



northern
beaches
council

AGENDA

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

Tuesday 27 August 2019

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

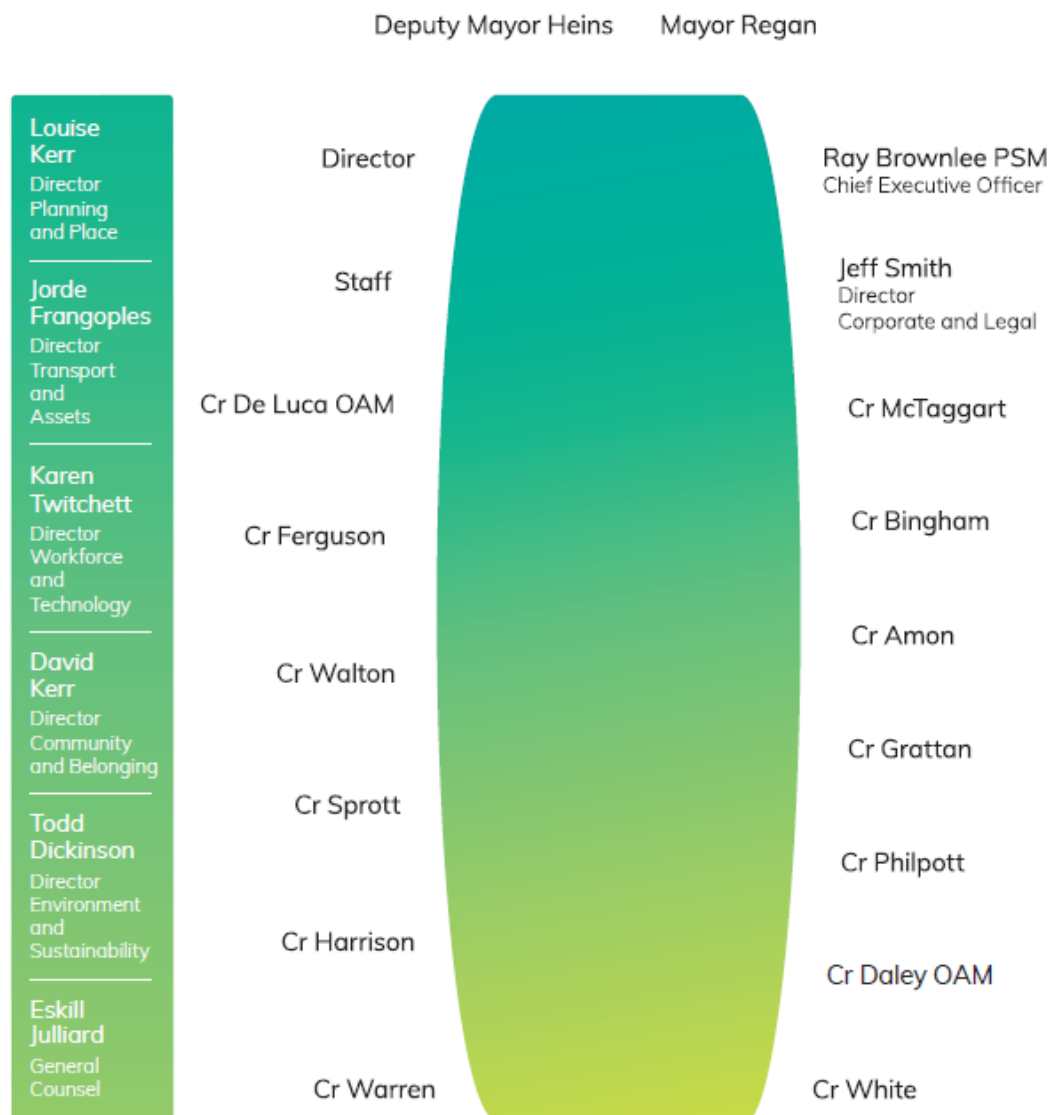
Ray Brownlee PSM
Chief Executive Officer

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 27 August 2019
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 23 JULY 2019

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 23 July 2019, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 15/2019 - RECOGNITION OF CHILDREN'S SERVICES - EXCEEDING THE NATIONAL QUALITY STANDARD
TRIM FILE REF	2019/419429
ATTACHMENTS	NIL

BACKGROUND

In December 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. In February Ivanhoe Park Pre-school, Brookvale Children's Centre and Narrabeen Children's Centre were congratulated for achieving this fantastic standard.

Now we can add Belrose Children's Centre with an outstanding 7 out of 7 Quality Areas and 15 Standards rated at the Exceeds level.

As an example of the quality care provided by this centre, the NQS Assessment Officer commented of 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."

The National Quality Standard (NQS) sets the national benchmark for the quality of children's education and care services across Australia. Northern Beaches is 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.

This is a significant achievement and stands testament to the passion, professionalism and commitment of 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 high quality 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 again acknowledges the efforts of all the staff who work in our Children's Services area at all our Long Day Care Centres and Pre-schools and thank them for their part in this achievement.



Michael Regan
MAYOR

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1 MONTHLY INVESTMENT REPORT - JULY 2019

REPORTING MANAGER CHIEF FINANCIAL OFFICER

TRIM FILE REF 2019/446254

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 \$184,317,848 comprising:

- Trading Accounts \$1,676,635
- Investments \$182,641,213

Performance over the period from 1 July 2019 to date was strong having exceeded the benchmark: 2.62%pa vs. 1.90%pa.

Certification – Responsible Accounting Officer

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

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2019 to date was \$411,938 compared to budgeted income of \$398,134, a positive variance of \$13,804.

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 DIRECTOR CORPORATE AND LEGAL

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

REPORT

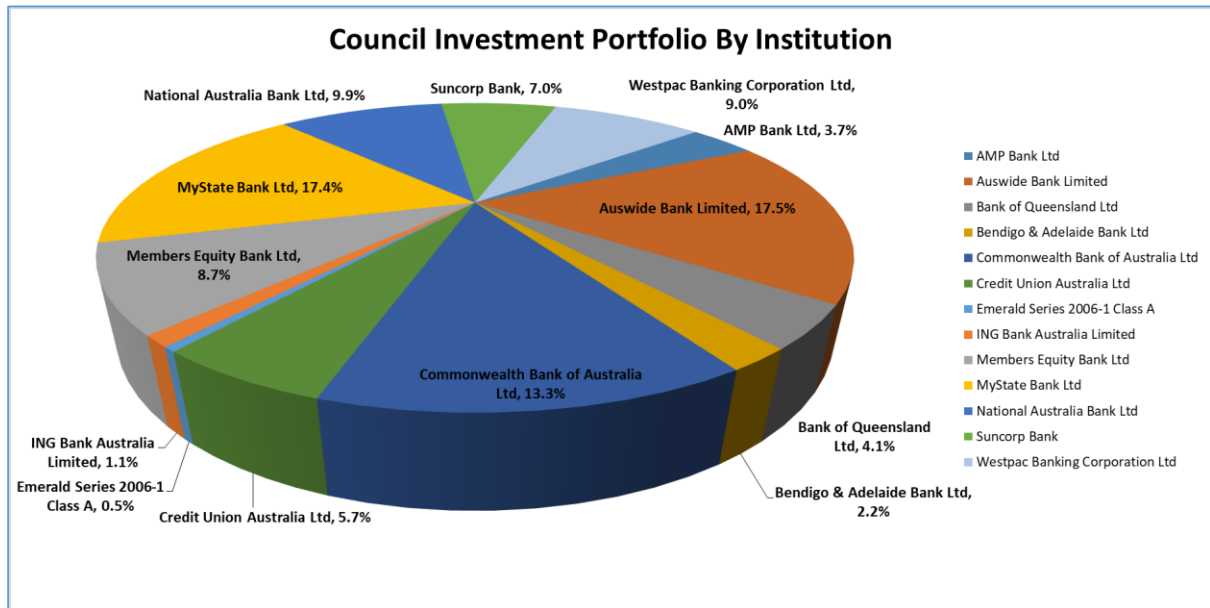
INVESTMENT BALANCES

INVESTMENT BALANCES As at 31-Jul-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	344,439		1.05%
National Australia Bank Ltd	A1+	40,492		1.13%
		384,931		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,118,109	At Call	1.45%
		4,118,109		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	852,319	21-Aug-51	2.0066%
		852,319		
Term Deposits				
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%
Bank of Queensland Ltd	A2	1,000,000	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%
Members Equity Bank Ltd	A2	2,000,000	17-Sep-19	2.75%
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%
Suncorp Bank	A1	2,000,000	15-Oct-19	2.60%
Members Equity Bank Ltd	A2	1,000,000	15-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	17-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	23-Oct-19	2.85%
AMP Bank Ltd	A2	1,450,000	24-Oct-19	2.80%
MyState Bank Ltd	A2	2,000,000	29-Oct-19	2.87%
MyState Bank Ltd	A2	2,000,000	05-Nov-19	2.87%
MyState Bank Ltd	A2	2,000,000	07-Nov-19	2.85%

INVESTMENT BALANCES				
As at 31-Jul-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Westpac Banking Corporation Ltd	A1+	1,000,000	11-Nov-19	2.40%
MyState Bank Ltd	A2	2,000,000	12-Nov-19	2.85%
Suncorp Bank	A1	4,000,000	12-Nov-19	2.60%
AMP Bank Ltd	A2	2,000,000	14-Nov-19	2.80%
AMP Bank Ltd	A2	2,000,000	14-Nov-19	2.60%
MyState Bank Ltd	A2	2,000,000	19-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Nov-19	2.87%
Auswide Bank Limited	A2	2,000,000	28-Nov-19	2.80%
MyState Bank Ltd	A2	2,000,000	05-Dec-19	2.85%
Credit Union Australia Ltd	A2	1,500,000	10-Dec-19	2.73%
Auswide Bank Limited	A2	3,000,000	10-Dec-19	2.75%
Suncorp Bank	A1	2,000,000	12-Dec-19	2.20%
National Australia Bank Ltd	A1+	3,000,000	12-Dec-19	2.35%
MyState Bank Ltd	A2	3,000,000	16-Dec-19	2.30%
National Australia Bank Ltd	A1+	2,000,000	17-Dec-19	2.20%
Members Equity Bank Ltd	A2	2,000,000	17-Dec-19	2.75%
Auswide Bank Limited	A2	2,000,000	07-Jan-20	2.30%
Auswide Bank Limited	A2	3,000,000	07-Jan-20	2.75%
National Australia Bank Ltd	A1+	2,000,000	09-Jan-20	2.35%
Credit Union Australia Ltd	A2	2,000,000	21-Jan-20	2.76%
Suncorp Bank	A1	2,000,000	23-Jan-20	2.35%
Auswide Bank Limited	A2	3,000,000	04-Feb-20	2.75%
Auswide Bank Limited	A2	2,000,000	06-Feb-20	2.30%
National Australia Bank Ltd	A1+	1,000,000	18-Feb-20	2.35%
Suncorp Bank	A1	2,000,000	20-Feb-20	2.35%
Credit Union Australia Ltd	A2	2,000,000	25-Feb-20	2.78%
Auswide Bank Limited	A2	3,000,000	03-Mar-20	2.75%
Westpac Banking Corporation Ltd	A1+	4,000,000	23-Jun-20	2.50%
Westpac Banking Corporation Ltd	A1+	3,000,000	02-Jul-20	2.50%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Jul-20	2.55%
Westpac Banking Corporation Ltd	A1+	3,000,000	24-Jul-20	2.25%
		134,950,000		

INVESTMENT BALANCES				
As at 31-Jul-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,291,704		0.40%
		1,291,704		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	473,448	At Call	0.10%
		473,448		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Aug-19	1.51%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Aug-19	2.18%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Sep-19	1.94%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Sep-19	1.63%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Sep-19	2.10%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Oct-19	1.88%
Commonwealth Bank of Australia Ltd	A1+	8,297,336	28-Oct-19	2.12%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Oct-19	1.66%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jan-20	1.82%
		18,297,336		
New Council Implementation Fund				
Term Deposits				
Suncorp Bank	A1	900,000	21-Nov-19	2.60%
		900,000		
Stronger Communities Fund				
Term Deposits				
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
AMP Bank Ltd	A2	1,450,000	13-Aug-19	2.80%
Bank of Queensland Ltd	A2	600,000	17-Oct-19	2.80%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		4,550,000		
Stronger Communities Fund Round 2				
Term Deposits				
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%
National Australia Bank Ltd	A1+	1,700,000	16-Jan-20	2.35%
Auswide Bank Limited	A2	2,000,000	11-Feb-20	2.25%
National Australia Bank Ltd	A1+	2,500,000	05-Mar-20	2.65%
National Australia Bank Ltd	A1+	2,000,000	09-Apr-20	2.50%
Westpac Banking Corporation Ltd	A1+	2,000,000	17-Jul-20	2.25%
		18,500,000		
Total Cash and Investments		184,317,848		

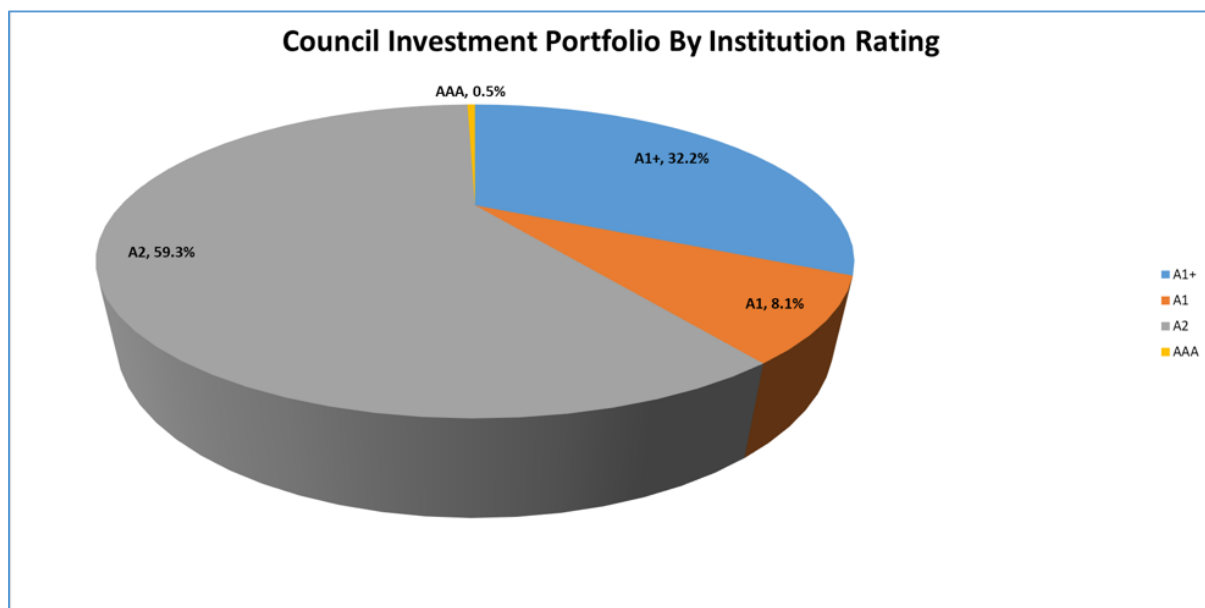
PORTFOLIO ANALYSIS



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-			
Unrated	Unrated	10%	Yes (\$Nil)



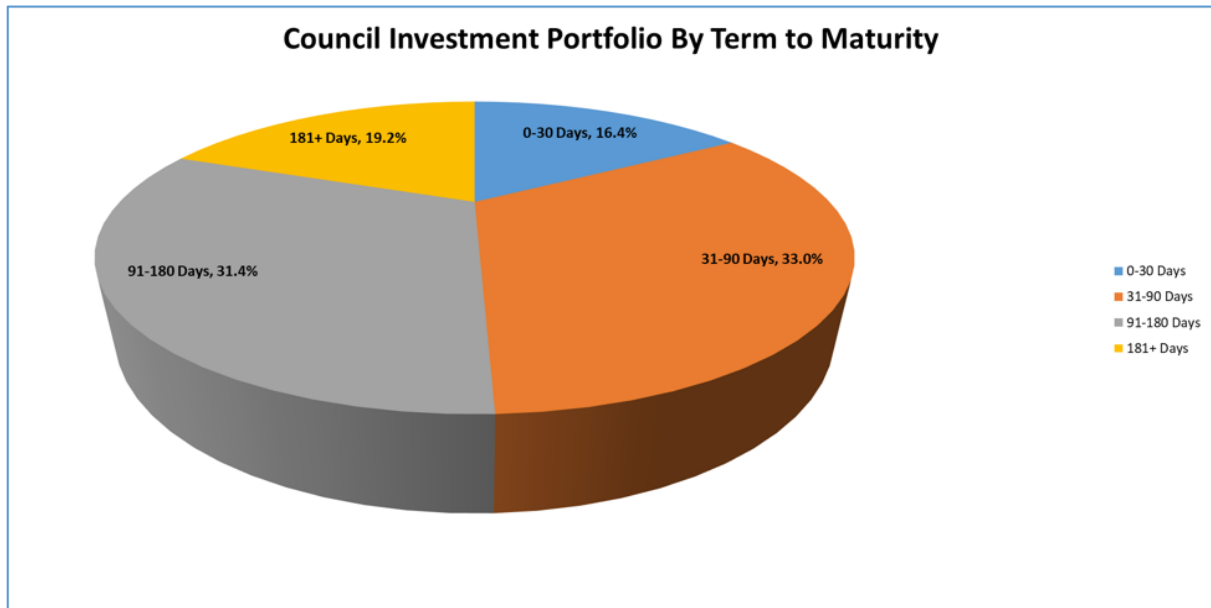
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

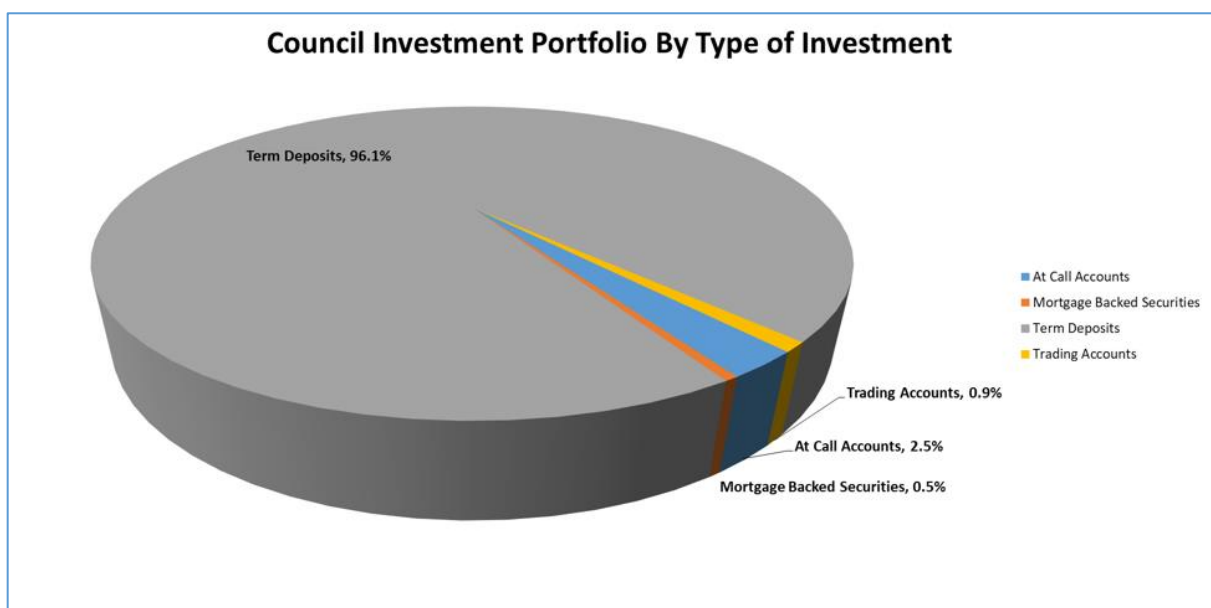
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

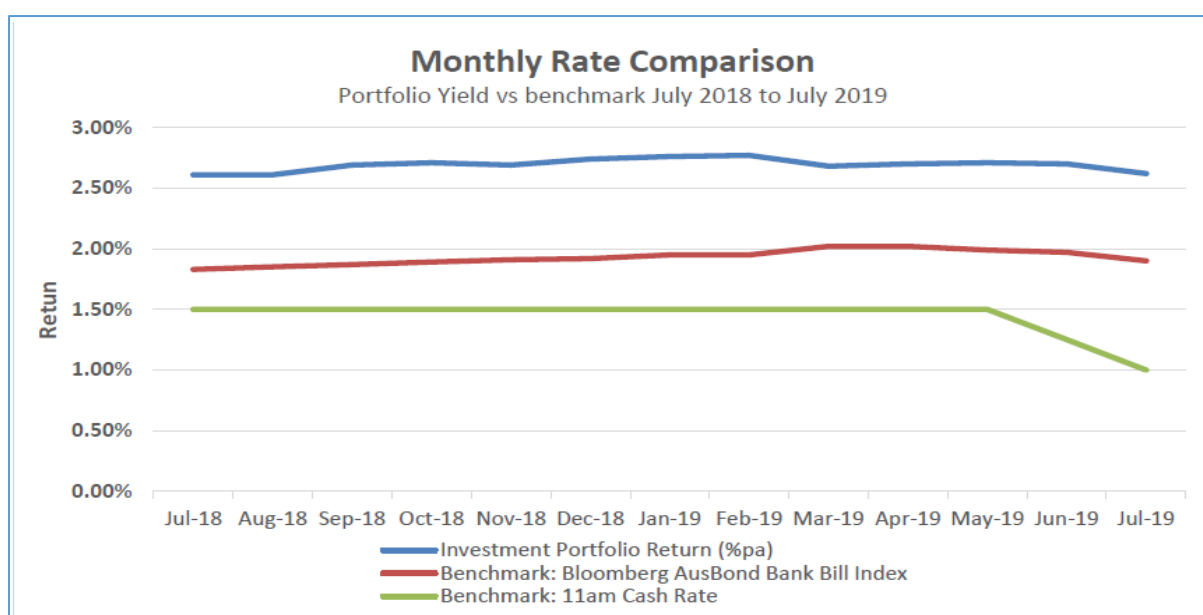


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate *
1 Month	2.62%	1.90%	1.00%
3 Months	2.66%	1.95%	1.25%
6 Months	2.69%	1.98%	1.38%
FYTD	2.62%	1.90%	1.00%
12 Months	2.69%	1.94%	1.44%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

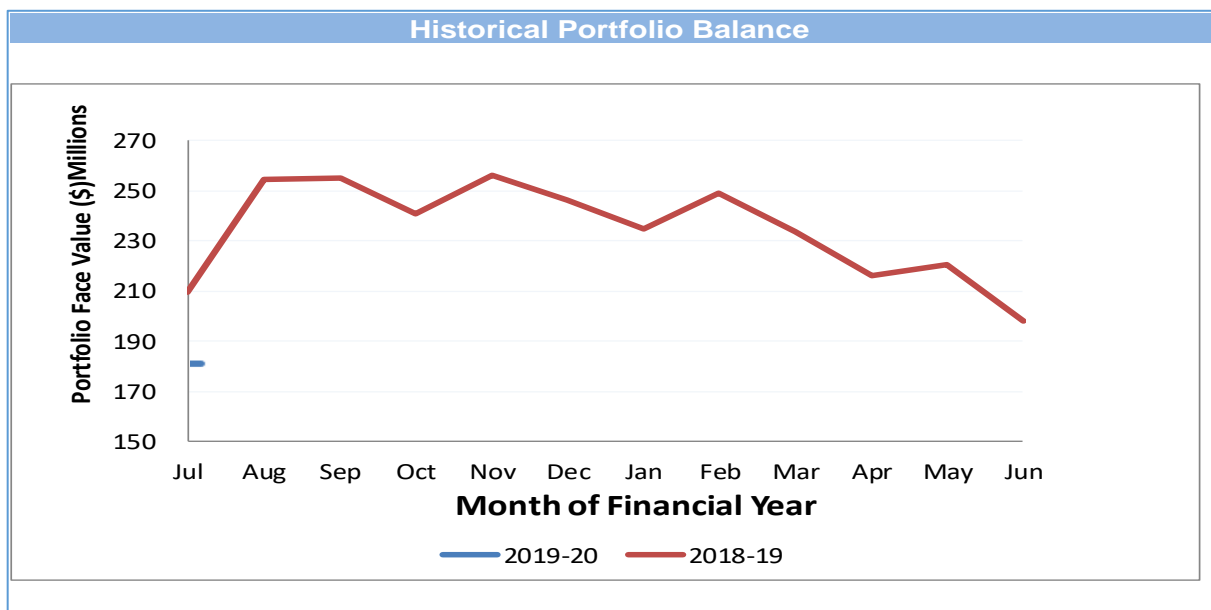


MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 Jul 19 \$	Year to Date \$
Investment Income	411,943	411,943
Adjustment for Fair Value	(5)	(5)
Total Investment Income	411,938	411,938
Budgeted Income	398,134	398,134

*Includes all cash and investment holdings

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



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did 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 is slowing, according to initial reports of Quarter 2 GDP, but the response of the world's central banks either easing monetary policy or turning towards considering easier policy reduces the risk that slow growth turns to recession over the next year or so. Quarter 2 GDP reports released so far from China and the US both show slower annual growth, but with comparatively strong growth in household spending helping to counter the damage to growth in key sectors in both economies. The promising signs in late June and early July that the US and China were resuming trade negotiations appear to be fading again. The saving grace is that policymakers, especially the central banks, are looking at ways of priming spending.

In the US, Quarter 2 GDP growth at 2.1% annualised was better than expected although softer than 3.1% reported in Quarter 1. One key strong element in the Quarter 2 GDP report was consumer spending up 4.3%, the strongest lift since Quarter 4 2017 and compared with 1.1% in Quarter 1 2019. US household spending growth is likely to remain underpinned by strong employment growth (non-farm payrolls rose 224,000 in June), 3%+ annual wages growth and strongly rising household wealth. The prospect of more growth in household spending, the biggest single element of US GDP, make it unlikely that the US economy will suffer recession over the next year, even though the current US expansion is the longest in more than 160 years.

In China, Quarter 2 GDP growth slowed to 6.2% year-on-year. The monthly data for June tells a story of an economy weighed by weak international trade, exports fell 1.3% year-on-year, with imports down 7.3%, but with domestic sales and output holding up comparatively well. Fixed asset investment spending accelerated to 5.8% year-on-year from 5.6% in May while industrial production increased 6.3% year-on-year in June from 5.0% in May. Most encouragingly, retail sales growth accelerated to 9.8% year-on-year in June from 8.6% in May. These June readings seem to show that while the trade war is hurting the economy the moves by the authorities cautiously deploying more expansionary fiscal and monetary policy may be assisting domestic spending to offset international trade weakness. China seems to stand more chance than was the case a month ago of keeping annual GDP growth at 6% or higher in the second half of 2019.

In Europe most leading economic indicators have stayed weak in July. The preliminary July manufacturing PMI slipped further below the 50 expansion/contraction line falling to 46.4. July consumer confidence at -6.6. Quarter 2 GDP is due later this week and is expected to show only 0.2% quarter-on-quarter growth reducing annual growth to 1.0% year-on-year. At its July policy meeting, the European Central Bank left policy interest rates unchanged but in the accompanying commentary focused on downside risks to European growth prospects and its readiness to adopt easier policy. In Britain, Boris Johnson won the leadership race for the conservative party and became the new Prime Minister promising to deliver Brexit on 31st October with or without a new agreement with the EU. The new Prime Minister's plans will run the gauntlet of a deeply divided Parliament and country in the first instance and an EU governing body deeply opposed to changing the deal offered for Brexit. The chances still look very slim of avoiding a period of heightened economic uncertainty for Britain and the EU beyond the end of October.

In Australia, the signs of moderate-paced economic growth generating good growth in employment but little upward pressure on inflation continued in July. Despite international trade tensions prices for Australian exports have lifted very strongly over the past year (in Quarter 1 2019 up 4.5% quarter-on-quarter, +15.3% year-on-year and likely to be up at least 15% year-on-year when Quarter 2 export prices are released later this week) delivering a big, albeit narrowly-based, boost to national income. Nominal and real Quarter 2 GDP due for release early in September should see best quarterly growth in a year boosted by strong net export contribution but also assisted by better contributions to growth from household consumption spending and business investment spending.

ITEM 9.2	APPROVAL TO WRITE OFF BAD DEBT - WATERVIEW RESTAURANTS GROUP PTY LTD (IN LIQUIDATION), FORMERLY OF 94 THE CORSO, MANLY NSW
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/387683
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to obtain Council's approval to write off a bad debt of outdoor dining licence fees amounting to \$37,067.72 (including GST) as the liquidation of the debtor, Watervue Restaurants Group Pty Ltd (In Liquidation) has been finalised.

EXECUTIVE SUMMARY

Council officers have been advised by the liquidators William Buck that the liquidation of Watervue Restaurants Group Pty Ltd (In Liquidation) was finalised on 28 September 2017 and there was no distribution to any class of creditor and the company was deregistered by the Australian Securities and Investments Commission on 10 December 2017.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council approve the writing off of the outstanding debt for outdoor dining licence fees of \$37,067.72 (including GST) for Watervue Restaurants Group Pty Ltd (In Liquidation) as detailed in this report.

REPORT

BACKGROUND

Clause 213 of the *Local Government (General) Regulation 2005* specifies the condition that if a debt is not lawfully recoverable it may be written off.

In September 2016 Council commenced proceedings to wind up Watervue Restaurants in Manly for unpaid debts in the sum of \$37,067.72. Council's application to wind up Watervue was listed on 10 October 2016.

On 8 November 2016 the Supreme Court made orders that Watervue Restaurants Group Pty Limited (ACN 161 516 589), be wound up and Brendan Copeland and Robert Whitton of William Buck be appointed jointly and severally as the official liquidators. The debt owed by Watervue Restaurants Group Pty Ltd (In Liquidation) related to Outdoor Dining Fees from April to June 2016.

We have been advised by the liquidators William Buck that the liquidation was finalised on 28 September 2017 and there was no distribution to any class of creditor and the company was deregistered by the Australian Securities and Investments Commission on 10 December 2017.

Clause 213 of the *Local Government (General) Regulation 2005* specifies conditions in which bad debts may be written off specifically:

- (a) If the debt is not lawfully recoverable, or
- (b) As a result of a decision of a court, or
- (c) If the Council or the General Manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective.

Where it is required that the bad debt be written off, specific details regarding the outstanding debts must be disclosed.

Clause 213(4) requires that:

A resolution or order writing off a debt to a council must:

- (a) Specify the name of the person whose debt is being written off, and
- (b) Identify the account concerned, and
- (c) Specify the amount of the debt.

Or must refer to a record kept by the Council in which those particulars are recorded.

Details have been provided below in a form compliant with clause 213(4). It is recommended that Council approves the write-off of bad debts totalling \$37,067.72 as detailed below:

Debtor Reference	Debtor Account 6512.50 and 6512.20 Watervue Restaurants Group Pty Ltd T/as Watervue 94 The Corso, MANLY NSW 2095
Date Debt Incurred	April to June 2016 Outdoor Eating Licence fees billed monthly.
Amount (inclusive of GST)	\$37,067.72
Description	Outdoor Eating Licence fees due monthly.

Comments	Numerous correspondence regarding non-payment of fees and failure to comply with payment plans culminating in Council's decision to cancel their outdoor dining licence in July 2016. Council escalated to legal action. Company went into liquidation and based on past experience and other major claims, Council's debt collection agency advised that did not feel that this debt can be recovered.
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CONSULTATION

Various finance, legal and recovery services were consulted prior to determination that the debt was unrecoverable.

TIMING

Following confirmation by the liquidators William Buck that the liquidation was finalised on 28 September 2017 and there was no distribution to any class of creditor and the company was deregistered by the Australian Securities and Investments Commission on 10 December 2017, Council is now formally seeking to write off the debt having exhausted all means of recovering the debt

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 – Ensure the long-term financial sustainability of Council through strategic management of assets.

FINANCIAL CONSIDERATIONS

Given the age of the debt and the inability to collect through debt collectors to date it has been determined that no further resources should be spent in an attempt to recover this debt.

SOCIAL CONSIDERATIONS

There are no social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

All reasonable recovery actions have been undertaken by Council to secure payment of the listed debt. It would be uneconomical and an inefficient use of Council resources to continue to pursue this debt.

While the Chief Executive Officer has delegated authority to write off debts up to \$20,000, this debt exceeds \$20,000 and a Council resolution to write off the amount is required.

ITEM 9.3	FUNDING ROLL OVER FROM 2018-19 BUDGET
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS
TRIM FILE REF	2019/446370
ATTACHMENTS	1 Capital and Operational Expenditure - Net Roll Overs from 2018-19 to the 2019-20 Financial Year

SUMMARY

PURPOSE

To roll over unspent funds from the 2018-19 financial year to the 2019-20 budget for specific projects and to reduce the 2019-20 forecast for projects ahead of schedule.

EXECUTIVE SUMMARY

For the period 1 July 2018 to 30 June 2019 the Council undertook \$102.5m in capital expenditure (\$93.4m excluding Kimbriki works and non-cash asset dedications) (subject to Audit of final financial results). This represents a \$2.8m (2.6%) underspend against the \$105.3m approved forecast. Excluding Kimbriki works and non-cash dedications, the underspend was \$4.3m (4.4%) against the \$97.6m approved forecast. By comparison, in 2017-18 the Council undertook \$78.8m in capital expenditure against a \$91.5m approved forecast (\$12.7m (13.9%) underspend).

A review has been undertaken of project funding remaining and projects ahead of schedule.

It is proposed to roll over unspent funds for capital (\$6m) and operational (\$2.2m) projects from 2018-19 to the 2019-20 financial year due to projects having already commenced and expenditure is committed or the receipt of grant funding for projects spanning a timeframe beyond 30 June 2019.

A small number of reductions to the 2019-20 forecast are also proposed due to multi-year capital (\$0.8m) and operational (\$0.03m) projects ahead of schedule that utilised 2019-20 budgeted funds in 2018-19.

The net operating and capital expenditure budget rollover to 2019-20 proposed is \$7.4m (\$6.5m excluding Kimbriki). By comparison, the net budget rollover in the previous financial year to 2018-19 was \$9.4m excluding Kimbriki.

A full list of these projects and their funding is itemised as an attachment to this report.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

- A. Rolls over \$2,202,433 in operational projects from 2018-19 to 2019-20.
 - B. Rolls over \$6,047,532 in capital projects from 2018-19 to 2019-20.
 - C. Approves the forecast reduction of \$34,859 for operational projects expenditure for works undertaken in 2018-19 and budgeted in 2019-20.
 - D. Approves the forecast reduction of \$810,769 in capital projects expenditure for works undertaken in 2018-19 and budgeted in 2019-20.
-

REPORT

BACKGROUND

The Council undertakes a programmed and disciplined approach to financial planning and management, with a review of all projects at the end of the financial year to ensure available unspent funds on incomplete projects and new grants are considered for roll over to the following financial year.

Further, the budgets for projects ahead of schedule that have utilised funds allocated in the 2019-20 financial year are proposed for a forecast reduction.

The total net expenditure amount proposed for rolling forward into the 2019-20 budget is \$7.4m as outlined below in Table 1.

Table 1. Net budget roll over from 2018-19 to 2019-20

	Bring fwd from 19/20 to 18/19	Roll over from 18/19 to 19/20	Net roll over from 18/19 to 19/20
Capital projects	(810,769)	6,047,532	5,236,763
Operating projects	(34,859)	2,202,433	2,167,574
TOTAL	(845,628)	8,249,965	7,404,337

This amount is matched with funding including unexpended grants, developer contributions, other externally and internally restricted funds and working capital, sustaining the Council's balanced budget position for the 2019-20 financial year.

A full list of proposed projects and their funding is itemised as an attachment to this report. Major rollovers are outlined below in Table 2.

Table 2. Net budget roll overs – major projects list

Kimbriki Landfill Cell Development Area 4A	\$917,928	Capex
Plant and fleet	\$913,839	Capex
New Council Implementation Fund	\$880,820	Opex
Domestic waste bin replacement program – <i>bring forward from 19/20</i>	(\$651,501)	Capex
IT software projects including a booking system for customers and timesheet and rostering system	\$566,014	Capex
Coast Walk Art Trail	\$547,312	Capex
Glen Street Masterplan Implementation (synthetic sportsfield)	\$532,455	Capex
Lionel Watts Playground (Connecting all Through Play - Inclusive Play)	\$454,458	Capex

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

The total net amount proposed for roll over into the 2019-20 budget is \$2.2m for operational expenditure and \$5.2m for capital expenditure. This amount is matched with funding including unexpended grants, new grants, developer contributions, other externally and internally restricted funds and working capital.

Adoption of the recommendation formally carries over committed and unexpended 2018-19 budgets into the 2019-20 adopted budget for the projects outlined in Attachment 1. As the Council has already set aside funds for these projects, the proposed net roll overs will retain the Council's balanced budget position.

SOCIAL CONSIDERATIONS

There are no significant social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The information in this report is provided to enable informed decision making while also ensuring transparency on Council's governance and financial sustainability in accordance with the Local Government (General) Regulation 2005 (CI211).



PROPOSED NET BUDGET ROLL OVERS FROM 2018-19 TO 2019-20

AUGUST 2019

2019/449056

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For the net rollover of budgets from the 2018-19 financial year

[illegible]

The Office of Local Government has reclassified a number of expense and income accounts, which are reflected above and noted below for the information of the Council.

1. s611 charges reclassified from User Fees & Charges to Rates & Annual Charges (\$202,740)
2. Pensioner subsidies received from the NSW Government reclassified from Operating Grants & Contributions to Rates and Annual Charges (\$1,396,440)
3. A number of expense accounts have been reclassified by the OLG from Materials and Contracts to Other Expenses including bank charges, IT equipment and software, membership fees, postage, stationery and printing, subscriptions and plant maintenance.

Northern Beaches Council
2019-20 Capital expenditure and funding budget review statement
For the net rollover of budgets from the 2018-19 financial year

	ORIGINAL	Recommended net rollovers from 2018/19 for Council resolution	PROPOSED
	Budget		Budget
	\$'000	\$'000	\$'000
Capital Expenditure			
Capital expenditure - renewal of existing assets	(59,547)	(1,085)	(60,632)
Capital expenditure - new assets	(50,762)	(4,152)	(54,914)
Total Capital Expenditure	(110,310)	(5,237)	(115,546)
Capital Funding			
Working capital	18,471	2,193	20,663
Depreciation	38,972	1,666	40,638
Capital grants and contributions			
- New grants	10,147	70	10,217
- Grants rolled over from prior years	10,800	239	11,039
Externally restricted reserves			
- Developer contributions	14,410	645	15,055
- Domestic waste	3,000	(652)	2,348
- Other	1,170	-	1,170
Internally restricted reserves			
- Merger savings fund	5,434	993	6,426
- Other	6,325	83	6,408
Income from sale of assets			
- Plant and equipment	1,582	-	1,582
Total Capital Funding	110,310	5,237	115,546
Capital funding Surplus / (Deficit) - Balanced budget	0	(0)	(0)

Northern Beaches Council

Operating budget proposed rollovers from 2018/19 to 2019/20

2019/445626

Project Code	EXPENDITURE		Project and comments	SOURCE OF FUNDS				
	Bring fwd from 19/20	Roll over to 19/20		Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Operating	Working Capital
31131000		(880,820)	Northern Beaches signage and intranet projects underway - funded by New Council Implementation Fund	-	(880,820)	-	-	-
31141000		(13,255)	Community grants awaiting claims from successful recipients - funded from the Stronger Communities Fund Round 1	-	(13,255)	-	-	-
33631000		(41,000)	Warringah Aquatic Centre Open Day - Sculptures by the Pool - funded from Merger Savings Fund 18/19 community events program	-	-	(41,000)	-	-
		(138,190)	Library local priority grant received in 18/19 - to be spent in 19/20 on building furnishings, refurbishment of children's spaces, technology and program enhancements.	(138,190)	-	-	-	-
34401002		(2,265)	Tiny Doors grant received in 18/19 - to be spent in 19/20	(2,265)	-	-	-	-
34401003		(4,213)	Be Connected Digital Literacy grant received in 18/19 - to be spent in 19/20	(4,213)	-	-	-	-
34401004		(50,000)	Glen Street Library Bush Garden Grant received in 18/19 - to be spent in 19/20	(50,000)	-	-	-	-
34401005		(8,300)	Ingleside Land Release - Department of Planning experienced delays in engaging a consultant to undertake this work. This resulted in delay in the appointment of Council's independent consultant undertaking work.	-	-	-	-	(8,300)
42511001		(98,904)	Local Strategic Planning Statement - Developing the Local Strategic Planning Statement is a large and complex multi-year project. Some elements experienced changes in scope and scale as issues emerged during the course of the project and following community engagement.	-	-	-	-	(98,904)
42511006		(63,794)	Avalon Place Plan - Additional community consultation was required.	-	-	-	-	(63,794)
42511007		(73,547)	Frenchs Forest Planned Precinct Plan - Department of Planning consultants were delayed in finalising their work. This had flow on effects to Council's consultants completing their work.	-	-	-	-	(73,547)
42511008		(57,875)	Manly West Esplanade Heritage Activation Plan underway - grant funded	(57,875)	-	-	-	-
42511010		(120,343)	2018-19 Aboriginal Heritage Office surplus rollover to 2019-20 - funded by contributions from other councils and NBC	-	-	-	-	(120,343)
42521000		(2,150)	Odawara student exchange program underway - roll over student contributions remaining	-	-	-	-	(2,150)

Project Code	EXPENDITURE		Project and comments	SOURCE OF FUNDS				
	Bring fwd from 19/20	Roll over to 19/20		Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Operating	Working Capital
42811013		(23,088)	Safer Communities Fund remaining grant of \$13,088 - to be spent in 19/20 to complete the Safer Manly Laneways project.	(23,088)	-	-	-	-
43761000		(153,239)	Local Drug Action Team (LDAT) grant received in April 2019 (\$10,000) to assist in funding actions within the LDAT's Community Action Plan.	-	-	(153,239)	-	-
43761001		(67,500)	PCYC youth activities and events - remaining 18/19 Merger Savings Fund allocation rolled into 19/20 program	-	-	(67,500)	-	-
43101000		-	Youth Wellbeing Hub - remaining 18/19 Merger Savings Fund allocation rolled into 19/20 program	-	-	-	-	-
39011000		(99,784)	Manly Community and Ivanhoe Park 2019-20 Preschool grant pre-paid in June 2019 - adjust accounting for grant only	(235,271)	-	-	235,271	-
39021005		(16,904)	Crown Lands Plan of Management grant received in 18/19 - to be spent in 19/20	(99,784)	-	-	-	-
39041000		(10,000)	Coastal Connections Mona Vale to Narrabeen Dune Restoration grant received in 18/19 - to be spent in 19/20	(16,904)	-	-	-	-
39531014		(546)	Community Garden - Curl Curl Community Hub - remaining 18/19 Merger Savings Fund allocation rolled into 19/20 program	-	-	(10,000)	-	-
39551009		-	Scotland Island Wastewater Feasibility Study - remaining 2018/19 SCF Round 2 allocation rolled into 19/20 program	-	(546)	-	-	-
39551013	34,859	-	McCarrs Creek floodstudy outstanding 2018-19 grant - to be claimed in 2019-20 when milestone reached - funding/revenue budget rollover only	-	-	-	(20,000)	20,000
39571007		(24,399)	Wakehurst Parkway Flood Investigations ahead of schedule - bring forward SCF Round 2 funds from 19/20 to 18/19	-	34,859	-	-	-
39581004		(12,120)	Weed Action Plan grant received in 18/19 - to be spent in 19/20	(24,399)	-	-	-	-
39581012		(5,336)	Freshwater Reserve Restoration Project grant received in 18/19 - to be spent in 19/20	(12,120)	-	-	-	-
40571001		(79,500)	Eco Schools Grant - Merger Savings Fund allocation remaining from 18/19 to be rolled into 19/20 program	-	-	(5,336)	-	-
40591000		(155,361)	Better Waste Recycling Fund grant received in 18/19 - to be spent in 19/20 on waste education initiatives	(79,500)	-	-	-	-
			Single Use Plastics Reduction Program - Merger Savings Fund 18/19 allocation to be rolled over to continue program in 19/20	-	-	(155,361)	-	-
TOTAL	34,859	(2,202,433)		(743,609)	(859,762)	(432,436)	215,271	(347,038)

Northern Beaches Council
Capital expenditure budget proposed rollovers from 2018/19 to 2019/20
2019/445628

				SOURCE OF FUNDS						
Job	Job Description	Bring fwd from 19/20	Roll over to 19/20	Comments	Developer Contri	Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Capital	Working Capital / Depreciation
Executive Manager: Chief Information Officer (E2100)										
CN01013	IT Software – New Works	-	(566,014)	\$406,014 Timesheet and rostering application + \$160,000 facilities booking system – projects in progress	-	-	-	-	-	(566,014)
Subtotal E2100 Chief Information Officer		-	(566,014)		-	-	-	-	-	(566,014)
Executive Manager: Library Services (E2350)										
CN01117	New Library Technology	15,521	-	- Multi-year project progressed ahead of schedule. Bring forward funding from 19/20.	-	-	-	-	-	15,521
CR05082	Library Bookstock (Bookvote)	-	(91,864)	Library books on order with delivery expected in July 2019	-	-	-	-	-	(91,864)
Subtotal E2350 Library Services		15,521	(91,864)		-	-	-	-	-	(76,343)
Executive Manager: Community, Arts & Culture (E3150)										
CN01121	Coast Walk Art Trail - Merger Savings Fund	-	(547,312)	Coast Walk Art Trail project underway - funded from - Merger Savings Fund and unexpended grant	-	(9,407)	-	(537,905)	-	-
Subtotal E3150 Community, Arts & Culture		-	(547,312)		-	(9,407)	-	(537,905)	-	-
Executive Manager: Transport & Civil Infrastructure (E4050)										
CN01010	New Footpaths	-	(4,214)	Ongoing program with remaining budget rolled over to 19/20	-	-	-	-	-	(4,214)
CN01020	Warriewood Valley – Traffic and Transport Infrastructure	-	(28,012)	Ongoing program of new crossings, roundabouts, and traffic calming devices as per the Warriewood s7.11 Plan	(28,012)	-	-	-	-	-
CN01028	Bike Plan Implementation - New	-	(180,451)	Orders placed, delivery and install expected in August 2019	(110,172)	-	-	(70,279)	-	-
CN01059	New Infrastructure for Church Point	-	(78,668)	Works behind program due to delays in Heritage approvals.	-	-	-	-	-	(78,668)
CN01079	Church Point Masterplan Wharf Extension	-	(8,901)	Works behind program due to delays in crown land acquisition	-	-	-	-	-	(8,901)
CR05009	Bus Stop Renewal	-	(53,046)	Contractor engaged, delivery delayed due to services conflict.	-	-	-	-	-	(53,046)
CR05070	Major Plant	-	(821,665)	3 compactors ordered but yet to be delivered.	-	-	-	-	-	(821,665)
CR05071	Light Fleet	-	(92,174)	Vehicles ordered in 2018-19, but delivered in July 2019.	-	-	-	-	-	(92,174)

				SOURCE OF FUNDS						
Job	Job Description	Bring fwd from 19/20	Roll over to 19/20	Comments	Developer Contri	Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Capital	Working Capital / Depreciation
CR05081	Wharves Works Program	-	-	- Grant for works undertaken in 18/19 will be received in 19/20 when milestone reached - funding/revenue budget rollover only	-	-	-	-	(70,384)	70,384
CR05124	Parking Station and Meters Infrastructure	-	(10,003)	Contractor engaged, final installation expected in August.	-	-	-	-	-	(10,003)
Subtotal E4050 Transport & Civil Infrastru		-	(1,277,134)		(138,184)	-	-	(70,279)	(70,384)	(998,287)
Executive Manager: Parks & Recreation (E4100)										
CN01047	Sportsgrounds - New and Upgrades	-	(44,950)	Current contract for installation of irrigation at Tania Park, on field works deferred to September to minimise disruption for users (Manlys.7.11) and additional ongoing Pittwater SRV sportsgrounds work rolled forward to 19/20	(32,495)	-	-	(12,455)	-	-
CN01053	Sports Club Capital Assistance Program	-	(70,651)	Remaining funds from 2018-19 grants program for sports club awaiting completion of projects by clubs.	-	-	-	-	-	(70,651)
CN01078	Glen St Masterplan Implementation	-	(532,455)	Multi-year program of works - Lionel Watts Synthetic Sportsfield completed July 2019.	-	-	-	-	-	(532,455)
CN01102	Youth Friendly Spaces - Merger Savings Fund	-	(159)	Multi-year project funded from Merger Savings Fund - tfr balance to 19/20 program	-	-	-	(159)	-	-
CR05005	Rockpool Renewal Program	-	(88,606)	On going contract - replacement of boardwalk in North Narrabeen rockpool has commenced. Commencement was postponed from April.	-	-	-	-	-	(88,606)
Subtotal E4100 Parks & Recreation		-	(736,821)		(32,495)	-	-	(12,614)	-	(691,712)
Executive Manager: Natural Env & Climate Change (E4150)										
CN01007	Collaroy-Narrabeen Coastal Protection Works	100,000	-	This is a multi-year project. The works are slightly ahead of the anticipated schedule.	-	-	-	-	-	100,000
CN01061	Warriewood Valley Creekline works	-	(308,071)	Due to poor weather that made the site completely inaccessible to our contractor, the works were delayed, and will start in early July.	(308,071)	-	-	-	-	-
CR05008	Reactive Stormwater Renewals	-	(30,452)	Council experienced delays in replacing a deteriorated stormwater pipe at Manly Dam due to a supply delay. This project is still a priority and scheduled for construction in the first quarter of 19/20 with funding from 18/19 required for completion.	-	-	-	-	-	(30,452)
CR05064	Energy Saving Initiatives Works Program (SRV)	-	(50,000)	Urban Night Sky Place project underway	-	-	-	-	-	(50,000)

Job	Job Description	Bring fwd from 19/20	Roll over to 19/20	Comments	SOURCE OF FUNDS					
					Developer Contri	Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Capital	Working Capital / Depreciation
CR05123	GPT Renewal	-	(11,365)	GPT renewal works at North Harbour reserve design underway with construction works expected in the 19/20 financial year.	-	-	-	-	-	(11,365)
Subtotal E4150 Natural Env & Climate Ch		100,000	(399,888)		(308,071)	-	-	-	-	8,183
Executive Manager: Property (E4200)										
CN01123	Kangaroo St Preschool	-	(45,366)	This is a multi-year project. The funds to be rolled over are part of the total budget for this project and reflect the current project timeline and expenditure phasing.	(45,366)	-	-	-	-	-
CN01125	Long Reef Surf Life Saving Club	-	(30,440)	This is a multi-year project. The funds to be rolled over are part of the total budget for this new building and reflect the current project timeline and expenditure phasing for the new surf life saving club's delivery.	-	-	(30,440)	-	-	-
CR05015	Public Amenities Works Program	-	(64,983)	This is a multi-year project. The remaining budget is rolled over to 19/20 to fund other amenities within this project.	-	-	-	-	-	(64,983)
CR05025	North Narrabeen Rock Pool Amenities Works	20,511	-	This is a multi-year project. The works are slightly ahead of the anticipated schedule.	-	-	-	-	-	20,511
CR05035	Children's Centres Works Program	-	(5,299)	Roundhouse childcare centre remaining funds awaiting release to the contractor in 19/20 on finalisation of the project.	-	-	-	-	-	(5,299)
CR05041	Manly Art Gallery	-	(33,806)	Air conditioning works to be carried out in 19/20.	-	-	-	-	-	(33,806)
CR05042	Operational Buildings Works Program	-	(147,890)	Office modification works deferred to 19/20.	-	-	-	-	-	(147,890)
CR05047	Mona Vale Surf Life Saving Club	-	(62,980)	Project delayed to address design suggestions from the Club.	-	-	-	-	-	(62,980)
CR05066	RFS Building Works Program	-	(54,544)	Funds rolled over to 19/20 to allow car park works in Coal and Candle RFS.	-	-	-	-	-	(54,544)
CR05106	Warringah Aquatic Centre Renewals	-	(33,000)	In March Quarterly review funds were brought forward from 19/20 to carry out works on Aquatic Centre ceiling - work is now complete and remaining funds are to be returned to the 19/20 program.	-	-	-	-	-	(33,000)
Subtotal E4200 Property		20,511	(478,308)		(45,366)	-	(30,440)	-	-	(381,991)
Executive Manager: Waste Management & Cleansing (E4250)										
CN01131	Compactor Bins Trial	-	(15,000)	Shelley Beach compactor bins expected to be operational in late 2019.	-	-	-	-	-	(15,000)
CR05112	Bin Replacements	651,501	-	Budget to be brought forward from 2019-20 in line with timing of rollout expenditure	-	-	651,501	-	-	-

Job	Job Description	Bring fwd from 19/20	Roll over to 19/20	Comments	SOURCE OF FUNDS						
					Developer Contri	Unexpended Grants	Externally Restricted Reserves	Internally Restricted Reserves	Grants and Contributions - Capital	Working Capital / Depreciation	
Subtotal E4250 Waste Management & Cle					-	-	-	651,501	-	-	(15,000)
Executive Manager: Kimbriki (E4255)											
CN01086	Kimbriki Landfill Cell Development Area 4A	-	(917,928)	The Contractor in Area 4A has experienced some delays which have resulted in a significant underspend against the 2018-19 forecast	-	-	-	-	-	-	(917,928)
Subtotal E4255 Kimbriki					-	-	-	-	-	-	(917,928)
Executive Manager: Capital Projects (E4300)											
CN01017	Dee Why Town Centre – Construction – Phase 1	-	(120,789)	Paving works on Pittwater Rd , Dee Why between Sturdee Parade and Oaks Ave started later than expected. Works are in progress and are expected to be completed by early October 2019.	(120,789)	-	-	-	-	-	-
CN01031	Connecting Communities - Footpaths Programs	-	(14,412)	Construction commencement delayed to allow further consultation for Newport to Avalon and Whale Beach Rd sections of the Coast Walk.	-	-	(14,412)	-	-	-	-
CN01032	Connecting Communities - Cycleways Program	-	(185,047)	Program pushed out to allow further consultation for Newport to Avalon sections of shared path.	-	-	(185,047)	-	-	-	-
CN01033	Connecting all Through Play - Inclusive Play	-	(454,458)	Construction behind schedule on Lionel Watts Playground and expected to be completed by late October 2019.	-	-	-	(454,458)	-	-	-
CN01034	Connecting all Through Play - Active Play	-	(114,208)	Delayed commencement of Lionel Watts East works and South Narrabeen Surf Life Saving Club accessibility upgrade.	-	-	-	-	-	-	(114,208)
CR05017	Nolans Reserve Sports Amenities Works	-	(76,093)	New contractor appointed to complete construction works and commencement expected onsite early in FY19/20.	-	-	-	-	-	-	(76,093)
CR05030	Beacon Hill Community Centre and Youth Club	-	(52,256)	New contractor appointed to complete construction works and commencement expected onsite early in FY19/20.	-	-	-	-	-	-	(52,256)
CR05125	Manly Laneways - Renewals	23,237	-	Whistler Street Car park remediation works ahead of schedule.	-	-	-	-	-	-	23,237
Subtotal E4300 Capital Projects					(120,789)	-	(199,459)	(454,458)	-	-	(219,320)
TOTAL					(644,905)	(9,407)	421,602	(1,075,256)	(70,384)		(3,858,412)

ITEM 9.4	REVOCATION OF VARIOUS POLICIES OF FORMER COUNCILS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/420920
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Interest Earned on Contributions Levied and Security Deposits Held (former Pittwater) (Included In Attachments Booklet 1) 2 ⇒ Prosecutions - Withdrawal of Prosecutions (former Manly) (Included In Attachments Booklet 1) 3 ⇒ Aged Services Policy (former Warringah) (Included In Attachments Booklet 1) 4 ⇒ Cultural Diversity Policy (former Manly) (Included In Attachments Booklet 1) 5 ⇒ Youth Policy (former Pittwater) (Included In Attachments Booklet 1) 6 ⇒ Warringah Public Spaces Design Guideline (former Warringah) (Included In Attachments Booklet 1) 7 ⇒ Guaranteeing and or providing Loans to Community Organisations Policy (former Warringah) (Included In Attachments Booklet 1) 8 ⇒ Liquor Licensing Applications Policy (former Pittwater) (Included In Attachments Booklet 1)

BRIEF REPORT

PURPOSE

To seek Council approval to revoke eight policies of the former Manly, Warringah and Pittwater Councils.

REPORT

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

Upon amalgamation, a policy review project commenced to re-establish the policy environment for the Northern Beaches Council and the project continues to review the policies of the former councils.

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



Since the project commenced with 255 council adopted policies, 121 policies of the former councils have been revoked, 35 new Northern Beaches Council policies have been adopted and 134 policies of the former councils remain in effect. This brings the total number of council adopted policies currently in effect to 169.

This report proposes to revoke a further eight policies (Attachments 1 to 8) which have been identified as no longer required:

- Interest Earned on Contributions Levied and Security Deposits Held (former Pittwater)
- Prosecutions - Withdrawal of Prosecutions (former Manly)
- Aged Services Policy (former Warringah)
- Cultural Diversity Policy (former Manly)
- Youth Policy (former Pittwater)
- Warringah Public Spaces Design Guideline (former Warringah)
- Guaranteeing and or providing Loans to Community Organisations Policy (former Warringah)
- Liquor Licensing Applications Policy (former Pittwater).

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

Policy Name	Reason for revoking
Interest Earned on Contributions Levied and Security Deposits Held (former Pittwater)	This policy has been identified as no longer required as interest is determined in accordance with legislative requirements.
Prosecutions - Withdrawal of Prosecutions (former Manly)	This policy has been identified as redundant as prosecutions are covered under the adopted Compliance & Enforcement Policy (adopted by Council October 2018).
Aged Services Policy (former Warringah)	This policy has been identified as redundant as it is covered under the recently adopted Community Development & Services Policy (adopted by Council June 2019).

Policy Name	Reason for revoking
Cultural Diversity Policy (former Manly)	This policy has been identified as redundant as it is covered under the recently adopted Community Development & Services Policy (adopted by Council June 2019).
Youth Policy (former Pittwater)	This policy has been identified as redundant as it is covered under the recently adopted Community Development & Services Policy (adopted by Council June 2019).
Warringah Public Spaces Design Guideline (former Warringah)	This guideline has been identified as redundant - an operational guideline rather than a policy - and has been superseded by development of the Northern Beaches Public Domain Design Guidelines 2019. This new interim guideline will be implemented over the next 18 months until a comprehensive Public Space Vision and Design Guideline 2040 is prepared, publicly exhibited and endorsed by Council in 2020/21.
Guaranteeing and or Providing Loans to Community Organisations Policy (former Warringah)	This policy has been identified as redundant as it has never been implemented, is not relevant and the role of Council in supporting community organisations is covered under the recently adopted Community Development & Services Policy (adopted by Council June 2019).
Liquor Licensing Applications Policy (former Pittwater)	This policy has been identified as redundant, as the relevant application framework for liquor licensing is specified within the Liquor Act and overseen by Liquor and Gaming NSW. Council is consulted for each application as the relevant local authority. Under the provisions of the Liquor Act, Council also has an opportunity to submit Community Impact Statements on behalf of the community if necessary.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council revoke the following policies:

- A. Interest Earned on Contributions Levied and Security Deposits Held
 - B. Prosecutions - Withdrawal of Prosecutions
 - C. Aged Services Policy
 - D. Cultural Diversity Policy
 - E. Youth Policy
 - F. Warringah Public Spaces Design Guideline
 - G. Guaranteeing and or Providing Loans to Community Organisations Policy.
 - H. Liquor Licensing Applications Policy.
-

ITEM 9.5	COUNCILLOR EXPENSES AND FACILITIES POLICY - DRAFT FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/461298
ATTACHMENTS	1 📎 Draft Councillor Expenses and Facilities Policy (Included In Attachments Booklet 1)

SUMMARY

PURPOSE

To seek Council endorsement for the public exhibition of the draft Councillor Expenses and Facilities Policy.

EXECUTIVE SUMMARY

The current Councillor Expenses and Facilities Policy was adopted by Council at its 28 August 2018 Council meeting following a 28 day exhibition period. The current policy was put to Council to comply with section 252(1) of the *Local Government Act, 1993* (the Act) which requires that all councils adopt a policy concerning the payment of expenses and provision of facilities within the first 12 months of each term of a council.

The proposed draft Councillor Expenses and Facilities Policy has been reviewed with regard to the model policy template provided by the Department of Premier and Cabinet and consideration has been given to comparable councils across the 'metropolitan large' category as outlined through the Local Government Remuneration Tribunal's annual determination of councillor fees. A workshop was also conducted with councillors on 6 August 2019. The changes proposed include:

- a clarification of the breakdown of specific expense and facility categories
- adjusted limits to expenses and facilities in line with comparable councils
- an expansion and clarification to clause-based explanations and interpretations
- some administrative clarification and formatting.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

- Council place on exhibition the draft Northern Beaches Council Councillor Expenses and Facilities Policy for a minimum of 28 days.
 - The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

The current Councillor Expenses and Facilities Policy was adopted by Council at the 28 August 2018 Council meeting following a 28 day exhibition period. The current policy was put to Council in accordance with section 252(1) of the *Local Government Act, 1993* (the Act) which requires that all councils adopt a policy concerning the payment of expenses and provision of facilities within the first 12 months of each term of a council.

Section 252(4) of the Act allows that a council from time to time may amend its policy relating to the provision of expenses and facilities for councillors.

The proposed draft Councillor Expenses and Facilities Policy (Attachment 1) has been reviewed with regard to the model policy template policy provided by the Department of Premier and Cabinet, and consideration has been given to comparable councils across the 'metropolitan large' category as outlined through the Local Government Remuneration Tribunal's annual determination of councillor fees. A workshop was also conducted with councillors on 6 August 2019.

The changes proposed include:

- a clarification of the breakdown of specific expense and facilities categories
- adjusted limits to expenses and facilities in line with comparable councils
- an expansion and clarification to clause-based explanations and interpretations
- some administrative clarification and formatting.

The proposed draft policy will be exhibited in accordance with section 253(1) of the Act, which requires that a council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities, allowing at least 28 days for the making of public submissions.

CONSULTATION

Public notification regarding the consultation process for the exhibition period will include:

- Information on the 'Your Say' project web page including an online submission form
- Copies of the policy to be made available in all customer service and library locations
- Inclusion in advertisements in the Manly Daily
- Bulk emails to the community engagement database, registered community groups and other key stakeholders.

TIMING

The public exhibition period will be for a minimum of 28 days. At the conclusion of the exhibition period the submissions will be considered and the final policy will be presented for the consideration and adoption of Council at the 22 October 2019 Council meeting.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

The expenses and facilities for councillors as outlined in the proposed draft policy are incorporated into the existing operational budgets for the 2018/19 financial year.

SOCIAL CONSIDERATIONS

The proposed draft policy provides a framework for councillors to claim expenses incurred and facilities required which enables councillors to undertake their civic duties across the local government area.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts associated with the exhibition of the draft policy.

GOVERNANCE AND RISK CONSIDERATIONS

The review and exhibition of the proposed draft policy is provided for under sections 252 and 253 of the *Local Government Act, 1993*.

ITEM 9.6	CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 18 JUNE 2019
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/458734
ATTACHMENTS	1 Audit Risk and Improvement Committee Minutes - 18 June 2019 (Included In Attachments Booklet 1)

BRIEF REPORT

PURPOSE

To report the minutes of the Audit, Risk and Improvement Committee meeting held on 18 June 2019.

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 18 June 2019 are reported in full as per Attachment 1.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 (b) - Establish a strong corporate governance framework to ensure decisions and transactions are ethical, efficient, and fair.

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 DIRECTOR CORPORATE AND LEGAL

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 18 June 2019.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	NORTHERN BEACHES COUNCIL COMMUNITY LIBRARY FUNDING
REPORTING MANAGER	EXECUTIVE MANAGER LIBRARY SERVICES
TRIM FILE REF	2019/383573
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek approval to provide the 2019/20 funding allocation of \$115,107 to the Northern Beaches Community Libraries.

The funding will enable the community libraries to maintain their collections.

EXECUTIVE SUMMARY

Council provides an annual subsidy to the community libraries of Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club Northern Beaches Inc. The funding is a cost effective approach to delivering basic library services in these localities.

Each Community Library submits a formal application for financial support to continue their operations. The approval sought through this report will negate the need for multiple Council reports each time a community library makes a funding request following the submission of their previous year's grant acquittal. It will therefore enable the effective disbursement of the total funds available for the community libraries during the 2019-2020 financial year.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

- A. In accordance with section 356 (1) of the *Local Government Act 1993*, approve the 2019/20 funding of \$115,107 to the Northern Beaches Community Libraries as follows:
 - a. Avalon Community Library - \$65,500
 - b. Balgowlah Seaforth Community Library - \$23,000
 - c. Booklovers' Club Northern Beaches Incorporated - \$1,607, and
 - d. Terrey Hills Community Library - \$25,000
 - B. Provide the funding once the previous year's grant acquittals are received.
-

REPORT

BACKGROUND

Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club Community Libraries are free for all residents of the Northern Beaches local government area. Council historically provided these libraries an annual subsidy to assist with the development of their library collections and minor operational expenses.

All libraries are within Council buildings for the purpose of delivering a range of library services and learning programs to their local communities.

The Community Libraries' core services include:

- A wide selection of adult fiction and non-fiction collection.
- Young adult collection.
- Junior collection.
- Infant literacy collection.

Council provides the following funding, at a minimum, to the community libraries each financial year:

- Avalon Community Library - \$65,000.
- Balgowlah Seaforth Community Library - \$22,000.
- Booklovers' Club Northern Beaches Incorporated - \$1,300.
- Terrey Hills Community Library - \$24,000.

This financial year, Council budgeted a slight increase in funding to cover additional incidental expenses incurred by the community libraries, as follows:

- Avalon Community Library - \$65,500
- Balgowlah Seaforth Community Library - \$23,000
- Booklovers' Club Northern Beaches Incorporated - \$1,607
- Terrey Hills Community Library - \$25,000.

CONSULTATION

No community consultation required.

TIMING

The disbursement of the grant funds to community libraries occurs between August and November each year after they have submitted their financial audits and statements along with a funding request. The only exception is Booklovers' Club Inc. who work on a calendar year basis and request their funding between May and June.

LINK TO COUNCIL STRATEGY

This report is linked to the Community Strategic Plan Outcome of Community and Belonging Goal 12 - Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

While funding has been budgeted in the current financial year Northern Beaches Library operational budget, Council resolution is required to disburse the funds in line with section 356 (1) of the *Local Government Act 1993*.

SOCIAL CONSIDERATIONS

Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club Community Libraries are important social and community assets that not only provide library services to residents in the local government area but also create engaging opportunities for volunteering within their communities.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations required.

GOVERNANCE AND RISK CONSIDERATIONS

There are no Governance and Risk considerations required.

ITEM 10.2	RESPONSE TO NOTICE OF MOTION NO 16/2019 - FUTURE USE OF COUNCIL CHAMBERS IN MANLY TOWN HALL
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/414815
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To update Council on opportunities for the future use of Council Chambers at Manly Town Hall in response to Council's adoption of Notice of Motion No. 16/2019.

EXECUTIVE SUMMARY

Council adopted a Notice of Motion No. 16/2019 – Future Use of Council Chambers in Manly Town Hall at its meeting 28 May 2019, the details of which are outlined in the report.

The Notice of Motion related to investigating options to providing the former meeting rooms of Manly Council, upstairs in the Manly Council Chambers, as short-term halls for hire for events, meetings, performances and other suitable uses pending a final determination of the permanent use of the building.

It is recommended that in the short term the Manly Council Chambers meeting rooms be made available for public use. This will involve setting appropriate fees and charges, as well as putting in place operational requirements (including the allocation of staff during the rooms' use).

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

- A. Council endorse the use of the Manly Town Hall Council chamber meeting rooms as publicly available community space for hire.
 - B. The proposed Manly Town Hall meeting room fees and charges be placed on exhibition for at minimum period of 28 days and reported back to Council.
-

REPORT

BACKGROUND

In May 2019, Councillor Bingham brought forward the Notice of Motion to investigate the future use of the Council Chambers in Manly Town Hall for public hire events. The motion states:

With the amalgamation of the former Manly Council into the Northern Beaches Council in May 2016, the requirement of the former Council meeting rooms have now become surplus to requirements.

There is a severe lack of community space for hire in Manly, and Council currently has no community centre in the area. The relocation of Community Northern Beaches from Wentworth Street later this year to make way for the expansion of the public school will see another public hall no longer available for hire.

The former Council chambers in the Manly Town Hall can operate as one large room, or be divided into three smaller rooms. It is located in the centre of Manly's CBD with easy access and catering facilities.

In addition to the space being used by the Council for such things as art and history exhibitions and civic gatherings, the area could be hired out as a performance space and music venue. It would also be suitable for classes, talks, cinema events and so on.

The long-term future use of Manly Town Hall is a matter that will be considered by the elected Council as part of the Property Strategy, however, this future use is not likely to be immediate and as such there is the opportunity to make these rooms available to the public.

As noted in the Notice of Motion, Council meetings are no longer held within this space, however it is still currently used for a range of other Council-led meetings including:

- Strategic Reference Groups
- Community Forums
- Community Engagements
- Committee Meetings
- Internal Council staff Meetings
- Meetings with community members and groups.

Meetings of these types have historically always used this space and it is necessary to ensure the space remains available for these uses into the future. However, there are times where these rooms are available when they are not required for the current meeting load.

To make the Manly Town Hall Council Chambers and adjacent rooms available as meeting/activity space there would need to be a number of steps taken:

- Setting and exhibiting of appropriate fees and charges in the same model as other Council community hire spaces.
- Setting the hours for which the space would be available to the public. These would predominantly need to be before and after business hours as the Chambers are heavily used during business hours for Council business purposes, however some activity during business hours would be fine depending on the type of activity.
- As the rooms cannot be secured from the rest of the building in their current form, two staff members would need to be rostered for the booking period, one to be located upstairs with

the function/event and one downstairs to retain security to the rest of the building. This is also best practice for workplace health and safety. This cost would need to be charged as a fee when hiring the space.

Proposal

It is proposed that Council progress with these rooms as publicly available rooms for hire, administered by Council's Community Arts and Culture community centre team. It is proposed that the rooms are available out of Council business hours, that is:

- Monday to Friday: 6am - 8am & 5pm – 12 midnight
- Saturday: 6am – 12midnight
- Sunday: 6am – 10pm

The fees and charges for the rooms will be in accordance with the fees and charges framework adopted for all community centres and rooms available for hire by the public. This framework has categories A to H, with consideration given to the size of the room and facilities available when identifying the appropriate category for each room for hire.

As community centres are either unmanned or only manned during office hours, the provision of staff during the booking or event is an additional service that is not currently offered to hirers. If this were to be approved, the staff costs for providing access to these rooms ranges from \$46 to \$83 per hour, depending on whether permanent or casual staff are available and the time and day of the week. It is recommended that a fee of \$65 per hour for staffing is included in the fees and charges, and an additional charge on public holidays.

It is proposed that the categories and hourly fees for the rooms at Manly Town Hall for 2019/20 are advertised as follows:

Cove Room – Category G

\$16.00 Hire Fee

\$10.40 Non Profit

\$4.80 Concession

Council Chambers – Category C

\$35.00 Hire Fee

\$22.75 Non Profit

\$10.50 Concession

\$70.00 Function

Councillors Room – Category E

\$26.50 Hire Fee

\$17.25 Non Profit

\$7.95 Concession

\$53.00 Function

Staff security

\$65.00 per hour (minimum 2 hours)

\$100.00 per hour (Public Holidays)

It should be noted that the hire is conditional on the availability of staff members to work out-of- hours.

The terms and conditions of all community centres would also apply, including a minimum hire period of 1.5 hours, the payment of a bond and responsibility for setting up and down the room and cleaning.

CONSULTATION

The proposed fees and charges for these rooms will be placed on exhibition for a minimum period of 28 days. The results of this exhibition will be brought back to Council for its consideration.

TIMING

The fees and charges will be exhibited through September 2019 and brought back to the Council meeting on 22 October, prior to making these rooms available for community use.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan (CSP) Outcome of Community and Belonging - We need to actively engage the community in creative ways to reduce the risk of social isolation, loneliness and mental illness. We need to look after people with a disability, seniors and young people. We have an opportunity to collaborate with our partners to offer appropriately targeted services that can meet the evolving needs of our community.

FINANCIAL CONSIDERATIONS

The net financial impact to Council is forecast to be breakeven to budget, as any income received will be impacted by increased cleaning and administration costs, and as such is not considered to be material to Council's Operational Budget.

As the furniture in the three rooms is not necessarily suitable for a range of community activities, consideration should be given to replacing the uncomfortable chairs. At a cost of an estimated \$150 per chair, this would result in expenditure of \$15,000 to \$17,000.

SOCIAL CONSIDERATIONS

Providing more community space for hire in the centre of Manly will assist in meeting the objectives of the CSP, as well as providing more people with access to an important and prominent community building.

ENVIRONMENTAL CONSIDERATIONS

There are not foreseen to be any environmental impacts for the increased use of these spaces apart from a slight increase in the power, water and waste impacts for the direct use.

GOVERNANCE AND RISK CONSIDERATIONS

The management of the use of these rooms will follow the existing Community, Arts and Culture governance processes.

There is a noted minor risk of damage to the building, which has a high cost fit-out and contains some important Council artefacts. This risk is somewhat mitigated by the inclusion of staff to assist in the access and management of the hiring groups.

ITEM 10.3	MINUTES OF THE COMMUNITY SAFETY COMMITTEE HELD ON 13 JUNE 2019
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2019/341608
ATTACHMENTS	1 ↓ Minutes - Community Safety Committee - 13 June 2019

BRIEF REPORT

PURPOSE

To report the minutes of the Community Safety Committee meeting held on 13 June 2019.

REPORT

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 affect community safety and crime prevention across the Northern Beaches.

The discussion at the meeting of 13 June 2019 included:

- Police presentation on youth related domestic violence
- Suicide prevention update
- Online supply of alcohol research and report by Northern Sydney Health Promotion
- Managing rough sleepers in public spaces including housing and homelessness.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Community and Belonging Goal 11 - Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

Adoption of the minutes of the Community Safety Committee will not result in any financial impact.

ENVIRONMENTAL CONSIDERATIONS

The adoption of the minutes of the Community Safety Commitment does not present matters that will create adverse environmental impacts.

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 DIRECTOR COMMUNITY AND BELONGING

That Council note the minutes of the Community Safety Committee meeting held on 13 June 2019.

MINUTES

COMMUNITY SAFETY COMMITTEE

held in the Manly Town Hall Council Chambers on

THURSDAY 13 JUNE 2019

Minutes of the Community Safety Committee
held on Thursday 13 June 2019
in the Manly Town Hall Council Chambers
Commencing at 8:00 - 10:00 AM

ATTENDANCE:

Committee Members

Cr Michael Regan	Mayor – Chairperson
Cr Sue Heins	Deputy Mayor
Cr Candy Bingham	
James Griffin MP	State Member for Manly
Supt David Darcy	Northern Beaches Police Area Command
Michelle Povah	Community Representative
Ray Mathieson	Community Representative
Michelle Erofeyeff	Family & Community Services (FACS)
Christina Franze	Manly Chamber of Commerce
Trish Bramble	Manly Warringah Women's Resource Centre
Doug Brooker	Northern Beaches Liquor Accord
Belinda Volkov	Sydney Drug Education & Counselling Centre (SDECC)

Council Officer Contacts

Ray Brownlee	Chief Executive Officer
Kylie Walshe	Executive Manager Community, Arts and Culture
Paul Crossan	Manager Rangers
Rob van den Blink	Manager Community Development
Leanne Martin	Community Safety Coordinator
Emma Marshall	Community Development Officer
Helen Askew	Program Support Officer, Community Development

Visitors

Daniel Peterson	Representing Community Northern Beaches
Jonathan Noyes	Representing NASLHD Health Promotion
Peta Garrett	Representing Zali Steggall MP Federal Member for Manly
Daniel Rubenach	State Member for Manly Electorate Officer

1.0 APOLOGIES

Apologies were received from

Cr Kylie Ferguson	
Cr Stuart Sprott	
Karrah McCann	Catholic Care
John Kelly	Community Northern Beaches
Harry Coates	Community Representative
Ryan Turner	Community Representative
Roberta Conroy	Community Representative
Paul Klarenaar	NASLHD Health Promotion
Kara Hillier	Transport NSW Brookvale bus depot
Wayne Potter	Transport NSW Brookvale bus depot

Not in attendance

Drew Johnson	Manly Chamber of Commerce (alternate for Christina Franze)
Steve McInnes	Surf Lifesaving Sydney Northern Beaches

2.0 DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Cr Candy Bingham declared a non-pecuniary conflict of interest in regard to Item 4.6 Lagoon Park Landscape Plan. The reason provided by Cr Bingham was “discussions with residents on this issue”.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD 11 APRIL 2019

COMMITTEE RECOMMENDATION

That the Minutes of the Community Safety Committee meeting held 11 April 2019, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting.

Accepted

4.0 AGENDA ITEMS

4.1 ACTIONS UPDATE

DISCUSSION

Road Safety Audit of schools

The road safety audits around schools will be presented at the 15 August Community Safety Committee Meeting.

Special Commission of Inquiry into the Drug ‘Ice’ – Submission

The Committee commented on the excellent submission prepared by staff. Thank you to Council for coordination and inclusion of the various community agency feedback within the submission.

Representations to Local MPs and NSW Attorney General regarding sale of Nitrous Oxide bulbs

Response letters received Jonathon O’Dea MP and Rob Stokes MP were tabled. In addition, James Griffin MP tabled his letter to The Hon Mark Speakman, Attorney General as a follow up to this matter.

CCTV

CCTV policy and procedures will be presented for discussion at the 17 October Community Safety Committee Meeting.

Suicide Response Steering Group

The Steering Group, chaired by Superintendent Darcy, is progressing well with action plan priorities. The critical incident protocol and response framework are developing positively. The next meeting of this Steering Group is 17 June.

COMMITTEE RECOMMENDATION

That the information be received and noted.

4.2 POLICE REPORT

DISCUSSION

Frontline agencies are working very hard to interrupt continued domestic violence behaviours with clients.

Police are working in conjunction with Council staff in relation to the CCTV review.

Suicide Prevention crisis management was discussed. Concern was raised in regard to after-care provided at Northern Beaches Hospital for those at risk. Superintendent Darcy has discussed this with Local Area Health to suggest a review of their procedures and forms to allow adults at risk personal details to be released to local support services and outreach teams.

James Griffin acknowledged the great work done by the Suicide Response Steering Group and its recognition on a national level.

The presentation will be circulated with the Minutes to Committee members. Please direct any queries regarding the statistics to Superintendent Darcy.

COMMITTEE RECOMMENDATION

- A. That the information be received and noted.
- B. That the Committee Chair formally write to the State Minister for Health and local State MPs to highlight:
 - The perception that public and private mental health patients at risk are managed differently at Northern Beaches Hospital.
 - Supporting procedural change allowing personal details of adults at suicide risk to be released to local support services and outreach teams.

4.3 COMPLIANCE REPORT

DISCUSSION

East Esplanade ranger night patrols report the seasonal change has resulted in reduced incidents. Local residents have expressed their appreciation for the improved amenity of the area and the successful collaboration between Rangers and the Police.

To help promote responsible pet ownership, Council is hosting 'Canine Connect' this Sunday at Rowland Reserve, Bayview. Rangers are continuing to work with the community to resolve a number of dog attack incidents.

Increased occurrences of personal attacks involving Council Parking Officers is of concern.

COMMITTEE RECOMMENDATION

That the information is received and noted.

4.4 ONLINE SUPPLY OF ALCOHOL - RESEARCH AND REPORT

DISCUSSION

Jonathon Noyes, Health Promotion Officer from Northern Sydney Area Health Promotion emphasised within the Online Liquor Gets Audited (OLGA) presentation that the underage supply chain is currently unmonitored.

The project is in its advocacy stage and he would welcome input from interested agencies.

The OLGA presentation will be circulated with the Minutes to Committee members.

COMMITTEE RECOMMENDATION

- A. That the Committee support the recommendations.
- B. That the Committee Chair formally write to Liquor & Gaming NSW, the NSW Minister responsible for Liquor Licensing and local State MPs to request that the Online Liquor Gets Audited (OLGA) recommendations be implemented.

4.5 MANAGING ROUGH SLEEPING IN PUBLIC SPACES

DISCUSSION

Presentation by Council staff and Daniel Peterson, Homeless Outreach Officer Community Northern Beaches.

Whilst homelessness is primarily a role of State Government agencies, Northern Beaches Council has a Homeless Protocol that emphasises a compassionate approach. Council responds to various community complaints around homelessness, usually around use of public space.

Homelessness is highly challenging, with complex issues and few short term solutions. There is a lack of both short and long-term housing options, with clients with complex needs (mental health, drug/alcohol use) often not accepted into housing.

Family & Community Services (FACS) is transferring social housing to community housing providers under the Social Housing Management Transfer program. From August this year, Bridge Housing, will manage the remaining Northern Beaches social housing tenancies on behalf of FACS.

Minister for Families, Communities and Disability Services, Gareth Ward MP is visiting James Griffin MP in the near future. The aim will be to negotiate a meeting with the Minister, Mayor and Committee representatives to talk through crisis accommodation and the long term housing options for those living with mental health issues and possible local solutions. The Committee will provide a discussion paper for the appropriate Ministers.

The presentation will be circulated with the Minutes to Committee members.

COMMITTEE RECOMMENDATION

- A. That staff continue to research best practice and develop collaborations and strategies that assist in ameliorating this issue.
- B. That the Committee acknowledge support for national action to address homelessness and Affordable Housing, to ensure that homelessness is contained and encourage appropriate initiatives.

- C. That Council work with local and State agencies to develop a Northern Beaches Housing and Homelessness Discussion Paper.
- D. That staff and service providers continue to educate the community on the issue of homelessness and agreed Homelessness Protocol.

4.6 LAGOON PARK LANDSCAPE PLAN

DISCUSSION

Circulate presentation with Minutes to Committee members.

COMMITTEE RECOMMENDATION

That Committee members consider submitting comments on the [Manly Lagoon Park Landscape Plan](#) from a community safety point of view, on an individual basis.

4.7 MORE TO MANLY SAFER LANEWAYS PROJECT LAUNCH

DISCUSSION

Committee members were invited to meet with the artist to celebrate and participate in the Market Lane murals on Manly Library walls photo opportunity.

COMMITTEE RECOMMENDATION

That the information be received and noted.

5.0 GENERAL BUSINESS

Welcome Peta Garrett, representing Federal Member for Manly, Zali Steggall MP.

6.0 ITEMS FOR NEXT MEETING

The meeting concluded at 9.40am

This is the final page of the Minutes comprising 57 pages
numbered 1 to 57 of the Community Safety Committee meeting
held on Thursday 13 June 2019 and confirmed on Thursday 15 August 2019

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1

SUPPORTING COMMUNITY SOLAR UPTAKE

REPORTING MANAGER

ACTING EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE
CHANGE

TRIM FILE REF

2019/375055

ATTACHMENTS

NIL

SUMMARY

PURPOSE

To report on the barriers to residential solar uptake in the Northern Beaches area and propose a target for the installation of solar systems on residential dwellings.

EXECUTIVE SUMMARY

Solar power can reduce power bills and household carbon emissions, however, the feasibility of installing a solar system often depends on a number of factors including but not limited to; roof size, the time of day and amount of electricity used, shading and heritage restrictions. The Australian Photo Voltaic Institute (APVI) data estimates there are more than 67,300 homes in the Northern Beaches area that are potentially suitable for the installation of solar panels. Currently 8,463 or 12.6% of homes in the Northern Beaches have solar panels installed, compared to a 22.7% average across all Australian States and Territories.

During May and June 2019, Council undertook a community survey and held workshops to better understand the local barriers to solar installations. The survey received more than 540 responses and identified that the most significant barriers to the installation of solar panels on residential dwellings are:

- Cost
- Lack of knowledge about the different systems and technology
- Planning controls and policies
- Lack of confidence in solar power suppliers/installers.

In order to address these barriers a multi-faceted approach consisting of short and long-term customer-focused strategies is required to work towards achieving the proposed target of 50% of suitable residential dwellings with solar panels installed by 2040.

The short-term strategies include updating Council's website with simple solar information and clear information on planning requirements, and better aligning our resources to provide support to our community including our sustainability teams and Environment Centres. Medium to longer-term strategies include the development and implementation of a tailored education and communications plan, exploration of innovative funding models and delivery of forums to engage and support residents in making the change to solar.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

- A. Pursue an ambitious target of 50% of suitable residential dwellings with solar panels installed by 2030.
 - B. Notes the main barriers to the installation of solar panels on residential dwellings are: perceived high costs and payback periods; concern around associated planning controls and policies; a lack of knowledge about the different systems and technologies; and a lack of confidence in solar power suppliers/installers.
 - C. Notes Council activities proposed to accelerate the uptake of solar installations on residential properties include:
 - a. Aligning Council resources and tools such as our website, sustainability teams and our Environment Centres to provide a greater level of information and support to residents on increasing their solar uptake.
 - b. Actively promoting any State or Federal Government initiatives such as the interest free loans for solar installations;
 - c. Exploring innovative funding models that could reduce the cost barrier for our community.
-

REPORT

BACKGROUND

Council resolved at its meeting of 26 March 2019 that:

- A. *Council undertake engagement to determine the barriers for our community to accelerate uptake of solar panel installations on residential dwellings.*
- B. *Council develop an approach on how Council can facilitate removing these barriers linking to the draft Natural Environment and Climate Change Strategy and its targets.*
- C. *As part of the development of the approach, Council identify an ambitious residential solar panel installations target for residential dwellings.*
- D. *A report outlining the barriers, the approach and a proposed target for residential solar panel installations be presented back to Council within 4 months.*

The Northern Beaches community currently produces approximately 2 million tonnes of carbon emissions a year and more than 600,000 tonnes can be attributed to residential electricity use. Over the past 12 months Council has been developing the draft Northern Beaches Environment and Climate Change Strategy to help deliver the protection of the environment and environmental sustainability community outcomes contained within the Community Strategic Plan. The draft strategy includes ambitious commitments to reduce carbon emissions in the community. In order to deliver these commitments many different approaches will need to be implemented which includes a greatly increased uptake of solar panel installations on residential dwellings.

Solar power can reduce electricity bills and household carbon emissions, however, the feasibility of installing a solar system often depends on a number of factors including but not limited to; roof size, the time of day and amount of electricity used, shading and heritage restrictions. The Australian Photo Voltaic Institute (APVI) data estimates there are more than 67,300 homes in the Northern Beaches area that are potentially suitable for the installation of solar panels. Currently 8,463 or 12.6% of homes in the Northern Beaches have solar panels installed.

The average size of solar panel installations for residential dwellings is currently 5-7kW. The Clean Energy Council estimates that a 5 kW system will cost between \$3,500 - \$9,500 inclusive of the up-front incentive available for small-scale systems and GST. The major factors which will affect the price of a solar system are; government rebates and incentives, contractor installation costs, type and number of panels, type and size of inverter, type of framing equipment and other system components, height and accessibility of roof and whether the roof is tiled or metal or concrete and any after sales service agreements.

There are numerous factors that affect the suitability for solar and the period it will take for the system to pay for itself. This is known as the payback period. According to the Alternative Technology Association, a 5kW system in Sydney will have a payback period of 4-5 years. The amount of money a household will save on power bills by installing solar is affected by several factors, including the household energy consumption and the size of the solar system, the value of the feed in tariff and the time of day when the power is used.

A recent report has determined that Australian homes and businesses investing in solar are contributing 7.4Mt CO₂-e emissions abatement (a reduction in 4% of emissions from the electricity sector) towards our national emissions goals. This report also undertook spatial analysis showing there is still significant opportunity for additional solar panel installations on Australia's housing stock including apartments and that the Northern Beaches has high potential for additional solar panel installations. Currently there are about 6,000 MW of solar capacity installed in Australia and the Australian Energy Market Operator forecasts that capacity is expected to reach 20,000 MW by 2038 (neutral PV forecast).

Council is currently implementing its 'Charge Ahead' program to take action on climate change. The community has shown significant interest in the program and there have been high attendance

rates at Council's solar workshops. However, requests for quotes have not converted into physical solar panel installations (Our Energy Future Evaluation Report 2019) and currently only 12.6% of suitable dwellings in the Northern Beaches Area have solar installed compared to a 22.7% average across all Australian States and Territories.

Community engagement to understand barriers to solar panel installation on residential dwellings

Council undertook community engagement to determine the local barriers to solar panel installation in May and June 2019. This included:

- Community surveys for both the wider community and those that had attended Council run solar workshops. The surveys were promoted on Councils' website and via video on social media.
- A review of the existing 'Our Energy Future' program.
- A review of recent research into solar barriers.
- Separate workshops for the community and businesses. The aim of the workshops was to identify the barriers in our community to solar installations and look toward innovative solutions to assist removing those barriers. These solutions have assisted in the development of the short and long-term actions to address the barriers.

541 people completed the online community survey and the following issues were noted as being the most significant barriers to the installation of solar panels.

- Cost
- Lack of knowledge about the different systems and technology
- Planning controls and policies
- Lack of confidence in solar power suppliers/installers.

Approach to facilitate reducing the barriers to solar panel installation on residential dwellings

Council has developed the following approach to facilitate reducing the four most significant barriers.

Barrier 1 – Cost

More than 88% of the survey respondents identified that cost is at least somewhat of a barrier to the installation of solar panels on their homes. Opportunities to address the cost barrier include interest free loans (NSW State Government), clarifying and education around the payback years for solar systems and investigation of the opportunity to work with organisations that offer financial options.

The NSW State Government will soon be rolling out an interest free loan scheme for solar and battery installations for households with incomes below \$180,000. This offer could partially address the cost barrier and Council will actively promote this option once the program has been activated. However, 52% of survey respondents were unlikely to take up these loans and further research is required to investigate and address these reasons.

Other opportunities to reduce the cost barrier include providing information on the business case for solar, including the relatively short payback years. The survey found that more than 50% of people thought the payback period was much longer which could be influencing uptake.

Various private organisations offer finance solutions for homeowners to install solar panels. There is an opportunity to investigate how Council can assist residents in connecting with these organisations to accelerate the uptake of solar panel installations.

Barrier 2 - Lack of knowledge about the different systems and technology

79% of the survey respondents identified a lack of knowledge about solar panels and technology as a barrier. To immediately address this barrier, Council will develop and implement a 'Simple Solar' information page on Council's website, including a glossary of terms and other relevant product information. Longer-term opportunities exist including developing and implementing a tailored education and communications plan, and the delivery of forums to engage and activate residents to make the change to solar.

Research published by the City of Melbourne (2015) noted that 41% of households 'Don't have solar and have never considered installation'. These findings support Council's survey results. This barrier can be addressed through the development of a tailored education and communications plan to raise the profile of solar within the community to drive further installations.

Council currently offers its 'Charge Ahead' program, and there has been high attendance at community workshops. While there have been a large number of requests for quotes, these have not all translated into solar panel installations. In order to accelerate the uptake of solar panels, it is proposed to expand the "Charge Ahead" program and reconfigure the way we offer our community sustainability services and the way we operate our Environment Centres.

In conjunction with these programs, delivery of forums to engage and activate residents to make the change to solar are proposed for the community to understand the importance of renewable energy in reducing carbon emissions, discuss solar technology with experts and get independent advice on how they can reduce their power bills.

Barrier 3 - Planning controls and policies

Almost 79% of respondents found that understanding Council's current planning controls and policies was at least somewhat of a barrier to solar panel installation. The majority of solar panel installations on residential dwellings are 5-6kW and are exempt development, provided they comply with the requirements under NSW State Environmental Planning Policies, therefore highlighting that this is very much a perceived barrier.

In order to reduce this barrier, Council staff will improve existing planning checklists and forms and provide 'user friendly' information on Council's Environment and Planning webpages.

Barrier 4 - Lack of confidence in solar power suppliers/installers

69% of respondents identified a lack of confidence in solar power suppliers/installers as at least somewhat of a barrier for the installation of solar panels on their homes. Currently the Clean Energy Council is the peak body for the clean energy industry in Australia. Solar panel installers can become certified via the Clean Energy Councils Solar PV Accreditation Scheme which provides an increased level of certainty for the community around suppliers and installers. There are now more than 6,000 certified installers in Australia.

One of the outcomes from the Council workshop with local businesses was that follow up inspections and audits after solar systems are installed would help improve confidence in the solar industry. It is proposed that Council will advocate for the Clean Energy Council to increase the number of post installation inspections to help improve confidence in the market place. It is also proposed that Council will promote this through links on our website to the Clean Energy Council that lists certified solar panel installers.

Solar panel installation target for residential dwellings

Council has proposed commitments to reduce carbon emissions in the community as part of the draft Northern Beaches Environment and Climate Change Strategy which also aligns with the NSW State Government's commitment for net zero emissions by 2050. In order for Council to achieve these commitments, a number of different programs will need to be delivered. Having an ambitious solar panel installation target for residential dwellings is one of these approaches.

The top four postcodes in Australia have between 50.2% and 68.5% of suitable rooftops with solar and the top two postcodes in Sydney have solar installed on 31.3% (2762 – Schofields area) and 41.9% (2174 - Leppington area). The top two performing postcodes in the Northern Beaches are both currently at 16.9% (2085 – Cottage Point, Duffy's Forest, Ku Ring Gai Chase, Terrey Hills and 2102 – Warriewood).

While we aspire to accelerate the uptake, and have solar installed on all potential dwellings, we understand that due to roof size and orientation, the time of day and amount of electricity used, shading and other restrictions, such as heritage issues, it is unlikely to be feasible for all of these dwellings to install solar panels.

Council modelled an ambitious target of solar panel installations proposing 30,000 homes by 2040. This target was presented to the Environment SRG on 13 August 2019 who made the following recommendation:

That the Environment SRG notes that the Northern Beaches has 12.6 % of available homes fitted with solar and proposes that Northern Beaches Council adopts a target of 50% of suitable premises with solar by 2030.

As can be seen from the recommendation, the SRG recommended the expansion of the target to "suitable premises" rather than just suitable residential properties. This would mean the target applied to relevant commercial/business/industrial properties as well. This recommendation has not been made to Council by staff, because the original resolution requested a target for residential dwellings, however staff believe it would be beneficial to do so.

Further, the group suggested that Council could engage with people in the community who could be solar ambassadors and in doing so, direct residents to people in the community who have experience in solar systems but are not necessarily suppliers or commercially involved.

The target presented to Council is in consideration of the feedback from the SRG, Council's modelling and the proposals in the draft Environment and Climate Change strategy.

TIMING

The approach to reduce the barriers to solar panel installation will commence in the 19/20 financial year and will continue in the 20/21 and 21/22 financial years.

LINK TO COUNCIL STRATEGY

Goal 6 in the Community Strategic Plan Shape 2028, states that 'Our community will continue to work towards sustainable use of resources' and that Council will 'Promote and support opportunities for more sustainable living'.

FINANCIAL CONSIDERATIONS

Short-term strategies to be implemented within current resources include the development of simple solar information for Council's website, including providing clarity around the planning requirements for the installation of solar and reconfiguring our existing resources.

In order to accelerate the uptake of solar panels on residential dwellings, it is proposed to use existing funding and refocus it on the development and implementation of a tailored education and communications campaign, delivery of a community forum (to be run in 19/20) and aligning the services we offer in our Environment Centres and through our sustainability teams.

SOCIAL CONSIDERATIONS

This approach will support the community to install solar panels on their homes which, in most cases, will reduce their energy costs. It will also contribute to the reduction of the community's carbon footprint and future proof liveability across the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The funding of these projects will have a positive impact on our local environment by reducing our community's carbon emissions, which is a key strategy in mitigating future impacts of climate change. During the development of this program, Council will advocate to the federal government for the product stewardship program to encompass solar panels.

GOVERNANCE AND RISK CONSIDERATIONS

Council will need to ensure that it manages any reputational and liability risks in terms of engaging with solar suppliers, solar ambassadors or investigating any third party financing models for solar systems.

ITEM 11.2	ADOPTION OF THE INGLESIDE, ELANORA AND WARRIEWOOD OVERLAND FLOW FLOOD STUDY
REPORTING MANAGER	ACTING EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/342758
ATTACHMENTS	<p>1 Ingleside Elanora and Warriewood Overland Flow Flood Study Report - Volume 1 (Included In Attachments Booklet 1)</p> <p>2 Ingleside Elanora and Warriewood Overland Flow Flood Study Appendices - Volume 2 (Included In Attachments Booklet 1)</p>

SUMMARY

PURPOSE

To adopt the Ingleside, Elanora and Warriewood Overland Flow Flood Study, May 2019, and update the Planning Certificates for affected properties accordingly.

EXECUTIVE SUMMARY

The Ingleside, Elanora and Warriewood Overland Flow Flood Study (the Study) has been prepared for Northern Beaches Council to review and define the existing and future flood behaviour in the study area. Although this is not the first flood investigation undertaken in the study area, it is considered the most accurate and reflects the overland flow nature of flooding in this location. Where flood water running in the upper parts of a catchment overflows the main creeks, the overland flow often needs to be considered as a special case. The Study was undertaken to provide the definition of these overland flows within the northern part of the Narrabeen Lagoon catchment where significant overland flows were expected.

Results from this Study will supersede those from the Pittwater Overland Flow Flood Study (2013) and parts of the Narrabeen Lagoon Flood Study (2013) as this new information is considered accurate to a greater level of detail.

Council approved the draft Study for public exhibition on 27 November 2018. Documents were placed on public exhibition for comment from 2 March 2019 to 1 April 2019. Letters and information brochures were sent to 2,456 properties and multiple notices were placed in the Manly Daily. A 'Have Your Say' project webpage was established on Council's website and information was displayed at Council's Customer Service Centres and libraries. Four information sessions were held in the Nelson Heather Centre in Warriewood.

Following adoption of this Study, Planning Certificates will be updated for affected properties stating whether the land is subject to flood related development controls. There are 1,363 blocks identified as flood affected within the area subject to overland flooding. As a result of this study, there will be 276 blocks removed from the Flood Planning Area (FPA) and 119 removed from the Probable Maximum Flood (PMF) extent altogether.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

- A. Adopt the Ingleside, Elanora and Warriewood Overland Flow Flood Study (May 2019).
 - B. Update the Planning Certificates for flood related development controls based on the property information in the Ingleside, Elanora and Warriewood Overland Flow Flood Study (May 2019).
-

REPORT

BACKGROUND

NSW Government's Flood Prone Land Policy and Council's Obligations

Under the NSW Government's Flood Prone Land Policy, the management of flood affected land is the responsibility of local government. The state government subsidises flood mitigation works to alleviate existing problems, and provides specialist technical advice to assist councils to undertake their floodplain management responsibilities.

The NSW Government's Flood Prone Land Policy provides; a framework to ensure the sustainable use of floodplain environments, solutions to flooding problems and means of ensuring new development is compatible with the flood hazard. It is implemented in five sequential stages. These are described below, and this report refers to Step 2 of the process.

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
1. Formation of a committee: forum for discussing technical, social, economic and environmental issues.	The Northern Beaches Flood Management Committee has been consulted in the finalisation of the Study. Membership comprises representatives of the Department Planning, Industry and Environment (formerly the NSW Office of Environment & Heritage (OEH)), NSW State Emergency Service (SES), Councillors and Community Members.
2. Flood Study: determines the nature and extent of the flood problem and is publicly exhibited upon completion.	This Study defines and updates the existing flood behaviour in the study area. Planning Certificates for affected properties will be updated in accordance with the <i>Environmental Planning and Assessment Act 1979</i> .
3. Floodplain Risk Management Study (FRMS): evaluates management options for the floodplain in respect of both existing and proposed development and is publicly exhibited upon completion.	The next stage of the process is generally the FRMS to investigate risk management options and provide recommendations to reduce flood hazard. This has already been covered in the Narrabeen Lagoon FRMS (adopted 2019).
4. Floodplain Risk Management Plan (FRMP): involves preparation of a formal plan to guide Council's management of the floodplain, using information from the flood study and FRMS, and formal adoption by Council after a period of public exhibition.	The following stage of the process is generally the FRMP to investigate risk management options and provide recommendations to reduce flood hazard. This has already been covered in the Narrabeen Lagoon FRMP (adopted 2019).
5. Implementation of the Plan	The future plan will be implemented according to Council resources and funding availability.

The Study Area

The study area covers an area of approximately 16.5 km², completely within the Narrabeen Lagoon catchment, and includes land within the suburbs of Ingleside, Elanora Heights, Warriewood and North Narrabeen. The study area is located north of Narrabeen Lagoon and drains to the Lagoon, then the Tasman Sea through the entrance at Narrabeen Head. There are several creeks in the study area (Figure 1) including Narrabeen Creek, Mullet Creek, Fern Creek, Nareen Creek and Deep Creek.

The catchment has a history of flooding and there is a need to better define the nature and extent of flooding in this area, in order to determine appropriate planning controls.

Land use within the catchment comprises a mix of residential and commercial developments (including some light industrial areas), together with areas of open space such as Elanora Country Club, Boondah Reserve and North Narrabeen Reserve. The Warriewood Wetlands are a significant feature of the lower catchment.



Figure 1 – Study area for the Ingleside, Elanora and Warriewood Overland Flow Flood Study

Previous Studies

The Study has been prepared for Northern Beaches Council to review and define the existing and future flood behaviour in the study area. This study was previously titled the North Narrabeen Overland Flow Study but, on the advice of the Northern Beaches Flood Management Committee, was renamed to provide greater clarity during the consultation process.

Although this is not the first flood investigation undertaken in the study area, it is considered the most accurate and reflects the overland flow nature of flooding in this location. The current flood behaviour in the catchment is based upon the following studies:

- a) The Narrabeen Lagoon Flood Study (2013) which modelled catchment rainfall from the entire Narrabeen Lagoon catchment (including areas as far away as Beacon Hill and Frenchs Forest), as well as ocean flooding.
- b) The Pittwater Overland Flow Study (2013) which investigated areas affected by overland flow upstream from the Narrabeen Lagoon waterbody.

Although these previous studies provided baseline data, they also identified some significant risk in this area that warranted more detailed definition. The Study considers current catchment conditions and potential impacts of climate change, better delineates overland flow paths and utilises the most up-to-date topographical data and floodplain modelling techniques. The results supersede the previous modelling results for this area.

Where flood water running in the upper parts of a catchment overflows the main creeks, the flood water runs overland. This is referred to as overland flow and often needs to be considered as a special case. The Narrabeen Lagoon Flood Study adopted in 2013 mapped the flood risk within the lagoon waterbody and the main creeks which flow into Narrabeen Lagoon for the whole of the 55km² catchment, but it was not intended to map overland flooding.

This Study was undertaken to provide the definition of these overland flows within the northern part of the Narrabeen Lagoon catchment where significant overland flows could pose a risk. However, the Study will not replace the flood results from the Narrabeen Lagoon Flood Study, 2013 in the lower parts of the catchment impacted by Narrabeen Lagoon as it was solely focused on the risk of overland flows.

Ingleside, Elanora and Warriewood Overland Flow Flood Study

The key objective of the Study is to gain a comprehensive understanding of flooding risk in the flood study area. The Study involved:

- Collection of flood related data
- The establishment and calibration of the flood model
- Modelling for a range of flood events of various magnitudes
- Sensitivity analysis of the model results
- Identification of the level of flood risk throughout the flood study area
- Scenario modelling of the potential impact of climate change and pipe blockages.

The key outputs of the Study include the identification of design flood information such as peak flood levels and velocities, provisional flood hazards (which inform the flood risk), preliminary categorisation of the hydraulic flows and preliminary flood planning extents.

Overview of Flood Behaviour

In the upper portion of the catchment, as a result of the steep terrain and low development density, there are few major overland flow paths outside of the creek channels. These channels contain most of the catchment runoff even in more severe storms like a 1% Annual Exceedance Probability (AEP) storm (similar to the 1 in 100 year event). The most notable flood issues are the Ingleside Road and Powderworks Road crossings of Mullet Creek, which are likely to be overtopped relatively frequently.

The southern part of the mid-catchment comprises the residential area of Elanora Heights, draining primarily to Nareen Creek, while the northern part is remnant bushland draining to Mullet, Fern and Narrabeen Creeks. The catchment is very steep through these areas, resulting in widespread shallow overland flow, with relatively few concentrated flow paths apart from the creek channels. The most notable flood issues in the mid-catchment area are the corner of Powderworks Road and Elanora Road at the outlet of the Elanora Country Club golf course, and the Ponderosa Parade crossing at Narrabeen Creek.

In the lower reaches of the catchment, flooding is significantly more widespread than in the upper areas of the catchment, due to flatter topography, relatively small creek channels, the influence of Warriewood Wetlands and backwater influences from Narrabeen Lagoon. There are large areas subject to significant inundation depths in severe storm events. All creeks are predicted to overtop their banks in even relatively small events. The most significant overland flooding in the urbanised catchment areas occurs along the stretches where Nareen Creek is piped, with heavy inundation between Tatiara Crescent and Nareen Parade as well as between Narroy Road and Pittwater Road (although this is exacerbated by the flooding of the wetlands below Nareen Parade).

Hotspots

Hotspots are predicted to experience hazardous flooding with high floodwater depths and/or velocities. The following flooding “hot spots” were identified as part of the study:

- The Ingleside Road and Powderworks Road crossings of Mullet Creek
- The outlet of the Elanora Country Club golf course
- The Ponderosa Parade crossing at Narrabeen Creek
- Lower floodplain in North Narrabeen.

Update to the Flood Planning Area

Land use planning is an effective means of minimising flood risk and damage from flooding. Residential flood related development controls generally apply within the Flood Planning Area (FPA). The Probable Maximum Flood (PMF) is the largest conceivable flood, and is considered for emergency response planning and planning for critical and vulnerable facilities. Figure 2 shows the updated FPA and PMF extent.

Within the FPA, the Flood Planning Level (FPL) is determined by adding a freeboard (typically 0.5m) to the 1% AEP flood level (similar to the 1 in 100 year level), and is used to the minimum floor levels for new development.

Flooding in the Narrabeen Lagoon catchment can occur together with or independently from flooding in Narrabeen Lagoon. The results produced in this study are for local overland flow events only, and do not consider elevated tailwater levels due to lagoon flooding. In the lower catchment, flooding from Narrabeen Lagoon produces higher flood levels and the flood levels to be used for planning in this area should be derived from the Narrabeen Lagoon Flood Study (2013).

Results from this study will completely supersede the results from the Pittwater Overland Flow Flood Study (2013) in this catchment. For areas in the lower catchment where Narrabeen Lagoon flooding is critical, the results from the Narrabeen Lagoon Flood Study, 2013 are still relevant and will not be replaced.

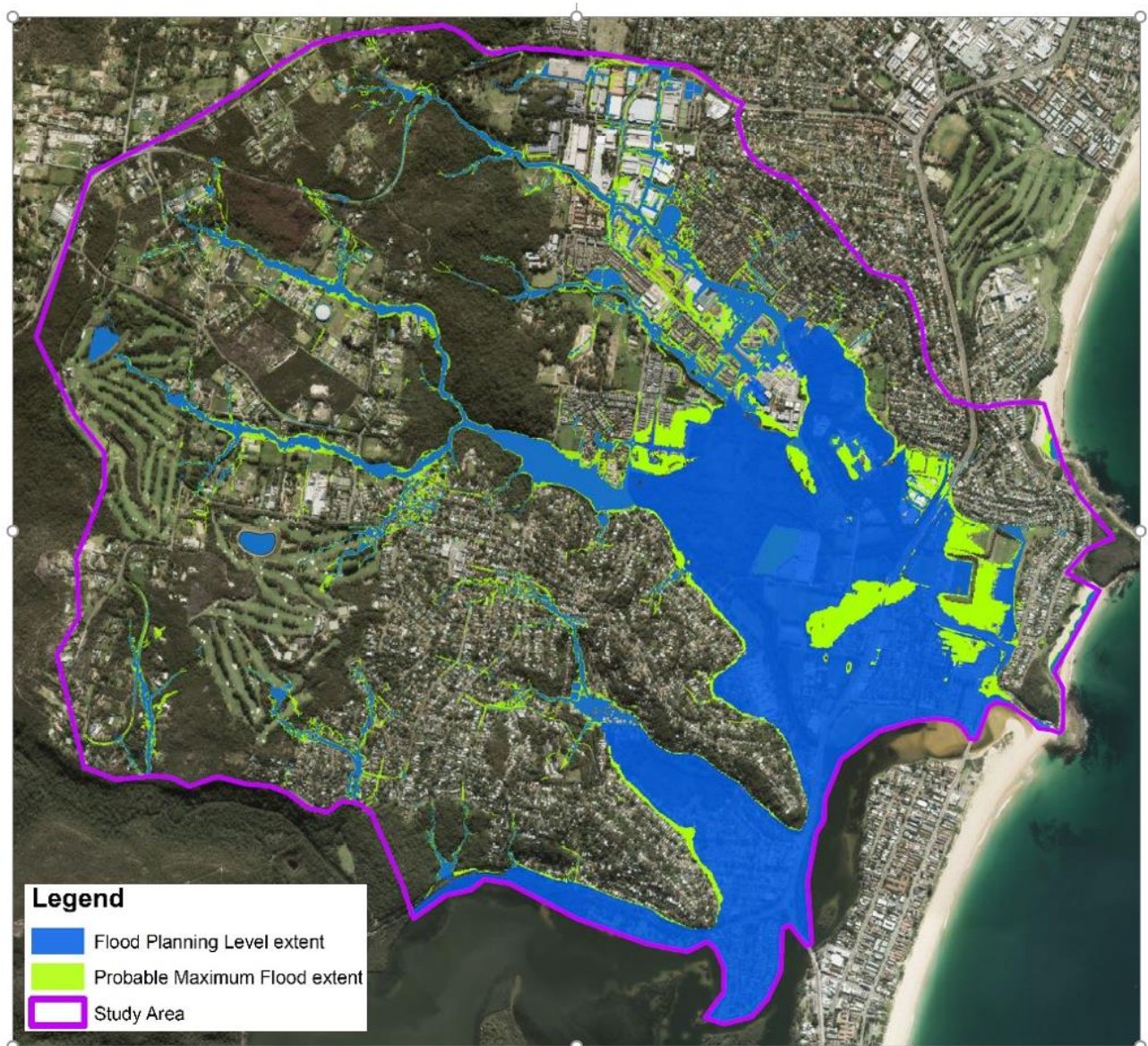


Figure 2 – Updated FPA and PMF Extent

Planning Certificates

Under the *Environmental Planning and Assessment Act 1979*, Council is required to place a 'notation' on a Planning Certificate (formerly a Section 149 (2) Certificate) if a property is subject to flood related development controls. Residential flood related development controls generally apply within the FPA, whilst the PMF is considered for emergency response planning and planning for critical and vulnerable facilities. Following adoption of the study, Planning Certificates will need to be updated.

Following adoption of this Study, Planning Certificates will be updated for affected properties stating whether the land is subject to flood related development controls. There are 1,363 blocks identified as flood affected within the area subject to overland flooding. As a result of this Study, there will be 276 blocks removed from the FPA and 119 removed from the PMF extent.

The changes relate primarily to a greater degree of accuracy in the updated modelling methodology, as well as more detail in the extensive 'ground truthing' that was undertaken during the Study to ensure that the model represents the actual situation on the ground.

CONSULTATION

Council approved the draft Study for public exhibition on 27 November 2018. The Draft Flood Study report was placed on public exhibition for comment from 2 March 2019 to 1 April 2019.

Letters and information brochures were sent to 2,456 properties and multiple notices were placed in the Manly Daily. A 'Have Your Say' project webpage was established on Council's website and information was displayed at Council's Customer Service Centres and libraries. All of these sources of information outlined several ways in which community members could make a submission on the Study. Information sessions were held during 4 days in the Nelson Heather Centre in Warriewood, where community members could book in to discuss the study on an individual basis with Council officers and the consultant undertaking the Study.

During the public exhibition, there were 252 visits to the project webpage, 26 attendees at the information sessions, numerous conversations over the phone and 6 written submissions which were responded to individually.

Generally, the issues/questions raised were as follows:

- A large proportion of attendees wished to understand the implications of the Study for their property, particularly in relation to Planning Certificate notifications (formerly known as Section 149 Certificates) about flood affectation and development controls. These issues were discussed at a property-specific level to clarify the implications for each attendee.
- Several property owners had complaints about a lack of local drainage capacity, where overland flow was occurring through the property on a relatively frequent basis (sometimes several times per year). These cases were referred to Council's stormwater team to investigate the possibility of drainage upgrades.
- One submission identified that the Study had not included changes to ground levels and drainage infrastructure from a subdivision with earthworks that had occurred after the Study commenced. This is a common issue for catchment-wide flood studies since development is always occurring, including after the models are finalised. The Study could only incorporate the information for developments that were completed when the Study started in 2016, with some additional survey also being undertaken at the commencement of the project. However, Council uses all available information when assessing development applications, and, for any future applications, will take into account factors specific to the site at the time, including design flood and stormwater information relevant to the subdivision.

TIMING

Planning Certificates will be updated as a priority following adoption of the Study.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Protection of the Environment; Goal 2 - Our environment and community are resilient to natural hazards and climate change.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

SOCIAL CONSIDERATIONS

The Study will provide Council with better flood information and knowledge for this area and will provide effective management of flood risk for future development. Publicly available flood information can assist in raising community awareness to flooding and promote a more resilient community.

ENVIRONMENTAL CONSIDERATIONS

No environmental impacts are expected at this stage as the Study is an investigation of existing and future flood behaviour with no on-ground works proposed.

GOVERNANCE AND RISK CONSIDERATIONS

The Northern Beaches Flood Management Committee has been consulted during the finalisation of the Flood Study. The preparation of a Flood Study fulfils Council's obligation to identify flood risk in accordance with the NSW Floodplain Development Manual and provides a level of protection for Council under the *Local Government Act 1993*.

ITEM 11.3	ADOPTION OF THE NEWPORT FLOOD STUDY
REPORTING MANAGER	ACTING EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/416343
ATTACHMENTS	<ol style="list-style-type: none"> 1 Newport Flood Study Final Report July 2019 - Volume 1 - Report (Included In Attachments Booklet 2) 2 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 1-20 (Included In Attachments Booklet 2) 3 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 21-33 (Included In Attachments Booklet 2) 4 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 34-40 (Included In Attachments Booklet 2) 5 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 41-50 (Included In Attachments Booklet 2) 6 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 51-65 (Included In Attachments Booklet 2) 7 Newport Flood Study Final Report July 2019 - Volume 2 - Figures 65-80 (Included In Attachments Booklet 2)

SUMMARY

PURPOSE

To adopt the Newport Flood Study (July 2019) and update the Planning Certificates for affected properties accordingly.

EXECUTIVE SUMMARY

The Newport Flood Study (the Study) has been prepared to define the existing and future flood behaviour in the study area. The Study considers current catchment conditions and land use as well as potential impacts of climate change, delineates overland flow paths and utilises the most up-to-date topographical data and floodplain modelling techniques. The study area includes sub-catchments draining to Pittwater Estuary and the Tasman Sea, and includes the entire suburb of Newport and parts of the suburbs of Bilgola Plateau and Clareville.

The study will update the flood risk for the study area identified in the Newport Beach Flood Study (2002), Newport Beach Floodplain Risk Management Study and Plan (2004) and the Pittwater Overland Flow Flood Study (2013). Although this is not the first flood investigation undertaken in the study area, it is considered the most accurate and reflects the overland flow nature of flooding in this location.

Like other flood studies, the Newport Flood Study has identified areas of flood hazard, which have the potential to endanger life and property. The Study identifies a total of 1097 flood affected blocks within the Probable Maximum Flood (PMF) extent, 205 more than were previously identified. Of the 1,097 flood affected blocks, 748 are within the Flood Planning Area (FPA) and therefore subject to residential flood related development controls. This is 233 more than were previously identified as being within the FPA. The difference in block numbers is due to the new Study having a far greater degree of accuracy, resulting in more overland flow paths being defined. The greater degree of accuracy is as a result of more detailed analysis, updated modelling technology, extensive site visits to 'ground truth' flow paths and analysis and application of a fit for purpose freeboard to ensure the mapping best represents the actual flood risk on the ground.

Council approved the draft Flood Study for public exhibition on 18 December 2018. Documents were placed on public exhibition for comment from 4 March 2019 to 9 April 2019. Letters and information brochures were sent to the owners of 1,886 properties and multiple notices were placed in the Manly Daily. A 'Have Your Say' project webpage was established on Council's website and information was displayed at Council's Customer Service Centres and libraries. Four information sessions were held, three at the Newport Community Centre and one at Mona Vale Memorial Hall.

During the public exhibition, there were 290 visits to the project webpage, 41 attendees at the information sessions and numerous conversations over the phone. Nineteen written submissions were received, most of which related to property owners disagreeing that their lots are at risk of flooding. In these cases, Council's consultant responded by visiting the site and the mapping was amended in several locations. Council has responded to each individual submission.

Following adoption of this Flood Study, Planning Certificates will be updated for affected properties stating whether the land is subject to flood related development controls.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

- A. Adopt the Newport Flood Study (July 2019)
 - B. Update the Planning Certificates for flood related development controls based on property information in the Newport Flood Study (July 2019).
-

REPORT

BACKGROUND

NSW Government's Flood Prone Land Policy and Council's Obligations

Under the NSW Government's Flood Prone Land Policy, the management of flood affected land is the responsibility of local government. The state government subsidises flood mitigation works to alleviate existing problems, and provides specialist technical advice to assist councils to undertake their floodplain management responsibilities.

The NSW Government's Flood Prone Land Policy provides; a framework to ensure the sustainable use of floodplain environments, solutions to flooding problems and a means of ensuring new development is compatible with the flood hazard. The Flood Prone Land Policy is implemented in five sequential stages. These are described below, and this report refers to Step 2 of the process.

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
1. Formation of a committee: forum for discussing technical, social, economic and environmental issues.	The Newport Flood Study Community Working Group was established in 2017 and has been consulted throughout the study. The working group membership comprises representatives of the Department of Planning, Industry and Environment (formerly NSW Office of Environment & Heritage (OEH)), NSW State Emergency Service (SES) and Community Members. The Northern Beaches Flood Management Committee has been also been consulted in relation to the finalisation of the Study.
2. Flood Study: determines the nature and extent of the flood problem and is publicly exhibited upon completion.	This Flood Study defines and updates the existing flood behaviour in the study area, and establishes the basis for subsequent floodplain management activities.
3. Floodplain Risk Management Study (FRMS): evaluates management options for the floodplain in respect of both existing and proposed development and is publicly exhibited upon completion.	The next stage of the process is the FRMS, which will investigate risk management options and provide recommendations to reduce flood hazard.
4. Floodplain Risk Management Plan (FRMP): involves preparation of a formal plan to guide Council's management of the floodplain, using information from the flood study and FRMS, and formal adoption by Council after a period of public exhibition	The following stage of the process is the FRMP, which will investigate risk management options and provide recommendations to reduce flood hazard.
5. Implementation of the Plan	Any future plan will be implemented according to Council resources and funding availability.

The Study Area

The study area (see Figure 1) covers an area of approximately 5km², with sub-catchments draining to the Pittwater and the Tasman Sea at Newport Beach and Bungan Beach. It includes the entire suburb of Newport, a major part of the suburb of Bilgola Plateau and a small part of the suburb of Clareville. The study area includes McMahon's Creek, which drains the north east part of Newport, as well as several other unnamed watercourses. The catchment predominantly comprises residential properties with commercial properties adjoining Barrenjoey Road in the Newport Town Centre area. The steeper sections of the catchment are characterised by less intense residential development including extensive tree coverage.

The catchment has a history of flooding and there is a need to better define the nature and extent of flooding in this area, in order to determine appropriate planning controls as well as to establish the basis for the subsequent floodplain risk management study and plan.



Figure 1 – Study area for the Newport Flood Study. The green areas flow to the Tasman Sea and Red to the Pittwater Estuary. Blue lines are creeks and water courses.

Previous Studies

There have been a number of previous flood investigations undertaken in the study area which have mapped flood behaviour:

- a) The Newport Beach Flood Study (Lawson and Treloar, 2002) modelled catchment and ocean flooding in the 1.8 km² Newport Beach sub-catchment which drains to the Tasman Sea. It mainly mapped low-lying areas around the Newport Town Centre.
- b) The Newport Beach Floodplain Risk Management Study and Plan (SMEC, 2004) built upon the work completed as part of the Newport Beach Flood Study, however, included additional community consultation, an additional survey as well as model updates to better describe flood behaviour along some additional flow paths.
- c) The Pittwater Overland Flow Flood Study (Cardno, 2013) investigated areas affected by overland flow upstream of the Newport Beach Flood Study, as well as overland flows draining to the Pittwater Estuary. It was an "Overview Study" that helped gain a better understanding of the overland flow flood risk across the entire former Pittwater Council area. The study did not include Council's stormwater pits and pipes as it was a broad scale study.

The previous studies provided valuable data and identified some significant risk in the Newport area that warranted more detailed definition. However assumptions made in the larger scale 2013 Study needed to be refined (such as the assumptions made to account for the stormwater pipe system not being incorporated in the model), and there have been significant improvements in modelling technologies since the Newport Beach Study in 2002. The new Study considers current catchment conditions and land use as well as potential impacts of climate change, better delineates overland flow paths and utilises the most up-to-date topographical data and floodplain modelling techniques. The results supersede the previous modelling results for the area.

Newport Flood Study

The key objective of the Flood Study was to gain a comprehensive understanding of flooding risk in the flood study area.

The Flood Study involved:

- Collection of flood related data
- The establishment and calibration of the flood model
- Undertaking modelling for a range of flood events of various magnitudes
- Undertaking sensitivity analysis of the model results
- Identification of the level of flood risk throughout the flood study area
- Undertaking scenario modelling of potential impact of climate change and stormwater blockages.

At the commencement of the Study a questionnaire was distributed to residents in the study area. The purpose of the questionnaire was to identify which residents had experienced problems with flooding and to collate as much historical flood data as possible. A total of 395 responses were received from the distributed questionnaires, which is a very high response rate.

Of the 395 responses received:

- 134 respondents had experienced some form of inundation or disruption as a result of flooding
- 19 respondents had experienced traffic disruptions

- 59 respondents had had their front or back yard inundated
- 26 respondents had had their garage inundated
- 18 respondents had had their house or business inundated above floor level.

Based upon the above responses and a range of Council mapping data, including stormwater network data, topographic or landform information and land use information, a flood model was established to identify flood behaviour in the study area. This model was calibrated using data from the February 2012, November 2015 and June 2016 rainfall and flood events. The model was also verified against alternate modelling techniques.

The study identifies how floods behave for storms of different magnitudes, including flood events that have a 20%, 10%, 5%, 2%, 1%, 0.5%, 0.2% and 0.1% probability of occurring once or more in a year, as well as the Probable Maximum Flood (PMF). The study provides information on these flood “design” events, including the expected flood levels, velocities, the degree of hazard that the flooding poses to life and property. The study also categorises the floodplain and proposes the new areas that are to be subjected to Council’s Flood Prone Land development controls.

Overview of Flood Behaviour

Flooding in the catchment can occur from one or more of the following mechanisms: as a result of major watercourses overtopping their banks, overland flooding when the capacity of the stormwater system is exceeded or inundation from elevated water levels in the Tasman Sea and Pittwater Estuary.

Flooding can occur from a variety of different rainfall durations. The worst-case flooding across Newport typically occurs as a result of rainfall events that are less than 3 hours in duration (i.e. high intensity thunderstorms, or short intense storm cells within longer events).

In general, most of the overland flooding is a result of relatively limited stormwater capacity. Significant portions of the stormwater system do not have capacity to carry the equivalent of a 1 in 5 year flood. As a result, during large events a significant proportion of the flow travels overland. The capacity of the stormwater network is typical of this type and age of network found across the Sydney region.

Hotspots

Hotspots are predicted to experience hazardous flooding with high floodwater depths and/or velocities. The following flooding “hot spots” were identified as part of the study:

- Howell Close to Barrenjoey Road
- Bramley Avenue, Ross Street and The Boulevard
- Yachtsmans Paradise
- King Street to Bishop Street.

Hazard and velocity mapping prepared as part of the study indicates that velocities may exceed 2m/s along some of these overland flow paths, which may pose a danger to people. A number of roadways are predicted to be overtopped during the 1% Annual Exceedance Probability (AEP) (1 in 100 year) flood. Most roadways would be first cut 30-45 minutes after the initial onset of rainfall and would remain cut for at least 1 hour. As a result, several locations within the study area are predicted to experience evacuation difficulties.

Update to the Flood Planning Area

Land use planning is an effective means of minimising flood risk and damages from flooding. Residential flood related development controls generally apply within the Flood Planning Area (FPA). The PMF is the largest conceivable flood, and is considered for emergency response planning and planning for critical and vulnerable facilities. Figure 2 shows the updated FPA and PMF extent.

Within the FPA, the Flood Planning Level (FPL) is determined by adding a freeboard (typically 0.5m) to the 1% AEP flood level (similar to the 1 in 100 year level), and is used to set heights such as minimum floor levels for new development.

The Study identifies a total of 1,097 flood affected blocks within the PMF extent, 205 more than were previously identified. Of the 1,097 flood affected blocks, 748 are within the FPA and therefore subject to residential flood related development controls. This is 233 more than were previously identified as being within the FPA. The changes relate primarily to a greater degree of accuracy, as a result of updated modelling methodology and increased detail and analysis incorporated in the Flood Study, including:

- Fences and buildings have been included in the modelling to determine conditions where overland flows travel between buildings and are partly blocked by fences. This replicates the actual conditions where stormwater flows are concentrated beside buildings and fences, resulting in areas of flooding where there are significant depths and/or velocities that warrant the need to be mapped.
- More definition in the flood model and more detailed aerial imaging of topography that better defines the channels and gullies that convey floodwaters. The new study has also included extensive “ground truthing” which has resulted in identifying previously unknown flow paths between buildings and in vegetated areas.
- The previous Study (2013) was adopted with an arbitrary “buffer” for the mapping of the FPA. It did not include a freeboard, which is a safety factor that is recommended by the NSW Government. The new Study includes significant analysis of an appropriate freeboard to represent the actual risk of flooding.
- The 2013 Study was a wide-scale overview study of overland flooding in the entire former Pittwater Council area which didn’t include the stormwater system in the flood model with an assumption made on the volume of stormwater conveyed in the stormwater system.
- The previous Study (2013) inputted an ocean/estuary “tailwater” level that is 0.45m lower than what is currently recognised as the appropriate tailwater level for Pittwater Estuary. This tailwater level is the actual water level that was recorded during the 1974 Sygna Storm in Sydney Harbour and is unrelated to future sea level rise. The higher tailwater results in an increased flooding potential in some lower lying Pittwater Estuary areas.

Under the *Environmental Planning and Assessment Act 1979*, Council is required to place a ‘notation’ on a Planning Certificate (formerly a Section 149 (2) Certificate) if a property is subject to flood related development controls. As a result of this study, 83 blocks will no longer be subject to flood related development controls (within the PMF) and 290 additional blocks will be newly identified as subject to flood related development controls. Following adoption of the Study, Planning Certificates will be updated.



Figure 2 – FPA (blue) and PMF extent (green) for the Newport Flood Study

CONSULTATION

Council approved the draft Flood Study for public exhibition on 18 December 2018. The Draft Flood Study report was placed on public exhibition for comment from 4 March 2019 to 9 April 2019.

Letters and information brochures were sent to 1,886 properties and multiple notices were placed in the Manly Daily. A 'Have Your Say' project webpage was established on Council's website and information was displayed at Council's Customer Service Centres and libraries. Council Officers provided a presentation of the Flood Study to the chairs of the Newport Residents Association. All of these sources of information outlined several ways in which community members could make a submission with comments on the study. Community members could book an individual timeslot at a session to discuss the Flood Study with Council Officers and the Study Consultant.

During the public exhibition, there were 290 visits to the project webpage, 41 attendees at the information sessions, numerous conversations over the phone and 19 written submissions, which were responded to individually.

Generally, the issues/questions raised were as follows:

- Belief that the flood mapping was not representative of local conditions and, therefore, that their property was incorrectly identified as flood liable. This was often followed by a request for a site visit to verify and update the flood mapping. Some submissions also noted that recent construction work had likely changed local topographic conditions which was not reflected in the flood modelling results.
- Insufficient stormwater pipe and inlet capacity. Also reports of stormwater inlets becoming blocked by debris and the lack of regular maintenance to clear blockages.
- A number of people noted that their properties were not identified as flood liable or were removed from the flood mapping prepared as part of the Pittwater Overland Flow Study (2013) and did not understand what has changed since that time.
- Property owners had not experienced any historic flooding and, therefore, did not understand why their property was identified as flood liable.
- A number of submissions also expressed concern about the potential impacts that the study may have on insurance premiums and property values.

In general, the following responses were provided for each of the major issues identified above:

- Where reports of inaccurate flood mapping were provided, site visits were completed. The draft flood inundation mapping was revised at some properties. In other cases, the mapping was unchanged as the flood model representation reliably reflected on-site conditions.
- Reports of insufficient stormwater infrastructure and blockage / lack of maintenance were provided to Council's stormwater team for investigation.
- The 'Pittwater Overland Flow Study' (2013) was a broad-scale study while the current Study is more detailed and incorporates a better representation of the local drainage network as well as overland flow obstructions such as fences and buildings that were not included in the 2013 study. This can result in localised differences between the 2013 study and the current Study. However overall, the current Study affords an improved understanding of flood behaviour across the study area.
- A storm event of a 1% Annual Exceedance Probability (AEP) (1 in 100 year) flood magnitude has not occurred across Newport in recent history. A PMF event is the absolute worst flood that can occur and is only used for planning for vulnerable and critical services (e.g. hospitals, childcare centres, etc). The rainfall that fell between 11am and 3pm on 5th June 2016 (i.e., the largest recent flood for Newport) was estimated as a 5% to 10% Annual Exceedance Probability (AEP) event. As such, residents are unlikely to have experienced larger events that are relevant to flood planning.
- Individual insurance companies typically identify flood prone land and assess risk through their own flood studies, analysis and flood mapping exercises, irrespective of whether Council has undertaken a flood study. The information is then used to set policies and premiums (i.e., this study should not alter existing premiums). Property prices are influenced by a range of market factors and there is little evidence of a decrease in the value (or in growth rate) of houses with a flood risk (Yeo et al, 2015).

TIMING

Planning Certificates will be updated as a priority following adoption of the Flood Study.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of Protection of the Environment; Goal 2 - Our environment and community are resilient to natural hazards and climate change.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

SOCIAL CONSIDERATIONS

The Study will provide Council with better flood information and knowledge for this area and will provide effective management of flood risk for future development. Publicly available flood information can assist in raising community awareness to flooding and promote a more resilient community.

ENVIRONMENTAL CONSIDERATIONS

No environmental impacts are expected at this stage as the Study is an investigation of existing and future flood behaviour with no on-ground works proposed.

GOVERNANCE AND RISK CONSIDERATIONS

The Newport Community Floodplain Working Group was consulted throughout the project. The Working Group was presented the Final Flood Study Report on 31 July 2019 and the Study was endorsed for adoption. The Northern Beaches Flood Management Committee was consulted during the finalisation of the Flood Study.

The preparation of a flood study fulfils Council's obligation to identify flood risk in accordance with the NSW Floodplain Development Manual and provides a level of protection for Council under the *Local Government Act 1993*.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	OUTCOME OF PUBLIC EXHIBITION OF DRAFT NORTHERN BEACHES BUSH FIRE PRONE LAND MAP REVIEW
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2019/084014
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇨Analysis of Submissions Received from 1 December 2018 to 27 January 2019 Public Exhibition (Included In Attachments Booklet 3) 2 ⇨Changes Proposed to the Draft Map Publicly Exhibited from 18 May 2019 to 14 June 2019 (Included In Attachments Booklet 3) 3 ⇨Analysis of Submissions Received from 18 May 2019 to 14 June 2019 Public Exhibition (Included In Attachments Booklet 3) 4 ⇨Final Draft Northern Beaches Bush Fire Prone Land Map (Included In Attachments Booklet 3)

SUMMARY

PURPOSE

To report the outcomes of two public exhibitions of the Draft Northern Beaches Bush Fire Prone Land Map (Draft Map) and to seek Council approval to submit the Final Draft Map to the Commissioner of the NSW Rural Fire Service for certification.

EXECUTIVE SUMMARY

Bush Fire Prone Land Maps (BFPLMs) identify land that is at risk from bush fire attack, triggering specific requirements for development on affected land.

Due to Council amalgamation and a legislative requirement to review BFPLMs every five years, Council in partnership with the NSW Rural Fire Service (RFS) prepared a Draft Northern Beaches BFPLM 2018 (Draft Map) to replace the current Warringah BFPLM 2016, Pittwater BFPLM 2013 and Manly BFPLM 2010. Council resolved to publicly exhibit this Draft Map at its meeting on 27 November 2018.

The Draft Map was exhibited from 1 December 2018 to 27 January 2019 and 48 submissions were received and assessed in consultation with the NSW RFS (Attachment 1). The assessment resulted in several additional proposed changes to the Draft Map (Attachment 2). The further changes were exhibited from 18 May 2019 to 14 June 2019 and six submissions were received and assessed in consultation with the NSW RFS (Attachment 3). No further changes are proposed to the Draft Map following the second consultation.

It is recommended that Council approve the submission of the Final Draft Map (Attachment 4) to the Commissioner of the NSW RFS for Certification. The Northern Beaches Bush Fire Prone Land Map will take effect upon its certification.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

- A. Note the outcome of the public exhibition of the Draft Northern Beaches Bush Fire Prone Land Map Review.
 - B. Approve the submission of the Final Draft Northern Beaches Bush Fire Prone Land Map to the Commissioner of the NSW Rural Fire Service for certification.
-

REPORT

BACKGROUND

At its meeting on 27 November 2018 Council considered a report outlining the need to amalgamate the three former Councils' Bush Fire Prone Land Maps (BFPLMs) into one Northern Beaches BFPLM and undertake a five year review in accordance with Section 10.3 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

Council subsequently resolved that:

- A. Council place the Draft Northern Beaches Bushfire Prone Land Map on public exhibition for a minimum period of 28 days.
- B. Following public exhibition and a consideration of submissions in consultation with the NSW Rural Fire Service, the final Draft Northern Beaches Bush Fire Prone Land Map including any modifications is reported back to Council for approval for its submission to the Commissioner of the NSW Rural Fire Service for Certification.

Definition of Bush Fire Prone Land

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

Purpose of a Bush Fire Prone Land Map (BFPLM)

The purpose of a BFPLM is to identify land that is at risk from bush fire attack (Bush Fire Prone Area). It also acts as a legislative trigger for additional planning and development controls. Development on this land must comply with the requirements of *Rural Fire Service's (RFS) Planning for Bushfire Protection, 2006*. This document outlines the required bush fire protection measures for development in a Bush Fire Prone Area, such as asset protection zones and emergency access. A BFPLM is also used to give effect to the *Building Code of Australia's Australian Standard AS 3959-2009 'Construction of Buildings in Bush Fire Prone Areas'*.

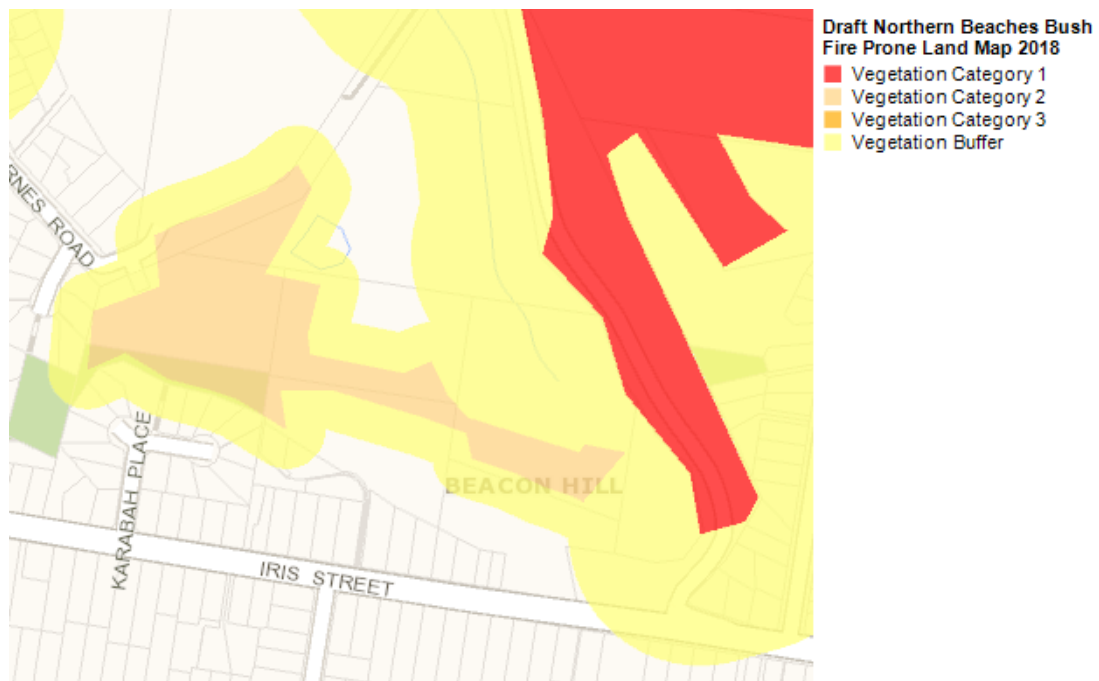
The Environmental Planning and Assessment Act (EP&A Act), Section 10.3 requires that the information contained in a BFPLM be made available for public inspection during normal office hours. Section 10.7 of the EP&A Act also requires Council to identify if a parcel of land is located in a Bush Fire Prone Area via a Section 10.7 Certificate (previously known as a Section 149 certificate). Public access to BFPLMs allows owners, potential owners and other interested parties to be aware of the level of bush fire risk associated with a property.

Explanation of Mapped Vegetation Categories and Buffer Areas

The Final Draft Map (Attachment 4) has been prepared in accordance with the specifications of the NSW RFS *Guide for Bush Fire Prone Land Mapping, V5b, November 2015* (the Guide). The Guide defines the type and quality of vegetation that is included on BFPLMs and the methodology for preparation.

The BFPL map contains four colours. Three of the colours represent different types of vegetation and the fourth (yellow) colour represents a buffer area from that vegetation. For example, forests with many eucalypt trees are considered high hazards for bush fires and are coloured red (Category 1). Rainforests and smaller areas of vegetation that are considered to be low hazard are coloured a light orange (Category 2). Land that is covered with grass is considered medium hazard and is coloured orange (Category 3). The buffer can be either 100 metres from the vegetation or 30 metres depending on the classification of the vegetation.

Example Map Extract of Vegetation Category 1 and 2 Areas and Associated Surrounding Buffer Areas:



The mapped yellow 'Buffer Area' identifies properties that could be impacted directly by the flame zone or indirectly via ember attack - approximately 90% of houses are lost in the absence of a direct interaction with the fire front itself.

Whether a property is coloured red, dark or light orange or yellow on the BFPLM, it is considered bush fire prone land. Development proposals on bush fire prone land are subject to a bushfire assessment report. This report will determine the level of site-specific risk and recommend how to manage this risk consistent with the requirements of *NSW RFS Planning for Bushfire Protection, 2006* and the *Building Code of Australia's Australian Standard AS 3959-2009 'Construction of Buildings in Bush Fire Prone Areas'*.

Properties added or removed from the Draft Map

The Draft Map has been prepared according to the specifications of the Guide. The review has involved an analysis of satellite photography, site visits and historical research, in accordance with the Guide's updated methodology.

The review identified a number of inaccuracies in the former Manly BFPLM 2010. This has resulted in additional properties being identified as BFPL on the Draft Northern Beaches Map. The inaccuracies are summarised as follows:

- Some areas were incorrectly identified as Category 2 vegetation and have been reclassified as Category 1 vegetation (noting that often the vegetation is continuous with the adjoining Category 1 vegetation). This has resulted in an extension to the buffer area from 30m to 100m.
- Some Category 1 vegetation areas were not previously mapped and have now been added to the draft Map.
- A GIS buffer for Category 1 vegetation on the southern side of Wakehurst Golf Club showed a buffer of between 50-60m when it should have been 100m.

In addition, the recent introduction of a new vegetation category (Category 3) under the Guide resulted in additional mapped vegetation communities being mapped as BFPL.

A number of areas have been removed from the BFPL on the Draft Map because some land was re-categorised from Vegetation Category 1 (which requires a 100m BFPL buffer) down to Vegetation Category 2 (which requires a 30m BFPL buffer).

Consideration of submissions following the two public exhibitions of the Draft Map has also resulted in further proposed changes to the Draft Map as detailed under the relevant public exhibition headings below.

Public Exhibition (1 December 2018 to 27 January 2019) - Consideration of Submissions

The Draft Map was publicly exhibited from 1 December 2018 to 27 January 2019. Forty-eight (48) submissions were received. Concerns raised by the submissions are summarised as follows:

- Evacuation concerns due to new developments (12 submissions).
- Requests for additional areas of vegetation to be included on the Draft Map (11 submissions).
- Query how risk from up-slope topography has been considered by the Draft Map (6 submissions).
- Requests for synergy between the Draft Map and the findings of the *Bushfire Risk Assessment for the Ingleside Planned Precinct by Meridian Urban on behalf of NSW Department of Planning and Environment, August 2018* (6 submissions).
- Concerns that inclusion on the map will result in:
 - increased insurance costs and/or building costs (9 submissions)
 - decreased property value (1 submission)
- Compensation for map change request (1 submission)
- Requests that land be removed from the Draft Map for various reasons:
 - no previous bush fire history (2 submissions)
 - property is located down slope (1 submission)
 - wind behaviours and wind moisture content (1 submission)
 - vegetation category changes resulting in changes to buffer areas (6 submissions)
 - vegetation has been removed/changed therefore properties are no longer at risk from bush fire (10 submissions)
 - small map infringement removal requests (5 submissions)
- Public exhibition timing and notification concerns (2 submissions)
- Draft Map colours, categories, level of risk are unclear (2 submissions)
- Support for changes to the Draft Map (2 submissions)
- Bushland / bushfire management requests (4 submissions)

Key locations reviewed were:

- 6-14 Macpherson Street, Warriewood (9 submissions)
- Ingleside Planned Precinct and Elanora Heights (7 submissions)

- 10-18 Wyatt Avenue, Belrose (4 submissions)
- 8 Forest Way and Bert Close, Warriewood (2 submissions)
- Crown of Newport Reserve, Bilgola Plateau (2 submissions)
- Angophora Reserve, Bilgola Plateau (1 submissions)
- Mona Vale Headland (1 submission)
- Bungendore Street, Ingleside (2 submissions).

The submissions were analysed and addressed in consultation with the NSW RFS (Attachment 1), based on a review of satellite photography, site visits to confirm vegetation types, and historical research.

The analysis of submissions resulted in several additional changes to the Draft Map as detailed in Table 1 and mapped at Attachment 2. These changes were publicly exhibited from 18 May 2019 to 14 June 2019.

Table 1: Proposed Changes to the Draft Map Following the 1 December 2018 to 27 January 2019 Public Exhibition

LOCATION	PROPOSED CHANGE
Angophora Reserve, Bilgola Plateau	Vegetation in Angophora Reserve has been reviewed and it is proposed that the Category 1 Vegetation be expanded slightly along the southern boundary, resulting in several properties being added to the vegetation buffer area on the Draft Map in proximity to Bilwara Avenue and Bilambee Avenue, Bilgola Plateau.
Bilgola Plateau Public School and surrounds	The extent of bush fire prone vegetation is proposed to be reduced at Bilgola Plateau Public School resulting in a number of properties being removed from the Draft Map along the eastern side of Lower Plateau Road and southern side of Loblay Crescent, Bilgola Plateau.
Crown of Newport Reserve and surrounding land	The entire area of Crown of Newport Reserve has been reassessed and is proposed to be included as Category 2 vegetation. In this regard, a number of properties are proposed to be added to the 30m buffer area surrounding this Reserve in proximity to Daly Street, Monterey Road, Kanimbla Crescent, Hillslope Road and Sybil Street, Newport.
13 Fisher Street, Balgowlah Heights	Proposed amendment to reduce the extent of bush fire prone vegetation in proximity to this property, resulting in removal of the property from the Draft Map.
Ingleside / Elanora Heights	Various map amendments proposed to the Ingleside / Elanora Heights area based on the latest site inspections. Land has been added and removed from the map in various locations in Elanora Heights, resulting in several properties being added to the Draft Map in proximity to Powderworks Road, Wattle Road, Wilson Avenue, Mirbelia Pde and Wilga Street, Elanora Heights.
34 Judith Street, Seaforth	Proposed amendment to reduce the extent of bush fire prone vegetation in proximity to this property, resulting in removal of the property from the Draft Map.
8-10 Macpherson Street, Warriewood 53A Warriewood Road, Warriewood	Proposed amendment to reduce the extent of bush fire prone vegetation in proximity to these properties, resulting in the removal of these properties from the Draft Map.
Mona Vale Headland and surrounding land	Proposed change of vegetation category for bushland on Mona Vale Headland from Category 1 and Category 3 Vegetation to Category 2 Vegetation. In this regard, the buffer area is proposed to be reduced in some areas from 100m down to 30m. This would result in a number of properties to the north, south and west of the headland being removed from the Draft Map.

6 Narrabeen Park Parade, Warriewood	Proposed amendment to reduce the extent of bush fire prone vegetation in proximity to this property, resulting in removal of the property from the Draft Map.
Wyatt Avenue, Belrose (North Side) and 14 Wyatt Avenue, Belrose	Proposed amendment to expand the extent of Category 1 Vegetation north of Wyatt Avenue, Belrose, and to re-categorise vegetation to the rear of John Colet School from Category 2 to Category 1 vegetation. This would result in an amendment to the vegetation buffer area on the Draft Map and the inclusion of 14 Wyatt Avenue, Belrose on the Draft Map.

Public Exhibition (17 May 2019 to 14 June 2019) - Consideration of Submissions

Proposed changes to the Draft Map were publicly exhibited from 17 May 2019 to 14 June 2019. Six submissions were received. In summary, the submissions raised the following concerns:

- One submission supported the proposed amendments.
- Four submissions did not agree with various issues such as vegetation categorisation, what land is defined as managed land and a belief that the level of risk was overstated.
- One submission fell outside the public exhibition area and as such was not considered as part of this review.
- One submission raised legal, probity and due process concerns with regard to the bush fire assessment of Wyatt Avenue, Belrose.

The submissions were analysed and addressed in consultation with the NSW RFS (Attachment 3). based on a review of satellite photography, site visits to confirm vegetation types, and historical research.

The analysis of submissions resulted in no further proposed changes to the draft Map.

CONSULTATION

Two public exhibitions including the following public engagement activities were undertaken to finalise the Draft Map as follows:

1. Public exhibition of the Draft Map for 58 days from 1 December 2019 to 27 January 2019 including:
 - Notification letter to landowners of 77 properties proposed to be added to the Draft Map notifying them of the 27 November 2018 Council meeting.
 - Manly Daily Advertisements over four Saturdays: 1 and 8 December 2018; 12 and 19 January 2019.
 - Notification letters to landowners affected by proposed changes to the Draft Map (823 letters) of the public exhibition.
 - A Your Say Northern Beaches Project Webpage that provided detailed project information including, project status updates and an interactive mapping search tool to view individual properties affected by the current and Draft Map.
 - Four Northern Beaches Community Email Updates
2. Public Exhibition of Proposed Changes to the Draft Map (Attachment 2) for 28 days from 18 May 2019 until 14 June 2019:
 - Manly Daily Advertisements over two Saturdays: 18 May 2019 and 14 June 2019.

- Notification letters to landowners affected by proposed changes to the Draft Map (112 letters).
- An update to the Your Say Northern Beaches Project Webpage.
- Two Northern Beaches Community Email Updates.

NEXT STEPS

Following Council's endorsement of the Final Draft Map (the Map), Council will:

1. Submit the Map to the Commissioner of the NSW RFS for certification.
2. Following certification:
 - a. Place a notice in the Manly Daily advising that the Map is certified.
 - b. Update Section 10.7 Certificates (formerly S149 Certificates) with regard to the Certified Map.
 - c. Assess all development applications against the Certified Map.
3. Review the map every five years in accordance with the *Environmental Planning and Assessment Act, 1979*.

TIMING

Following endorsement, Council will forward the Map to the Commissioner of the NSW RFS for certification.

LINKS TO COUNCIL STRATEGY

This report relates to the following goals of the Northern Beaches Community Strategic Plan 2018-2028:

- Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations
- Goal 2: Our environment and community are resilient to natural hazards and climate change.

FINANCIAL CONSIDERATIONS

The proposed amendment process can be undertaken within Council's current operational budget.

SOCIAL CONSIDERATIONS

The Map will provide important guidance to the community regarding requirements for bushfire protection when undertaking development in affected areas.

ENVIRONMENTAL CONSIDERATIONS

The Map will provide greater certainty for the community resulting in more consistent and better environmental outcomes.

GOVERNANCE AND RISK CONSIDERATIONS

Preparation of the Map is a legislative requirement and provides an up-to-date analysis of bushfire risk in the Council area. Proceeding to review and re-make the Map is important for the future safety of the Northern Beaches community.

ITEM 12.2	OUTCOME OF PUBLIC EXHIBITION OF THE ADOPTION OF AMENDMENTS TO WARRINGAH DEVELOPMENT CONTROL PLAN 2013 IN RELATION TO ADAPTABLE HOUSING
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2019/368687
ATTACHMENTS	1 ↓ Proposed Amendments to Warringah Development Control Plan 2011

SUMMARY

PURPOSE

To report on the public exhibition of proposed amendments to the Warringah Development Control Plan (DCP) 2011 to require the provision of ten percent adaptable housing for all new medium and high-density residential developments in accordance with Council's Disability Inclusion Action Plan.

EXECUTIVE SUMMARY

The Northern Beaches Disability Inclusion Action Plan (DIAP) was adopted on 27 June 2017. Action FA2-15 of the DIAP required Council 'to review and update Council's Development Control Plans (DCP) to make provisions for 10 percent adaptable housing for new medium and high density developments.' While Manly DCP 2013 and Pittwater DCP 2014 require adaptable housing at different rates over ten percent, Warringah DCP 2011 makes no provision for adaptable housing, although provisions will soon commence for the Dee Why Town Centre.

Council at its meeting on 28 May 2019 resolved to exhibit amendments to Council's Warringah DCP 2011 to require the provision of ten percent adaptable housing for all new medium and high density developments.

The proposed amendments to the DCP were exhibited for 28 days between 9 June 2019 and 7 July 2019. Three public submissions were received, none of which raised objection to the exhibited amendments and no further amendments are recommended prior to their adoption. Further review of the Adaptable Housing provisions will be made in the drafting of the Northern Beaches DCP in the next two years including consideration of a single provision across the LGA.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

- A. Note the outcomes of the public exhibition of the Adoption of Amendments to Warringah Development Control Plan 2013 in relation to adaptable housing.
 - B. Adopt amendments to the Warringah Development Control Plan 2011 to require the provision of ten percent adaptable housing for new medium and high-density residential developments included in this report.
-

REPORT

BACKGROUND

On 27 June 2017, Council adopted the Northern Beaches Disability Inclusion Action Plan (DIAP) to develop and implement actions that will improve the lives of people living with disability. Action FA2-15 under the DIAP requires Council 'to review and update Council's Development Control Plans (DCP) to make provisions for ten percent adaptable housing for new medium and high density developments.'

In accordance with Action FA2-15 of the DIAP a review of Council's DCPs revealed that while Manly DCP 2013 and Pittwater DCP 2014 satisfies the DIAP, Warringah DCP 2011 makes no provision for adaptable housing. However, recent amendments to Warringah DCP 2011 adopted by Council at its meeting on 26 February 2019 require ten percent adaptable housing in the Dee Why Town Centre. These amendments are to commence upon publication of the Amending Local Environmental Plan for Dee Why Town Centre.

At the Ordinary Meeting on 28 May 2019 Council resolved as follows:

That Council:

- A. *Approve draft amendments to Warringah Development Control Plan 2011 to make provision for 10% adaptable housing for medium and high-density residential development as shown in Attachment 1 for public exhibition for at least 28 days.*
- B. *Note that the draft amendments to Warringah Development Control Plan 2011 will be reported to Council following the public exhibition.*
- C. *Delegate authority to the Chief Executive Officer to make any changes to the public exhibition of the draft amendments to Warringah Development Control Plan 2011 as a result of consideration of this report.*

CONSULTATION

The proposed amendments to Warringah Development Control Plan 2011 (Attachment 1) were publicly exhibited from 9 June 2019 to 7 July 2019, with public notice given in the Manly Daily and on Council's website. All relevant documents were publicly available at Council's Customer Service Centres as well as on Council's 'Have Your Say' website. The exhibition generated 329 visits to the exhibition page and 101 exhibition document downloads from Council's website. Three public submissions were received, none of which raised objection or concerns with the proposed DCP amendments.

Of the three submissions received, one submission 'strongly supported the proposal' and the two other submissions raised issues that were not relevant to the proposed amendments, including concerns about residential development in Dee Why, waste management and rate increases. These issues are noted similarly, concerns raised in relation to Hostels in Allambie and Allambie Heights will be addressed separately under the Northern Beaches Housing Strategy project.

Exhibited Amendments for Adoption

The exhibited amendments provide for adaptable housing for all new medium and high density residential developments undertaken in the Northern Beaches under Warringah DCP 2011. While the DIAP specifies ten percent provision, the provisions for adaptable housing remain variable across the Northern Beaches. Developments under the Manly DCP 2013 and Pittwater DCP 2014 provide for rates from 20% to 50% depending on the types of development. While proposed amendments do not address the variations in the DCPs, the amendments do ensure all medium and high density residential developments across the Northern Beaches satisfy the DIAP

requirements. In summary, the proposed amendments are supported as detailed in the Attachment for the following reasons:

- The DIAP identified a ten percent adaptable housing requirement.
- A number of other Councils adopt a ten percent provision.
- Council recently adopted a ten percent adaptable housing requirement in Dee Why.
- Further review of the Adaptable Housing provisions will be undertaken in the drafting of the Northern Beaches DCP in the next two years to consider a more standardised requirement across the Northern Beaches.

TIMING

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

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The proposed DCP amendments will support the health and wellbeing of our community, particularly seniors and people with a disability.

ENVIRONMENTAL CONSIDERATIONS

The adoption of updated DCP provisions will create greater certainty for the community, resulting in adaptable housing provisions for all medium and high-density residential development across the Northern Beaches.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed DCP amendments improve operational matters in alignment with the DIAP and particularly meeting Action FA2-15 of the DIAP, creating greater certainty for the community and Council staff, improving governance and reducing risk.

Proposed Amendments to Warringah Development Control Plan 2011

Insert additional text highlighted in red font and detailed below:

Part D - Design

D18 Accessibility and Adaptability

Applies to Land

This control applies to all development for

- non-residential purposes on land in relation to the Accessibility Requirements of this section
- residential purposes on land in relation to the Adaptability Requirements of this section

to which Warringah Local Environmental Plan 2011 applies.

Objectives

- To ensure vehicular access points for parking, servicing or deliveries, and pedestrian access are designed to provide vehicular and pedestrian safety.
- To ensure convenient, comfortable and safe access for all people including older people, people with prams and strollers and people with a disability.
- To provide a reasonable proportion of residential units that should be designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.

Requirements

1. The design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided.
2. There are to be continuous, independent and barrier-free access ways incorporated into the design of buildings.
3. Pathways are to be reasonably level with minimal cross fall and sufficient width, comfortable seating and slip-resistant floor surfaces.
4. Where there is a change of level from the footpath to commercial or industrial floor levels, ramps rather than steps should be incorporated.
5. There is to be effective signage and sufficient illumination for people with a disability.
6. Tactile ground surface indicators for the orientation of people with visual impairments are to be provided in accordance with the relevant Australian Standard.

NOTE:

Australian Standard AS1428.4:2002 'Design for Access and Mobility Part 4: Tactile Indicators' applied at the time the DCP was adopted.

7. Access for people with a disability is to be provided at the main entrance to the development.
8. Development is to comply with Australian Standard AS1428.2.

NOTE:

All applicants are reminded of their responsibilities under the Disability Discrimination Act 1992.

NOTE:

The Residential Flat Design Code provides accessibility standards which are to be satisfied for residential flat building developments

9. Where a development comprises at least 5 dwellings, 10% (rounded up to next whole number) of dwellings shall be capable of being adapted (Class C) under AS4299

NOTE:

Evidence of compliance with the Adaptable Housing Class C requirements of AS 4299 shall be submitted when lodging a DA and certified by an experienced and qualified housing professional (e.g. Architect or Accredited Building Certifier)

10. Where a development comprises at least five (5) dwellings, 10% (rounded up to next whole number) of dwellings shall be capable of being adapted (Class C) under AS4299.

NOTE:

Evidence of compliance with the Adaptable Housing Class C requirements of AS 4299 shall be submitted when lodging a DA and certified by an experienced and qualified housing professional (e.g. Architect or Accredited Building Certifier).

ITEM 12.3	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS - SEPP 1
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2019/413092
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council the variations to development standards granted under State Environmental Planning Policy No. 1 – Development Standards (SEPP1) or under Clause 4.6 of the Manly Local Environmental Plan (MLEP 2013), Pittwater Local Environmental Plan (PLEP 2014) and Warringah Local Environmental Plan (WLEP 2011), as required by the NSW Department of Planning, Industry and Environment.

EXECUTIVE SUMMARY

During the period of 1 April 2019 to 30 June 2019, the following variations were granted:

- 0 variations under State Environmental Planning Policy No. 1 – Development Standards
- 13 variations under Clause 4.6 of Pittwater Local Environment Plan 2014
- 17 variations under Clause 4.6 of Manly Local Environment Plan 2013
- 9 variations under Clause 4.6 of Warringah Local Environment Plan 2011.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council notes the development applications approved with variations to development standards during the period of 1 April 2019 to 30 June 2019.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period 1 April to 30 June 2019 for each of the LEPs in the Northern Beaches LGA and who determined the variation (i.e. staff under delegation 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 determination panel is the Development Determination Panel (DDP).

SEPP 1 Variations Granted under Pittwater LEP 2014

No SEPP1 variations were granted during the period of 1 April 2019 to 30 June 2019.

Clause 4.6 Variations Granted under the Pittwater LEP 2014

The following applications had a Clause 4.6 variation granted during the period of 1 April 2019 to 30 June 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2018/1769	1167 Barrenjoey Road PALM BEACH 2108	Residential - Alterations and additions	4.3 Height of buildings (Zone W1)	162.5%	NBLPP
			4.3 Height of buildings (Zone E4)	23.52%	
DA2019/0109	143 Crescent Road NEWPORT 2106	Residential - Single new detached dwelling	4.3 Height of buildings	8.50%	Delegated Authority
DA2018/2015	163 Riverview Road AVALON BEACH 2107	Residential - Alterations and additions	4.3 Height of buildings	77%	NBLPP
DA2018/1877	2-4 Bilgola Avenue BILGOLA BEACH 2107	Residential - Single new detached dwelling	4.3 Height of buildings	18.75%	DDP
DA2019/0084	22 Marine Parade AVALON BEACH 2107	Residential - Single new detached dwelling	4.3 Height of buildings	6.10%	Delegated Authority
DA2018/1226	25 Plateau Road AVALON BEACH 2107	Residential - Single new detached dwelling	4.3 Height of buildings	6.25%	Delegated Authority
DA2018/1725	319 Hudson Parade CLAREVILLE 2107	Residential - Single new detached dwelling	4.3 Height of buildings	26.90%	DDP
DA2019/0231	346 - 352 Whale Beach Road PALM BEACH 2108	Residential - Single new detached dwelling	4.3 Height of buildings	16%	NBLPP
DA2018/1890	51 Elanora Road ELANORA HEIGHTS 2101	Residential - Alterations and additions	4.1 Minimum subdivision lot size	4.70%	Delegated Authority
DA2019/0014	7 Malo Road WHALE BEACH 2107	Residential - Single new detached dwelling	4.3 Height of buildings	3%	Delegated Authority

DA2018/1653	75 Rickard Road NORTH NARRABEEN 2101	Residential - Single new detached dwelling	4.3 Height of buildings	3.50%	Delegated Authority
DA2018/1606	97 Prince Alfred Parade NEWPORT 2106	Residential - Alterations and additions	4.3 Height of buildings	18.80%	NBLPP

SEPP 1 Variations Granted under the Manly LEP 2013

No SEPP1 variations were granted during the period of 1 April 2019 to 30 June 2019.

Clause 4.6 Variations Granted under the Manly LEP 2013

The following applications had a Clause 4.6 variation granted during the period of 1 April 2019 to 30 June 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2018/2014	14 Lauderdale Avenue FAIRLIGHT 2094	Residential - Alterations and additions	4.3 Height of buildings	31.50%	NBLPP
DA2018/1773	16/7 The Crescent MANLY 2095	Residential - Alterations and additions	4.3 Height of buildings	44.90%	NBLPP
DA2019/0219	2 Allenby Street CLONTARF 2093	Residential - Alterations and additions	4.3 Height of buildings	6.70%	Delegated Authority
DA2018/1861	25 Crescent Street FAIRLIGHT 2094	Residential - Alterations and additions	4.4 Floor space ratio	23.30%	NBLPP
DA2018/2058	3 Bruce Avenue MANLY 2095	Residential - Alterations and additions	4.4 Floor space ratio	17.60%	NBLPP
DA2018/1674	39A Cutler Road CLONTARF 2093	Residential - New second occupancy	4.4 Floor space ratio	32.40%	DDP
DA2018/1743	396 -400 & 402 Sydney Road BALGOWLAH 2093	Residential - New multi-unit	4.3 Height of buildings	24.80%	NBLPP
DA2018/1874	4 Valley Road BALGOWLAH HEIGHTS 2093	Residential - Alterations and additions	4.3 Height of buildings	1.60%	Delegated Authority
DA2019/0053	40 Fairy Bower Road MANLY 2095	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor Space ratio	15.2% 25.8%	NBLPP
DA2018/1875	59 Fairlight Street FAIRLIGHT 2094	Residential - Alterations and additions	4.3 Height of buildings 4.4. Floor space ratio	3.5% 21.9%	DDP

DA2018/1438	6A Carlton Street MANLY 2095	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	16% 20.50%	NBLPP
DA2019/0019	7 Carlton Street MANLY 2095	Residential - Alterations and additions	4.4 Floor space ratio	39.50%	NBLPP
DA2018/1820	74 Bower Street MANLY 2095	Residential - Alterations and additions	4.4 Floor space ratio	11.80%	NBLPP
DA2018/2004	92 Cutler Road CLONTARF 2093	Residential - Alterations and additions	4.4 Floor space ratio	12.50%	DDP

SEPP 1 Variations Granted under the Warringah LEP 2011

No SEPP1 variations were granted during the period of 1 January 2019 to 31 March 2019

Clause 4.6 Variations Granted under the Warringah LEP 2011

The following applications had a Clause 4.6 variation granted during the period of 1 January 2019 to 31 March 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	% of variation	Determined by
DA2019/0147	105 Ocean Street NARRABEEN 2101	Subdivision only	4.1 Minimum subdivision lot size	Lot 1 46% Lot 2 37%	Delegated Authority
DA2018/2005	12 Ettalong Street WHEELER HEIGHTS 2097	Subdivision only	4.1 Minimum subdivision lot size	11.60%	NBLPP
DA2019/0025	20 Hay Street COLLARROY 2097	Residential - Single new detached dwelling	4.3 Height of buildings	3.50%	Delegated Authority
DA2018/1894	27 Bellevue Parade NORTH CURL CURL 2099	Residential - Single new detached dwelling	4.3 Height of buildings	13.80%	DDP
DA2018/1225	35 Earl Street BEACON HILL 2100	Subdivision only	4.1 Minimum subdivision lot size	8.30%	Delegated Authority
DA2019/0175	39 Collaroy Street COLLARROY 2097	Residential - Alterations and additions	4.3 Height of buildings	9.80%	Delegated Authority
DA2019/0277	42 Surfers Parade FRESHWATER 2096	Residential - Alterations and additions	4.3 Height of buildings	2%	Delegated Authority
DA2018/1123	65 Ryan Place BEACON HILL 2100	Residential - Single new detached dwelling	4.1 Minimum subdivision lot size	23%	NBLPP

LINK TO COUNCIL STRATEGY

This report relates to the Environmental Sustainability outcome in the Community Strategic Plan, Goal 5: “Our built environment is developed in line with best practice sustainability principles”, Strategy (a): “ensure integrated land use planning balances the environmental, social and economic needs of present and future generations”.

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 4.15 of the *Environmental Planning and Assessment Act 1979*.

ENVIRONMENTAL CONSIDERATIONS

All Development Applications are required to consider the environmental impact through Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

GOVERNANCE AND RISK CONSIDERATIONS

Reporting variations to Council satisfies NSW Department of Planning, Industry and Environment requirements and provides transparency in decision making, in addition to publishing this information on Council’s website, reducing the risk to the organisation.

ITEM 12.4	FIRE & RESCUE NSW INSPECTION REPORT - 202-204 HARBORD ROAD BROOKVALE
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/446918
ATTACHMENTS	1 ↓ FRNSW - 9.32 Inspection Report, dated 16 June 2019 - 202 Harbord Road, Brookvale

SUMMARY

PURPOSE

Council has received an Inspection Report from Fire & Rescue NSW (FRNSW) as shown in attachment 1, in relation to the property at No. 202-204 Harbord Road, Brookvale.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979* (the Act) to carry out inspections of buildings and it is required to forward its findings to Council.

Fire and Rescue Reports received by Council are required to be tabled before Council. Council is then required to determine whether or not to exercise its power to give a fire safety order under Division 9.3 and Schedule 5 of the Act.

Council's Fire Safety Officers have investigated the matters raised by FRNSW and recommend that a Fire Safety Order 1 is issued to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

- A. In accordance with the *Environmental Planning and Assessment Act 1979*, exercise its powers to issue a Fire Safety Order No.1 to address the identified fire safety deficiencies at No. 202-204 Harbord Road, Brookvale.
 - B. Provide written notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council has received a FRNSW Inspection Report dated 19 June 2019 in relation to the property at No. 202-204 Harbord Road, Dee Why (Industrial Building), as shown in Attachment 1.

FRNSW has powers under the *Environmental Planning and Assessment Act 1979* (the Act) to carry out inspections of buildings and it is required to forward its findings to Council.

FRNSW reports received by Council are required to be tabled before Council. Council is then required to determine whether or not to exercise its power to give a fire safety order under Division 9.3 and Schedule 5 of the Act.

A Fire Safety Order No. 1 requires a person to do, or stop doing, certain things to improve fire safety; whilst a Fire Safety Order No. 2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute a life threatening hazard or a threat to public health or public safety.

FRNSW conducted an inspection of the building on 12 June 2019 and is of the opinion that there are inadequate provisions for fire safety within the building. The Inspection Report recommended that Council inspect the building to address item 1 of the report.

Council staff inspected the building on 25 June 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. A Fire Safety Order 1 is therefore recommended requiring the owners to address the matters listed in the FRNSW report.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

Ensuring adequate fire safety measures are provided within buildings helps to minimise serious injury and loss of life within the Council area and as such has significant social benefit.

ENVIRONMENTAL CONSIDERATIONS

Installation of any additional fire safety measures as a result of recommendations contained within this report will have minimal environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required under the *Environmental Planning and Assessment Act 1979* to table FRNSW Inspection Reports and make a determination whether or not to issue a Fire Safety Order. Failure to do so would be a breach of legislation and could create a public safety risk by failing to address any fire safety deficiencies identified.

Unclassified



File Ref. No: BFS17/3081 (2318)
TRIM Ref. No: D19/42702
Contact: Senior Firefighter Richard Fallon

19 June 2019

The General Manager
Northern Beaches Council
Civic Centre
725 Pittwater Road
Dee Why NSW 2299

E-mail: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
202 HARBORD ROAD BROOKVALE ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

FIP is inside the Electrical Distribution Room. There is only a small sign beneath unit occupancy to indicate where the panel is located which is easily missed. Concerns are no zone or map reference beside panel, cluttered Electrical Distribution Room around panel and inadequate signage. Also, as a 1. note unit 13 is caretaker residential and the resident's knowledge is dubious. 2. 12 factory units each with mezzanine office space - no reference back to panel.

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 June 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of

Fire and Rescue NSW

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Community Safety Directorate
Fire Safety Compliance Unit

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the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
 - 1A. Smoke Detection and Alarm Systems
 - A. FRNSW did not view the Fire Indicator Panel (FIP) but is of the opinion that the FIP is located within the main meter room in the carpark and not within the designated building entry point or a fire control room contrary to the requirements of Clause 3.9.1 of Australian Standard (AS)1670.1-2004.
 - B. The door providing access to the FIP was not marked with the words FIRE PANEL and was locked and not accessible to FRNSW contrary to the requirements of Clause 3.9.2 of AS1670.1-2004;
 - C. The door providing access to the FIP was locked contrary to the requirements of Clause 3.9.2 of AS1670.1-2004.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 of this report be addressed appropriate

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Senior Firefighter Richard Fallon of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/3081 (2318) for any future correspondence in relation to this matter.

Yours faithfully



Station Officer Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit

ITEM 12.5	FIRE & RESCUE NSW INSPECTION REPORT - 135 GRIFFITHS STREET, BALGOWLAH
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/447123
ATTACHMENTS	1 ↓ FRNSW 9.32 Inspection Report, dated 22 July 2019 - 135 Griffiths Street, Balgowlah

SUMMARY

PURPOSE

Council has received an Inspection Report from Fire & Rescue NSW (FRNSW) as shown in Attachment 1, in relation to No.135 Griffiths Street, Balgowlah.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979* (the Act) to carry out inspections of buildings and it is required to forward its findings to Council.

Fire and Rescue Reports received by Council are required to be tabled before Council. Council is then required to determine whether or not to exercise its power to give a fire safety order under Division 9.3 and Schedule 5 of the Act.

Council's Fire Safety Officers have investigated the matter raised by FRNSW and recommend that a Fire Safety Order No.1 is issued to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

- A. In accordance with the *Environmental Planning and Assessment Act 1979*, exercise its powers to issue a Fire Safety Order No.1 to address the identified fire safety deficiencies at No.135 Griffiths Street, Balgowlah
 - B. Provide written notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council has received a FRNSW Inspection Report dated 22 July 2019 in relation to the property at No.135 Griffiths Street, Balgowlah (Boarding House), as shown in attachment 1.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979* (the Act) to carry out inspections of buildings and it is required to forward its findings to Council.

Fire and Rescue Reports received by Council are required to be tabled before Council. Council is then required to determine whether or not to exercise its power to give a fire safety order under Division 9.3 and Schedule 5 of the Act.

A Fire Safety Order No.1 requires a person to do, or stop doing, certain things to improve fire safety; whilst a Fire Safety Order No.2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute a life threatening hazard or a threat to public health or public safety.

FRNSW conducted an inspection of the building on 12 June 2019 and is of the opinion that there are inadequate provisions for fire safety within the building. The Inspection Report recommended that Council inspect the building to address item no.1 through to item no. 2 of the report.

Council staff inspected the building on 25 July 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. A Fire Safety Order No.1 is therefore recommended requiring the owners to address the matters listed in the FRNSW report.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

Ensuring adequate fire safety measures are provided within buildings helps to minimise serious injury and loss of life within the Council area and as such has significant social benefit.

ENVIRONMENTAL CONSIDERATIONS

Installation of any additional fire safety measures as a result of recommendations contained within this report will have minimal environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required under the *Environmental Planning and Assessment Act 1979* to table FRNSW Inspection Reports and make a determination whether or not to issue a Fire Safety Order. Failure to do so would be a breach of legislation and could create a public safety risk by failing to address any fire safety deficiencies identified.

Unclassified



File Ref. No: BFS18/1622 (3851)
TRIM Ref. No: D19/49387
Contact: Station Officer Paul Scott

22 July 2019

The General Manager
Northern Beaches Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2299

E-mail: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir Madam,

**Re: INSPECTION REPORT
135 GRIFFITH STREET, BALGOWLAH ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

- *Evacuation system has not be audible possibly months, when attending units most have detectors removed and evac speaker covered.*
- *Occupants appear to be mostly short term and visitors.*
- *Fire Service company has been contacted multiple times to rectify but keep being told awaiting parts.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 June 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

Fire and Rescue NSW

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- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures**1A. Fire Hydrant System**

- A. A feed fire hydrant is installed on the pedestrian path leading to the premises. FRNSW recommend that the feed fire hydrant be provided with signage: **FEED HYDRANT** in letters not less than 50 mm high and in a colour contrasting with that of the background;

1B. Smoke Detection and Alarm System**A. Building Occupant Warning System (BOWS)**

- i. At the time of the inspection, the module to operate the BOWS was not installed in the Fire Indicator Panel (FIP) contrary to the requirements of Specification E2.2a-7 of the of the National Construction Code 2019 Volume One, Building Code of Australia (NCC).
- a. FRNSW received an invoice for the BOWS repair from the Strata manager stating that the BOWS had been rectified;

- B. A zone block plan was not installed at the FIP contrary to the requirements of Clause 3.10 of AS1670.1-2004.

2. Generally**2A. Access and Egress**

- A. The width of the path of travel on Level 2 is 700mm wide contrary to the requirements of Clause D1.6 of the NCC due to the installation of a railing protecting a skylight which provides natural light for Unit 4;
- B. The non-fire isolated stairway has not been provided adequate protection from a fire in Unit 4 due to the installation of a skylight in

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the path of travel (Appendix 1) to an exit contrary to the requirements of Clause D1.8 of the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer Paul Scott of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/1622 (3851) for any future correspondence in relation to this matter.

Yours faithfully



Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit

Attachment – Appendix 1 - Skylight in path of travel

Unclassified

Appendix 1 – Skylight in path of travel



Unclassified

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	MANLY PARKING PERMIT SCHEME - REVIEW AND AUDIT
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/384864
ATTACHMENTS	<ol style="list-style-type: none"> 1 📄 Northern Beaches Parking Permit Framework (Included In Attachments Booklet 3) 2 📄 Community Engagement Report Manly Parking Permit Scheme Review and Audit July 2019 (Included In Attachments Booklet 3) 3 📄 Resident Parking Scheme - Permit Fees and Charges (Included In Attachments Booklet 3)

SUMMARY

PURPOSE

To provide an update to Council on the progress of the review and audit of the Manly Parking Permit Scheme and endorse the Northern Beaches Residential Parking Permit Framework to undertake community engagement for a period of 28 days.

EXECUTIVE SUMMARY

The existing Manly Residential Parking Permit Schemes whilst compliant when installed, do not meet current Roads and Maritime Services (RMS) requirements for Residential Parking Schemes. The schemes do not impose any eligibility criteria with respect to the availability of off-street parking spaces and other RMS criteria, such as number of off-street car parking spaces at the property. Currently there are approximately 3,812 on-street resident parking spaces across the scheme areas and over 11,000 permits issued. This has potential to create difficulties for residents issued with the residential parking permit to be able to find suitable parking near their residence.

An audit has been carried out to determine the number of on-street and off-street parking spaces, as well as an analysis of permits issued across the ten precinct areas. A clear theme of the feedback received during the community engagement is to enhance the operation of the schemes to provide permits for the use of genuine residents.

The major step to better manage the current schemes will involve the linking of vehicle registration to the property and printing the registration on the permit to prevent the permits from being used inappropriately. To enable Council to move the schemes closer to alignment with the RMS guidelines, it is proposed to limit permits to two per rateable dwelling or one per boarding house room/studio, and introduce a range of additional permit classes that comply with the RMS guidelines whilst also addressing numerous community concerns raised during the recent community engagement sessions.

Further changes to these schemes to better align with current RMS Permit parking guidelines, are likely to create some level of community concern. Council invited all residents in and around the scheme areas to attend a range of engagement drop ins, as well as engaging with all residents and property owners in the affected precincts to provide input into the next phase of the project.

The on-street audit has been completed and while there is a significant difference between precinct scheme areas, the high-level summary shows a clear issue with the number of permits issued compared to the available on-street parking spaces.

This report relates to the adopted MOVE - Transport Strategy actions 5.1 and 5.2, and Goal 17 Strategy c Improve parking options in centres, villages and places, and Goal 19 Strategy b Establish a strong corporate governance framework to ensure decisions and transactions are ethical, efficient, and fair, from the Community Strategic Plan.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

- A. Endorse the draft Northern Beaches Residential Parking Permit Framework for community engagement for a period of at least 28 days.
 - B. Endorse the following schemes for community engagement:
 - a. Require the residents to demonstrate residential eligibility in line with Northern Beaches Residential Parking Permit Framework, including registration details of each vehicle.
 - b. Require the resident to provide documentation to prove that the nominated address is their principle place of residence.
 - c. Implement the approved fees and charges – New Parking Permit Scheme – Manly.
 - d. Issue a maximum of two permits per rateable dwelling in each precinct area, and offer:
 - i. Visitor's Parking Permits (trial) – single day use and available in books of five and ten (based on period of residence) on a scratch and use basis.
 - ii. Tradesperson Parking Permit – purchased on a needs basis by the week (or part thereof to a maximum of three weeks but not consecutive weeks).
 - iii. Carer's Parking Permits – assigned to the property for carer's as defined by the *NSW Carers (Recognition) Act 2010*.
 - iv. Support Worker Parking Permit – assigned to registered Care Providers vehicles.
 - C. Introduce the specified additional Permit Classes as described in the Northern Beaches Residential Parking Permit Framework, detailed below:
 - a. Business Parking Permit – restricted to vehicles registered to the business and used for the primary activity of the business, subject to off-street space availability.
 - b. Car Share Parking Permit – floating permit to facilitate the uptake of Car Share as a mobility service.
 - D. Work in partnership with the charitable / volunteer organisations to determine eligibility for permits and consider the issue of special use permits for these organisations.
 - E. Prepare a report detailing the outcome of the engagement period and presenting the steps towards implementation in each of the precincts.
-

REPORT

BACKGROUND

Council endorsed the recommendations of the report on 16 April 2019 to commence the detailed review of the current schemes that were introduced around the Manly CBD commencing in June 1985 to give priority to residents for on-street parking near their homes. At the time of implementation these schemes were consistent with the guidance provided by Roads and Traffic Authority (now Roads and Maritime Services). However, the guidelines have changed and these schemes do not meet the current standard. A parking permit scheme is intended to achieve the following objectives:

- Improve amenity for particular classes of road users who do not have a sufficient amount of off-street parking facilities or unrestricted on-street parking facilities available.
- Provide reasonable on-street car parking spaces for road users.
- Provide parking schemes to manage extreme demands for parking that would otherwise be placed on the road system.
- Provide an appropriate mix of on-street parking spaces in residential streets and in streets close to commercial centres.
- Support regional transport objectives and strategies that have been framed with commuters in mind.
- Increase public transport usage by converting those unrestricted kerb side parking spaces in residential areas into restricted parking spaces such as permissive parking spaces or pay parking spaces where appropriate.

As a result of a request received from the RMS to review the current operations of the Manly Residential Parking Permit Scheme, a review and desktop audit of the ten identified scheme areas in Manly was undertaken to determine compliance with RMS Parking Permit Guidelines. The ten scheme areas are listed below with the number of permits issued and available on-street parking spaces. The final off-street audit data is being reviewed with approximately 95 % completed.

Scheme Area	Off Street Spaces **	On-Street Spaces	Permits Issued*
Little Manly	1080	741	2,036
Balgowlah (including Ethel Street)	62	66	67
Tower Hill and Extension	782	585	2,361
Isthmus	233	268	1,032
Ocean Beach	1163	1,097	3,045
Fairy Bower	741	246	1,360
Ivanhoe Park and Extension	808	809	1,588
TOTAL	4,869	3,812	11,489

** Audit is 95% complete - * Based on system reporting

The recent stage of engagement has provided a detailed insight into the scheme areas and the issues affecting the particular areas and the inner precinct commuter migrations during the average day. The engagement report attachment contains the comments from the engagement sessions, written submissions and online comments from the project page.

Council is planning a staged approach to implementation of the reforms to allow the community to transform the way they manage parking. The current approach does not meet the requirements of the RMS guidelines, which was the subject of some discussion during the recent engagement. The process for approval of schemes relies on the approval of RMS, either at the Northern Beaches Council Local Traffic Committee or at the Regional Traffic Committee level if required.

The initial changes would see a tightening of the eligibility requirements, linking the permit to a registration and address within the scheme area. The Northern Beaches Residential Parking Permit Framework will provide the guidance to allocate dedicated permits for visitors, along with permits to assist the community by providing parking for the day-to-day needs, including Carers, trades, and support worker permits as detailed below:

- Visitor's Parking Permits (trial) – single day use and available in books of five and ten (based on period of residence) on a scratch and use basis.
- Tradesperson Parking Permit – purchased on a needs basis by the week (or part thereof to a maximum of three weeks but not consecutive weeks).
- Carers Parking Permits – assigned to the property for Carers as defined by the NSW Carers (Recognition) Act 2010.
- Support Worker Parking Permit – assigned to registered Care Providers vehicles.

Council will also formalise the Business Permit and Car Share Permits to clearly manage these users outside of the current residential parking permit scheme.

- Business Parking Permit – restricted to vehicles registered to the business and used for the primary activity of the business, subject to off-street space availability.
- Car Share Parking Permit – floating permit to facilitate the uptake of Car Share as a mobility service.

Further work may be required to provide tailored schemes for each of the precinct area, to address one of the key themes that came out of the engagement sessions. Boundaries and time restrictions need to be considered moving forward to provide a tailored solution for the residents to improve the schemes for their parking needs. This will be addressed following assessment of the effectiveness of the initial changes.

CONSULTATION

Staff have conducted a series of drop in sessions to allow the communities, both within the scheme areas and those in the nearby streets that are currently impacted through the reallocation of parking to unrestricted zones close to the precinct boundaries. The opportunity to provide comment through the online platform was also available, as was the ability to detail their concerns in a written submission. The engagement report details the submissions across all the tools that the project team have used to date.

The next stage of community consultation will commence in September 2019 on the Draft Northern Beaches Parking Permit Framework. The engagement is designed to inform the community on the changes proposed and how this could be implemented moving forward.

TIMING

Council staff will conduct a community engagement program on the framework prior to reporting back to Council, with the current target for the November meeting. The proposed implementation of any approved changes is detailed in the table below.

Scheme Area	Renewal to Commence	Proposed changes Commence
Little Manly	2 December 2019	1 February 2020
Balgowlah	2 December 2019	1 February 2020
Isthmus	6 January 2020	1 March 2020
Ocean Beach	3 February 2020	1 April 2020
Tower Hill + Extension	2 March 2020	1 May 2020
Ethel Street	6 April 2020	1 June 2020
Fairy Bower	4 May 2020	1 July 2020
Ivanhoe Park + Extension	1 June 2020	1 August 2020

LINK TO COUNCIL STRATEGY

This report related to the following Community Strategic Plan outcomes:

- Transport, Infrastructure and Connectivity:
Goal 17 Strategy c – Improve parking options in centres, villages and places.
- Good Governance:
Goal 19 Strategy b – Establish a strong corporate governance framework to ensure decisions and transactions are ethical, efficient, and fair.

It also relates to the adopted MOVE - Transport Strategy specifically actions 5.1 - Develop local parking management plans for town and village centres including higher turnover parking in areas of high demand and 5.2 - Regularly review local parking management for high visitations places such as beaches, parks and recreational areas.

FINANCIAL CONSIDERATIONS

The Council's current adopted 2019/20 fees and charges for parking permits be implemented at the time of renewal of permits.

SOCIAL CONSIDERATIONS

It is expected that introducing these changes to the operation of the existing Manly Residential Parking Permit Schemes, is likely to create some level of community concern as Council moves towards implementing a more compliant scheme that better addresses the needs of the community to improve parking availability.

ENVIRONMENTAL CONSIDERATIONS

No environmental issues are expected with this project.

GOVERNANCE AND RISK CONSIDERATIONS

The Manly Parking Permit Scheme does not comply with the current RMS Parking Permit Guidelines, therefore, the existing scheme may be outside of RMS established policy.

As well as the ongoing impact of difficulties for residents in these areas not being able to find suitable parking within reasonable distances of their property.

ITEM 13.2	STATION BEACH DOG OFF-LEASH AREA PROPOSED TRIAL
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/334841
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇨ Letter from State Department of Industry - Station Beach 10 September 2018 (Included In Attachments Booklet 4) 2 ⇨ Letter from State Department of Industry, Station Beach, 15 November 2018 (Included In Attachments Booklet 4) 3 ⇨ Station Beach Dog Off-Leash Area Proposed Trial Concept Plan for Public Exhibition - November 2018 (Included In Attachments Booklet 4) 4 ⇨ Station Beach Dog Off-leash Area, Proposed Trial - Review of Environmental Factors 24 May 2019 (Included In Attachments Booklet 4) 5 ⇨ Station Beach Dog Off Leash Area Proposed Trial Community Engagement Report - Final Report June 2019 (Included In Attachments Booklet 4) 6 ⇨ Station Beach Review of Environmental Factors Community Engagement Report 9 August 2019 (Included In Attachments Booklet 4) 7 ⇨ Station Beach Summary of Feedback from Community Engagement on the Proposed Trial and REF 2019 (Included In Attachments Booklet 4) 8 ⇨ Station Beach Trial Concept Plan Showing Off-leash Boundaries - High Tide (Included In Attachments Booklet 4) 9 ⇨ Station Beach Trial Concept Plan Showing Off-leash Boundaries - Low Tide (Included In Attachments Booklet 4) 10 ⇨ Proposed Marker Buoy, Station Beach Dog Off-Leash Area Trial (Included In Attachments Booklet 4) 11 ⇨ Letter from the State Department of Primary Industries Fisheries - Station Beach 14 August 2019 (Included In Attachments Booklet 4) 12 ⇨ Draft Station Beach Dog Off-Leash Trial Sign (Included In Attachments Booklet 4)

SUMMARY

PURPOSE

To consider the Station Beach dog off-leash area proposed trial.

EXECUTIVE SUMMARY

At the Council meeting held 26 June 2018 Council considered the Notice of Motion (No 39/2018) titled Station Beach Unleashed Dog Trial. It was resolved:

That:

- A. Council note the existing former Pittwater Council resolution: "subject to receiving support for the proposal from the Government Agencies, it be placed on public exhibition and the results be reported back to Council".

- B. Council note that this Pittwater decision is prior to the introduction of the Northern Beaches Council Code of Meeting Practice requiring a funding source and budget to be identified before a motion can be progressed.*
- C. Council invite the Executive Committee of Pittwater Unleashed to help develop the parameters for the Station Beach trial prior to being placed on public exhibition.*
- D. The public consultation process begin within 12 weeks, subject to there being no unresolvable barriers to do so, presented in the Government Agency correspondence response.*
- E. Council delay development of the Northern Beaches Council Companion Animal Management Policy in order to implement this resolution.*

Based on advice from the State Government agencies there are no impediments to the off-leash trial at Station Beach proceeding subject to obtaining a licence and mitigation measures being implemented.

A range of State Government agencies provided comment on a proposed dog off-leash area trial at Station Beach, Palm Beach. The Department of Industry, Lands and Water informed Council that if Station Beach was chosen to trial an off-leash dog swimming area, Council would need to take out a conditional licence. The department also required that a Review of Environmental Factors (REF) be included with the license application (Attachments 1, 2). Based on the advice received, community engagement on the proposed parameters (Attachment 3) was conducted and the REF 2019 developed (Attachment 4).

Council sought community feedback on the proposed trial from 16 November 2018 to 28 February 2019 (Attachments 5, 7). 87.8% of the 2,880 Northern Beaches residents that responded, supported a trial. There was some opposition to the trial based on potential environmental and local community impacts.

The REF 2019 was completed in May 2019. Key information includes that:

- The trial is unlikely to have any significant or long-term negative environmental impacts providing that the mitigation measures are implemented (most have been resolved simply by the design of the trial).
- The main potential impacts (of the trial) are to the aquatic environment including water quality and marine biodiversity. The shallows approaching the beach contain extensive seagrass beds including the endangered population of *Posidonia australis*.
- The key environmental considerations for the trial include limiting impacts to seagrass and monitoring of water quality.
- The potential impacts for nearby residents include noise, increase in traffic flow and traffic congestion.

Council sought community feedback on the REF 2019 from 14 June to 12 July 2019, (Attachments 6, 7). The majority of respondents supported the trial and many re-stated a wide range of reasons for either supporting or not supporting the trial. A key matter raised was about whether or not Council could implement the REF's mitigation measures.

A practical trial option arising from the REF 2019 is to establish an off-leash boundary three metres from the edge of the seagrass beds and that dog activity is permitted east of this line on restricted days and times. This option provides the most effective arrangement for Council to implement the mitigation measures required.

In response to the REF 2019 the:

- Department of Industry, Lands and Water reiterated that if Council wish to proceed with a trial that a licence application be submitted along with; the results of community engagement, the REF 2019, a management plan about how potential impacts identified in the REF will be addressed and Department of Primary Industries, Fisheries (Fisheries) consent (Attachments 1, 2).
- Fisheries has no objection to the trial proceeding subject to conditions including that prior to appointing a permanent dog off-leash area Council reviews alternative locations. This review of alternative locations may occur concurrently or subsequent to the Station Beach trial (Attachment 11).

Following consideration of the advice from the State Government agencies, the findings of the REF 2019 and community feedback, it is recommended that a licence be sought to conduct a dog off-leash area trial at Station Beach for 12 months. The main aspects of the trial are:

- Off-leash area days and times
 - 4:00pm to 10:30am, Monday to Sunday (Australian Eastern Standard Time, non-daylight saving time).
 - 5:30pm to 10:30am, Monday to Friday (Australian Eastern Daylight Time, daylight-saving time, summer).
 - Dogs prohibited on Station Beach outside these days and times.
- Off-leash area boundaries (Attachments 8, 9)
 - Eastern boundary, three metres east of the seagrass beds closest to and parallel to Station Beach. Denoted by three marker buoys (Attachment 10) and signage on the southern edge of the Station Beach wharf.
 - Western boundary to be along the edge of the Palm Beach Golf Course.
 - Northern boundary to be the southern edge of the Station Beach wharf.
 - Southern boundary approximately 110 metres north of the Beach Road entry.
- On-leash area (Attachments 8, 9)
 - An on-leash area is established between Beach Road and the southern boundary of the off-leash area and to be in effect on the same days and times as the off-leash area.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

- A. Conduct a dog off-leash area trial at Station Beach, Palm Beach for 12 months as outlined in this report.
 - B. Delegate authority to the Chief Executive Officer to enter into a licence agreement with the Department of Industry, Lands and Water for the trial.
 - C. Declare Station Beach an off-leash area, for the purpose of a trial, under section 13(6) of the *Companion Animals Act (1998)* subject to the granting of a licence with the Department of Industry, Lands and Water.
 - D. Investigate other beach locations prior to appointing a permanent dog off-leash area at Station Beach.
-

REPORT

BACKGROUND AND OVERVIEW

At the Council meeting held 26 June 2018 Council considered the Notice of Motion (No 39/2018) titled the Station Beach Unleashed Dog Trial. It was resolved:

That:

- A. Council note the existing former Pittwater Council resolution: “subject to receiving support for the proposal from the Government Agencies, it be placed on public exhibition and the results be reported back to Council”.*
- B. Council note that this Pittwater decision is prior to the introduction of the Northern Beaches Council Code of Meeting Practice requiring a funding source and budget to be identified before a motion can be progressed.*
- C. Council invite the Executive Committee of Pittwater Unleashed to help develop the parameters for the Station Beach trial prior to being placed on public exhibition.*
- D. The public consultation process begins within 12 weeks subject to there being no unresolvable barriers to do so, presented in the Government Agency correspondence response.*
- E. Council delays development of the Northern Beaches Council Companion Animal Management Policy in order to implement this resolution.*

In response to the resolutions of this Notice of Motion:

- The parameters for a proposed trial were developed with input from Pittwater Unleashed.
- On the advice of State Government agencies;
 - A Review of Environmental Factors (REF 2019) was developed (Attachment 4).
 - The REF 2019 and parameters of a proposed trial were publically exhibited (Attachment 3).

In response to the REF 2019 the:

- Department of Industry, Lands and Water reiterated that if Council wish to proceed with a trial that a licence application be submitted along with; the results of community engagement, the REF 2019, a management plan about how potential impacts identified in the REF will be addressed and Department of Primary Industries, Fisheries (Fisheries) consent.
- Fisheries has indicated it has no objection to the trial proceeding subject to conditions including that prior to appointing a permanent dog off-leash area Council reviews alternative locations. This review of alternative locations may occur concurrently or subsequent to the Station Beach trial. Fisheries recommends that Council consider Palm Beach (on the ocean side) amongst other ocean beach options. The department also requested specific trial conditions including an off-leash boundary three metres east (shoreward) of the seagrass beds (Attachment 11).

Following consideration of the advice from the State Government agencies, the findings of the REF 2019 and community feedback it is recommended that a licence be sought to conduct a dog off-leash area trial at Station Beach for 12 months. The details of the trial are:

- Off-leash area days and times
 - 4:00pm to 10:30am, Monday to Sunday (Australian Eastern Standard Time, non-daylight saving time).
 - 5:30pm to 10:30am, Monday to Friday (Australian Eastern Daylight Time, daylight-saving time, summer).
 - Dogs prohibited on Station Beach outside these days and times.
- Off-leash area boundaries (Attachments 8, 9)
 - Eastern boundary, three metres east of the seagrass beds closest to and parallel to Station Beach. Denoted by three marker buoys (Attachment 10) and signage on the southern edge of the Station Beach wharf.
 - Western boundary to be along the edge of the Palm Beach Golf Course (as proposed).
 - Northern boundary to be the southern edge of the Station Beach wharf.
 - Southern boundary approximately 110 metres north of the Beach Road entry.
- On-leash area (Attachments 8, 9)
 - An on-leash area is established between Beach Road and the southern boundary of the off-leash area and to be in effect on the same days and times as the off-leash area.
- Install signs that outline the conditions of the trial and meet requirements of the State Government agencies (Attachment 12).
- Prior to and throughout the trial, Council to hold information sessions at Station Beach about use of the off-leash area.
- Additional Ranger patrols to be conducted at the commencement of the trial and at random days and times during the trial as required.
- Implement the mitigation measures as outlined in the REF 2019 and as agreed with the State Government agencies.

In response to the requirements of Fisheries a comparison of alternate ocean beach locations is to be investigated, to determine the lowest environmental impact, concurrently with the trial and prior to appointing a permanent dog off-leash area at Station Beach.

The following sections of this report provide detail regarding:

- State Government agency comments on a proposed trial.
- Community engagement on a proposed trial.
- Review of Environmental Factors 2019 (REF 2019).
- Community engagement on the REF 2019.
- State Government agency comments on the REF 2019.

STATE GOVERNMENT AGENCY COMMENTS ON A PROPOSED TRIAL

State Government agencies were contacted for comment on a proposed dog off-leash area trial at Station Beach. Their comments are summarised below:

- Department of Primary Industries, Fisheries - in August 2018 the department stated it had no objections to a trial provided that:
 - Signage is installed on the beach stating that; dogs must not be allowed to run through seagrass beds at low tide and providing environmental information, advising that seagrass beds are present in the nearshore zone, including the endangered population of *posidonia australis* seagrass.
 - Surveys of the seagrass are undertaken, showing species, distribution and density along Station Beach. The survey should be undertaken immediately prior to, and immediately following, the trial period.
- National Parks and Wildlife Service (NPWS) - in August 2018 the NPWS stated it had no concerns about a trial as long as:
 - It is signposted that the northern boundary of the off-leash area is the Boathouse wharf.
 - Council ensures compliance with the northern boundary to prevent off-leash dogs entering the national park to the north (Ku-ring-gai Chase National Park).
- Department of Industry, Lands and Water - in correspondence sent to Council (Attachments 1, 2) the department stated, amongst other things, that:
 - If Station Beach is chosen to trial an off-leash dog swimming area, Council would need to take out a licence, subject to conditions from the department to conduct a trial, given activities would occur on submerged Crown Land (i.e. land below mean high water mark).
 - Given the environmental sensitivities of the site, the department will require that a Review of Environmental Factors (REF) be included with the licence application in order to set both quantitative and qualitative parameters, to adequately monitor the impact of off-leash dogs.
 - The granting of a license would be subject to the department's satisfaction that the application is in line with the principles of Crown Land management and that its concerns, environmental sensitivities and other matters have been adequately addressed.
 - Unauthorised harm to seagrass during the trial may result in the licence being terminated and possible compliance action taken.

Based on this advice it was decided to proceed with community engagement and to develop a REF for a trial. To minimise delays, community engagement and development of the REF was undertaken concurrently. The State Government agencies were informed of Council's intentions.

COMMUNITY ENGAGEMENT ON A PROPOSED TRIAL

Trial Parameters

In preparation for community engagement, Council staff consulted with internal teams and representatives from Pittwater Unleashed about parameters for a trial.

In a face-to-face meeting with representatives from Pittwater Unleashed the following parameters were discussed:

- Trial location - Station Beach south, away from Ku-ring-gai Chase National Park.
- Trial period - 12 months, to ensure that summer and winter use data could be captured for a trial review.

- Trial off-leash days and times
 - 4:00pm to 10:30am, Monday to Sunday, non-daylight saving time (Australian Eastern Standard Time).
 - 5:30pm to 10:30am, Monday to Friday, daylight-saving time (Australian Eastern Daylight Time, the first Sunday in October to the first Sunday in April).
 - To minimise impacts on parking and traffic at the busiest time of the year at Palm Beach, weekend access was proposed to be excluded from the daylight saving period.
 - The proposed times included popular times to walk a dog - in the mornings before work and in the afternoons after work.

Following consideration of the feedback, the trial period, days and times above were agreed for community engagement. See Attachment 3 for the trial concept plan and parameters used for community engagement about a trial.

Community Feedback

Council sought community feedback on the proposed trial and parameters from 16 November 2018 to 28 February 2019. Community engagement involved:

- An online feedback form available on Council's website via Your Say Northern Beaches.
- Two community drop-in sessions held at the Palm Beach Golf Club.

These community engagement opportunities were publicised on Council's website and promoted through local media and signs on-site. Letters were sent to nearby residents and e-mails sent to key stakeholders and Council's Community Engagement Register contacts.

Discussions were also held with Pittwater Unleashed, Manly Dogs, Palm Beach Golf Club and the Protect Palm Beach Group.

Feedback on the Proposed Trial

Community feedback received has been captured in a Community Engagement Report developed by Parkland Planners for Council (Attachment 5). A summary of responses is outlined below:

- 3567 Responses (3536 on-line and 31 emails/letters):
 - 89.0% Supported the trial.
 - 87.0% Supported the location (South Station Beach).
 - 78.0% Supported the proposed days and times.
- 3567 Total Responses:
 - 81.5% Northern Beaches Residents – 2880 Responses.
 - 11.5% Residence not stated – 408 Responses.
 - 7.0% Outside Northern Beaches – 248 Responses.
- 2880 Northern Beaches Responses:
 - 87.8% Supported the trial.
 - 86.9% Supported the location (South Station Beach).

- 75.0% Supported proposed days and times.
- 1694 responses from Palm Beach, Whale Beach, Avalon, Avalon Beach and Newport:
 - 87.8% Supported the trial.
 - 86.9% Supported the location (South Station Beach).
 - 78.8% Supported the proposed days and times.
- A range of groups provided feedback:
 - Groups that supported the trial included; Pittwater Unleashed, Manly Dogs, Palm Beach Golf Club, Palm Beach & Whale Beach Association, Boat Owners Association.
 - Groups that did not support the trial included; Protect Palm Beach, Newport Residents Association.

Reasons for supporting the proposed trial included:

- It is about time, long overdue.
- Need for another off-leash area where dogs can swim north of Bilgola / Bayview / Newport.
- An alternative to take the pressure off overcrowded Rowland Reserve off-leash area.
- Dog owners and dogs should have equitable access to open space, particularly beaches.
- Station Beach is more pleasant and interesting than boring dog parks.
- Owners want to take their dog out with them as 'part of the family'.
- The proposed trial area is a small percentage of the Northern Beaches coastline.
- More space allocated to dogs will reduce issues and complaints about dog behaviour.
- Owners are keen to show they are responsible for picking up after their dogs and controlling their dogs' behaviour to ensure success of the trial.
- Less travel time for people living north of Bayview.
- Spending time with dogs has physical, psychological and social benefits for people.
- Beaches are good for dogs to run, swim and have fun.
- It is good for the local economy, especially for cafes, restaurants and shops in Palm Beach.

Reasons for not supporting the proposed trial included:

- Increased pollution.
- Threat to wildlife, marine life.
- Impact on the natural environment, flora and fauna. Damage to endangered seagrass beds.
- Increased likelihood of an unprovoked dog attack.
- Increased traffic congestion as the trial will attract visitors to the area.
- There are upwards of 30 mitigation measures listed within the REF 2019. This is unmanageable.

- Negative impact on Palm Beach's reputation as a premier tourist destination.
- Dog owners do not pick up after their dogs, do not control their dogs, let dogs access restricted environmental or public areas, do not comply with signs and off-leash area rules.
- The visual and recreational amenity of the beach would be spoilt. Installation of unsightly offshore boundary markers/piers to ensure no encroachment onto the sensitive seagrass area will not only be visually damaging but will also impede swimmers and watercraft.
- This will turn the whole of Station Beach into a "Dog Beach" to the exclusion of other users. Dog activity will interrupt and limit informal use of the beach for walking, swimming, watching sunsets, picnics.
- A precedent would be set for access for dogs to ocean beaches on the Northern Beaches.
- Public safety concerns including from the golf course.
- Impacts on local residents include noise from barking dogs and intrusion of dogs into properties. "No dogs" signage is ineffective.

Responses to the feedback themes are outlined in Attachment 7.

REVIEW OF ENVIRONMENTAL FACTORS 2019

In November 2018 a consultant was engaged to develop a Review of Environmental Factors (REF) as required by the Department of Industry Lands and Water. The REF was completed in May 2019 (Attachment 4). The conclusions were:

- *The proposed trial would be carried out under Division 5.1 of the EP&A Act. Northern Beaches Council is acting as both the proponent and determining authority for the proposed trial;*
- *Key environmental considerations for the trial include limiting disruptive impacts to endangered seagrass communities adjacent to and within the proposed trial area, limiting impacts of erosion and sediment disturbance, and maintenance of water quality. It is considered that these risks can be managed through the mitigation measures identified throughout this document, including the implementation of a management plan and monitoring program by Council. The management plan would be developed by Council prior to the commencement of the trial;*
- *The proposed trial is unlikely to have any significant or long term negative environmental impacts providing the mitigation measures outlined in this REF are implemented and enforced during the trial;*
- *Strict implementation of the proposed mitigation measures is required to mitigate potential impacts on environmental sensitive species (including seagrasses and the white seahorses (potentially)) from the proposed dog off-leash trial at Station Beach; and*
- *Council should assess other areas (including the northern part of Palm Beach) for an off-leash dog area, if the trial does not go ahead or if the trial is unsuccessful.*

A practical trial option arising from the REF 2019 is to establish an off-leash boundary three metres from the edge of the seagrass beds and that dog activity is permitted east of this line on restricted days and times. This option provides the most effective arrangement for Council to implement the mitigation measures required as it:

- Allows swimming at any tide whilst separating dogs from seagrass.

- Provides a buffer between dogs and seagrass, limiting disturbance, and allows for seasonal variation in the edge of the seagrass.
- Provides a clear boundary for the community and for rangers.

Council has the experience and resources to implement the REF's mitigation measures. Some measures, such as compliance management of off-leash areas, are standard practice for Council's operation of the Northern Beaches existing 29 off-leash dog areas. Some of these areas also have water access which Council manages. Many of the mitigation measures have been resolved simply by the design of the trial parameters.

Following an internal review the REF 2019 was placed on public exhibition for community feedback.

COMMUNITY ENGAGEMENT ON THE REVIEW OF ENVIRONMENTAL FACTORS 2019

Council sought community feedback on the REF 2019 from 14 June 2019 to 12 July 2019. Community engagement involved an online feedback form available on Council's website via Your Say Northern Beaches.

Community engagement was publicised on Council's website and promoted through local media. E-mails were sent to key stakeholders and Council's Community Engagement Register contacts.

The REF 2019 was also sent to the Department of Primary Industries, Fisheries and the Department of Industry, Lands and Water for their comments and advice.

Community Feedback

Community feedback received has been captured in a Community Engagement Report developed by Parkland Planners for Council (Attachment 6). A summary of responses is outlined below:

- 118 Responses (102 on-line and 16 emails/letters).
 - 89% Northern Beaches residents.
 - 6% outside Northern Beaches, 5% residence not stated.
 - The majority of respondents (52.5%, 62 responses) supported the trial.
 - Many respondents re-stated a wide range of reasons for either supporting or not supporting the trial.
- Reasons for supporting the proposed trial included:
 - The need for more off-leash areas in Pittwater, particularly on beaches, and at the northern end of the peninsula.
 - The dog off-leash beach at Rowland Reserve is highly used. Station Beach will provide an alternative to take the usage pressure off Rowland Reserve.
 - Dog owners want equitable access to beaches to enjoy time with their dog, and where the dogs can swim, run and play.
 - Off-leash dog access to beaches has mental health and social benefits.
 - Off-leash dog access to beaches works in many other places.
 - Station Beach has been used for off-leash dog walking for many years without incident.
 - Dog regulations on the Northern Beaches are too restrictive.

- Most dog owners are responsible in terms of dogs barking, and picking up and would adhere to the restrictions of the trial.
- Reasons for not supporting the proposed trial included:
 - Impacts of dogs and people on protected seagrass beds.
 - Visual impact of tidal markers along the shoreline.
 - Safety concerns of unleashed dogs on other users, particularly at high tide.
 - Change of use to a dog beach which would affect other uses of the sand and water.
 - Shortcomings of the REF such as no traffic study, no data on risks from the golf course, no alternatives locations considered.
 - Concern that the more than 30 mitigation measures recommended in the REF are too onerous and costly for Council.
 - Introduction of three metre “buffers” is totally flawed and introduces a set of rules which will be administratively difficult – a “nightmare”.
- General comments include that the REF 2019 and letters from the State Government agencies should have been released for the first phase of engagement, as this would have assisted the community in making informed comments on the trial.
- A range of groups provided feedback:
 - Groups that supported the trial include; Pittwater Unleashed, Manly Dogs, Palm Beach & Whale Beach Association, Boat Owners Association.
 - Groups that did not support the trial include; Protect Palm Beach, Newport Residents Association.

Responses to the feedback themes are outlined in Attachment 7.

STATE GOVERNMENT AGENCY COMMENTS ON THE REF 2019

- Department of Industry, Lands and Water - in July 2019 the department reiterated that if Council wish to proceed with a trial that a licence application be submitted along with; the results of community engagement, the REF 2019, a management plan about how potential impacts identified in the REF will be addressed and Fisheries consent.
- Department of Primary Industries, Fisheries - in August 2019 (Attachment 11) the department stated that it has no objection to the trial proceeding subject to conditions including:
 - Markers (pole or buoy) must be installed 3m east (shoreward) of the seagrass beds.
 - Off-leash dogs are to remain within the trial boundaries i.e. east (shoreward) of the markers and between the northern and southern extents.
 - Does not object to the northern boundary extending 100 metres to the north, in line with the wharf.
 - The time restrictions and dates of the trial must be clearly communicated to dog walkers and the broader community.

- A Seagrass Monitoring Plan is to be prepared and submitted to Fisheries for approval at least 2 weeks prior to the commencement of the trial. Council must implement the approved plans on site.
- Council must install multiple signs, at the entry points to Station Beach and within the trial area (on the dune), advising the community of the trial parameters and the ecological importance of seagrass beds.
- At the conclusion of the trial, Fisheries to review the report that details the outcomes of the trial, including the findings of the seagrass monitoring program.
- The findings/outcomes of any specific compliance program be reported as part of the trial monitoring program.
- Prior to appointing a permanent dog off-leash area, Fisheries recommends that Council reviews alternative locations. An environmental assessment should allow for the comparison of multiple locations in order to determine which site would incur the lowest environmental impact as a result of dog off-leash activity. This review of alternative locations may occur concurrently or subsequent to the Station Beach dog off-leash trial. Fisheries has a strong preference for the use of ocean beaches for the dog off-leash area, rather than estuary beaches. Fisheries recommends that Council consider Palm Beach (on the ocean side) amongst other ocean beach options.

PROPOSED TRIAL

As outlined in the Background and Overview section of this report - following consideration of the advice from the State Government agencies, the findings of the REF 2019 and community feedback it is recommended that a licence be sought to conduct a dog off-leash area trial at Station Beach for 12 months.

TIMING

Should Council agree to the proposed trial, the timing for initiating the trial will be dependent on completion of these tasks:

- Seek a licence with Department of Industry, Lands and Water.

Notwithstanding any additional matters, once a licence has been agreed Council would then:

- Engage a contractor to undertake the required environmental monitoring and reporting.
- Implement a system to monitor and report on visitation, traffic and parking impacts and compliance.
- Implement a community engagement and notification plan.
- Install marker buoys that clearly identify the agreed boundaries of the off-leash area.
- Install bins.
- Install signs that outline the conditions of the trial and meet requirements of the State Government agencies (Attachment 12).
- Prior to the trial hold information sessions at Station Beach about use of the off-leash area.

It is anticipated that these tasks could be completed and the trial initiated prior to December 2019.

LINK TO COUNCIL STRATEGY

The proposed trial relates to the Community Strategic Plan Outcome Places for People:

- Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The indicative estimate of costs for the trial are:

- Environmental monitoring and reporting for 12 months approximately \$45,000.
- Infrastructure (design, install and construct):
 - Three marker buoys (with moorings) \$1,500. The type of buoy proposed is shown in Attachment 10.
 - Signs \$3,000, two large entry signs with a map of the off-leash area, conditions of use and environmental information including about sea grass (\$2,000) and two small information signs (\$1,000). A draft sign design can be viewed in Attachment 12.
 - Two dog bag dispensers and bags \$2,800.
- The Parks and Recreation team will manage the implementation of the mitigation measures, community engagement, community notification, information days, visitation audits, traffic and parking monitoring with existing staff and budget.

Environmental Compliance

- Currently, Rangers visit Palm Beach at least three times a week at varying days and times between 6am and 7pm.
- Additional patrols to be conducted at the commencement of the trial and at random days and times during the trial as required.

SOCIAL CONSIDERATIONS

Dogs play an important role in human companionship. Our general health and well-being are enhanced through the physical, emotional and social benefits of owning a dog. Similarly, dogs depend on their owners to obtain an appropriate level of physical activity.

Council recognises both the benefits of off-leash dog areas to community well-being and the importance of managing the potential impacts on:

- Nearby residents.
- Other users of Station Beach when off-leash dogs are permitted.
- The environment as outlined in the REF 2019.

ENVIRONMENTAL CONSIDERATIONS

If approved, the trial would be conducted in accordance with; Council's regulations, policies and practices, the REF 2019, the Department of Industry, Lands and Water licence and relevant legislation such as the *NSW Companion Animals Act 1998* and the *Local Government Act 1993*.

GOVERNANCE AND RISK CONSIDERATIONS

A key risk to manage during the trial is non-compliance with the dog off-leash area conditions of use. This risk would be managed through ongoing community education and notification, on-site signage and ranger visits and enforcement.

ITEM 13.3	OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF CLONTARF RESERVE LANDSCAPE MASTERPLAN
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/387060
ATTACHMENTS	1 ↓ Clontarf Reserve Landscape Masterplan

SUMMARY

PURPOSE

To adopt the proposed Clontarf Reserve Landscape Masterplan.

EXECUTIVE SUMMARY

Council resolved to undertake community engagement on the draft Clontarf Reserve Landscape Masterplan. The draft Landscape Masterplan was placed on public exhibition for four weeks from 3 June 2019. In this time 82 submissions were received, two drop in sessions attended by approximately 100 people and three key stakeholder meetings were held. In general there was strong support for the draft Landscape Masterplan with some exceptions. The proposed wharf was strongly opposed by the local residents around the Reserve, there was little support for the proposed viewing deck and significant concern around the positioning and need for an additional toilet facility. The Landscape Masterplan (Attachment 1) has been amended to reflect the community feedback.

If adopted, Council will begin progressing with the detailed design and delivery of stage one consisting of the playground, seawall upgrade and tiered seating and upgrade to existing toilets in the 2019/2020 financial year.

The Clontarf Reserve Landscape Masterplan makes more efficient use of space and will provide more park area which is better connected and a car park with more car spaces but with a reduced footprint.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council adopt the Clontarf Reserve Landscape Masterplan.

REPORT

BACKGROUND

Clontarf Beach is one of the most iconic harbour beaches in Sydney. The area is renowned for its strong natural, cultural and built heritage and its wonderful vistas which people from all over Sydney enjoy. The foreshore park overlooking Middle Harbour, Clontarf Marina and the Spit Bridge are highly valued by the local residents and the broader community as well as day visitors and tourists. It has been a popular destination for socialising and picnicking since the 19th century and is a key stopping point on the Manly to Spit Walk.

Key features of the park include:

- The large planted fig trees and iconic Norfolk Island Pines, which have been subject to recent vandalism and present ongoing maintenance issues.
- Clonny's Restaurant / kiosk facilities, which are centre-piece facilities servicing patrons and users of the park.
- Variety of grassed picnic areas on the foreshore and surrounds.
- Recreational facilities including the Victor Chang playground, picnic shelters / table settings, BBQs and amenities building.
- Car parking areas located on either side of the main access road into the park, along Sandy Bay Road, Holmes Avenue and Monash Crescent; this presents a key issue during busy times as there is no public transport option to Clontarf.

The park itself is heritage-listed as well as a number of specific items, for example:

- Middle Harbour Syphon, a large concrete aqueduct and pumping station structure owned and operated by Sydney Water, which dissects the open spaces and impedes connectivity physically and visually.
- Clontarf tidal rock pool, built in 1949, which is in need of critical renewal works to improve safety.
- Norfolk Island Pine commemorative tree which has been vandalised in the past.

The reserve areas are zoned for the purpose of public recreation and considered regionally significant in terms of natural, visual, social, recreation, cultural, educational, future generational and heritage values.

As its popularity has increased, infrastructure to support the park's use has not been renewed or upgraded to meet current expected levels of service. As a result, the park no longer functions well, nor does it have enough capacity to meet the community's expectations.

To resolve this situation, Council committed to working with the community to develop a Landscape Masterplan for this iconic location which will be implemented as part of Council's forward capital works program. The main objectives of this project are to:

- Prepare a Landscape Masterplan for Clontarf Reserve that will provide planning and design direction for Council to deliver open space recreation improvements for the social and recreational benefits of the community, whilst conserving environmental, cultural heritage and scenic values.
- Address key issues including connectivity, inclusion, accessibility and sustainability for future use and ongoing management of the area.

- Engage with the key external stakeholders including the Clontarf Community Forum and broader community, and incorporate valid feedback in the development of the Landscape Masterplan.

CONSULTATION

Council has recently completed the public exhibition of the draft Clontarf Reserve Landscape Masterplan. The engagement included the following activities:

- Advertising through the Manly Daily, on-site signage, Council's webpage and social media platforms and community engagement register and website.
- Two on site drop in sessions attended by approximately 100 people.
- Presentation and question and answer session with the Clontarf Community Forum.
- Letter box drop to 100 residents.
- On site meeting with residents of the Holmes Avenue, Allenby Road and Amiens Road attended by approximately 32 people.
- On site meeting with residents of Sandy Bay Beach Road attended by approximately 15 people.
- 82 formal submissions were received.

In general, the overall Landscape Masterplan was supported and the key issues and response to these is listed below:

Issue	Response
Inclusion of proposed public wharf facilities at the end of Holmes Avenue.	The commuter wharf has been removed from the Landscape Masterplan but this does not preclude a wharf in the future. Should a formal proposal be put forward to Transport for NSW, the assessment of traffic management, heritage, environmental and supporting facilities, will need to be undertaken.
Necessity for viewing platform on Sandy Bay Beach Road	The Landscape Masterplan has been amended to a small deck which will improve the visual amenity and allow the trial of habitat tiles along the seawall in this area. Habitat tiles are custom made structures that attach to seawalls that have been developed to mimic natural rock habitat for aquatic creatures. These have been developed to be used to replace the habitat that has been removed throughout Sydney Harbour to make way for seawalls and other maritime structures. Views from this point can still be enjoyed from the existing path.
Concern around placement of proposed new public amenities will interfere with vistas from Sandy Bay Beach Road reducing more open space.	Given the existing amenities are only 60 metres from the edge of the new playground, the toilet block has been removed from the proposed plan to ensure that introduced infrastructure is kept to a minimum.

Issue	Response
Support for sandstone bleachers and seawall	Noted
Support for playground upgrade	Noted
Concern over placement of proposed and existing dingy and kayak racks cluttering open space	The positioning of dinghy racks and kayak racks has been consolidated within the reserve as much as possible and to reduce the impact on vistas and park area.
Better wayfinding for Manly to Spit Walk	Council will introduce better wayfinding and better connectivity for the Manly to Spit Walk as it implements each stage of the Landscape Masterplan.
General lack of support for altering length of tidal pool or introducing boardwalk	An internal assessment has identified that the boardwalk should not be supported as it poses significant risk, especially in low – medium tides. The community was not supportive of extending the length of the tidal pool, it was felt that the extension would alter the look and feel of the beach. This proposal was also not supported by the heritage consultant.

TIMING

If adopted, Council proposes to implement the Landscape Masterplan in stages as detailed below:

Stage	Project	Construction year
1	Seawall and sandstone bleacher at tidal pool	2020
	Playground upgrade	2020
	Public toilet revitalisation	2020
	Tidal pool renewal	2020
	Dinghy storage/kayak storage	2020
2	Improvements to Sandy Bay foreshore	Subject to consideration in future Delivery Program
	Clontarf Beach car park and landscaping upgrades – detailed design	Subject to consideration in future Delivery Program
	Improvements to Clonny's café	By lessee

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

Council has budgeted for Stage 1 to be undertaken in the 2019/2020 financial year. \$900,000 will be allowed for the development of the play space and pedestrian connections, \$300,000 for the revitalisation of the existing public toilets and \$320,000 for the foreshore works.

Stage 2 works will need to be considered in the context of other priorities and will be reviewed as part of the development of the 2021-2024 Delivery Program.

The Landscape Masterplan has been costed by a qualified quantity surveyor and the estimated cost of stage 2 works is as follows:

Project	Cost
Sandy Bay Foreshore works – including new seawalls, turf improvements landscaping improvements, bushland and pathway improvements, additional parking	\$590,000
Clontarf Beach Reserve – car park realignment, stormwater, landscape improvements, gateway treatment, pedestrian connectivity etc	\$3,100,000

SOCIAL CONSIDERATIONS

Clontarf Reserve is a unique and iconic location on the Northern Beaches. It is renowned as one of the best picnic spots for families in Sydney and the proposed works have been designed to better facilitate that usage as well as recognising the needs of the local community who love the park.

ENVIRONMENTAL CONSIDERATIONS

Whilst some trees are proposed to be removed to realign the car park, the new configuration of open space will create the opportunity for additional tree planting in the reserve. The significant trees that form an integral part of the landscape character of the site will be protected. The works along the foreshore have been designed to reduce erosion and sediment entering Middle Harbour.

GOVERNANCE AND RISK CONSIDERATIONS

The implementation of this Landscape Masterplan is consistent with adopted policies and procedures for managing procurement, design and construction risk. Significant community engagement occurred throughout the development of the Landscape Masterplan.



MASTERPLAN PRINCIPLES

Vision

- To achieve potential recreation opportunities whilst conserving and enhancing the natural and cultural heritage values for this iconic harbour foreshore open space

Objectives

- Provide planning and design direction for council to implement park landscape improvements that benefit the social and recreational needs of the community;

- Address key considerations including parking, connectivity, accessibility, inclusion, public safety, amenity and sustainable ongoing management

- Work closely with key stakeholders including Clontarf Community Forum, engage with the broader community, and incorporate valid feedback in the development of the Landscape Masterplan





MASTERPLAN PROPOSALS

- 1 Sandy Bay Foreshore Edge**
 - Improvements to beach and grassed foreshore physical and visual amenity including relocating watercraft storage, extending seawall to expand level grassed area, sandstone paved apron to beach access
- 2 Stormwater Infrastructure**
 - Investigate existing stormwater & drainage infrastructure to improve water quality and address ponding
 - Modify existing rain garden with WSUD kerbing & grassed surface
- 3 Install kerbing to existing parking bays to prevent erosion**
- 4 Watercraft Storage Upgrade**
 - Relocate and reconfigure existing watercraft storage areas to minimise visual impact (allow for 8 kayaks/ 11 dinghies).
 - Install new storage area (8 kayaks) near access ramp
 - Liaise with local residents on final layout
- 5 Sandy Bay Reserve Open Space**
 - Maintain and enhance existing grassed areas and garden beds
 - Install picnic tables and additional seating
 - Continue bollard treatment along extent of Sandy Bay Road pathway
- 6 Harbour Viewing Deck**
 - Opportunity for cantilevered timber deck over existing stormwater outlet to provide resting point on the Spit to Manly Walk
- 7 Protection & Enhancement of Existing Bushland Corridor**
 - Implement protection and enhancement works to this significant vegetation corridor with prominent sandstone cliff edge / cave features and undertake track maintenance along Mitchell Walk
 - Realignment of some RE1/E2 land category boundaries may be required in the future Northern Beaches LEP to better reflect the biodiversity values of the land
- 8 Additional Parking along Sandy Bay Road**
 - Investigate additional parking bays where feasible
- 9 Pedestrian Pathway Network**
 - Install wayfinding signage along existing foreshore pathway to direct Spit to Manly walkers including directional, identification and interpretative information



SECTION A - A BEACH ACCESS Scale 1: 200



SECTION B - B VIEWING DECK Scale 1:200

ADJOINS SHEET 03



MASTERPLAN PROPOSALS

- 1 Person Avenue / Sandy Bay Road intersection**
 - Improve sense of arrival to Clarifond foreshore open space including directional signage, landscape treatment and restoration of Sydney Water structures;
 - Formalise safe pedestrian connections to reserve from Holmes Avenue and Person Avenue.
- 2 Main Park Entry**
 - Improve park entrance with gateway signage and landscape treatment
- 3 Carpark Layout Modifications**
 - Modify carpark layout to improve traffic congestion, pedestrian safety and create wider open space area
 - Provide on-street carpark entry & change eastern parking areas to one-way loop system
 - Re-align main two-way car parking area along southern side of reserve to provide car parking for 194 vehicles (existing car park - 189 vehicles) including 3 accessible spaces (allows for mini-buses), drop-off / pick-up zone for 3 vehicles and Hop Stop & jump, and delivery space, for cafe
 - Use of permeable paving treatment for parking bays
 - Provide turning area for long vehicles adjacent boat ramp
 - Provide additional parking spaces (as detailed) for carpark modifications and replace with suitable native tree species
 - Provide clear, safe pedestrian crossings through car park
- 4 Additional Parking along Sandy Bay Road**
 - Remove garden beds to gain 3 parking bays adjacent Clarifond Reserve
- 5 Main Pedestrian Promenade**
 - Provide central pedestrian promenade (3.6m wide) that references alignment of historical roadway, with decorative gravel surface and sandstone edges. Allow for delivery access and emergency / maintenance vehicles.
 - Provide central meeting point with Feature Palms and accent lighting
 - Provide casual cafe style seating areas either side of promenade
- 6 Pedestrian Pathway Network**
 - Provide pedestrian pathway (1.5m wide) through reserve connecting park facilities and open spaces, with coloured concrete (exposed aggregate)
 - Upgrade of pole lighting along pathways in keeping with heritage style
- 7 Improvements to Cafe / Kiosk**
 - Relocate carpark to provide better building presence and physical and visual connection with open spaces;
 - Provide pedestrian pathways to main entry and for deliveries
 - Renovate existing building (internal and external) and outdoor dining area
- 8 Playground Upgrade**
 - Provide more inclusive, fun and challenging play space for all ages and abilities; design based on aquatic habitat and boating theme, contained areas for sand softfall and use of rubber and bark softfall for accessibility
 - Modify playground footprint to increase for open space, make use of large Fig Tree shade and redesign shade sail structure to suit
 - Incorporate circular timber seating and deck areas around base of existing Fig Trees & Camphor Laurel
- 9 Youth Spaces / Fitness Activities**
 - Provide facilities for young people with casual and walked seating, such as ball shooting area, parkour / fitness equipment, dance / performance platform
- 10 Total Pool Renewal**
 - Renew tidal pool to improve structural integrity whilst maintaining existing heritage style
- 11a Foreshore Edge Treatments**
 - Provide pedestrian pathway to foreshore heritage and incorporate beach shower, lawns & dining facilities
 - Reinstate foreshore edge with sandstone steps & accessible ramp in front of tidal pool
 - Install foreshore edge treatment to southern beach access
- 12 Public Amenities Upgrade**
 - Interim minor works of existing amenities (footprint shown dashed), to improve condition and meet current accessibility goals. Aesthetics in keeping with style of renovated cafe/kiosk and new park structures
 - Future amenities upgrade including re-orientation towards central open space, provide male / female change and toilet facilities, central breezeway and accessible adult change facilities
- 13 Delineate Boat Ramp zone using coloured concrete**
- 14 Sydney Water Infrastructure (NSOOS Synchro & Aqueduct)**
 - Planned water infrastructure to improve visual amenity of heritage-listed structures following remediation requirements (by Sydney Water)
 - Provide new accessible pedestrian connection of open spaces and viewing area to beach
 - Potential heritage interpretation / art space for heritage-listed items and Clarifond's natural and cultural heritage



Clontarf Reserve Landscape Masterplan

Sheet 03 - Clontarf Reserve Plan



ITEM 13.4	PUBLIC EXHIBITION FOR THE USE OF MCCARRS CREEK RESERVE BY CASTLE TRIBE INC
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/431246
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To consider Castle Tribe Inc.'s request to use the western area of McCarrs Creek Reserve at Church Point to hold monthly community drumming events.

SUMMARY

Castle Tribe has made a submission to Council seeking permission to use the western area of McCarrs Creek Reserve at Church Point for a community drumming event on the first Saturday of every month from 12 noon to midnight (including bump in and bump out). Proposed activities include; children's activities (such as painting and craft), sharing and support circles, food and drinks made available (alcohol prohibited) and drumming, playing music and dancing near a fire.

The Rural Fire Service (RFS) has no objection to Castle Tribe lighting fires provided appropriate fire safety is in place. A permit would not be required outside the Bush Fire Danger Period 1 October to 31 March.

The Northern Beaches Local Area Command (Police) has no objection to their events conditional on noise ceasing at 10pm and that they abide by Council's regulations.

Following consideration of the advice from the RFS and Police and an assessment by the Parks and Recreation team, it is recommended that Council place the use of McCarrs Creek Reserve by Castle Tribe Inc. for a 12 month trial (as outlined in this report) on public exhibition for at least 28 days.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

- A. Council place the proposed use of McCarrs Creek Reserve by Castle Tribe Inc. for a 12 month trial on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

Castle Drumming began in 2013 with a group of friends who met to *share fellowship through music* and drumming. In 2017 they relocated to McCarrs Creek Reserve at Church Point. By 2018 up to 200 people were attending their monthly events to drum and play music and dance near a fire.

Council staff met with Castle Drumming in November 2018 following receipt of community complaints about their events particularly the noise from drumming and the fire risks. At this meeting these complaints were discussed and they were told that a formal Council approval was required to use McCarrs Creek Reserve or other Council land. Following consideration of Council's advice the group ceased use of this reserve and sought assistance to identify an alternate location.

In January 2019 staff met with Castle Drumming at JJ Melbourne Hills Reserve. However, this reserve did not meet their needs and they indicated a desire to return to McCarrs Creek Reserve.

Castle Drumming has now formed Castle Tribe Inc., an incorporated not for profit organisation. Castle Tribe has made a submission to Council seeking permission to use the western area of McCarrs Creek Reserve to hold a community drumming event on the first Saturday of every month as follows:

- To provide individuals and families a drug and alcohol free environment where they can be in nature, connect with friends, share in a picnic, pick up an instrument and dance.
- 12 noon to 1pm set-up tables, chairs, bins, a small fire to cook food and a larger fire in a purpose built fire dish.
- 1pm to 10pm
 - Children's activities (such as painting and craft). The children's' space host will have a working with children check.
 - Sharing and support circles.
 - From sunset, the main fire will be lit and drumming and dancing begins.
 - Designated fire keepers will monitor the fires and trained first aid officers will be on-site.
 - Food and drinks available. No alcohol permitted.
- 10pm to 11pm spoken word activities (such as stories and poetry).
- 11pm to 12 midnight pack up (an inspection would be held the following Sunday to ensure the reserve is clean and tidy).
- Their submission includes a completed Council booking application form, safety plan, risk assessment, code of conduct for attendees, certificate of insurance and written feedback from the RFS.

Council staff have consulted the RFS and Northern Beaches Local Area Command (Police) about Castle Tribe's submission.

The RFS has no objection to Castle Tribe lighting fires provided appropriate fire safety is in place. A permit would not be required outside the Bush Fire Danger Period, 1 October to 31 March. The RFS also recommended they notify adjoining properties of their intent to have fires at their events.

The Police have no objection to the proposed events conditional on noise ceasing at 10pm and they abide by Council's regulations.

Following consideration of the advice from the RFS and Police and an assessment by the Parks and Recreation team, it is proposed that Council consider a 12 month trial for Castle Tribe to hold monthly community drumming events at McCarrs Creek Reserve as outlined below:

- Days and times permitted - first Saturday of the month 12noon to 10pm (includes bump in and bump out).
- RFS conditions are to be met regarding fires including that nearby residents are notified prior to each event and a permit obtained for the Bush Fire Danger Period, 1 October to 31 March.
- No open fires for cooking and alcohol prohibited.
- Organisers to minimise impacts on nearby residents and other users of the reserve.
- Council's usual conditions of use apply.

It is recommended that the submission from Castle Tribe and a 12 month trial be placed on public exhibition for at least 28 days.

CONSULTATION

Council staff have consulted the RFS and Northern Beaches Local Area Command about Castle Tribe's submission.

TIMING

At the conclusion of the public exhibition period the submissions received will be analysed and a report with recommendations presented to the Council for approval.

It is anticipated a decision on the Castle Tribe submission will be made by November 2019.

LINK TO COUNCIL STRATEGY

This report relates to the Northern Beaches Community Strategic Plan Community Outcome - Places for People and this goal:

- Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

Should Council approve Castle Tribe's submission, fees and a bond will be applied as per Council's adopted fees and charges 2019/20 and or 2020/21.

SOCIAL CONSIDERATIONS

Castle Tribe's events would provide opportunities for this group and their supporters to come together.

ENVIRONMENTAL CONSIDERATIONS

Should Council approve Castle Tribe's submission they would be required to minimise impacts on the reserve and to ensure the reserve is clean and tidy after each event. Relevant environmental conditions would apply.

GOVERNANCE AND RISK CONSIDERATIONS

Should Council approve Castle Tribe's submission they would be required to implement their safety and risk management plans. Council would undertake random inspections to ensure conditions of use are being met.

ITEM 13.5	SURF LIFE SAVING CLUBS MINOR WORKS
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/428129
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council's approval to fund the delivery of a range of minor building works on Surf Life Saving Club buildings.

REPORT

At its meeting on 26 March 2019, Council resolved to progress a range of outstanding minor building works for Surf Life Saving Clubs. It is proposed that further works are completed along the same lines. Additional meetings with other Surf Life Saving Clubs (SLSCs) have resulted in works being identified and requested to Council for rectification.

These building works are mostly minor in nature and the completion of these works will assist in the delivery of surf life saving activities on the Northern Beaches and the greater community. The works requested are:

Surf Life Saving Club	Building Works Requested	Estimated Cost
Bilgola SLSC	<p>The club has requested a number of minor works to be completed that will improve accessibility, safety and usability of the facilities. These include:</p> <ul style="list-style-type: none"> - Installation of additional pathway lighting in front of the club building leading to the ocean pool. - Redesign and renewal of the accessible amenities. - Refurbishment of the internal change rooms and toilets. - Installation of an access restriction approach (details yet to be determined) at the base of the internal stairs. 	\$60,000
North Narrabeen SLSC	<p>Following on from some minor internal realignment to provide better space in the club building for the North Narrabeen Board Riders, the club has requested the following works be undertaken to improve some long-standing issues:</p> <ul style="list-style-type: none"> - Replacement of existing foyer tiling with more appropriate tiling and tactile markers. - Installation of a stormwater arrestor tank in the slip lane adjacent to the club to mitigate the localised surface flooding that occurs in storm events directly outside the club. - Installation of CCTV in various locations around the club to assist with the management of unsociable behaviour and vandalism that occurs in the immediate vicinity of the club building. 	\$80,000

Surf Life Saving Club	Building Works Requested	Estimated Cost
Warriewood SLSC	<p>Warriewood SLSC is undergoing a process of masterplanning its building utilising funds provided through the Stronger Communities Fund - Active Play grants. However, the club has requested the following items that will add to the amenity and safety of the club building and local area:</p> <ul style="list-style-type: none"> - Permanent roof over the members' area to allow greater use by members and the community. - Improved signage on the existing access road at the hair pin to improve traffic flow and safety and on the front of the club building for accessible parking. - Installation of CCTV to assist with the management of unsociable behaviour and vandalism that occurs in the immediate vicinity of the club building. 	\$115,000
Dee Why SLSC	The club has requested the replacement of three roller doors which are in poor state, difficult to continually manage and not to the same quality as other existing roller doors in the club. Additionally, the club has requested the exterior of the building be repainted in a new colour that is sympathetic to the local area.	\$70,000
Freshwater SLSC	<p>The club has requested a range of minor works to be performed to increase the functionality of the building as well as to rectify long standing issues being:</p> <ul style="list-style-type: none"> - Enclosure of the roof-top balcony to provide for much needed additional all-weather training space. - Re-alignment of the foyer entry area to provide better circulation space. - Installation of a path and stairs on the south side of the club to formalise a pathway of travel for the community. - Other minor maintenance items. 	\$240,000
Queenscliff SLSC	The club has requested paving upgrade along its oceanside frontage. The existing paving is badly worn and sharp to touch.	\$41,000
		\$606,000

It is recommended that these building requests be approved and funded.

FINANCIAL CONSIDERATIONS

The works will be funded from Council's existing Surf Life Saving Club renewals program budget. The timing of the works delivery would range from immediate to completion later in the financial year and potentially into the next financial year, depending on consultation with each club.

SOCIAL CONSIDERATIONS

These works will assist in the ongoing positive delivery of surf life saving activities for the local community.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The noted projects will be delivered utilising Council's established project management methodology and associated governance structures.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council note the allocation of \$606,000 from the existing Surf Life Saving Clubs' renewal budget to deliver minor building renewal projects for Bilgola, North Narrabeen, Warriewood, Dee Why, Freshwater and Queenscliff Surf Life Saving Clubs.

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1 QUARTERLY REPORT - STRONGER COMMUNITIES FUND AND NEW COUNCIL IMPLEMENTATION FUND

REPORTING MANAGER EXECUTIVE MANAGER STRATEGY AND PERFORMANCE

TRIM FILE REF 2019/366136

ATTACHMENTS NIL

SUMMARY

PURPOSE

To provide a progress report on the outcomes delivered and expenditure of funds 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. The SCF funding has been broken into streams including \$1million for a Community Grants Program, \$14 million into the Connecting Communities Program and a further allocation of \$21.1 million of tied funding across 11 projects. An additional \$10 million was provided to Council under the New Council Implementation Fund (NCIF) to assist with the upfront costs of implementing the new council.

A summary of the program of work and expenditure to 30 June 2019 is below:

Program	Funding	Expenditure to 30 June 2019
Community Grants Program (SCF)	\$1,000,000	\$986,745
Connecting Communities Program (SCF)	\$14,000,000	\$11,366,264
Tied Grants Program (SCF)	\$21,100,000	\$3,367,504
NCIF	\$10,000,000	\$9,405,198
Total	\$46,100,000	\$25,125,711

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That Council note the Stronger Communities Fund and New Council Implementation Fund report for the quarter ending June 2019

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.

In addition, a New Council Implementation Fund (NCIF) was established by the NSW Government to cover the up-front costs of implementing the new council. Northern Beaches Council received \$10 million from the NCIF.

Under the terms of the funding agreement, quarterly progress reports are required to Council on the expenditure and outcomes until these funds are spent.

COMMUNITY GRANTS PROGRAM - \$1 MILLION

The Community Grants Program has been fully allocated to 53 community projects across a variety of focus areas including disability, art and culture, the environment, sporting, supporting people at risk and volunteer organisations with successful applications announced at Council meetings on 16 December 2016 and 25 July 2017. 50 projects have been completed, two this quarter.

The grant recipients are required to report on the outcomes of their project. The projects successfully completed in the quarter were:

Recipient	Project & Outcomes as Reported by the Recipients
Peninsula Community Gardens Inc.	<p>Newport Community Garden \$17,400</p> <p>The grant assisted with the purchase of tools, consumables and equipment as well as garden beds and a tool shed and has transformed Woolcott Reserve, Newport in function, usage and amenity. The Community Garden is now a place for people of all ages, to enjoy, meet and mingle which in return helps combat physical and mental health issues. We support our local businesses by collecting their food scraps, eggshells and coffee grounds to feed our compost and use for pest reduction therefore reducing waste and landfill. In return, we often drop off some herbs and chillies to our local cafes. We encourage our neighbours to help do their bit in waste minimisation by utilising the compost and worm farm facilities. We are building our membership base by promoting the Community Garden through social media platforms, our website and word of mouth and were featured in the September 2018 issue of Pittwater Life.</p>
Scotland Island Residents Association (SIRA)	<p>SIRA Water Booking Automation - \$36,800</p> <p>Automation of the booking system for the delivery of emergency water to the residents of Scotland Island. There have been substantial savings in costs and time spent compared to the previously manual booking system. There is also more accuracy and flexibility in the new system that helps to alleviate bottlenecks and other difficulties with supplying a large number of households through a single supply line</p>

Of the remaining three projects, two are expected to be finalised in the next quarter and the final project prior to December 2019 in order to acquit the \$1 million with the Office of Local Government.

CONNECTING COMMUNITIES PROGRAM - \$14 MILLION FROM SCF

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. There has been significant progress with cycleway connections and shared paths with many of the Active Play projects already completed. Works on playgrounds are in various stages of consultation, design and delivery and are progressing well.

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, accessibility upgrades and new playgrounds at Manly Dam and Clontarf Reserve and upgrades to play areas across the Northern Beaches. It also includes \$4 million for sporting facilities and surf lifesaving clubs. Progress on these programs is below:

Connecting the Northern Beaches – Cycleways and Shared Paths

Since the program commenced 32kms of cycleways and shared paths have been delivered. During 2018/19 works were completed at the following locations:

- Shared path in Howard Avenue, Dee Why to The Strand
- Shared path Newport Oval, Ross Street and Bert Payne Reserve, Newport
- Shared path from Robert Dunn Reserve to Mona Vale Surf Club
- Final section of the shared path on Pittwater Road at Collaroy.

Connecting the Northern Beaches – Coast Walk

Construction of the Coast Walk is well advanced with 5.8kms delivered since the program commenced. Works completed during 2018/19 include:

- 640m in Hillcrest Avenue, Mona Vale
- 380m at Narrabeen Park Parade, Mona Vale from Melbourne Avenue to Robert Dunn Reserve
- 1180m between Hunter Street, Warriewood and Sydney Road, North Narrabeen along Narrabeen Park Parade
- Palm Beach Wharf to Governor Phillip Park, Palm Beach.

In addition, there has been significant progress on the detailed design documentation as well as community consultation for the remaining components.

Connecting All Through Play - Inclusive Play

Work undertaken on Inclusive Play projects during this 12 month period includes:

- Lionel Watts Playground – the construction of the new regional all-abilities playground continues and is on schedule with completion expected in October 2019. The new regional playground will be the largest on the Northern Beaches and caters for children and families of all ages and abilities.
- Clontarf Reserve Playground – public exhibition of the concept plan for Clontarf Beach Reserve including the playground has concluded. The detailed design for the playground will commence following the adoption of the plan by Council in August 2019.
- Manly Dam Playground – public exhibition of the revised design has concluded and Council will shortly release the tender for the construction of the new playground.
- Tania Park Playground is complete and proving very popular with users.

Connecting All Through Play - Active Play

Work on Active Play sporting facilities has progressed during the past 12 months including:

- Lionel Watts West Sporting Amenities – A builder has been appointed, the final design is being refined and construction due to commence early September for completion in March 2020.
- Lighting upgrades are complete at Careel Bay Tennis Club, Forestville Park, LM Graham Reserve and North Narrabeen Reserve.
- Conversion of redundant greens into two new futsal courts at the Manly Vale Calabria Bowling Club.
- The development applications for the proposed lighting at Passmore Reserve and Frank Gray/Mike Pawley is underway and expected to be lodged in September.

Work on Surf Life Saving Clubs has progressed during the past 12 months including:

- South Narrabeen – The Development Application (DA) was approved and work is underway on the lift installation.
- North Steyne – The building is heritage listed. Discussions are underway with the club and heritage planner on how improvements to the accessibility of the facility can be delivered.
- Warriewood – Council is working with club representatives to finalise the scope of the work.
- Queenscliff – The DA has been approved. The club has requested changes which requires a modification to the DA. This will delay the start of building works.
- Mona Vale – The DA was approved in February. The club has requested changes to the floor plan which requires a modification to the DA. This will delay the start of building works.
- Long Reef – A design has been finalised following extensive community consultation. The DA is expected to be lodged in early 2019/20.

Tied Grants Program - \$21.1 Million

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 Saving 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 was abandoned and the funds disbursed among a number of other tied grant projects with confirmation on the reallocation from the Office of Local Government received in October 2018.

Progress on the remaining 10 projects is provided below.

Wakehurst Parkway Flood Mitigation

Council has been investigating options to reduce the smaller but more frequent floods on Wakehurst Parkway. During the 2018/19 financial year a number of investigations were completed to inform the selection and feasibility of a range of flood mitigation options. These investigations centred on understanding the existing constraints associated with Middle Creek and the Wakehurst Parkway surrounds, assessing ecological value, acid sulphate soils, contamination, Aboriginal heritage, volume and age of sediment and utility service locations. These investigations culminated with the preparation of a feasibility study for a number of flood mitigation options.

The Feasibility Study was finalised in the latter half of the financial year and determined that whilst a range of options are available to provide flood free access along Wakehurst Parkway for minor storm events, these options largely involve significant environmental disturbance and are subject to high construction costs. If the works are to proceed, environmental approvals would be required in addition to securing a source of external funding.

Mona Vale Public School: Regional Performing Arts Centre

Council is in discussions with the Department of Education to finalise the revised scope and will then enter into an agreement to provide the funding of \$2.4m for the design and construction of a performance space at the school.

Mona Vale Surf Life Saving Club: refurbishment

The DA was approved in February. The club has requested changes to the floor plan which requires a modification to the DA. This will delay the start of building works.

Long Reef Surf Life Saving Club: refurbishment

A design has been finalised following extensive community consultation. The DA is expected to be lodged in early 2019/20.

Currawong Beach Heritage: refurbishment and upgrade of existing infrastructure

A Section 60 application to the Heritage Council of NSW has been lodged for the stage 1 works which comprises the refurbishment of three cabins, games room, pathway and retaining wall. Works are expected to commence in late 2019 and carry on through 2020.

A development application has been prepared for stage 2 which comprises proposed refurbishments to six cabins and associated landscaping. The DA has been lodged.

The extent of DA approved items that will be delivered from the SCF will be determined as project costs are defined following a call for tenders.

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.

Construction of the footpath between Delecta Avenue and Taylors Point Wharf was completed and opened to the public in July 2019. This project will now be acquitted.

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

Stage 2 has been completed including new stair and path access to Careel Bay foreshore and finishing works for the George Street seawall. This project will now be acquitted.

- 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.

All works being funded by the grant have been completed and have been favourably received by the community. Work included formalising a path from Black Rock to the Wilshire Park, landscaping, upgrading the plaza area at Ocean Place and road and drainage renewal. Works will continue in 2019/20 with finishing works around Wilshire and Horden Parks and safety improvements at Kiddies Corner. This project will now be acquitted.

Scotland Island Wastewater Feasibility Study

This study is assessing the feasibility of providing a reticulated water and/or wastewater service to Scotland Island. The consultants have finalised the high level review of social and environmental factors and conducted a multi-criteria analysis of a longlist of options for water and wastewater services. The shortlisted options were discussed with and endorsed by the Community Working Group. The shortlisted options are now being assessed for commercial feasibility, including costing of the options. This is the final step of the project. Professional peer review of the project is continuing.

Northern Pittwater Permanent Netball Courts

This includes four new hardcourts, lighting and ancillary infrastructure at Avalon Beach for training.

Council is currently publically exhibiting the concept plan for the netball courts and the proposed plan of management changes to enable the works. It is expected a final concept plan and plan of management will be presented to Council for consideration in August 2019.

Newport Surf Club Refurbishment

Further reports including a coastal hazard report and a geotechnical report have been commissioned to enable the project to progress to lodgement of a development application.

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.

Works have commenced at the school and progressing well.

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 NCIF:

- 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 NCIF 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 councils 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.

Remaining funds and any accrued interest will be spent on the following operational areas:

- Continued signage rollout
- Internal website.

CONSULTATION

Significant consultation has been undertaken during the year utilising a wide array of engagement tools and mechanisms across the many and varied projects that the Stronger Communities Fund is helping to deliver.

Engagement planned over coming months includes:

- Scotland Island Community Working Group meeting to discuss the results of the commercial feasibility assessment of shortlisted options, including costings. They will be encouraged to discuss the findings with the wider Scotland Island Community and provide feedback. The meeting is likely to be held in September
- North Pittwater Netball Courts is currently undergoing consultation
- Joint Use Project Agreement meetings with Department of Education to finalise revised scope of Mona Vale Performance Space
- Continuing consultation on Mona Vale SLSC, Warriewood SLSC, Queenscliff SLSC, Mona Vale SLSC and Nth Steyne SLSC
- Ongoing consultation with residents on Whale Beach Road, regarding pathways
- Notification to residents on outcome of the Newport to Avalon consultation
- Consultation with residents at Palm Beach regarding Ocean Road between Black Rock to the Golf Club.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

At 30 June 2019, a total of \$20,104,331 has been spent on the *Connecting Communities Program*, *Community Grants Program* and *Tied Grants* of which \$15,599,854 is from the SCF as follows:

Program	Total Expenditure	SCF
Community Grants	\$986,745	\$986,745
Connecting Communities		
• Cycleways	\$6,361,944	\$2,377,954
• Pathways	\$5,195,261	\$4,848,972
• Inclusive play	\$3,215,680	\$3,120,659
• Active Play	\$1,038,200	\$1,018,680
Tied Grants	\$3,427,160	\$3,367,504
Total Expenditure	\$20,224,980	\$15,720,514

Any interest earned will be applied to the balance of available funds to be expended against the approved projects.

At 30 June 2019, a combined total of \$9,405,198 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	\$3,169,961
Signage	\$192,012
Website	\$675,252
Change Management	\$601,158
System Upgrades	\$20,563
Other	\$187,780
Total Expenditure	\$9,405,198

Remaining funds and any accrued interest will be spent on the following operational areas:

- Continued signage rollout
- Internal website.

SOCIAL CONSIDERATIONS

The entire Northern Beaches community will benefit from significant social, health and well-being improvements derived from use of this community infrastructure. It will connect people and places through improved active and public transport links and upgraded community infrastructure, this includes programs implemented by our community groups.

ENVIRONMENTAL CONSIDERATIONS

Environmental impact assessments form part of the detailed design for the major projects. 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

Funds continue to be expended in line with the commitments previously outlined to the Office of Local Government (OLG).

ITEM 14.2	PUBLIC EXHIBITION OF THE DRAFT MANLY WEST ESPLANADE HERITAGE ACTIVATION PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2019/313784
ATTACHMENTS	<ol style="list-style-type: none"> 1 📄 Draft Manly West Esplanade Heritage Activation Plan (Included In Attachments Booklet 5) 2 📄 Draft Manly West Esplanade Activation Plan Community Engagement Report (Included In Attachments Booklet 5) 3 📄 Heritage Report - Manly West Esplanade Heritage Activation (Included In Attachments Booklet 5) 4 📄 Proof of Concept Royal Hoskoning (Included In Attachments Booklet 5) 5 📄 Manly West Esplanade Safety Strategy Report UTS (Included In Attachments Booklet 5) 6 📄 Manly Cove - Coastal Zone Management Plan (Included In Attachments Booklet 5)

SUMMARY

PURPOSE

To seek Council approval for the Draft Manly West Esplanade Heritage Activation Plan to be placed on public exhibition.

EXECUTIVE SUMMARY

This report provides the background, outcomes and recommendations of the Draft Manly West Esplanade Heritage Activation Plan (the Plan), with a view to placing the plan on public exhibition.

The objective of the Draft Manly West Esplanade Heritage Activation Plan is to provide Council and the NSW Department of Planning, Industry and Environment with a Heritage Activation Plan for Manly West Esplanade. The plan takes into account social, cultural and environmental factors that affect this sensitive and popular site. The plan aims to create a pathway for action and identifies projects that are feasible for Council to deliver in the future.

The following Community Strategic Plan (CSP) goals are the major goals that align with the project:

- Goal 1 – Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations
- Goal 8 – Our neighborhoods inspire social interaction, inclusion and support health and wellbeing
- Goal 9 - Our community is healthy, active and enjoys a broad range of creative and recreational activities.
- Goal 10 – Our community is stimulated through a diverse range of cultural and creative activities and events

Extensive community engagement, marketing and communication have been undertaken to engage with and inform the community about the Manly West Esplanade Heritage Activation Project.

Throughout the engagement process 2773 people were informed, with 812 written submissions received, making a total of 3585 people engaged during the Community Engagement period. The Draft Plan is informed by that feedback.

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That:

- A. Council place the Draft Manly West Esplanade Heritage Activation Plan on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

In 2018, Manly Aquarium closed its operations citing that the purpose built site was no longer viable. The closure of the Manly Aquarium sparked a community conversation about what was to happen with the Manly Aquarium building and the surrounding attractions of the West Esplanade.

The Roads and Maritime Service (RMS) owns the Manly Aquarium and the Pavilion site. As Council does not own these assets, our position is to influence the decision regarding the Aquarium and the surrounding area on behalf of our community. The Manly West Esplanade Heritage Activation Plan informs Council's position.

In addition to the Aquarium closure, there is community interest in restoring the former boardwalk and in general the unique historical heritage of the area.

Accordingly, Northern Beaches Council began to explore various options about how the area could be revitalised and renewed.

The Draft Manly West Esplanade Heritage Activation Plan

In early September 2018, Northern Beaches Council received a grant from the (then) Office of Environment and Heritage for \$100,000 to undertake a Heritage Activation Study of Manly West Esplanade, to develop an environment and heritage plan.

The objective of the Draft Manly West Esplanade Heritage Activation Plan (Attachment 1) is to provide Council and the (now) NSW Department of Planning, Industry and Environment with a plan that focuses on and addresses the local and state significant heritage and environmental features of the site.

The objectives of the project are:

- To define opportunities and initiatives to increase public utilisation and appreciation of the West Esplanade site
- To highlight the Aboriginal history both pre and post settlement of the West Esplanade area
- To investigate showcasing the Manly Art Gallery and Museum former façade
- To investigate the future of the vacant Manly Aquarium
- To investigate as a proof of concept the restoration of the former boardwalk
- To ensure the Plan provides a strategic implementation framework.

The project team has undertaken an in depth search of Council records to find any relevant environmental and historic information for the West Esplanade area. In addition, the team consulted the Aboriginal Heritage Office, Council's Sustainability and Environmental teams and engineers to identify any other records that may provide information regarding the risks and opportunities for the area.

The Draft Plan will provide guidance for Council to deliver outcomes and improvements in the area in a planned and staged approach that will promote activation and provide historical context that will reflect the Aboriginal cultural heritage and the significance of the natural environment including the endangered species that reside in the area of the Manly West Esplanade and the Manly Cove Coastal Zone.

This plan also aims to create a balance and take into account the many ecological factors that may need to be considered while Council considers the sites capacity to bring greater community and tourism visitation to Manly West Esplanade, through the Northern Beaches Destination Management Plan, the Manly Place Plan and the Bondi to Manly Walk, which begins and ends at this significant site.

The following studies and reports make up the research that has been undertaken to interpret the site constraints and opportunities and have shaped the recommendations that are made in the Draft Plan. Several of the studies were made possible by the Heritage Activation Grant and include the following:

- Manly West Esplanade Heritage Activation Heritage Plan – Draft Plan, (Attachment 1)
- Manly West Esplanade Heritage Activation Heritage Plan – Draft Community Engagement Report, (Attachment 2)
- Heritage Report, Manly West Esplanade Heritage Activation Plan– North Point Heritage Pty Ltd. (Attachment 3)
- Manly Cove - Review of Environmental Factors - Cardno - Environmental
- Manly West Esplanade Precinct - Proof of Concept for Feasibility Study of Heritage Boardwalk – Royal Haskoning DHV and Muller Partnership Quantity Surveyors. (Attachment 4)
- Manly West Esplanade Heritage Activation - Community Safety Strategy Report, UTS – School of Built Environment – Masters of Project Management. (Attachment 5)
- Manly Cove Coastal Zone Management Plan – November 2011 (Attachment 6)

Focusing on the cultural, heritage and natural elements has been essential for the project team to effectively engage with the stakeholders who use West Esplanade and care about how Council delivers the project.

The Plans will assist Council in facilitating best practice processes for:

- Decisions regarding future development of the built form in the area
- Decisions regarding the Manly Cove Coastal Management Zone
- Decisions about future use of the open space of the area
- Site improvement identification of the public amenity such as seating, lighting and community safety
- Appropriate plantings, furniture and fixture materials and interpretive signage
- A recommended maintenance and place management program for the area that meets our community expectation
- Safety in design of the area.

The draft Manly West Esplanade Heritage Activation Plan is underpinned and will be implemented in accordance with the Manly Cove Coastal Zone Management Plan 2011 and the Northern Beaches Heritage policies. These documents provide policy and procedures for the management of the Coastal Zone.

The Draft Plan consists of the following contents:

The Heritage Activation Plan Aims

Plan Process

Project Constraints

West Esplanade Site Analysis

The Site

Property Ownership

Land Zoning

Land Use

Transport and Access

Community Engagement Summary

Draft Heritage Activation Plan Vision and Design Principles

West Esplanade Heritage Analysis

Summary of Heritage Items

Timeline of Key Events in West Esplanade's History

Heritage Activation Opportunities

West Esplanade Safety Strategy Recommendations

Former Aquarium Site Recommendations

Boardwalk Reinstatement Concept

Boardwalk Proof of Concept for Feasibility Report

Boardwalk Reinstatement Concept Environmental Factors

Boardwalk Reinstatement Concept Recommendations

Manly West Esplanade Site Activation Draft Implementation Plan

Manly Art Gallery and Museum Area Site Activation

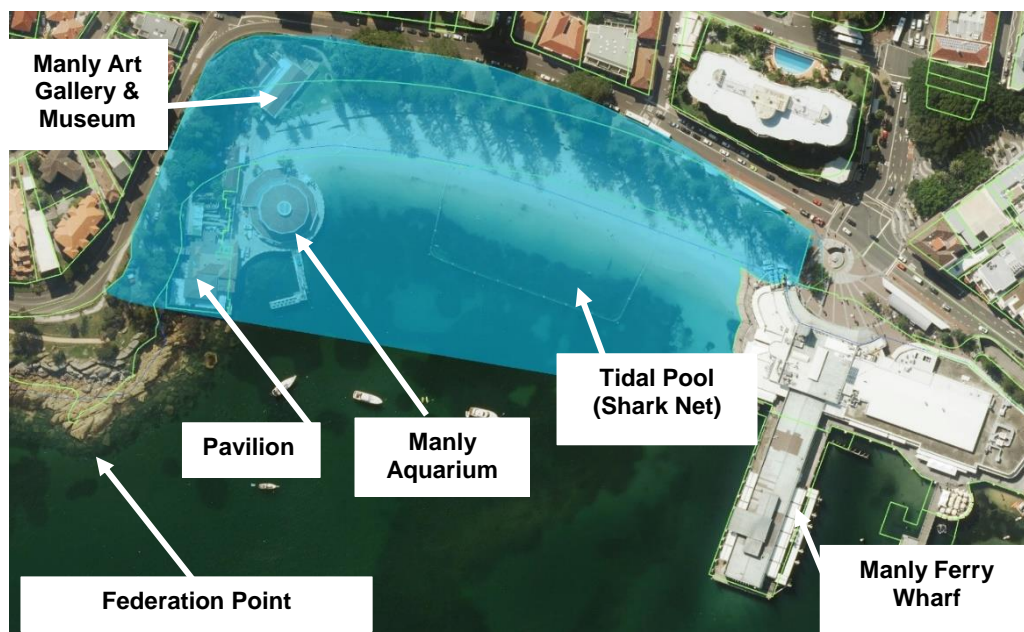
Pavilion and Aquarium Area Site Activation

Promenade and Park Area Site Activation

Beach and Cove Area Site Activation

The Site

The site area highlighted in blue



The area includes a number of landowners and long term tenants including Northern Beaches Council, NSW Department of Planning, Industry and Environment, Crown land (managed by Northern Beaches Council) and Roads and Maritime Services (RMS) (Pavilion, Manly Aquarium and Ferry Wharf).

The site area consists of RE1 zoning from the Manly LEP 2013 and W2 zoning from the Sydney Regional Environmental Plan (Sydney Harbor Catchment) 2005.

Note: that the Draft Plan includes the RMS owned properties and will provide a recommendation by Council to the RMS for the future use of these sites.

Environmental Features of the Site

High-level environmental investigations have revealed a number of sensitive environmental elements in the West Esplanade area including but not limited to:

- Endangered seagrass
- Endangered seahorses (Whites Seahorse)
- Endangered colony of little penguins
- Pockets of remnant bushland at Federation Point
- Endangered long-nosed bandicoots
- Threatened grey-headed flying foxes
- Soft and hard corals
- Rich local marine life.

The West Esplanade section of Manly Cove area is being considered for listing as an Aquatic Reserve as part of an extension of the North Harbor Aquatic Reserve under the NSW Marine Estate Reforms. A report came to Council on 25 September 2018 and Council resolved:

- A. *Council notes the aim of the NSW Marine Estate Reforms is to protect the significant environmental value of sites within the Hawkesbury Shelf marine bioregion by reducing risks at a local scale from some site-based threats, helping to conserve marine biodiversity, whilst allowing for a wide range of recreational and commercial activities to still occur.*
- B. *Council supports the proposed NSW Marine Estate Reforms for the five sites included in the proposed Marine Park for the Hawkesbury Shelf marine bioregion for the Northern Beaches, and will prepare a submission to the State Government in support of the reforms as recommended by the Marine Estate Management Authority.*

CONSULTATION

The Manly West Esplanade Heritage Activation project was on Community Engagement from 16 March to 15 April 2019. Extensive stakeholder and community engagement, marketing and communication were undertaken to engage with and inform the community about the area.

The objective of the engagement was to understand what the public wanted from the West Esplanade, how they used the space, what the community felt could be enhanced, what they did not like about the area, as well as provide information that showed the cultural, heritage and natural significance of the West Esplanade.

The consultation process was designed to reach a diverse population sample from across the Manly West Esplanade Local Government Area. The engagement methods were primarily qualitative in method as well as seeking community priorities and areas of importance.

A range of community engagement activities were designed to show the cultural, social, environmental and heritage significance of the West Esplanade.

The activities that were undertaken were as follows.

- Intercept Survey at Manly Warf
- Public Information sessions
- Special interest consultations
- Open Pop Up consultation, exhibition activation
- Community Survey
- Notifications and information

During this time Council's Your Say Page received registrations of interests by residents and community groups.

Throughout the engagement process 2773 people were informed, with 812 written submissions received, making a total of 3585 people engaged during the Community Engagement period. A positive response was received around maintaining and highlighting West Esplanade's heritage along with a number of improvements suggested for the area including to maintenance, landscaping, street furniture, amenities and water based activities. This feedback has been incorporated into the recommendations for the Draft West Esplanade Heritage Activation Plan.

The main message from the community was that they would like a softer family friendly, accessible environment for both the local community and visitors. This is in contrast to the busy Manly Corso and activity of Manly Beach. Residents and visitors were particularly interested in the Aboriginal history of the site with many being aware of some history.

Key Outcomes from the community engagement study:

- Maintain and celebrate the heritage of the area
- Ensure the area is a safe, family friendly place to be
- Maintain public waterfront access
- Protect the natural environment
- Highlight the Manly Art Gallery and Museum
- Embrace the community need for soft natural social environments
- Play area for children (natural not equipment).
- Water activity places for adolescents to jump from that are safe
- Demolish the Aquarium to enhance the Pavilion building.

Heritage Study

North Point Heritage Pty Ltd was contracted by Council to undertake a Heritage Assessment of the built environment as well as a comprehensive history of the site.

The brief was to research and reveal the cultural, heritage and natural significance of the Manly West Esplanade. This was with the view to being able to create an excellent experience for both the local community and visitors and showcase this unique site. The Heritage Report is Attachment 3.

The Boardwalk – Proof of Concept Study

A high level proof of concept was undertaken to assess the viability of a boardwalk. The proof of concept by its nature is indicative and is based on assumptions as to its construction and usage. Further detailed analysis and community engagement would be required as to construction, risks, usage, operations etc. if Council wished to consider further its re-instatement.

Proof of Concept for the feasibility of the construction of a Boardwalk - Engineering

From an engineering perspective, our engineering staff identified a number of risks and challenges that exist for the construction of the boardwalk including:

- Highly exposed location
- Impact of climate change on sea level rise and adverse weather conditions
- Storm water flood zone (downstream)
- Significant strength of structure required to survive a 1 in 500 year storm event
- Strength of structure required to survive a boat strike in particular from the Manly Ferry
- Challenges around maintaining a sizeable netted area while not impacting marine life
- Safety in design.

Note: This material was provided as the brief for the marine engineers and quantity surveyor to develop a proof of concept regarding the buildability of the board walk.

Summary of Proof of Concept – Preliminary Feasibility Study

Marine and Maritime Engineers - Royal Haskoning DHV were engaged to provide advice on the proof of concept for rebuilding the boardwalk at West Esplanade. They worked with a Quantity Surveyor, Muller Partnership to determine costs for approval, construction and maintenance based on restoration of a boardwalk of similar scale to what was destroyed in 1974.

The cost estimate was developed based on a design concept, similar in aesthetic and size to the original 1931 boardwalk. Robust materials were chosen to minimise future maintenance and protect the boardwalk from destruction, such as concrete piers and plastic/wood composite deck planks.

The order of cost estimate for construction has been calculated by Royal Haskoning DHV and Muller Partnership as \$12.4 million. This cost estimate is indicative and may escalate due to time and design additions such as water amusements.

For further details see Attachment 4 Manly West Esplanade Precinct - Proof of Concept for Feasibility Study of Heritage Boardwalk – Royal Haskoning DHV and Muller Partnership Quantity Surveyors

TIMING

The Draft Heritage Activation Plan will be on exhibition for a minimum of 28 days of Public Exhibition.

Staging of implementation of the recommendations.

The recommended items for improvements have been selected by the West Esplanade Heritage Activation Steering Group (PSG), specialist Consultants Reports and through the community engagement process.

The improvements include upgraded signage, lighting, furniture, pruning of vegetation and an increased maintenance regimen.

The improvements will be undertaken in at least three stages, with lighting, signage and cosmetic improvements prioritised to Stage 1 (future stages subject to future budget and Council consideration).

Further improvements that are more significant in cost and complexity such as the removal of the Aquarium or changing the pool structure will require more planning and consultation with the RMS and other stakeholders. These improvements will be included in later staged work plans.

Recommendations of the Heritage and other studies have been categorised in three stages for improvements to occur. In summary these are:

Stage 1

- The maintenance and repair of the existing area furnishings and fixtures to improve the amenity (funded within 2019/20 budget)
- Repair, improve and consolidate signage and lighting in the area (funded within 2019/20 budget)
- Improve and consolidate bike parking (funded within 2019/20 budget)

- Continue discussions with RMS regarding the future of the Aquarium site with the recommendation that the general community preference is that the Aquarium is demolished to podium level

Stage 2

- Undertake a redesign and refurbishment of the key areas of the site to enhance community family friendly use that includes comfortable seating, landscaping, accessibility improvement (funding subject to future budget and Council considerations).

Stage 3

- Aquarium demolition and replacement (RMS responsibility) with a community space to be further designed and at that stage possible re-investigation of boardwalk (funding subject to future budget and council considerations).

LINK TO COUNCIL STRATEGY

The report relates to the following Community Strategic Plan (CSP) outcomes:

- Protection of the Environment:
 - Goal 1 – Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Places for People:
 - Goal 8 – Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
 - Goal 9 – Our community is healthy, active and enjoys a broad range of creative and recreational activities.
 - Goal 10 – Our community is stimulated through a diverse range of cultural and creative activities and events.

FINANCIAL CONSIDERATIONS

An allocation of up to \$100,000 has been included in the Parks and Recreation Program for the 2019-2020 budget to commence the project. This sum is for the implementation of Stage 1 items that can be immediately progressed to provide a more enhanced user-friendly amenity for the Manly West Esplanade.

It must be noted that all future stages of proposed works and/or concepts are subject to future budget planning and allocations and Council consideration.

SOCIAL CONSIDERATIONS

The social and community impact of implementing the Draft Manly West Esplanade Heritage Activation Plan over the next few years will be that the community will have an improved amenity that will activate and add vibrancy to the West Esplanade.

The project will provide educational opportunities for the community to find out more about Aboriginal and Australian history as well as our natural and endangered species.

The implementation of the draft Plan will serve to connect the community through the history and nature 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 passive and active recreation, events, and historic and environmental education activities.

The cultural significance of the site eventually will be able to be brought into new designs for the public domain works to encourage strong open community engagement.

Innovation and Safety

Interactive and alternative forms of technology can be used to create exciting new opportunities for user experiences. To enhance the experience of the Manly West Esplanade an application (App) that is currently under development on another project can be developed to guide people around the heritage features of the West Esplanade and their journey in engaging with this extraordinary natural environment and historic site.

The App will assist addressing the local and visitor request for more information about our area and its Aboriginal heritage, recent history and the natural significance of the Manly West Esplanade and Manly Cove. It could be an educational tool available for schools and the public.

The objective is to ensure that through education our site is appreciated, cared for by visitors and protected by our community as its custodians.

In addition, the Safety Strategy Report (Attachment 5) proposes a number of innovative lighting installations to enhance the safety of the site at night.

ENVIRONMENTAL CONSIDERATIONS

Feedback from some of the community indicates that they do not want to see the natural environment reduced by further development of the West Esplanade. The site is highly valued by the community. This is due to it being a passive place in comparison to other places in Manly.

Any activity or construction that occurs in the area should be undertaken in accordance with the Manly Cove Coastal Zone Management Plan – November 2011

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 the project delivery.

GOVERNANCE AND RISK CONSIDERATIONS

To facilitate the project, a clear governance framework was developed and agreed upon in line with 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.

Additionally, to moderate public and Council expectations, it must be noted that all future stages of proposed works and/or concepts are subject to future budget planning and allocations and Council consideration.

ITEM 14.3	ADOPTION OF A NEW CATEGORY FOR FEE WAIVER/REDUCTION
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2019/428073
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To consider submissions received on, and approve a new category for fee reduction/waiver and delegate the exercise of the function to the Chief Executive Officer.

EXECUTIVE SUMMARY

At its meeting on 25 June 2019, Council approved the public exhibition of a proposed new category for fee reduction/waiver. This will allow for fees in Council's Schedule of Fees and Charges 2019/20 to be reduced or waived in circumstances where a fee is considered unreasonable or inappropriate.

The proposed new category was exhibited and seven submissions received. All submissions supported the new category. Some submissions raised additional matters and a detailed response is in the body of the report.

In addition to seeking approval of the new fee reduction/waiver category, it is recommended that the function be delegated to the Chief Executive Officer to streamline the approval process for efficiency.

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That:

- A. Council adopt the following additional category of fee hardship/discount in 2019/20:
- Authority to vary, waive, reduce or determine various fees as detailed in Council's Schedule of Fees and Charges in those circumstances where the specified fee is unreasonable or inappropriate in exceptional circumstances and subject to all decisions and reasons being documented*
- B. In accordance with section 377(1) of the *Local Government Act 1993*, this function be delegated to the Chief Executive Officer.
-

REPORT

BACKGROUND

On 26 June 2019, Council resolved to exhibit a new category of hardship for fee reduction/waiver in accordance with section 610E of the Local Government Act 1993:

- a. *The following category of fee hardship/discount be publicly exhibited:*
Authority to vary, waive, reduce or determine various fees as detailed in Council's Schedule of Fees and Charges in those circumstances where the specified fee is unreasonable or inappropriate in exceptional circumstances and subject to all decisions and reasons being documented.
- b. *Any submissions be reported to Council and consideration also be given to delegating this function to the Chief Executive Officer (section 377 (1) of the Act).*

The new category will allow Council in exceptional circumstances to reduce or waive a fee in the Schedule of Fees and Charges where it is considered to be unreasonable or inappropriate. Delegating this function to the Chief Executive Officer will also allow for a timely response to applicants as well as saving time for Councillors and staff in preparing and considering reports on individual applications.

CONSULTATION

Exhibition

The amendment was exhibited from 4 July to 4 August 2019. It was promoted in the Manly Daily (6, 13, 20 and 27 July), online on the website and community engagement platform. It was also included in bulk emails to 24,000 recipients on our Community Engagement Register.

Details of the existing fee waiver and reduction categories, as well as how to make a submission, were available on the online community engagement page.

Consideration of Submissions

Seven submissions were received and all supported the proposed category of fee reduction/waiver. Additional issues were raised in submissions and they are considered below.

Issues/Themes	Response
Documentation requirements for all fee waiver or reduction categories should be the same	Where fees are waived or reduced under this or any other hardship category it is a requirement that it be appropriately documented. The existing categories are: <ul style="list-style-type: none"> • Fee reduction for financial hardship • One-off venue hire for event that delivers broad community benefit • Provision of services to one-off event that delivers broad community benefit
Report each fee waiver to the next Council meeting	As noted above Council already has in place categories of hardship to waive/reduce fees. This is dealt with under delegation. The value of fee reduction/waiver in most cases is minimal. Reporting to Council would add additional cost in terms of staff and Councillor time and is not supported.

Issues/Themes	Response
Suggesting fees be reduced for promotional purposes for some of the commercial activities Council operates	Fees in the Schedule of Fees and Charges 2019/20 provide scope for some of the commercial operations such as Sydney Lakeside Holiday Park to reduce fees as a way of marketing the business. At this stage it is not envisaged that the new category of fee reduction waiver will be used for this purpose. However, this will be considered more broadly in the development of fees for 2020/21.
<p>Kimbriki's fees:</p> <p>Reduce waste charges to charities such as opportunity shops, as they are costly for their operations.</p> <p>Allow residents free access to tip green waste (under 300kg per load) on more than one occasion per day.</p>	<p>Council is unable to reduce or waive fees set by Kimbriki Environmental Enterprises (KEE) who operate Kimbriki. KEE has an independent board responsible for running the site and setting fees on behalf of shareholders (Mosman and Northern Beaches Councils).</p> <p>However, under the following existing Council policies, subsidised access for registered charities is provided to dispose waste on site:</p> <ul style="list-style-type: none"> • Kimbriki Recycling and Waste Disposal Centre - free access to community organisations (Warringah Policy POF-PL 817) • Kimbriki Resource Recovery Centre – free access (Pittwater Policy no. 83) <p>Northern Beaches residents receive a higher level of service than neighbouring councils in relation to the collection and disposal of green waste. This includes two large green bins at no cost, and allocation to tip 300kg vegetation at Kimbriki per day for free. Further changes to this are not supported.</p>
Reduce charges for or hiring of community halls and centres by not-for-profit groups	Fees are set in line with Council's Pricing Policy and Not-for-Profit and concession rates are, and will continue to be, heavily subsidized. The majority of fees for community centres were reduced significantly in January 2019 following a review in 2018.

It is recommended that the new fee reduction/waiver category be approved and the function be delegated to the Chief Executive Officer, to streamline the approval process.

TIMING

Once approved by Council the new fee reduction/waiver category will apply. The Schedule of Fees and Charges 2019/20 will be revised.

LINK TO COUNCIL STRATEGY

This aligns with the following goals of the Community Strategic Plan:

- Goal 19: Our council is transparent and trusted to make decisions that reflect the values of the community
- Goal 20: Our council efficiently and effectively responds to, and delivers on, the evolving needs of our community

FINANCIAL CONSIDERATIONS

The impact on the budget will be considered on a case-by-case basis in deciding on the extent of the fee reduction/waiver. It is anticipated that the introduction of the new category of hardship will not have a material impact on Council's budget.

SOCIAL CONSIDERATIONS

The proposed changes will enable Council to promptly respond to exceptional circumstances where fees are unreasonable or inappropriate and causing distress in the community.

ENVIRONMENTAL CONSIDERATIONS

This report does not contain any environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

Each case for fee waiver or reduction will need to be clearly established and documented, to be considered for approval.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 23/2019 - FLYING THE TORRES STRAIT ISLAND AND ABORIGINAL FLAGS
TRIM FILE REF	2019/407459
ATTACHMENTS	NIL

Submitted by: Councillor Ian White

MOTION

That Council:

- A. Routinely fly the Aboriginal and Torres Strait Island flags from the lit flagpoles in Manly, Dee Why and Mona Vale in addition to the National Flag. This would comply with current State Government protocols.
- B. Endeavours to fly the Torres Strait Island and Aboriginal Flags where practical to nearby flagpoles adjacent to National Aborigines and Islanders Day Observance Committee week events.

BACKGROUND FROM COUNCILLOR IAN WHITE

During National Aborigines and Islanders Day Observance Committee (NAIDOC) Week this year only the Dee Why flag pole flew the National, Aboriginal and Torres Strait Island flags for the whole week. Mona Vale and Manly flags were flown during the later part of the week. This was very much noticed by those attending NAIDOC Week festivities. There was a function at Avalon Library where no flags were flown despite there being three flag poles.

ITEM 15.2

NOTICE OF MOTION NO 24/2019 - UNITED ACTION TO STOP SUICIDE

TRIM FILE REF

2019/433841

ATTACHMENTS

NIL

Submitted by: Councillors Stuart Sprott; Vincent De Luca OAM; Kylie Ferguson

MOTION

That Council:

- A. Sadly notes, suicide rates continue to rise on the Northern Beaches and in our sister city of Brewarrina.
- B. In an effort to provide meaningful assistance to our sister city, Brewarrina, requests Council staff furnish a report within the next three months:
 - a. Investigating Northern Beaches Council funding up to two Indigenous Leaders from Brewarrina and surrounds to attend next year's National Suicide Prevention Conference.
 - b. Investigating providing funding to enable the Asist and safeTALK Program or an equivalent with an indigenous facilitator and trainer to be delivered in Brewarrina and surrounds.
 - c. Investigate providing financial assistance to training up two Indigenous leaders in suicide prevention from Brewarrina or surrounds in delivering suicide prevention, intervention and postvention assistance.
 - d. Investigate delivering per quarter the Asist and safeTALK programs once per quarter on the Northern Beaches.
- C. Seeks to become a model for leadership in suicide prevention, develop innovative ways to support Northern Beaches residents to prevent suicide and that Council sign and Councillors be invited to sign The National Suicide Prevention Charter, with the aim to be signed on 10 September, 2019, being World Suicide Day.



ITEM 15.3	NOTICE OF MOTION NO 25/2019 - CALL FOR DEBATE ON NUCLEAR ENERGY
TRIM FILE REF	2019/446261
ATTACHMENTS	NIL

Submitted by: Councillor Pat Daley OAM

MOTION

That Council write to the Federal Government regarding the following:

Northern Beaches Council calls on the Federal Government to start full consultation with the Australian community regarding the possible introduction of nuclear power, as a source of clean, reliable, and affordable energy into the future.

BACKGROUND FROM COUNCILLOR PAT DALEY OAM

This motion is moved on behalf of quiet Australians many of whom, whilst being very concerned about the environment, are also concerned about the escalating costs of energy and the billions being spent on renewable energy subsidies. These subsidies are greatly distorting the market and, in so doing, costing the economy billions each year. Renewable energy subsidies are lining the pockets of a few at the expense of many. We need to have a much more level playing field when it comes to energy policy.

If council can be involved with issues such as opposing the Adani coal mine in Queensland then I believe all views and ideas regarding energy policy should be discussed on Council.

Front line charity workers are reporting on the increasing hardship being felt by the more marginalised and vulnerable in the community. Many older Australians are now going to bed in the afternoon, as an alternative to costly night time heating during winter months. We ask, is this the kind of Australia we want to live in?

We acknowledge that the climate is changing and the community is demanding Government action.

We acknowledge the need for the appropriate development of renewable energy; however, Council should also acknowledge that the battery power technology required to make renewable energy viable for providing base-load power is inadequate.

Accordingly, the roll-out of renewable energy should not be at the cost of other clean alternatives. Renewable energy roll-out must not be progressed at indecent haste, at the expense of jobs and business viability.

Nuclear energy is the only emissions free alternative to renewable energy, which is capable of providing base load power.

ITEM 15.4	NOTICE OF MOTION NO 26/2019 - DECLARATION OF CLIMATE EMERGENCY
TRIM FILE REF	2019/467118
ATTACHMENTS	NIL

Submitted by: Councillors Natalie Warren; Alex McTaggart

MOTION

That Council:

- A. Thank the Environment Strategic Reference Group for their ongoing focus on climate change action and their support in developing the draft Environment and Climate Change Strategy.
- B. Note that even with ambitious emissions reduction targets on the Northern Beaches, so much of what we need to achieve rests with other levels of government both within Australia and across the world.
- C. Join over 900 jurisdictions worldwide, including 35 Australian councils, and declare that we are in a state of climate emergency that requires immediate action by all levels of government.
- D. Brief Councillors within 3 months of what Council is doing currently and can do in future to accelerate action on climate change, including the action plans being developed under the Environment and Climate Change Strategy.
- E. Noting the NSW State Government's laudable target of net zero emissions by 2050, write to the NSW Environment Minister the Hon. Matt Kean and Premier the Hon. Gladys Berejiklian, as well as the relevant federal MPs and Prime Minister, to ask them to declare a Climate Emergency as a pathway to achieving this target.
- F. Inform our local state and federal MPs of this resolution and request that they continue to advocate for strong climate action at state and federal government level, and set up meetings with them to immediately identify opportunities for partnership.

BACKGROUND FROM COUNCILLORS NATALIE WARREN; ALEX MCTAGGART

For many months the members of the Environment Strategic Reference Group (SRG) have been working on the new Environment and Climate Change Strategy (E&CC). From those discussions, a request was made that Council join over 900 Australian and overseas jurisdictions by officially declaring a Climate Emergency and put this into action by quickly developing the action plans contained within the E&CC Strategy. This was formally adopted at the Extraordinary Meeting of the Environment SRG on 13 August 2019.

A Climate Emergency declaration issued by a body in authority, such as a government or local council, can be a powerful catalyst for community-wide action and should be paired with a clear action plan. A declaration of a climate emergency raises awareness of the need to take urgent action, whilst demonstrating that the Northern Beaches Council takes the climate crisis seriously by developing plans to reduce emissions locally.

Today, over 900 councils around the world, representing over 200million people, have declared a climate emergency. The UK Parliament declared a climate emergency with bipartisan support. In

Australia, 35 councils representing over 3.5 million residents have already declared a climate emergency. This includes City of Sydney, Newcastle, Yarra City, Randwick and many more.

The Northern Beaches has a proud legacy of far-sighted sustainability initiatives and has demonstrated the ability to create positive change locally. Successful strategies and lessons learned from behaviour change campaigns by local community groups are key to the transition to a low carbon future.

State and Federal support is imperative to scale up these local actions and a Climate Emergency Declaration at Council's level would be a powerful signal that the community takes the threat of climate change seriously and demands action. In the short term, Council's Declaration of a Climate Emergency would send a strong message to the community that there is hope and a strong commitment to the work to be done.

At an extraordinary meeting of the Natural Environment SRG held on 13 August 2019 the community representatives unanimously called for Council to join with over 900 jurisdictions worldwide in declaring a climate emergency.

ITEM 15.5	NOTICE OF MOTION NO 27/2019 - IVANHOE PARK
TRIM FILE REF	2019/469723
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

That Council:

- A. Review the existing Plan of Management for Ivanhoe Park.
 - B. Prepare a Heritage Conservation Plan for Ivanhoe Park, under the Heritage Act.
 - C. Prepare a masterplan for the improvement and embellishment of Ivanhoe Park.
-

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

Manly's Ivanhoe Park, including Manly Oval, is the newest listing on the NSW State Heritage Register.

Established in the 1860s, Ivanhoe Park and its traditional 'village green' oval are of state heritage significance as one of the very few planned colonial era 'pleasure grounds' surviving in New South Wales.

Since its establishment, Ivanhoe Park, in the heart of Manly, has been an important destination for pleasure and healthy recreation, not just for the people of Manly, but also for the vast numbers of visitors who flock to Manly from other parts of New South Wales and beyond. Ivanhoe Park is important in the course of New South Wales cultural history in its early and ongoing demonstration of:

1. The importance of public recreation and 'pleasure grounds' (a small number incorporating a 'village green' oval) in the development of townships remote from the heart of Sydney
2. The importance of sport, and the establishment of sporting venues in the ongoing development of community life in Australia.

Ivanhoe Park and its 'village green' oval have a special association with a number of people and groups important in the cultural history of New South Wales, including:

- Henry Gilbert Smith, an early visionary who saw the potential of Manly as a place for recreation and leisure for the people of New South Wales and in 1853 ensured the Park's existence for these purposes
- Sir Henry Parkes, the 'Father of Federation' who, in an address at Ivanhoe Park on 5 November 1888 (almost a year before his famed 'Tenterfield Oration'), tested with a large crowd present his vision for a federated commonwealth of Australian states
- The early development of sporting clubs that, over the decades since their formation in the 1870s and 1880s, have contributed many state and international players to Australia's cricket and rugby teams
- Preparation of the Aboriginal cricket team that, in 1868, was the first sporting team to tour England as an Australian representative team.

The submission for the Heritage Listing was prepared by the Save Manly Oval Alliance, comprising a large number of community representatives.

ITEM 15.6	NOTICE OF MOTION NO 28/2019 - THE PIPELINE WALKWAY PROPOSAL
TRIM FILE REF	2019/470869
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

MOTION

That Council:

- A. Acknowledge the preliminary work that staff have already done in developing and investigating the “pipeline” shared path and in support of that work.
 - B. Actively pursues working with Sydney Water and any other relevant State Government agencies, to investigate the development of a shared path along the water pipeline running from Frenchs Forest past the new school site and aquatic centre (WAC) through to Beacon Hill.
 - C. Actively investigates all possible grants to help with funding this project.
 - D. Aims to have the project open before the new school is complete.
-

BACKGROUND FROM COUNCILLOR STUART SPROTT

With the new town centre and a new school on its way we need to be planning our infrastructure and what it will look now. The greater Sydney commission recognises the importance of open green space, connectivity, and having a walkable city/town centre.

By creating these shared paths we are enabling people to move freely around our city centres without the need for cars.

With the new school, Warringah Aquatic Centre, and sporting fields positioned on the pipeline corridor, this would become a “Urban highway” for pedestrian, foot and bike traffic, linking two major suburbs and more, through a green corridor away from the the busy Warringah road this would provide a safe, clean, mode of transport for the local communities.

The pipeline project can be a standout example of what our future cities can look like and how we can live.

These type of projects are becoming very popular in cities around the world, taking old unused infrastructure land and repurposing it to produce a more walkable and liveable city. An example of this can be seen in New York City where they took a old abandoned rail line and transformed it into the “highline”, a walking space and now a major tourist attraction of the city.

I know this will not become the tourist attraction of the likes of New York’s “Highline” however, it will drastically improve the way we all move around our new town centre building an all-round healthier environment to live in.

16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 13/2019 - REVENUE FROM FINES
TRIM FILE REF	2019/470600
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In view of Channel 9's A Current Affair segment on 19 August 2019 concerning Northern Beaches Council Revenue from Fines, could the following information please be advised:

- A. How many Penalty Notices were issued by Council in the last financial year?
- B. What is the total amount of funds received in the last financial year and can these please be broken down by category of Fines eg Parking, Building etc?
- C. How many Fines in the last financial year have been successfully appealed to the Office of State Revenue or Court?

ITEM 16.2**QUESTION WITH NOTICE NO 14/2019 - CAMPER VANS
CAMPING IN RESIDENTIAL STREETS****TRIM FILE REF****2019/470652****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Following complaints from residents to Council of backpackers and others camping in residential streets in camper vans with subsequent risks to public health and safety and also preventing residents from being able to park, what can Council do to stop this?

ITEM	QUESTION WITH NOTICE NO 15/2019 - CAR PARKING STRATEGIES FOR COLLAROY, DEE WHY AND NARRABEEN
TRIM FILE REF	2019/470699
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Noting advice prior to amalgamation that Car Parking Strategies were being developed for Collaroy, Dee Why and Narrabeen could I please be advised of the following:

- A. Have the Car Parking Strategies for Collaroy, Dee Why and Narrabeen been completed and when will they go out for public consultation?
- B. What strategies has or will Council introduce to facilitate parking for residents in Collaroy, Dee Why and Narrabeen particularly in summer with numerous visitors to the beaches?
- C. What is the status of the Oaks Avenue Dee Why Car Park and does Council still intend to sell this land and if so, when?
- D. Is Council planning ahead and considering developing more public car parks in the intensified Unit areas of Dee Why, Collaroy and Narrabeen, if not, why not?
- E. Noting that there are parking restrictions in the Winbourne Rd, Brookvale car park that have been rarely enforced by Council resulting in cars parking all day and most business surrounding that car park adversely affected, many going broke and now many vacancies in commercial properties there, what can Council do to properly enforce the parking restrictions in that car park?
- F. Following Council receiving complaints about car parking in Garden St and Powderworks Road, Narrabeen, how many submissions has Council received for and against its proposed timed parking restrictions and when will this issue be reported to the elected Council for determination?

17.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 17.1

RESPONSE TO QUESTION WITH NOTICE NO 10/2019 - REPORT AS TO NON-COLLECTION OF WASTE AND OLD BINS

TRIM FILE REF

2019/419904

ATTACHMENTS

NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

Since the implementation of the new Waste contract and new bins:

- A. How many reports have been received by Council of new rubbish bins not being emptied?
- B. How many reports have been received by Council of new recycling bins not being emptied?
- C. How many reports have been received by Council of new green bins not being emptied?
- D. How many reports have been received by Council of old bins not being collected?
- E. Have all old bins now been collected and replaced, if not how many are awaiting collection and replacement?

RESPONSE

In response to questions A, B and C, the following table details the number of weekly reports received for missed services for each bin type.

Request Week →	w/c 30 Jun	w/c 7 Jul	w/c 14 Jul	w/c 21 Jul	w/c 28 Jul	w/c 4 Aug	Total number of missed services by waste type	Total number of bins collected by waste type	% of missed services by service type during 6 week period
Bin Type ↑									
Red - general waste	1,584	889	539	381	393	223	4,009	582,000	0.69%
Blue - paper	419	497	222	284	161	152	1,735	411,000	0.42%
Yellow - containers	949	392	268	155	201	72	2,037	411,000	0.50%
Green - vegetation	438	494	288	181	184	100	1,685	138,000	1.22%
Total	3,390	2,272	1,317	1,001	939	547	9,466	1,542,000	0.61%

Assumptions:

1. Garbage and recycling - 95% presentation single dwellings and 100% presentation for multi unit dwellings
2. Vegetation - 80% presentation

- D. The total number of requests for removal of old bins since the rollout commenced in March through to 9 August 2019 is 6,747.
- E. The collection and replacement of bins is a two-step process. New bins are delivered in one process, and old bins are retrieved through another process. The delivery of new bins as part of the bin rollout has been completed. There have been and will continue to be requests from residents for increases or decreases to their service which includes requests to add new bins or remove old bins.

As at Friday 9 August 2019, there were requests for approximately 580 bins to be removed. These bins are being progressively removed. It is important to note that we anticipate ongoing requests for retrieval of old bins that have not yet been presented for removal by residents.

ITEM 17.2	RESPONSE TO QUESTION WITH NOTICE NO 11/2019 - DUMPING OF RUBBISH IN PUBLIC BINS AT PARKS AND BEACHES
TRIM FILE REF	2019/419937
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

- A. Since the implementation of the new waste contract and bins, has Council noted an increase in waste in particular public bins at parks and beaches, if so, which ones?
- B. At parks and beaches where bins are full and/or overflowing, have extra collections been put on to ensure removal and public health and has these extra collections occasioned additional expenditure by Council or are they included as part of the new waste contract?

RESPONSE

- A. Since the implementation of the new waste contract there has been no obvious increase in waste at any particular public bins at parks and beaches.
- B. The public litter bin service is a scheduled collection service. The frequency of collections varies depending on demand which in turn is influenced by seasonality, holiday periods and events. The collection schedule is designed to be responsive and anticipate this need. For example, during the peak summer period collections will occur two to three times daily in heavily trafficked tourist areas. Large events may require hourly servicing of bins as opposed to more remote locations, where, in winter, every second day will suffice.

Since 1 July, all public litter bin services on the Northern Beaches are provided by Council staff and are no longer part of the domestic waste contract. There has not been a need to increase the number of collections at this time, however should the need arise, Council can adjust its collection schedules to suit demand as outlined above.

ITEM 17.3

**RESPONSE TO QUESTION WITH NOTICE NO 12/2019 -
REFUND TO RESIDENTS WHO PURCHASED ADDITIONAL BINS
OR REPLACEMENT OF BINS**

TRIM FILE REF

2019/391994

ATTACHMENTS

NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

- A. For residents that purchased additional bins under the previous waste contract, how many have been refunded their money and what is the total to date refunded?
- B. How many residents have had additional bins provided to replace the same size of what they had purchased under the previous waste contract?
- C. How many residents have sought to purchase additional bins under the new waste contract and what will the total costs for these additional bins amount to?

RESPONSE

- A. Council's records reveal that three refunds were processed for residents who procured additional vegetation services, totaling \$408. These refunds were provided following consideration of the date on which the services were procured and the remaining contract period. It is important to note that under all current and former waste contracts, Council retains ownership of the bins.
- B. The majority of residents have the same bin sizes as existed under the previous contract. The main exception was for residents who had a 120L red bin and were moved to an 80L red bin under the new waste service. There were approximately 18,860 properties who had a single 120L service under the old contract. Of these properties approximately 2,060 (11%) have requested an extra 80L red bin.
- C. The following table summarises all requests for additional bins delivered up until 8 August 2019. Residents are now able to tailor the service to suit their needs and are using the savings passed on to residents to fund extra services for their properties.

	Second bin	Third bin / fourth bin
Paper (Blue)	2,880	141
Vegetation (Green)	1,056	198
Containers (Yellow)	2,871	382
Garbage (Red)	6,624	350
Total cost of extra bins	\$497,498.66	

ITEM 17.4	RESPONSE TO QUESTION TAKEN WITH NOTICE NO 02/2019 – 5G TOWER APPLICATIONS
TRIM FILE REF	2019/391994
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 23 July 2019 from: Councillor Rory Amon

QUESTION

Can Council reject a 5G tower application made under the *Telecommunications Act 1997*?

RESPONSE

The *Telecommunications Act 1997* (Act), which is Commonwealth legislation, applies to telecommunication facilities and the installation of such facilities.

The Act and the *Telecommunications (Low Impact Facilities) Determination 2018* (Determination) operate so that the installation by a telecommunications carrier of a facility that is a 'low impact facility' does not ordinarily require development consent. The Act provides various exemptions and immunities from State law.

Under the Determination, facilities that are not a 'low-impact facility' include:

- Designated overhead lines
- A tower that is not attached to a building
- A tower attached to a building and more than 5 metres high
- An extension to a tower that has previously been extended
- An extension to a tower, if the extension is more than 5 metres high.

Development consent is ordinarily required for the installation of facilities that are not a 'low impact facility'. A consent authority is required to assess a development application against the relevant planning legislation including section 4.15 of the *Environmental Planning and Assessment Act 1979*. Whether a facility is required for 3G, 4G or 5G technology is not a matter referred to in section 4.15.

18.0 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 18.1 RFT 2019/021 - Consultancy Services for Coast Walk Signage 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 commercial information of companies 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 place confidential pricing information public.
 - b. Item 18.2 Alternative Procurement - SAP Employee Central Payroll and SAP Time & Attendance Management by Kronos Licences on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses the procurement of a core IT system and 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, on balance, be contrary to the public interest in maintaining openness and transparency in Council decision making because the disclosure of the information would disadvantage Council in its commercial negotiations with the supplier of the core IT system.
 - c. Item 18.3 Response to Question With Notice No 09/2019 - Manufacturer's Warranty for New Bins on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses warranties including under conditions of contract. The public interest in preserving the confidentiality of information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the the information will be relevant to Council's dealings with the contractor, and disclosure at this time would be detrimental to Council achieving a 'best value for money' outcome for the community.
- 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.
-

19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

In accordance with Part 15 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.



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