUESTION

The Manly Twin Cinema at East Esplanade has remained empty since 2013, with no effort by the owner to find a new lessee despite many attempts by local business people to take over the business.

1. Was it a condition of consent for the redevelopment of the site around 1985 (which was previously the Embassy Cinema opened in 1933 and later the remodeled Odeon Cinema in 1960) that a cinema be part of the new development?
2. Is there any action Council can take to assist in the reinstatement of the operation of a Cinema?

ITEM 13.3	QUESTION ON NOTICE NO 03/2019 - COST OF NEW ORGANISATIONAL STRUCTURE
TRIM FILE REF	2019/090813
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In view of the new Organisational Structure could the costs for the following please be advised:

- A. Expenditure incurred to Derwent Search for the recruitment of new Directors;
- B. Redundancy payments for the existing General Managers who were unsuccessful in gaining positions in the new structure;
- C. Salary costs for each new respective Director (by each Directorate); and
- D. Advertising and any other costs in relation to recruitment for the new Structure.

14.0 RESPONSES TO QUESTIONS ON NOTICE

ITEM 14.1	RESPONSE TO QUESTION ON NOTICE NO 15/2018 - FINES ISSUED BY COUNCIL
TRIM FILE REF	2019/059115
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Since amalgamation, does Council keep a record by category of fines issued, if so, could I please be advised of how many fines were issued and the total amount charged for the following type of fines:

- A. Dog related
- B. Parking
- C. Building (failure to comply with consent conditions)
- D. Illegal Building works
- E. Commercial/Health/Safety
- F. Environment
- G. Other.

RESPONSE

Council does not keep a record of Penalty Infringement (fine) data by category. The information held specifies the number of fines issued by each offence.

Penalty infringement data prior to 1 January 2017 was archived when the three infringement systems that were in operation at the point of amalgamation were consolidated and cannot be reported on.

Infringement data from 1 January 2017 to 30 January 2019 has been analysed to provide the information by the categories requested below.

- A. Dog Related: 615 infringements issued - \$196,765
- B. Parking: 105,538 infringements issued - \$14,503,222
- C. Building (failure to comply with consent conditions): 513 infringements issued - \$288,550
- D. Illegal Building works: 56 infringements issued - \$154,500
- E. Commercial/Health/Safety: 456 infringements issued - \$394,270
- F. Environment: 35 infringements issued - \$153,450
- G. Other: 407 infringements issued - \$185,865.

**ITEM 14.2 RESPONSE TO QUESTION ON NOTICE NO 16/2018 -
EXPENDITURE OF LEGAL FEES****TRIM FILE REF 2019/029719****ATTACHMENTS NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION:

Since amalgamation, what is the total cost incurred by Council on legal matters?

- A. On how many occasions has Council's in House Lawyers appeared in Court on the record, on behalf of Council?
- B. On how many occasions has Council been represented in Court / Tribunals / Commissions / Mediations by Counsel?
- C. On how many occasions has Council been represented in Court / Tribunals / Commissions / mediations by external Law Firms?

RESPONSE

In relation to Question on Notice No 16/2018 - Expenditure of Legal Fees, the response is as follows:

- A. As at January 2019, \$6,930,288.
- B. In Courts/Tribunals/Commissions, 27.
- C. 26.
- D. 177.

15.0 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 15.1 North and South Steyne Road Realignment Scheme 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*]; and 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*].
 - 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.
-

16.0 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.



northern
beaches
council

