



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 23 February 2021

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 23 February 2021
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 15 DECEMBER 2020

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 15 December 2020, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 01/2021 - RECOGNITION OF OUR RURAL FIRE SERVICE AND STATE EMERGENCY SERVICES VOLUNTEERS
TRIM FILE REF	2021/093127
ATTACHMENTS	NIL

BACKGROUND

It seems not that long ago that we as a Council resolved to recognise the efforts of our Rural Fire Service (RFS) and State Emergency Service (SES) volunteers who served across New South Wales over December 2019 and January 2020. It was a devastating time and impacted many volunteers and their families let alone the communities who are still working to recover.

In February 2019 we resolved to host a civic 'Christmas style' event but sadly due to the restrictions we had placed on us due to COVID-19 the following month we were not able to hold Council events. Since then our staff are doing their best to find innovative ways to present our events for our community but it is still proving very difficult to hold large events at present or even for foreseeable future due to the ongoing public health restrictions. This event would include volunteers from all fourteen RFS brigades and two SES Units on the Northern Beaches.

I have recently been approached by the Belrose Rural Fire Service which is celebrating its 70th anniversary this April. The service has sought assistance from Council to hold a ceremony which would bring together current and former brigade members. As I understand, the Belrose RFS Brigade is one of the oldest continuously operating volunteer brigades in the Sydney Basin which I think you will agree is certainly something to celebrate.

At the Council meeting of 28 July 2020, after receiving a report from staff we resolved to do a number of things to show our appreciation to these volunteers, including providing free access to our public pools, a free parking permit and providing (to the value of \$15,000) an event for members of the Northern Beaches branches of the RFS and SES.

I would like to propose that, as it is unlikely we can deliver a large-scale event in recognition of their incredible service, we present each of the fourteen brigades and the two SES units with \$2,000 each (a total of \$32,000). The funds could be put towards a smaller gathering permissible under the health restrictions, including a special ceremony in the case of Belrose, or put towards the purchase of equipment. This I believe is the most realistic and practical way we can still honour the promise we made to recognise their services prior to the pandemic over 12 months ago.

Funds totaling \$32,000 would be made available through existing operational budgets for civic and council events. I am also proposing funding be allocated in line with the Northern Beaches Discretionary Fund Policy to each of the brigades and units. I have been advised that there are adequate funds within all these budgets.

I seek your support Councillors in providing funds to our RFS brigades and SES units that can be allocated towards either their own event or equipment and allow us to show our appreciation one year on.

MOTION

That Council provide funding totalling \$32,000 to the following 16 organisations for the purpose of covering the costs of holding small gatherings permissible under the COVID-19 health restrictions or equipment required to serve the community. Funds of \$2,000 each be provided to:

1. Rural Fire Service Brigades:
 - A. Beacon Hill
 - B. Belrose
 - C. Coal and Candle
 - D. Davidson
 - E. Duffys Forest
 - F. Warringah Headquarters
 - G. Terrey Hills
 - H. Cottage Point
 - I. Coasters Retreat
 - J. Ingleside
 - K. Mackerel Beach
 - L. Scotland Island
 - M. Tumbledown Dick
 - N. West Pittwater
2. SES Units:
 - A. Manly and Warringah
 - B. Pittwater



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1 NORTHERN BEACHES COUNCIL DISCRETIONARY FUND - QUARTERLY REPORT

REPORTING MANAGER CHIEF EXECUTIVE OFFICER

TRIM FILE REF 2021/010259

ATTACHMENTS NIL

SUMMARY

PURPOSE

To provide a report on the recipients and projects which have received an allocation from the Northern Beaches Council Discretionary Fund during the past quarter.

EXECUTIVE SUMMARY

The Northern Beaches Council Discretionary Fund provides the opportunity for Councillors to put forward requests from individuals and community organisations for financial assistance towards initiatives and services which yield a community benefit. Payments made for the period 28 October 2020 to 22 February 2021 totaling \$6,103.40 include:

Recipient	Description	Allocation
Dr John Byrnes	Financial assistance towards the restoration of the Edward Giles Stones' kiln segment located on Wakehurst Parkway	\$200.00
Soroptimist International Northern Beaches	Financial assistance towards the purchase of supermarket vouchers for 20 families in need on the Northern Beaches	\$1000.00
CoMotion Learning and Change	Financial assistance to a local business working with local business chambers to provide a webinar series providing information and support for local businesses during the COVID pandemic	\$1000.00
Frenchs Forest Scout Group	Financial assistance for Kimbriki Tip fees incurred during a Working Bee undertaken by the Scouts on the grounds of the Hall	\$103.40
Lions Club	Financial assistance towards a charity project raising funds for special needs nippers at North Steyne SLSC and children with Cerebral Palsy	\$500.00
Special Olympics Sydney Northern Beaches	Team sponsorship - Judy Buckley Memorial Golf Day - funds raised for people with intellectual disabilities to participate in sporting competition	\$800.00
Freedom Outdoors Sydney	Financial assistance towards an environmental project - Kayak Clean-Up of Narrabeen Lagoon to be held on Clean-Up Australia Day	\$1,000.00
Our Lady of Good Counsel School, Forestville	Financial assistance towards the establishment of a school garden	\$1,000.00
Northern Beaches Art Society	Sponsorship funding for 1 st prize to be presented at the Exhibition opening	\$500.00

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note payments totalling \$6,103.40 have been allocated by the Northern Beaches Council Discretionary Fund for the period 28 October 2020 to 22 February 2021.

REPORT

BACKGROUND

The Northern Beaches Council Discretionary Fund supports individuals and community organisations through small financial donations. It also provides assistance to local residents to attend events or conferences that further develop educational or sporting endeavours at a representative level.

At the 19 December 2017 Council meeting, Council adopted the Northern Beaches Council Discretionary Fund Policy, with a requirement that recipient and project details be reported to Council on a quarterly basis. This report only includes allocations that have been finalised.

As required under the policy, the maximum amount which may be allocated to an individual or community organisation is \$1,000 and only one payment can be made to an individual or community organisation within the same financial year.

All requests to the Northern Beaches Council Discretionary Fund are submitted to the Mayor, Deputy Mayor or a Councillor, and the Chief Executive Officer to certify that the allocation is made in accordance with the policy and that the funds are available.

The next report to Council will be presented at the ordinary Council meeting in May 2021.

CONSULTATION

Requests upon the discretionary fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer for approval in accordance with the policy.

TIMING

A quarterly report to Council is required by the Northern Beaches Council Discretionary Fund Policy.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 11: Our Community feels safe and supported.

FINANCIAL CONSIDERATIONS

The funds allocated are provided within the existing annual budget of \$30,000 for the Northern Beaches Discretionary Fund. Total expenditure as at 22 February 2021 is \$10,524.29 with \$19,475.71 remaining. No funding will be provided outside of the allocated budget in each financial year.

SOCIAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund supports individuals and community organisations and provides assistance to local residents to attend events or conferences that further develop their educational or sporting endeavours at a representative level.

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund – Quarterly Report has no specific environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund have satisfied the requirements under both the Northern Beaches Council Discretionary Fund Policy and the approval process as last adopted by Council on 19 December 2017.

ITEM 8.2	OUTCOME OF PUBLIC EXHIBITION - COUNCILLOR USE OF SOCIAL MEDIA POLICY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2021/024498
ATTACHMENTS	1 Draft Policy - Councillor use of Social Media 2 Community Engagement Report - Councillor use of Social Media

SUMMARY

PURPOSE

Report to Council on the results of the public exhibition of the draft Councillor use of Social Media Policy and to seek adoption of the policy.

EXECUTIVE SUMMARY

Following the Council adoption of the Draft Communications Policy endorsed by Council at its Meeting 26 February 2020, Council resolved to request staff research the social media policies of other Councils as they apply to Councillors, and to present the findings to Councillors at a briefing.

Further to the briefing, a Notice of Motion No 25/2020 requested a Social Media Policy be developed for Councillors and be brought back to a Council briefing.

The draft policy provides guidance for Councillors about the use of social media. It intends to assist Councillors to use social media in a way that minimises exposure of both Councillors and Council to legal risk. In particular, it outlines guidance for Councillors with regards to confidentiality, governance, privacy, record keeping and other legal and regulatory risks when using social media.

The draft policy was publicly exhibited for 30 days from 11 January 2021 and feedback received during that period is detailed under 'consultation' in the report.

The recommended change to the report is in line with the feedback to make the scope and application of the policy clearer. See the final policy in Appendix 1.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

1. Note the outcomes of the public exhibition of the draft Councillor use of Social Media Policy.
 2. Adopt the Councillor use of Social Media Policy.
-

REPORT

BACKGROUND

At its Meeting 26 February 2020, Council endorsed the Communications Policy, noting the outcomes of the public exhibition and rescinding the former policies of Pittwater and Warringah.

The key points in the policy related to staff use of social media.

Following the adoption of the policy, Council endorsed a Notice of Motion No 25/2020 Councillor Social Media Policy at its Meeting 23 June 2020.

It was resolved that:

1. *A Social Media Policy be developed for Councillors.*
2. *A draft policy be brought back to a council briefing.*

Increased cases of defamation in NSW due to comments and postings made on social media, have increased the risk of litigation to Council and Councillors using social media.

Through the research process, a range of policies and frameworks from other councils were reviewed, including those policies adopted by:

- Inner West Council
- Maitland City Council
- Mosman Council
- Randwick Council

CONSULTATION

The draft policy was informed by the existing policies of other councils on Councillor use of social media. It was exhibited for a period of 30 days from 11 January 2021. Community engagement included information on a 'Your Say' project web page including an online submission form where community feedback can be submitted.

A total of 10 responses were received. One submission was not commenting on the policy, rather about access to submissions. Through the exhibition period, there were 261 unique visitors to the webpage. The project featured twice in community email newsletters that were distributed to over 20,000 subscribers.

Submissions received show a mixed response to Council's role in guiding the social media practices of Councillors.

Some contributors opposed any kind of regulation, expressing views that such a policy was a restriction of free speech or that policing the policy was the responsibility of other authorities or organisations.

There were also clear responses supporting the need for a Council policy and some contributors suggested the policy needed to go further than what is currently drafted.

Other comments were seen as favourable for the policy as they related to concern over alleged Councillor behaviour on social media.

Redacted verbatim submissions are available in attachment 2.

TIMING

The policy is supported by existing operational processes and procedures and will be implemented once adopted by Council.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The cost of implementing the Councillor use of Social Media Policy will be met within the 2020/2021 operational budget.

SOCIAL CONSIDERATIONS

Council recognises that communication with the community is a critical function that underpins understanding and awareness of the decisions of Council and importantly how Council is delivering on the Community Strategic Plan Outcomes and Goals.

The policy defines a set of principles to ensure communication between Councillors and the community will be in a manner that:

- informs the community about the decisions of Council, policies, programs, services and decisions
- promotes two-way communication
- builds a highly informed and engaged community
- accurately responds to community comments and requests
- complies with relevant laws and regulations, and ensures the confidentiality of Council information
- respects the democratic process acknowledging Council resolutions represent the majority view.

ENVIRONMENTAL CONSIDERATIONS

There are no perceived impacts on the environment associated with the implementation of this policy.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to Council's governance framework.

Draft Council Policy

Councillor use of Social Media

Policy Statement

The purpose of this policy is to provide guidance for Councillors about the personal and professional use of social media. Social media is an important communication, engagement and customer service channel which can encourage dialogue between Councillors and the community.

This policy intends to assist Councillors to use social media in a way that minimises exposure of both Councillors and Council to legal risk. In particular, it outlines guidance for Councillors with regards to confidentiality, governance, privacy, record keeping and other legal and regulatory risks when using social media.

Principles

Communication through social media will be in a manner that:

- informs the community about the decisions of Council, policies, programs, services and decisions;
- promotes two-way communication;
- builds a highly informed and engaged community;
- accurately responds to community comments and requests;
- complies with relevant laws and regulations, and ensures the confidentiality of Council information; and
- respects the democratic process acknowledging Council resolutions represent the majority view.

Scope and application

This policy applies to the use of social media by Councillors in their personal and professional capacity.

- Professional capacity, being in the course of fulfilling their functions and duties to Council; and
- Personal capacity, being where the use of social media is connected with, or might otherwise impact on, Council's legal obligations, its reputation and/or its effectiveness, legal obligations or duties owed by the Councillor to the Council.
- Complaints alleging breaches of this policy should be directed to the CEO in accordance with the Northern Beaches Council Code of Conduct.

Councillor use of social media

Northern Beaches Council recognises the importance of social media as a communication, engagement and customer service channel.

Social media provides a platform to encourage dialogue between Councillors and the community, and enables Councillors to gain insight into the community and its needs via public feedback and comments.

Councillors are responsible for managing their social media accounts, including creating and sharing content, gaining permission for the use of images, video, audio and other materials if required and monitoring comments.

Councillors should ensure that they have appropriate privacy settings on all social media sites moderated, managed or operated by them. Councillors should be aware that any social media activity or interaction, either official or personal, is public, often permanently available, traceable and able to be reproduced elsewhere.

Councillors should also be aware that whether they intend it or not, what they post online in a private capacity reflects on Northern Beaches Council and their role as a Councillor.

Councillors should behave in a way at all times that upholds the values, behaviours and reputation of the Council, and is consistent with the Code of Conduct and other Council policies.

Councillors are reminded that 'shares', 'likes' or 'retweets' may be viewed as an endorsement of the original post.

Councillors may use their own social media accounts to express personal views, however, they are strongly encouraged to have a dedicated Councillor account separate to any other personal or business accounts they might hold.

Councillors can make personal comments on their social media platforms on matters relating to Council policy and other matters of public interest, but must make clear that any views are their own opinions as an individual and are not the opinions of Council, an official Council position or a Council policy. In making comments and expressing views on social media, consistent with the Code of Conduct, Councillors must not bring the Council, Council decisions or civic office into disrepute.

Councillors should consider that a disclaimer or separate personal or business account does not necessarily provide legal protection for comments posted on social media.

When commenting on an issue, Councillors are required to provide an accurate account of the relevant Council resolution or decision. This can be achieved by publishing the full Council resolution.

Councillors should be aware that they may be legally liable for their comments and the comments of others, published on a Councillor's social media site. Councillors are encouraged to ensure prompt removal of inappropriate content from third parties.

In using social media, Councillors should comply with applicable laws and must not:

- breach the privacy of other Councillors, Council officials, employees, those that deal with Council, or other third parties or otherwise handle personal information or health information in a manner which may cause Council to be in breach of its obligations under applicable privacy laws;
- post content that is defamatory, offensive, humiliating, misleading or deceptive, threatening or intimidating to other Councillors, Council officials or employees, those that deal with Council, or other third parties
- divulge confidential Council information or any other confidential information obtained in the course of performing duties as a Councillor;
- breach copyright or trademark protected materials or otherwise infringe on the intellectual property rights or other rights of a party or individual; or
- post content that contains allegations of suspected breaches of the Code of Conduct or information about the consideration of a matter under the Procedures.

Councillors should be aware that messages, forums and posts created using social media platforms may be digital records under the GIPA if they have been used for conducting 'government business'. Similarly, messages created in messaging apps (such as WhatsApp, Facebook Messenger and WeChat) may be digital records for the purpose of the GIPA if the messages have been used for conducting government business. For this reason, Councillors should exercise care to ensure government business is not conducted on personal social media accounts and messaging apps.

Breaches

Breaches of this policy may be subject to disciplinary action, in line with the Northern Beaches Council Code of Conduct and disciplinary policy and procedure.

References and related documents

- Access to Information Policy
- Code of Conduct Policy;
- Communications Policy;
- Code of Meeting Practice; and
- Community Engagement Policy.

Related legislation

- Local Government Act 1993 NSW;
- Independent Commission Against Corruption Act 1988 NSW;
- The Government Information (Public Access) Act 2009 NSW (**GIPA**);
- Anti-Discrimination Act 1977 NSW;
- Privacy and Personal Information Protection Act 1998 NSW;
- Health Records and Information Privacy Act 2002 NSW;
- State Records Act 1998 NSW;
- Work Health and Safety Act 2011 NSW;
- Model Code of Conduct for Local Councils in NSW 2020;
- Copyright Act 1968 Cth; and
- Copyright Amendment (Digital Agenda) Act 2000 Cth.

Definitions

Councillors: The current elected Mayor and Councillors of Northern Beaches Council.

Social media: Social media is defined in this policy as all online and digital media. It includes information that can be created, shared, discussed and disseminated, allowing user participation and interaction.

Examples include, but are not limited to:

Social networking sites (e.g. Facebook, Twitter, LinkedIn, Yammer)

Video and photo sharing websites (e.g. Instagram, YouTube, Snapchat, TikTok, Flickr)

Blogs, including those hosted by social channels or media outlets (e.g. Tumblr, 'comments' or 'your say' feature on websites such as news websites)

Forums, discussion boards and groups (e.g. Google groups, Reddit, Whirlpool)

Instant messaging (e.g. WhatsApp, Facebook Messenger)

Geo-spatial tagging (e.g. Google maps, Foursquare)

Any other tool or emerging technology that allows individuals to publish or communicate in a digital environment.

Responsible Officer

Executive Manager Community Engagement and Communications

Review Date

October 2024

Revision History

Revision	Date	Status	TRIM Ref
1	16 October 2020	Draft Policy – Councillor use of Social Media	2020/635627
2			

Community and Stakeholder Engagement Report

Councillor use of Social Media Policy (Stage 1 of 1)

Impact level: Four

Consultation period: 11 January to 10 February 2021

Contents





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1. Summary¹

This report outlines the community and stakeholder engagement conducted as part of the public exhibition of the draft Councillor use of Social Media Policy.

¹ Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

1.1. Engagement snapshot²

	Total submissions received	10		
	Have Your Say	Visitors: 261	Visits: 309	Av. time onsite: 1m5s
	Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2		Distribution: 20,000 subscribers
	Sentiment ³	Generally favourable of the draft Councillor use of Social Media Policy: 3 submissions.		
		Unfavourable of the draft Councillor use of Social Media Policy: 5 submissions.		
		Undetermined: 2 submissions.		

² Standard demographic questions were provided in the online submission form as optional. No submitters chose to provide this information.

³ Based on a qualitative analysis of submissions.

2. Background

Following the Council adoption of the Draft Communications Policy endorsed by Council at its Meeting 26 February 2020, Council resolved to request staff research the social media policies of other Councils as they apply to Councillors, and present the findings to Councillors at a briefing.

Further to the briefing, a Notice of Motion No 25/2020 requested a Social Media Policy be developed and be brought back to a Council briefing.

The draft policy provides guidance for Councillors about the use of social media. It intends to assist Councillors to use social media in a way that minimises exposure of Councillors and Council to legal risk.

It outlines guidance for Councillors with regards to confidentiality, governance, privacy, record keeping and other legal and regulatory risks when using social media.

3. Engagement objectives

- Provide accessible information so community and stakeholders can participate in a meaningful way (inform).
- Build community and stakeholder awareness of project (inform).
- Provide a mechanism to receive community and stakeholder feedback about the draft policy (consult).

4. Engagement approach

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017). A documented engagement approach is outlined in the Councillor use of Social Media Policy Community and Stakeholder Engagement Plan (TRIM LINK 2021/088867).

All practical attempts were made to ensure that project information was provided in a way that was accessible to our community.

Community and stakeholder engagement for the insert project title was conducted over a 30-day period (excluding public holidays) and involved the following:

- Establishment of a project page on yoursaynorthernbeaches.nsw.gov.au.
- Inclusion into the community engagement fortnightly e-newsletter to generate awareness.

Submissions were primarily collected through an online submission form embedded into the your say page. Feedback was also accepted via email and post.

This report represents what Council has heard as accurately and transparently as possible.

5. Findings

Submissions received show a mixed response to Council's role in guiding the social media practices of Councillors.

Some contributors opposed any kind of regulation, expressing views that such a policy was a restriction of free speech or that policing the policy was the responsibility of other authorities or organisations.

There were also responses supporting the need for a Council policy and some contributors suggested the policy needed to go further than what is currently drafted.

Other comments were seen as favourable for the policy as they related to concern over perceived behaviour of Councillors on social media.

Redacted verbatim submissions are available in Appendix 1.

Table 1: Questions received and Council's response

Question received ⁴	Council's response
How will the policy be enforced?	This policy will be enforced through a process where complaints will be directed to the CEO and reviewed in line with clause 3.1.b in the Northern Beaches Code of Conduct policy.
Who is responsible for monitoring?	Council staff are not delegated with responsibility for monitoring Councillors' social media channels. Complaints about Councillor use of social media will be directed to the CEO and reviewed in line with clause 3.1.b in the Northern Beaches Code of Conduct policy.
How will independence be assured?	Where Council is unable to resolve complaints, complainants will be provided information about alternative options.
How will Council define a political statement versus a personal view?	The CEO will review complaints and make recommendations.
How will Council decide if a Councillor has provided an accurate account of the resolution or decision?	The CEO will review complaints and make recommendations.
Can you please provide information on whether councillors are allowed to bully or threaten administrators of local community facebook groups to remove and delete comments that they disagree with, or feel paints them in a bad	Councillors' general conduct obligations including conduct relating to harassment and bullying, is outlined in section 3 of the Northern Beaches Code of Conduct. The draft policy intends to assist Councillors to use social media in a way that minimises exposure of Councillors and Council to legal risk.

⁴ Extracted from submissions

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Appendix 1 Verbatim community and stakeholder responses*

Count	Submission
1	If you are not responsible enough to use Social Media should you really be a Councillor? This sounds like a bit of a gag order to me. I believe in free speech so am against this proposal.
2	This policy is inappropriate and unnecessary. Social media should be viewed as merely another form of communication, in the same way as radio, press, TV etc. The same principles should apply to SM as these other media channels. Social media is such an important part of our daily lives that it brings Council matters to the public's attention. On this basis, I would object to the policy as it stands. Specific questions I have include: How will the policy be enforced? Who is responsible for monitoring? How will independence be assured? It is vital that Councillors are able to challenge and question Council processes and decisions. How will Council define a political statement versus a personal view? How will Council decide if a Councillor has provided an accurate account of the resolution or decision? Many decisions are subject to interpretation, and the very nature of politics means this is evident and should continue. The policy fails to manage this correctly.
3	Do not use a privacy policy to prevent Councillors from expressing their opinions on policies that they have voted against & know the general public is against. Council is meant to represent the rate payers & general community and their policies do not always reflect this and certain Councillors are prepared to stand up for us. Do not try and prevent them from doing so.
4	Draft Policy states "Councillors are encouraged to ensure prompt removal of inappropriate content from third parties" This is not enough. The inappropriate comment needs to be deleted before it is posted. If it is posted and read by one person before its removal the inappropriate comment has been published and the Councillor is potentially liable. Councillors need to have a system so that potential posts are not published until the site administrator has reviewed the post and authorised for it to be posted
5	There are 3 submissions to date can they be read. I can't so far
6	Please ensure that all CLR when using their social media accounts, whether personal or not, are using and/or relaying factual information only. [REDACTED] [REDACTED] has used [REDACTED] account to spread misinformation, denigrate and humiliate other councillors and made representations of council decisions in a way that has inflamed an issue or riled up a section of the community. This is absolutely not acceptable and perhaps council should perhaps consider hiring a social media moderator for all CLR social media accounts and have posts approved before they are allowed to be posted. Thank you.
7	Sounds like a gag order to me. If councillors want to post online let them do so from a personal account. What they post up is their business, if it's lies or hate speech or just crazy conspiracy theory then let the NSW law deal with that not the council through a policy.
8	Can you please provide information on whether councillors are allowed to bully or threaten administrators of local community facebook groups to remove and delete comments that they disagree with, or feel paints them in a bad light? There has been definite interference in the local [REDACTED] facebook group by councillors who have demanded the removal of comments and or other members of the group
9	I strongly believe councillors should not be able to politicise issues and attack other councillors for decisions made at council. Especially if this involves telling only half the story, as was the case for the proposed coronavirus artwork for example. Some councillors choose to divide the community and inflame the situation by omitting relevant information.

*Personal details and statements that have identified specific people or groups have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

	In other words, posts ought to be fact-based and not full information and background given.
10	<p>Thank you for the opportunity to comment on the Northern Beaches Council Draft Policy on Councillor use of Social Media.</p> <p>My experience of councillors and social media I believe I have seen examples of harassment, intimidation and bullying on social media by some councillors. [REDACTED], I have repeatedly had to delete comments by councillors that at the very least created a hostile environment. On one occasion, when I deleted a potentially defamatory comment by a group member, a councillor soon after posted a comment that appeared to be encouraging a repetition of the original comment.</p> <p>However, I believe the council has a mechanism to deal with this sort of behaviour and ensure a respectful dialogue through the Councillor Code of Conduct, in sections 3.6 to 3.11. These sections cover the issues of harassment and discrimination, and bullying.</p> <p>The problem is that members of the general public are not aware that they can complain to the council or with whom to lodge a complaint. Therefore, the council should in plain English publicise how members of the public can take action if they believe they or anyone else have been harassed, discriminated against or bullied.</p> <p>I also believe that some of the social media posts by councillors reflect the toxic atmosphere that often prevails at council meetings. On many occasions I have seen some councillors bullying or intimidating other councillors and staff, particularly women. Stronger and earlier intervention by the mayor might prevent some of this behaviour, encourage respectful dialogue which might be reflected in social media.</p> <p>Principles I do not believe Northern Beaches Council has a right to dictate how councillors will use social media – other than in line with the Council Code of Conduct. The High Court case <i>Lange vs Australian Broadcasting Corporation</i> or 1997 established that the Australian Constitution has an implied Freedom of Speech in government and political matters. Under the ruling, freedom of speech is necessary for democracy to exist and the community to be able to make free and informed choices.</p> <p>Therefore, the council and/or its staff cannot determine in what manner councillors will use their social media including:</p> <ul style="list-style-type: none"> • creating a policy requiring them to inform the community about council decisions or how feedback has been used • to engage or “build a highly satisfied community” • or to “accurately respond to community needs”. <p>I note that the landing page on the council website for the “Council Use of Social Media Policy” includes a background section that states: “The draft policy defines a set of principles to ensure communication between Councillors and the community will be in a manner that: ...</p> <ul style="list-style-type: none"> • respects the democratic process acknowledging Council resolutions represent the majority view.” <p>I believe this statement also encourages responses to the draft policy that support an infringement of councillors’ freedom of political speech – noting that they are under no obligation to support the majority view.</p> <p>It is also redundant to have a policy asking councillors to abide with the law or regulations – because they are already bound to do so.</p> <p>However, the two most concerning clauses are the requirements to:</p>

	<ul style="list-style-type: none"> • “protect and promote(s) the interests of Council through social media”; and • “respect the democratic process acknowledging Council resolutions represent the majority view”. <p>These two clauses in particular would restrict freedom of political speech, violating councillors’ Constitutional rights.</p> <p>Scope and application The Constitutional Right to Freedom of Political Speech applies to both professional and personal social media communications carried out by councillors.</p> <p>Councillor Use of Social Media Some of the statements under this heading cannot be enforced because of the Lange vs the ABC judgement. These include the fact that whilst social media is a significant form of communication, standards that might apply to staff cannot be imposed on councillors – the political representatives of the community. Neither can councillors be forced to use it as a customer service channel.</p> <p>Again, under the above-mentioned High Court judgement, even if the council votes to support the draft policy, councillors have no responsibility to protect the reputation of the council. In fact, as elected representatives, we would expect them to reveal to us, the voters, any issues that might bring the council into disrepute.</p> <p>And neither does social media exist to “provide a platform to encourage dialogue between Councillors and the community”.</p> <p>However, some statements in this section of the policy could be useful reminders for councillors. For example:</p> <ul style="list-style-type: none"> • that they are responsible for their social media • importance of privacy settings and permanency of some social media • that shares and likes can be interpreted in a number of ways • that they are legally liable for their comments and may be for those of others and • that anything they post in the course of conducting government business may be treated as digital records under the GIPA. <p>As such, it would be useful to inform councillors about these issues at the start of their terms, however, they are not appropriate as elements of a policy as such.</p> <p>Breaches As mentioned above, the council should clearly publicise from time to time on its website, in the media and on social media how the public (and councillors) can lodge complaints against councillors who have breached the Councillor Code of Conduct on social media – or in any other way.</p>
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Document administration	
Version	1.0
Date	11 February 2021
Status	Final
Related Projects	

ITEM 8.3	EVENT GRANTS AND SPONSORSHIP PROGRAM 2020/21 - ROUND 2 FUNDING RECOMMENDATIONS
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2021/054370
ATTACHMENTS	<p>1 Event Grants and Sponsorships Assessments - Project Descriptions - 2020/21 - Round 2</p> <p>2 Event Grants and Sponsorship Program FY20-21 - Previously Committed Funds</p>

SUMMARY

PURPOSE

To seek endorsement for the allocation of funding and fee waivers of round two of Council's 2020/21 Event Grants and Sponsorship Program.

EXECUTIVE SUMMARY

Council committed \$263,000 to the 2020/21 Event Grants and Sponsorship Program. There are two funding streams available to community events, through either the grants or sponsorship programs. These are open to the community all year round. A grant or sponsorship request is generally capped at \$10,000 but where major events have partnerships with State Government agencies, like Destination NSW (DNSW), and have measurable, economic and social benefits, funding of up to \$50,000 may be negotiated.

Previously, \$214,934.63 in funding has been committed to multi-year event sponsorships, ongoing event grants, round one event grants, two fast track rounds of event grants, and grants for events that needed to be rescheduled due to COVID-19 health restrictions. Details are in Attachment 2.

Currently, there is \$48,065.37 available in funding for round two applicants.

Council received and assessed three applications for this round two of the Event Grants and Sponsorship Program. One application withdrew due to already receiving funding through another Council grant program. Therefore, the panel assessed two applications. The applications requested a total of \$18,032 in cash, plus in-kind support (via fee waiver).

Following detailed assessment, the panel recommends one project for funding and / or fee waiver to the value of \$3,000, as per the recommendations in Attachment 1.

Please note to support local business to return to events a Fast Track grants process has been running concurrently to the standard application process. Two rounds have been completed with the same panel of representatives and final approval by the CEO. Eight applications have been received over the two rounds. Six applications have received funding to the value of \$28,000.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council approve funding of \$3,000 including cash and fee waivers under the 2020/21 Events Grants and Sponsorship Program, as recommended by the assessment panel.

REPORT

BACKGROUND

The Event Grants and Sponsorship program has been developed in line with the Northern Beaches Events Strategy (2018-2023) and the Community Strategic Plan 2028, to develop a rich and diverse calendar of events across the beaches. This is the third year of the program that aims to promote enhanced economic, social, environmental and / or cultural benefits for the Northern Beaches community. The focus is on new and innovative events and other activities that add value and benefits to our local villages and town centres across the Northern Beaches.

The grants program assists with start-up or one-time costs. Grants are not recurring or ongoing. The sponsorship program supports events with operational costs such as marketing, promotion, and administration. Sponsorship is provided to events that demonstrate a partnership with Council. Funding can be for up to three years.

Applications were sought from eligible organisations for events that addressed the assessment criteria as follows:

- **Community benefit** – the event demonstrates significant economic, social, community, cultural and / or environmental contribution to the Northern Beaches community.
- **Priority areas** – the event strongly relates to one or more identified Council goals and or/strategies.
- **Value for money** – the application has justified the grant amount requested and included a well-researched and realistic budget, clearly indicating what Council funds would be spent on, as well as other contributions including corporate sponsorship and in-kind support.
- **Environmental & waste management** – the event promotes sustainability and practises waste avoidance principals.
- **Organisational capacity to deliver** – the applicant has a demonstrated track record in delivering events or activations of the scale and type proposed, and / or the applications include thorough event planning and achievable outcomes.
- **Marketing and evaluation strategy** – the application includes an effective and feasible marketing and promotion strategy, as well as a post-event evaluation plan that details how success will be measured.

Events recommended for funding

Council received two applications requesting a total of \$18,032 in cash plus in-kind support (via fee waivers). Applications were reviewed for eligibility in the first instance followed by an assessment undertaken by a panel including staff members and two nominated Councillors.

Most applicants requested a high funding amount, but upon detailed assessment no projects were recommended for the full amount requested. One event application is recommended for partial funding and / or fee waiver as per the recommendations in Attachment 1.

Negotiation of sponsorship benefits will be undertaken by the Events & Partnerships Team to leverage Council value.

Fee waivers have been incorporated into this grant program for items including but not limited to banner fees and beach or reserve bookings.

The funding and fee waiver requests are conditional upon relevant approvals and / or availability of the requested Council facility. Fee waivers are offered up to a maximum value based on the adopted fees and charges.

COVID-19 Postponement/Cancellation

If an event is cancelled due to public health orders and restrictions relating to COVID-19, the recipient can:

- delay the event until restrictions are eased and implement the event prior to 31 August 2022 utilising the grant; and / or
- where the event cannot proceed prior to 31 August 2022, any grant payments made will need to be returned to Council or options discussed if grant funding has already been spent.

If the event is held after 30 June 2021 the funds for the current 2021 financial year will be reattributed to the overall pool and may be used to support other events that can proceed under the public health orders.

Event Grants & Sponsorships recommendations summary

Organisation	Brazengrowth/ Eleni Psillakis		
Project title	Behind the Smile Live Broadcasts		
Project description	<p>Behind the Smile has traditionally been an annual live event held during Mental Health Month at Dee Why RSL club. Three speakers share their lived experience of mental illness or suicide with the aim of bringing hope to and to encourage those who may be suffering to open up and seek help. The event raised funds for the not-for-profit organisation Australians for Mental Health, founded by Professor Patrick McGorry.</p> <p>The applicant is proposing three professional Facebook live broadcasts, once every two months from a local Northern Beaches studio. Each broadcast will feature a guest speaker, entertainment and a Q and A. Each broadcast will be about 45min - 60 min long. The speakers and entertainment may be local people or occasionally the broadcast may involve a recording of a speaker sharing their story if they are not able to get to the studio. The hosts will always be in the studio broadcasting live. Approximately 10-12 people will be active participants each month including hosts, speakers, entertainment and camera crew. Numbers of spectators will grow as the feed goes live each month.</p> <p>Participants from all over the world can engage with each broadcast via Facebook live. A moderator will moderate comments and questions as they appear. The live broadcast event will raise funds for Lifeline Northern Beaches. The first broadcast will be towards the end of April and then another two broadcasts, two months apart until the end of August 2021. A live face-to-face event could follow these broadcasts at the United Cinema in Warriewood.</p>		
Recommended funding	Nil	Fee Waiver	Nil

Organisation	The Catholic Parish of Frenchs Forest		
Project title	Singing Up Country		
Project description	The event is a showcase of the wealth of expression that exists within the Aboriginal community of performing musicians and dancers. It is a ceremony of the old ways melded with new ways, an open invitation for people to experience a cultural event in a real setting that is unique in our area of the Northern Beaches, and perhaps even greater Sydney.		
Recommended funding	\$3,000	Fee Waiver	Nil

CONSULTATION

The program was promoted through the Northern Beaches Council Website as well as Council's grants database and Council's electronic newsletter.

Staff have also provided appropriate assistance and guidance to applicants where requested. All applicants will be able to seek feedback.

The assessment panel comprised:

- one Manager from Council's Events & Partnerships Team
- one Manager from Council's Open Space & Recreation Planning Team
- one Manager from Council's Place & Economic Development Team
- two Councillors as nominated by the Mayor
 - Councillor Bingham
 - Councillor White.

The panel members undertook individual online assessments and submitted scores for each application against the assessment criteria, resulting in a priority ranking. A round table discussion of the panel was held and consensus on the recommended events and funding allocation was obtained.

TIMING

The second round of the 2020/21 Event Grants and Sponsorship Program opened on 31 August 2020. Funded events will need to be delivered by 31 August 2021 and acquitted by 31 October 2021.

If an event is cancelled due to public health orders and restrictions relating to COVID-19, the recipient can:

- delay the event until restrictions are eased and implement the event prior to 31 August 2022 utilising the grant; and / or
- where the event cannot proceed prior to 31 August 2022, any grant payments made will need to be returned to Council. If a grant payment has not yet been made the grant would no longer continue and the applicant would need to apply for the appropriate next round of the Event Grants and Sponsorship Program.

Events receiving multi-year funding will be required to expend their grant funds by 31 August each subsequent year, together with an acquittal report.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 6: Our Community will continue to work towards sustainable use of resources.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural, creative activities and events.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

Funding of \$263,000 is included in the budget for the Event Grants and Sponsorship Program 2020/21. The recommended funding allocation for this round two of applicants is \$3,000 in funding and / or fee waivers. There are no recommendations for multiyear funding arrangements.

The balance of funds available for future Events Grant and Sponsorship applications in 2020/21 is \$45,065.37.

SOCIAL CONSIDERATIONS

The Event Grants and Sponsorship Program has been developed to promote the skills and resources of the community to deliver a rich and diverse calendar of events across the Northern Beaches.

Where Council provides funding by way of a grant or sponsorship to an event, organisers are requested to acknowledge Council's support through its marketing and promotion. This recognition varies depending on the scale of the event and depth of the marketing and promotion that supports the event.

ENVIRONMENTAL CONSIDERATIONS

All event applications must follow Council's policy, Waste Minimisation for Functions and Events Approved by Council, and are required to submit a waste management plan for approval before the event proceeds.

GOVERNANCE AND RISK CONSIDERATIONS

The 2020/21 Event Grants and Sponsorships program is carried out in accordance with chapter 12, part 1, section 356 of the Local Government Act 1993.

The 2020/21 Event Grants and Sponsorship program is carried out in accordance with the Community Grants and Partnerships Policy, adopted by Council on 25 June 2019.

Applications are assessed against pre-defined and advertised criteria and follow a clear and transparent process to ensure equity. The program was advertised and is open to the community all year round.

All event applications including those receiving grant funding and fee waivers are required to submit a risk assessment and other appropriate event management plans, and evidence of appropriate insurance coverage before the event is approved to take place.

There is a risk that, in some circumstances, events that have received funding may not be delivered, or may incur reputational issues that could reflect on Council. The event grant acquittal process requires documentation along with event evaluations for each funded event to be submitted to Council within 60 days of the event occurring. These are reviewed by staff, and an event acquittal report will be submitted on the success and outcomes of the funded event.

2020/21 Event Grants & Sponsorships Program Applicant Overview – Round 2

Council received three applications for Round 2 of the program, with three applications proceeding to assessment after eligibility checks. One applicant withdrew as their application because they had received funding from another Council grant. The remaining two applications requested \$18,032 in cash support. The applications were assessed by the assessment panel against the following criteria:

- **Community benefit** – the event demonstrates significant economic, social, community, cultural and/or environmental contribution to the Northern Beaches community.
- **Priority areas** – the event strongly relates to one or more identified Goals and / or strategies.
- **Value for money** – the application has justified the grant amount requested and included a well-researched and realistic budget, clearly indicating what Council funds would be spent on, as well as other contributions including corporate sponsorship and in-kind support.
- **Environmental & waste management** – the event promotes sustainability and practises waste avoidance principals.
- **Organisational capacity to deliver** – the applicant has a demonstrated track record in delivering events or activations of the scale and type proposed, and / or the application includes thorough event planning and achievable outcomes.
- **Marketing and evaluation strategy** – the application includes an effective and feasible marketing and promotion strategy, as well as a post-event evaluation plan that details how success will be measured.

Grants recommended for funding

Following assessment, the Panel recommends one project receive funding to the total value of \$3,000. In this round there are no projects recommended for multiyear funding. The following table details the funding recommendations:

	Event Title & Applicant	Event Description	Amount Requested (ex GST)	Amount Recommended (ex GST)	Comments
1	Behind the Smile Live Broadcasts - Brazengrowth/ Eleni Psillakis	<p>Behind the Smile has traditionally been an annual live event held during Mental Health month at Dee Why RSL club. Three speakers share their lived experience of mental illness or suicide with the aim of bringing hope to and to encourage those that may be suffering to open up and seek help. The event raised funds for the not-for-profit organisation Australians for Mental Health, founded by Professor Patrick McGorry.</p> <p>The applicant is proposing three professional Facebook live broadcasts, once every two months from a local Northern Beaches studio. Each broadcast will feature a guest speaker, entertainment and a Q and A. Each broadcast will be about 45min - 60 min long. The speakers and entertainment may be local people or occasionally the broadcast may involve a recording of a speaker sharing their story if they are not able to get to the studio. The hosts will always be in the studio broadcasting live. Approximately 10-12 people will be active participants each month including hosts, speakers, entertainment and camera crew. Numbers of spectators will grow as the feed goes live each month.</p> <p>Participants from all over the world can engage with each broadcast via Facebook live. A moderator will moderate comments and questions as they appear. The live broadcast event will raise funds for Lifeline Northern Beaches. The first broadcast will be towards the end of April and then another two, two months apart until the end of August 2021. A live face-to-face event could follow these broadcasts at the United Cinema in Warriewood.</p>	\$12,000	Nil	<p>The Panel discussed the application in length and after review did not recommend for funding.</p> <p>The premise of the event grants is to bring the community together in any one of our beautiful outdoor locations or venue spaces. The applicant is applying to run an event online. However, given the current Health Orders this event would be able to take place physically as it has for a number of years.</p> <p>The event has previously been held at Dee Why RSL.</p> <p>The amount requested was high with a seemingly unrealistic number of participants to engage in the event. This is assessed in comparison to other applications and participant numbers for consistency.</p>

	Event Title & Applicant	Event Description	Amount Requested (ex GST)	Amount Recommended (ex GST)	Comments
2	Singing Up Country - The Catholic Parish Of Frenchs Forest	The event is a showcase of the wealth of expression that exists within the Aboriginal community of performing musicians and dancers. It is a ceremony of the old ways melded with new ways, an open invitation for people to experience a cultural event in a real setting that is unique in our area of the Northern Beaches, and perhaps even greater Sydney.	\$6,032	\$3,000 (1 year Grant)	The Panel recommends partial funding in line with other events of a similar size/scale, conditional to the inclusion of local artists in the program.

Event Grants and Sponsorship Program FY20-21 – Previously Committed Funds

Applicant	Event	Approved Grant	Approved Fee Waiver
<i>Multi-year Agreements/Ongoing Event Grants</i>			
Bilgola Surf Life Saving Club Inc	Pittwater Ocean Swim Series	\$6,000	NIL
Dee Why RSL Club Ltd	ANZAC Day Dee Why	\$10,000	\$2,000
Volleyball Australia Ltd	Vollyfest 2021	\$50,000	NIL
Northern Beaches Council	Sun Run 2021	\$15,000	NIL
Various Volunteer Groups	Australia Day 2021 reduced amount due to alternate event programming	\$33,000	NIL
The Lions Club of Frenchs Forest Inc*	Frenchs Forest Lions Carols by Candlelight*	\$5,000*	NIL
Avalon Surf Life Saving Club Inc*	Avalon Carols*	\$5,000*	NIL
Rotary Club of the Northern Beaches*	Mona Vale Carols*	\$5,000*	NIL
Rotary Club of Brookvale Inc*	Pub 2 Pub Charity Fun Run & Festival*	\$5,000*	NIL
<i>*Event postponed to FY2021/2022, dollar amount not included in total below</i>			
<i>Cancelled events from FY2019/2020 due to COVID-19, approved for FY2020/2021 should event proceed</i>			
Northern Beaches Youth Interagency	All About YOUTH (event was held online, so fee waiver not required)	\$6,400	NIL
The Shack Folk Inc.	Northern Beaches Music Festival	\$6,600	NIL
Special Olympics Australia	Special Olympics NSW Swimming Competition hosted by Sydney Northern Beaches Club	\$6,000	NIL
Lifeline Northern Beaches Incorporated	Lifeline Northern Beaches Classic	NIL	\$841
Gotcha 4 Life Foundation Ltd	Gotcha4Life Fun Run	NIL	\$1,158
Manly Malibu Boardriders Club Inc.	Snowy McAlister Surfing Festival	\$2,750	\$2,722
Lifeline Northern Beaches Incorporated	Tarp-O-Rama for Lifeline	\$2,500	NIL
<i>Round 1 Event Grants</i>			
Manly Business Chamber	Market Lane Live	\$5,000	NIL
Running Stars Healthy Living Ltd	Running Stars	\$7176.53	NIL

Danielle Kim Mckinnon T/A Swoop Physical Theatre	Circus on the Sand	\$7525.10	NIL
Mona Vale Chamber of Commerce Incorporated	Mona Vale Market Day	\$2,200	NIL
Surfing NSW Inc	Australian Open of Surfing – Northern Beaches Open	\$3,500	\$5,000
Taylor Event Development Pty Ltd T/A Ted & Co Events	Narrabeen Bites & Brews	\$10,000	NIL
Cambridge Markets Pty Ltd	Pittwater Spring Market	NIL	\$3,000 reserve fee waiver No hard costs required, amount not included in total below
The Trustee for Quarantine Investment Group Unit Trust T/A Manly Wharf Hotel*	NYE Manly Fireworks*	\$5,000*	NIL
Hemmes Trading Pty Limited T/A The Newport*	Bayview NYE Fireworks*	\$5,000*	NIL
Narrabeen Lakes* Festival Inc.	Narrabeen Summerfest*	NIL	\$800*
<i>*Event postponed to FY2021/2022, dollar amount not included in total below</i>			
Additional CEO Approved Grants			
Surfing NSW Inc	2020 Aloha Manly Junior Teams Surfing Event	NIL	\$1,562
Fast Track Round 1 Event Grants			
MNT Investments Pty Ltd	Market Lane Pop Up	\$10,000	\$2,000 waste management fees
Taverner Investments Pty Limited T/A Manly Vice Ltd	Moonlight Movies	\$5,000	NIL
Oz Fare Pty Ltd T/A Australia's Silent Film Festival	Movies at Manly	\$3,000	NIL
Fast Track Round 2 Event Grants			
Lifeline Northern Beaches Incorporated	2021 Lifeline High Schools Surf Challenge	NIL	\$1,000 reserve and water safety fees
The Warrior Woman Foundation Ltd	The Inaugural Warrior Woman Foundation Network Lunch	\$1,500	NIL
Seaside Scavenge Limited	Collaroy Seaside Scavenge	\$5,000	\$500 reserve and waste management

			fees
	<i>Subtotals</i>	<i>\$198,151.63</i>	<i>\$16,783</i>
	TOTAL	\$214,934.63	

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	USE OF DELEGATED AUTHORITY BY THE MAYOR OVER CHRISTMAS AND NEW YEAR RECESS 2020/21
REPORTING MANAGER	ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/723523
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To inform Council how the delegated authority granted to the Mayor by the Council over the 2020-21 recess was exercised.

REPORT

In November 2020 Council granted authority to the Mayor to make decisions on the governing body's behalf on critical or urgent matters over the recess period 16 December 2020 to 31 January 2021 inclusive. The resolution (330/20) required a report to be provided to the 23 February 2021 Council meeting outlining how the delegated authority was exercised.

This report is to advise Council there was one matter for which the delegated authority was exercised during the 2020-21 recess.

On 13 January 2021 a decision was made to publish a letter from the Secretary of NSW Health thanking Council for its effective response to the Northern Beaches COVID-19 outbreak. The letter was published on Council's website and LinkedIn; shared via the Mayor's weekly message and by email to the Residents' Associations; it was also provided on request to two media publications.

The publication was considered necessary to provide the community with assurance that Council was responding appropriately and in a timely manner due to the ongoing impact of the outbreak.

The governing body's approval is not usually sought to publish material on Council's website. However, as the matter was being considered by the Council at its extraordinary meeting of 12 January 2021, and as the matter had not been concluded due to the meeting being adjourned, delegated authority was considered on this occasion and exercised.

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 considerations as existing resources were used.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations in relation to this report.

SOCIAL CONSIDERATIONS

The communication was part of Council's efforts to provide reassurance to the community during the COVID-19 outbreak.

GOVERNANCE AND RISK CONSIDERATIONS

This report meets the requirements of Council resolution 330/20 Council Delegated Authority - Christmas / New Year Recess 2020-21.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the decision made under the delegated authority granted by the Council to the Mayor for the period 16 December 2020 to 31 January 2021 inclusive.

ITEM 9.2	CONSTITUTIONAL REFERENDUMS AND COUNCIL POLLS
REPORTING MANAGER	ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/072775
ATTACHMENTS	1 ↓ OLG Circular Constitutional Referendums and Polls

BRIEF REPORT

PURPOSE

To consider whether to conduct a constitutional referendum at the September 2021 election.

REPORT

The provisions for Northern Beaches Council, including wards, councillor election method, number of councillors and method of electing the mayor, were set by the Local Government (Council Amalgamations) Proclamation 2016 in May 2016.

Under section 16 of the Local Government Act 1993, a council must obtain the approval of its electors at a constitutional referendum to do each of the following:

- Divide a council area into wards or abolish wards
- Change the number of councillors
- Change the method of electing the mayor
- Change the method of election for councillors where the council's area is divided into wards.

Accordingly, should Council wish to make any changes to any of the above, approval to do so would first need to be given at a constitutional referendum. A constitutional referendum may be conducted in conjunction with the 2021 ordinary local government elections. Approval given at a constitutional referendum conducted in conjunction with the 2021 elections would have the effect of changing the provisions for the electoral term commencing in September 2024.

Council has been requested to notify the NSW Electoral Commission (NSWEC) as soon as possible if it wishes to enter into an arrangement with the NSWEC to administer the referendum or poll at the next election (Office of Local Government Circular 20-39 attached).

A Councillor briefing was held on this matter on 3 February 2021 in line with the resolution at the December 2020 ordinary Council meeting.

Council wards

In September 2019, Council resolved (292/19) to advise the NSW Electoral Commission that a ward boundary alteration was not required as follows:

That Council:

- Note that no action is necessary to alter existing ward boundaries, however ward boundary elector numbers will be kept under review as required under section 211 of the Local Government Act 1993.*
- Advise the NSW Electoral Commission that a ward boundary alteration is not required for Northern Beaches Council.*

Under section 211 of the Local Government Act 1993 Councils must keep ward boundaries under review to ensure that a difference in elector numbers of no greater than 10% exists between

wards. If an alteration to ward boundaries is undertaken, Council is required to, among other things, consult the NSW Electoral Commissioner.

The NSW Electoral Commission (NSWEC) maintains a website which provides enrolment statistics for each council and ward. There has been no change to these statistics as the last published report provided by the NSWEC was at 16 May 2019. These statistics show the difference in elector numbers between the highest and lowest numbers per ward in the Northern Beaches Council is **2.96%**, which is within the required 10% limit.

Ward	No. of electors	Variance = 2.96%
Curl Curl	37469	Highest
Frenchs Forest	36770	
Manly	36360	Lowest
Narrabeen	37034	
Pittwater	37356	

Number of councillors

Section 224 of the Local Government Act 1993 (LGA), requires Council to determine the number of councillors for the following term not less than 12 months before an ordinary election. Any proposed changes would require approval at a constitutional referendum.

Given the distribution of voters in each ward, there is no requirement to change the number of wards or ward boundaries. It is therefore proposed that Council retain the current number of councillors at 15 for the following term.

The Office of Local Government has classified Northern Beaches Council as a metropolitan council. According to the Office of Local Government's Your Council at a Glance report⁵ Northern Beaches Council's 15 councillors have an average population of 18,085 per councillor, compared to the metropolitan group average being 13 councillors having an average population of 13,946 per councillor.

Method of electing the mayor

The Act provides two methods by which a mayor can be elected — by popular vote at an ordinary election or by vote among the councillors. The mayor is currently elected by vote among the councillors.

As Northern Beaches Council has areas that are divided into 5 wards, changing the method of electing the mayor will have implications for the number of councillors to be elected as each ward must have an equal number of councillors under section 280(2) of the Act. A popularly elected mayor is not to be included in this count.

Method of electing councillors by ward

The councillors for an area that is divided into wards are to be elected in accordance with either method of election prescribed under section 280 or 281 of the Act. The method of election under section 280 (method 1) is to apply unless a decision made at a constitutional referendum is in force which requires the method of election to be conducted under section 281 (method 2). The decision made at a constitutional referendum to alter the method of election to method 2 must also specify the number of councillors to be elected by all the electors for a ward and the number of councillors to be elected by all the electors for the area.

⁵ <https://www.yourcouncil.nsw.gov.au/wp-admin/admin-ajax.php>

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 recommendations of this report pose no financial impact on Council if provisions remain the same as existing arrangements.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts relating to this report.

SOCIAL CONSIDERATIONS

Reviewing these provisions helps ensure community representation is equitable across the Northern Beaches LGA via ward boundary arrangements and councillor numbers and allocation.

GOVERNANCE AND RISK CONSIDERATIONS

It important that Council monitors the variance in number of electors in each ward to ensure Council is complying with section 211 of the LGA and meeting its statutory compliance.

The risk of a significant change in ward population numbers which would drive the variance beyond the 10% threshold between wards is considered unlikely to occur prior to the next local government election.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL DIVISION REPORTS

That Council:

1. In accordance with section 224 of the Local Government Act 1993, determines the number of councillors for the following term of Council be 15.
 2. Note that no action is necessary to alter existing ward boundaries, however ward boundary elector number will be kept under review as required under section 211 of the Local Government Act 1993.
 3. Note that the method of electing the mayor will remain as currently arranged for the 2024 election.
 4. Note that the method of electing councillors will remain as currently arranged.
 5. Note no constitutional referendum in relation to the matters in section 16 of the Local Government 1993 is required at the September 2021 local government election.
-



Office of
Local Government

Circular to Councils

Circular Details	20-39 / 30 November 2020 / A716396
Previous Circular	19-23 Constitutional referendums and council polls
Who should read this	Councillors / General Managers / Council Governance Staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Constitutional referendums and council polls

What's new or changing

- Councils are reminded to inform the NSW Electoral Commissioner (NSWEC) if they have resolved for the NSWEC to administer a constitutional referendum or poll in conjunction with the September 2021 local government elections.

What this will mean for your council

- Under section 16 of the *Local Government Act 1993*, a council must obtain the approval of its electors at a constitutional referendum to do each of the following:
 - divide a council area into wards or abolish wards
 - change the number of councillors
 - change the method of electing the mayor
 - change the method of election for councillors where the council's area is divided into wards.

Key points

- Councils should notify the NSWEC as soon as possible if they wish to enter into an arrangement for the administration of a referendum or poll.
- If a council resolves that a constitutional referendum or poll is to be conducted, it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2005*.
- Any changes approved at a referendum will come into effect at the September 2024 local government elections.

Where to go for further information

- For councils considering, or that have resolved to have the NSWEC conduct a constitutional referendum or poll, contact Steve Robb at the NSW Electoral Commission on telephone 9290 5431 or Steve.Robb@elections.nsw.gov.au.
- See the attachment to this Circular for further information.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

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Attachment

Conducting a constitutional referendum

If a council resolves to conduct a constitutional referendum it must comply with the notification requirements contained in Schedule 10 of the *Local Government (General) Regulation 2005*.

It is of critical importance that the referendum question or questions are carefully framed to ensure that workable decisions are achieved. All questions put at a referendum should be clear, concise, and capable of being responded to with a 'yes' or 'no' answer.

If more than one referendum question is being asked on a particular subject, then extra care needs to be taken to ensure that the possible combinations of 'yes' and 'no' answers do not produce a conflicting decision.

Councils are responsible for the preparation and publicity of the required explanatory material. Councils must ensure this material presents a balanced case both for and against any proposition to be put to a constitutional referendum.

Dividing an area into wards or abolishing wards

After receiving elector approval at a constitutional referendum, and before dividing its area into wards, a council must undertake the consultation required by section 210A of the *Local Government Act 1993* (the Act). This includes consulting with the Electoral Commissioner and the Australian Statistician and public exhibition of the proposal. (Compliance with section 210A is not required where approval has been given by electors at a referendum to abolish wards.)

Any changes to wards will come into effect for the electoral term commencing in September 2024.

Changing the number of councillors

Section 224(2) of the Act requires that not less than 12 months before an ordinary election the council must determine the number of its councillors for the following term. If, as a result of doing so, a council has determined to change the number of its councillors, it must also obtain approval for the change at a constitutional referendum. Approval would have the effect of changing the number of councillors for the electoral term commencing in September 2024.

If following the approval of a reduction in councillor numbers, a casual vacancy occurs in the office of a councillor (but not a mayor elected by the councillors), and the reduction has not yet taken effect, the vacancy must not be filled if the number of councillors will remain at or above the number approved at the referendum (section 294B of the Act).

Changing the method of electing the mayor

The Act provides two methods by which a mayor can be elected — by popular vote at an ordinary election or by vote among the councillors. Section 228 of the Act permits a council to change the way the mayor is elected by seeking approval of its electors at a constitutional referendum.

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Councils with areas that are divided into wards are reminded that section 280(2) of the Act requires the same number of councillors is to be elected for each ward. A popularly elected mayor is not to be included in this count. In such circumstances, councils should be mindful that changing the method of electing the mayor could result in an increase or decrease in the number of councillors to be elected.

If electors at a constitutional referendum conducted in conjunction with the 2021 ordinary elections approve a change to the way the mayor is elected, that change will come into effect for the electoral term commencing in September 2024.

Changing the method of electing councillors

The councillors for an area that is divided into wards are to be elected in accordance with either method of election prescribed under section 280 or 281 of the Act.

The method of election under section 280 (method 1) is to apply unless a decision made at a constitutional referendum is in force, which requires the method of election to be conducted under section 281 (method 2).

The decision made at a constitutional referendum to alter the method of election to method 2 must also specify the number of councillors to be elected by the ward electorate and the number of councillors to be elected by the area electorate.

If electors at a constitutional referendum conducted in conjunction with the 2021 ordinary elections approve a change to the method for electing councillors, this change will come into effect for the electoral term commencing in September 2024.

ITEM 9.3	QUARTERLY REVIEW - DECEMBER 2020
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS
TRIM FILE REF	2021/006246
ATTACHMENTS	1 ⇒Quarterly Budget Review Statement - December 2020 (Included In Attachments Booklet) 2 ⇒Quarterly Report on Service Performance - December 2020 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present the financial and management results for the period ended 31 December 2020.

EXECUTIVE SUMMARY

This report details Council's management results and the consolidated financial position for the six months ended 31 December 2020. The Quarterly Report on Service Performance is a progress report on the Operational Plan 2020/21.

The operating result (which includes capital grants and contributions) for the financial year is forecast to decrease by \$9.1 million to a surplus of \$18.2 million. Excluding capital grants and contributions the result is forecast to decrease by \$4.3 million, from a deficit of \$14 million to a deficit of \$18.2 million, primarily due to the impacts of COVID-19. Capital expenditure is forecast to decrease by \$16.6 million to \$105.5 million, primarily related to the rollover of capital works to future years.

The COVID-19 pandemic continues to impact Council's budget, with further unfavourable variations to the budget proposed including reductions in income from fines (-\$2.5 million), parking fees (-\$1.5 million), Lakeside Holiday Park (-\$1 million), Community Centres (-\$0.5 million) and Aquatic Centres (-\$0.4 million). The estimated cost of the pandemic to Council is now \$29 million.

Council previously adjusted its capital expenditure to provide capacity to respond to the COVID-19 pandemic and retain our long term strong and sustainable position. Further adjustments are proposed to maintain the Council's working capital.

Of the 188 actions of the operational plan 2020/21, the majority are progressing on schedule, with 12 completed. 76 percent of performance measures have met or are approaching their targets.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Notes the Budget Review Statement for the six months ended 31 December 2020.
 2. Approve the following changes to the Current Forecast in the December 2020 Budget Review Statement:
 - A. A decrease in the forecast surplus from Continuing Operations which includes Capital Grants and Contributions of \$9.137 million to \$18.210 million
 - B. A decrease in capital expenditure by \$16.572 million to \$105.511 million
 3. Note the Quarterly Report on Service Performance for the period ending 31 December 2020.
-

REPORT

BACKGROUND

Northern Beaches Council's Operational Plan 2020/21 was adopted on 23 June 2020. The operational plan is for the period 1 July 2020 to 30 June 2021.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2020/21. It has been prepared in accordance with the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2005 (Cl203), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

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

The report includes:

- Service performance
- Financial performance
 - Recommended changes to the budget
 - Income and expenses budget review statement
 - Capital budget review statement
 - Cash and investments budget review statement and cash flow statement
 - Balance sheet
 - Key performance indicators
 - Contracts listing
 - Budget review of consultancy and legal expenses.

Overview of service performance

A detailed report on Council's service performance is provided as Attachment 2 – 'Quarterly Report on Service Performance'. In summary, Council is making steady progress towards achieving its performance, operational and capital targets.

With respect to Council's 37 performance measures, overall 76% of targets have been met and a further 2% are approaching their target. Most of the results with missed targets have been impacted by COVID-19.

Of the 188 projects, 90% were either progressing or completed (comprised of 91% of operational and 90% of capital projects). In total, 12 projects are completed. Council's target is for 80% of all projects to be completed or progressing on schedule by 30 June 2021.

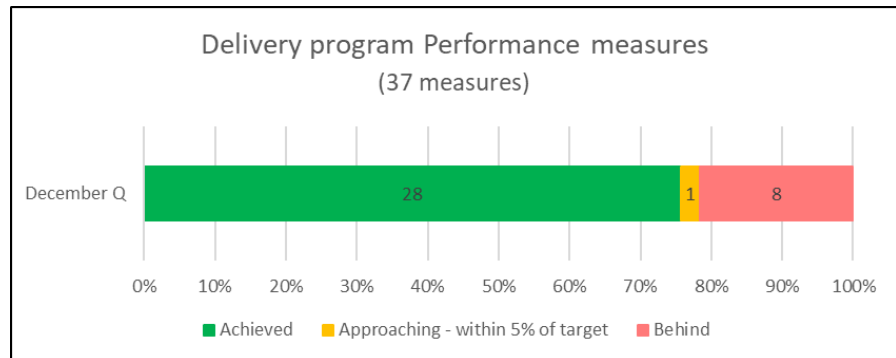
Council won eight industry awards and 17 recognitions for our outstanding programs. Highlights include winning the Sustainable Cities Award, and wins for the Environment and Climate Change Strategy, Local Strategic Planning Statement, Arts and Creativity Strategy, Smart Cities, waste education programs and risk management. Commendations were earned for our youth work, Northern Beaches Suicide Response, Dee Why Town Centre renewal and Belrose Children's Centre. Our staff team excelled as runner-up in the Australasian Local Government Management Challenge, after winning the NSW Challenge and two sections of the National Challenge.

A summary of our performance is outlined below.

Performance measures

Overall 78% have met or are approaching the target.

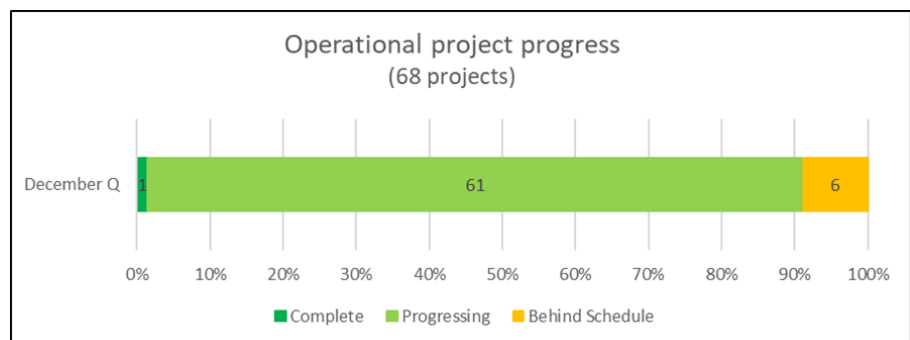
Eight of the nine measures that did not achieve their target, this was due to the continuing impact of COVID-19 and associated restrictions.



Operational project progress

Of the 68 operational projects, overall 91% are complete or progressing on schedule.

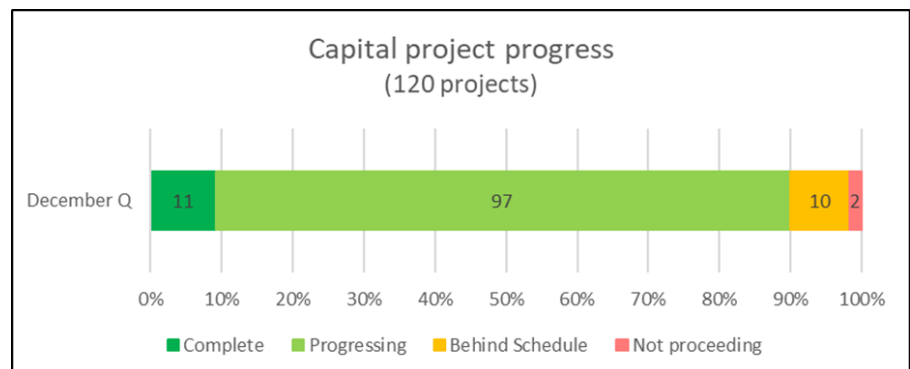
Target: 80% complete/on schedule as at 30 June 2021



Capital project progress

Of the 120 projects, overall 90% are complete or progressing on schedule.

Target: 80% complete/on schedule as at 30 June 2021



Of the total 12 projects now completed, seven were completed this quarter:

- South Narrabeen Surf Life Saving Club
- Public space protection program
- Public defibrillator installation
- Recreational trails - renewal program
- New library furniture
- Warringah Aquatic Centre renewal works
- Manly Aquatic Centre installation of solar

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

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

"It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 31 December 2020 indicates that Council's projected financial position at 30 June 2021 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure."

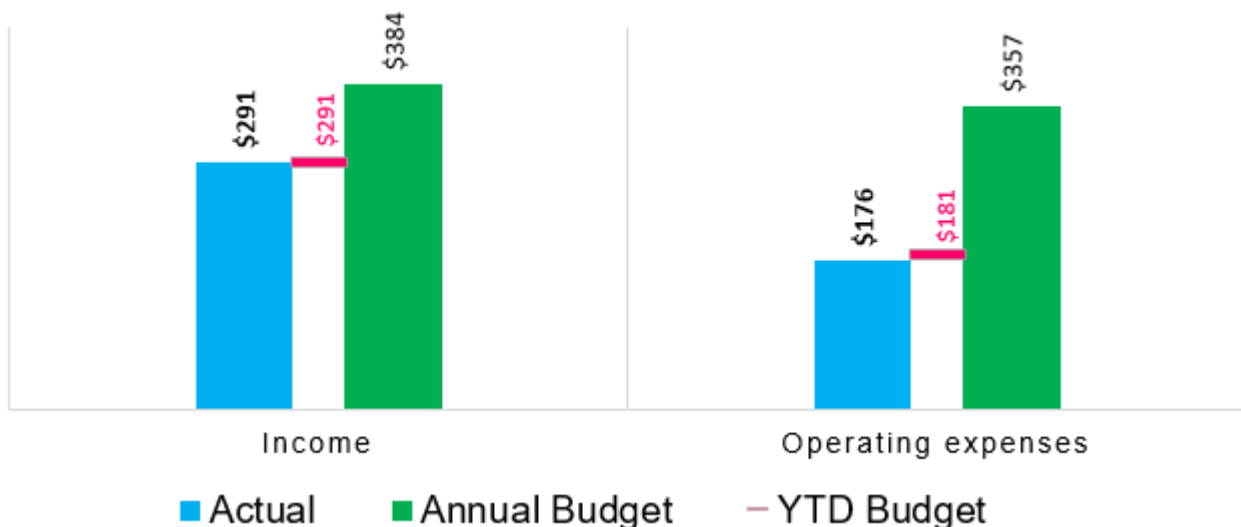
David Walsh Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of Council's progress against the annual budget at the end of the December 2020 quarter and provides explanations for major variations that result in recommendations for budget changes.

Further information on the financial performance for each of the 16 services of the Delivery Program is available within Attachment 2 – 'Quarterly Report on Service Performance'.

[Operating budget summary – as at 31 December 2020](#)



Council's financial results remain impacted by the COVID-19 pandemic, with the outbreak on the Northern Beaches in December 2020 further impacting a number of services. The estimated cost of the pandemic has increased by a further \$6.2 million, with the total cost Council since March 2020 now revised to \$29 million.

For the six months to 31 December 2020 the operating result is \$4.2m ahead of budget, primarily due to timing of operating expenditure.

The operating surplus which includes capital grants and contributions for the financial year is forecast to decrease by \$9.1 million to \$18.2 million. This decrease is due to lower than anticipated income of \$7.86 million and higher than anticipated operating expenses of \$1.27 million.

The operating result excluding capital grants and contributions is forecast to decrease by \$4.3 million to an \$18.2 million deficit.

These overall movements are detailed in the table below, under the 'Recommended Changes' column.

Operating budget as at 31 December 2020 – summary of recommended changes

\$'000	Annual				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	Approved Budget	Variance	
Income	374,827	384,492	(7,862)	376,630	290,904	291,064	(160)	0%
Operating expenses	(346,046)	(357,144)	(1,275)	(358,419)	(176,191)	(180,558)	4,367	(2%)
Surplus / (Deficit)	28,781	27,348	(9,137)	18,210	114,713	110,506	4,207	4%
Surplus / (Deficit) before Capital Grants & Contributions	(7,457)	(13,985)	(4,250)	(18,236)	102,471	95,768	6,703	7%

Income Year to Date (YTD) Analysis

Total income at the end of December 2020 is \$291 million which is \$0.160 million below the forecast. The principal reasons for this variance are as follows:

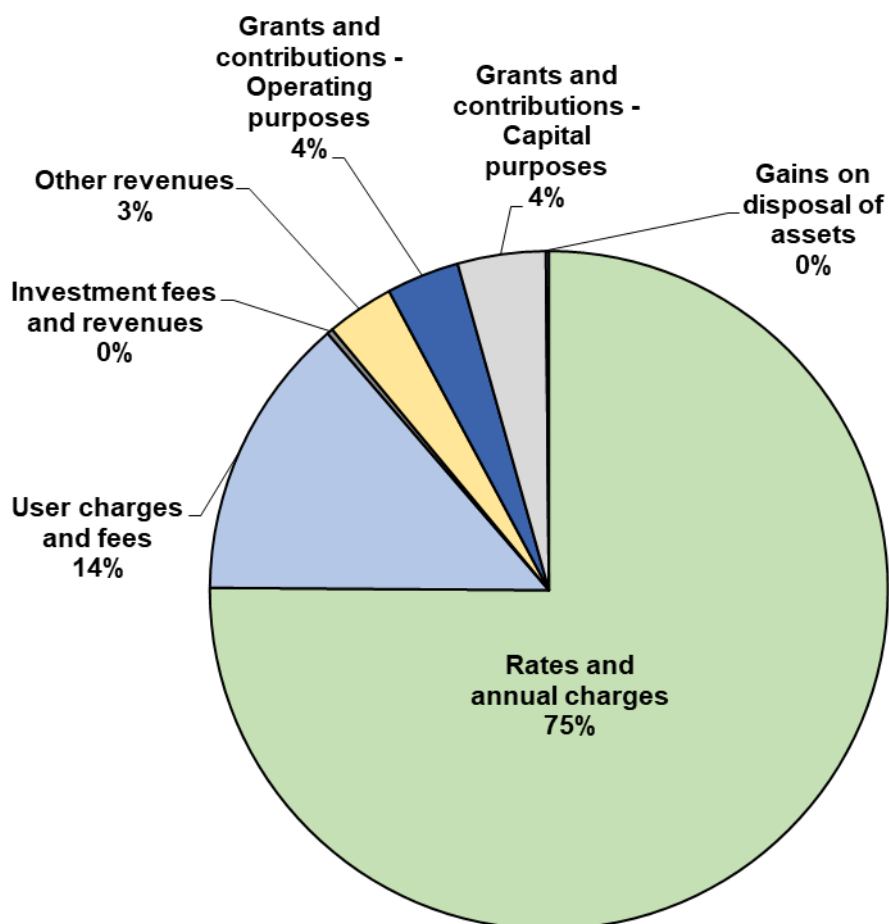
Income as at 31 December 2020 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
52	Rates and Annual Charges
1,020	User Charges & Fees
	<ul style="list-style-type: none"> • Kimbriki tipping fees \$1.040m (excl fee charged to Council) • Childcare fees \$0.574m (offset by grants) • Development assessment \$0.346m • Golf driving range \$0.166m • Parking permits \$0.151m • Lakeside Holiday Park (\$0.699m) • Carparks and pay and display parking (\$0.460m) • Community Centres (\$0.383m) • Aquatic centres (\$0.233m)
87	Investment Fees and Revenues
(1,125)	Other Revenues
	<ul style="list-style-type: none"> • Fines income (\$0.708m) • Advertising on Council structures (\$0.567m)
2,301	Grants and Contributions – Operating Purposes
	<ul style="list-style-type: none"> • Bare Creek Bike Park maintenance contribution \$1.491m • B-line offset tree planting corridor Mona Vale to Seaforth \$0.696m
(2,495)	Grants and Contributions – Capital Purposes

YTD Variance \$'000	Details – Favourable / (Unfavourable)
	<ul style="list-style-type: none"> Timing of receipt and recognition of various grants for capital projects including Stronger Communities Fund projects including Currawong Cottages, Connecting Communities Footpaths and Cycleways programs
(160)	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Actual Results – Consolidated

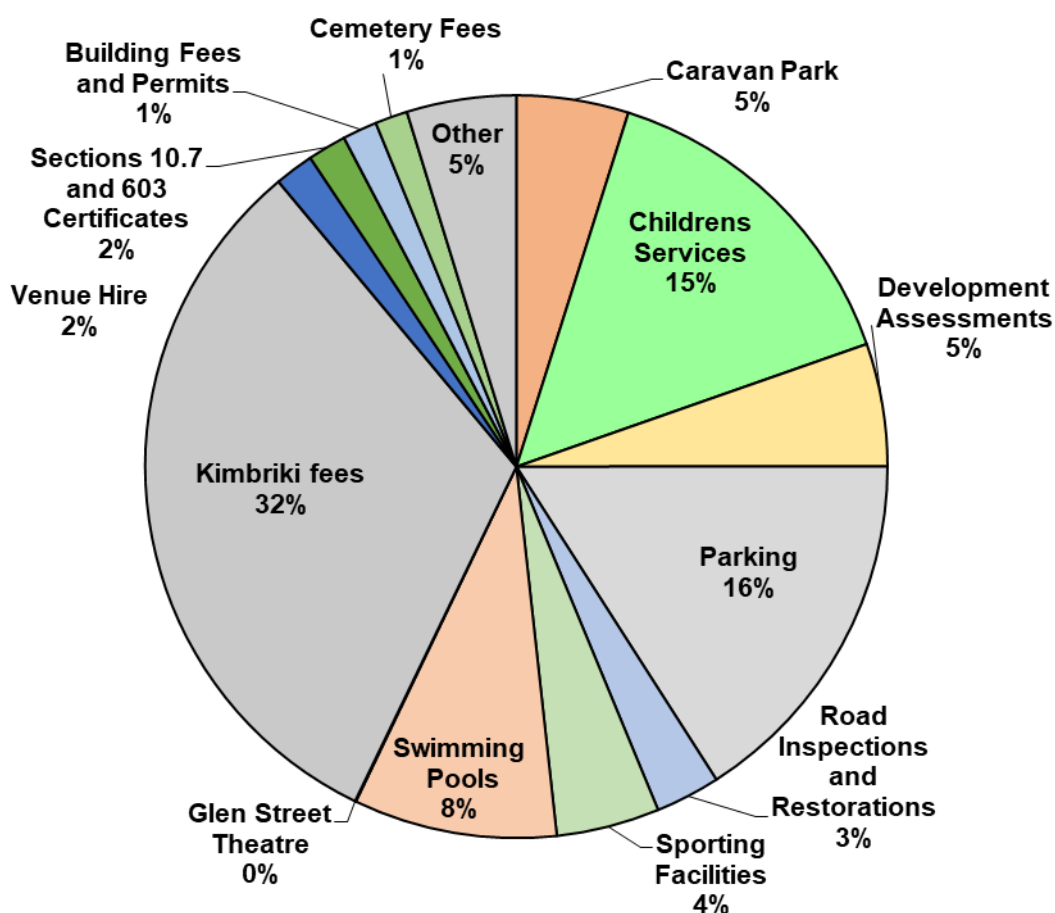
Income from Continuing Operations



*Income graph incorporates gain on disposal of asset

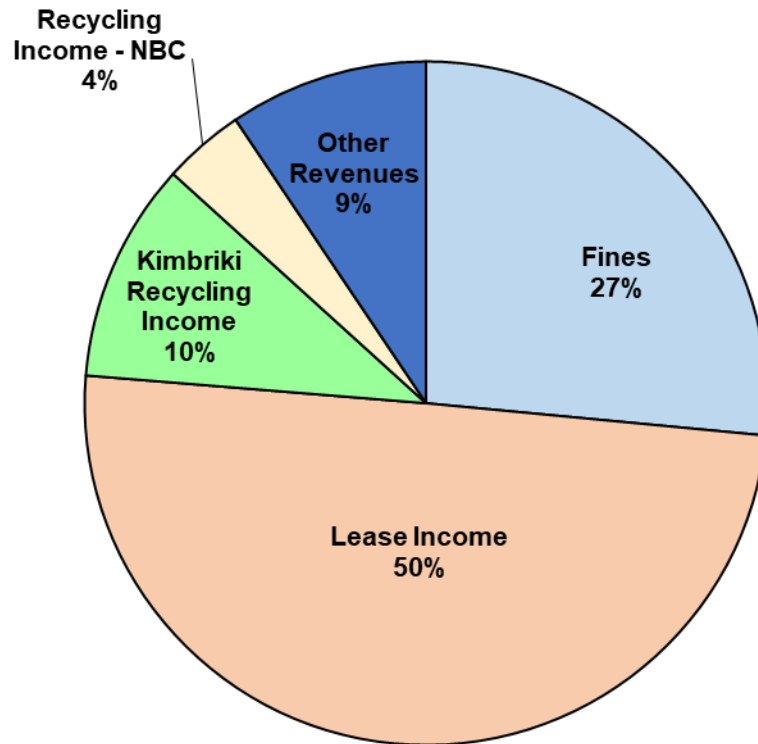
Income Item	1 July 2020 - 31 December 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and annual charges	218,801	218,749	52	0.0%
User charges and fees	39,525	38,505	1,020	2.6%
Investment fees and revenues	822	735	87	11.8%
Other revenues	9,395	10,520	(1,125)	(10.7)%
Grants and contributions - Operating	10,119	7,817	2,301	29.4%
Grants and contributions - Capital	12,242	14,737	(2,495)	(16.9)%
Gains on disposal of assets	409	300	109	36.3%
Total Income	291,313	291,364	(51)	(0.0)%

User Charges and Fees



User Charges and Fees Item	1 July 2020 - 31 December 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki fees	12,555	11,515	1,040	9.0%
Parking	6,306	6,615	(309)	(4.7)%
Childrens Services	5,835	5,262	573	10.9%
Swimming Pools	3,502	3,735	(233)	(6.2)%
Caravan Park	1,928	2,895	(967)	(33.4)%
Development Assessments	2,114	1,731	383	22.1%
Glen Street Theatre	16	297	(280)	(94.4)%
Road Inspections and Restorations	1,115	1,235	(120)	(9.7)%
Venue Hire	673	1,056	(383)	(36.3)%
Sporting Facilities	1,777	1,565	212	13.6%
Sections 10.7 and 603 Certificates	666	564	102	18.1%
Building Fees and Permits	594	632	(37)	(5.9)%
Cemetery Fees	561	477	83	17.5%
Other	1,884	928	956	103.1%
Total User Charges and Fees	39,525	38,505	1,020	2.6%

Other Revenues



Other Revenues Item	1 July 2020 - 31 December 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Fines	2,490	3,199	(709)	(22.2)%
Lease Income	4,678	4,150	528	12.7%
Kimbriki Recycling Income	979	1,098	(120)	(10.9)%
Recycling income - NBC	363	429	(67)	(15.5)%
Other Revenues	886	1,644	(758)	(46.1)%
Total Other Revenue	9,395	10,520	(1,125)	(10.7)%

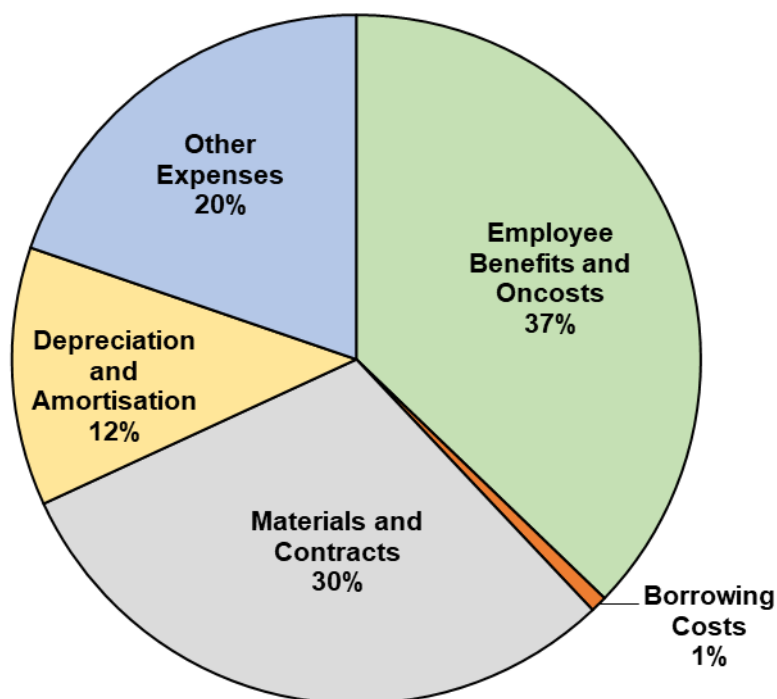
Operating Expenses Year to Date (YTD) Analysis

Total operating expenses at the end of December 2020 is \$176 million, which is \$4.4 million under the forecast. The principal reasons for this variance are as follows:

Operating expenses as at 31 December 2020 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
168	Employee Benefits & Oncosts
39	Borrowing Costs
1,506	Materials and Contracts <ul style="list-style-type: none"> Waste collection and disposal \$1.061m (timing) Bush regeneration \$0.499m (timing)
(142)	Depreciation and Amortisation <ul style="list-style-type: none"> Depreciation of office equipment
2,688	Other Expenses <ul style="list-style-type: none"> Insurance \$0.111m (timing) Subscriptions, Stationery and Printing costs \$0.333m Utilities costs \$0.471m (timing) Information Technology costs \$0.573m (timing) Management Fees \$0.236m Advertising \$0.323m Postage \$0.159m (timing) Training costs \$0.193m
109	Gain / (Loss) on the Disposal of Assets <ul style="list-style-type: none"> Net gain on the disposal of plant and property
4,367	TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET

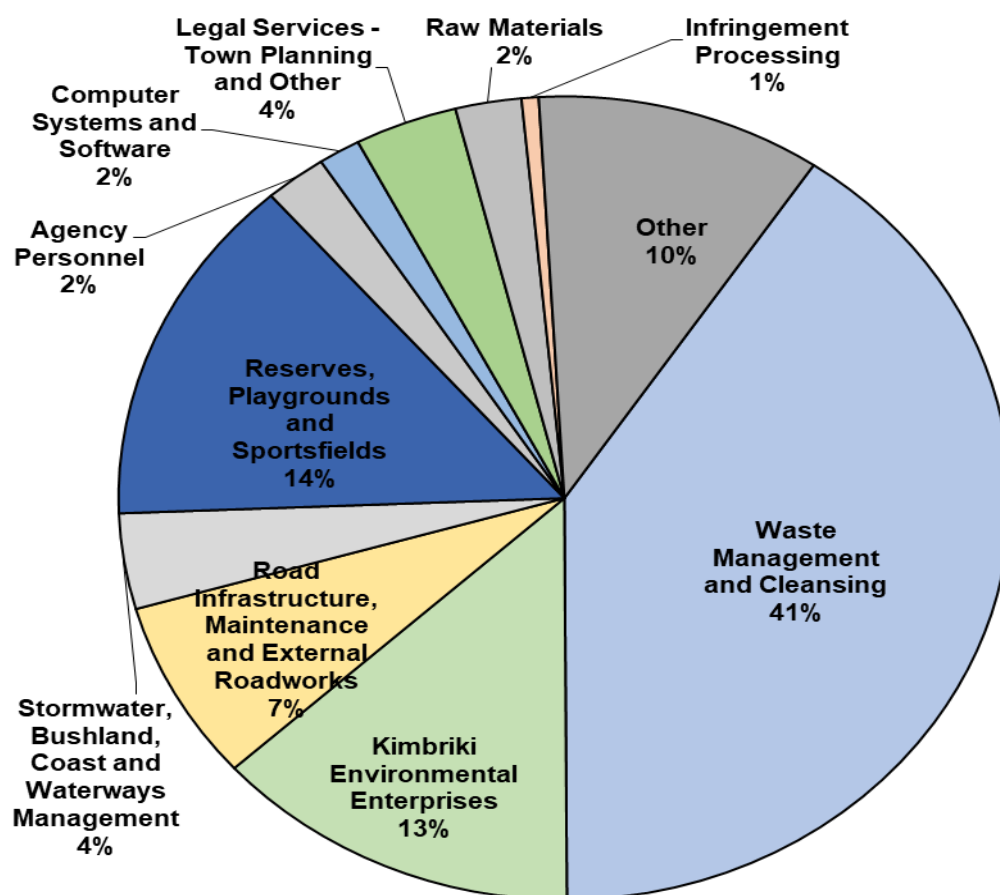
Expenses from Continuing Operations



Expense Item	1 July 2020 - 31 December 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee Benefits and Oncosts	65,685	65,853	168	0.3%
Borrowing Costs	1,367	1,406	39	2.7%
Materials and Contracts	53,244	54,750	1,506	2.8%
Depreciation and Amortisation	21,434	21,292	(142)	(0.7)%
Other Expenses	34,871	37,558	2,688	7.2%
Total Expense	176,600	180,859	4,258	2.4%

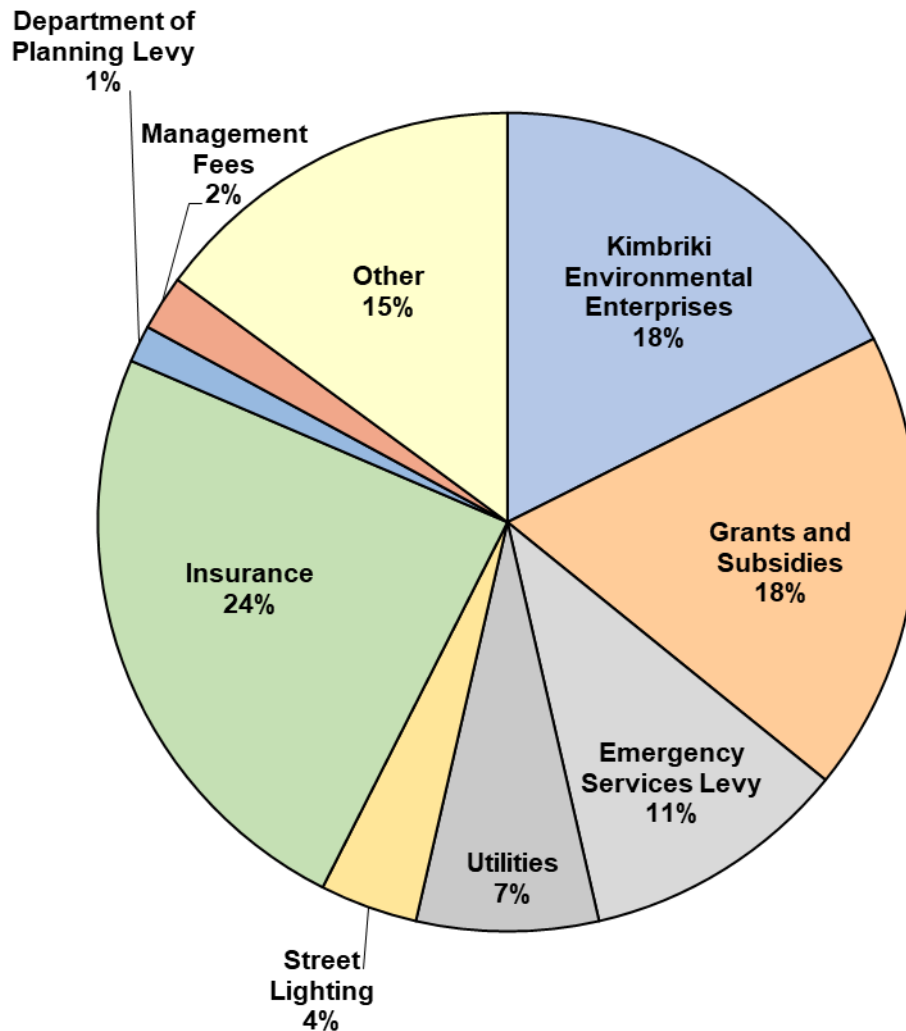
*Expenses graph does not include gain/(loss) on disposal of assets – refer to Income graph

Materials and Contracts



Materials and Contracts Item	1 July 2020 - 31 December 2020			
	YTD	YTD	YTD	%
	Actual (\$'000)	Budget (\$'000)	Variance (\$'000)	Variance
Waste Management and Cleansing	21,546	22,334	788	3.5%
Kimbriki Environmental Enterprises	7,113	6,922	(192)	(2.8)%
Road Infrastructure, Maintenance and External Roadworks	3,877	4,341	465	10.7%
Stormwater, Bushland, Coast and Waterways Management	2,049	3,083	1,035	33.6%
Reserves, Playgrounds and Sportsfields	7,544	6,510	(1,034)	(15.9)%
Agency Personnel	1,194	1,219	24	2.0%
Computer Systems and Software	814	1,106	292	26.4%
Legal Services - Town Planning and Other	1,985	1,825	(161)	(8.8)%
Raw Materials	1,275	1,303	27	2.1%
Infringement Processing	330	471	141	29.9%
Other	5,517	5,637	120	2.1%
Total Materials and Contracts	53,244	54,750	1,506	2.8%

Other Expenses



Other Expenses Item	1 July 2020 - 31 December 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki Environmental Enterprises	6,140	5,834	(305)	(5.2)%
Grants and Subsidies	6,360	6,380	20	0.3%
Emergency Services Levy	3,684	3,684	0	0.0%
Utilities	2,505	2,834	329	11.6%
Street Lighting	1,346	1,425	78	5.5%
Insurance	8,367	8,507	140	1.6%
Department of Planning Levy	510	335	(176)	(52.4)%
Management Fees	760	996	236	23.7%
Other	5,198	7,564	2,365	31.3%
Total Other Expenses	34,871	37,558	2,688	7.2%

Capital Budget Statement

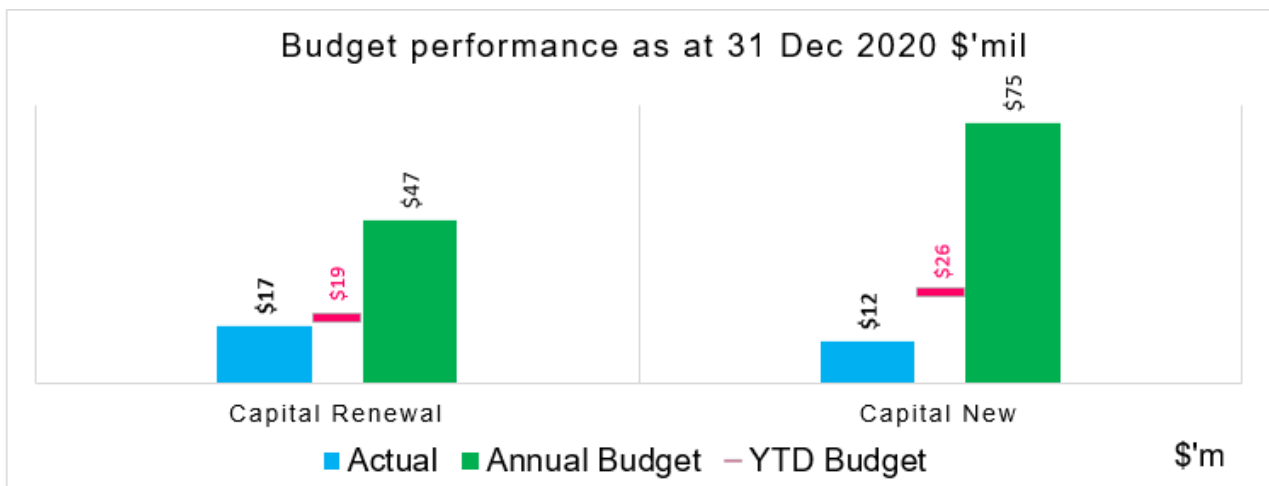
Capital Expenditure is forecast to decrease by \$16.6 million to \$105.5 million as detailed in the Capital Budget Statement within Attachment 1 – ‘Quarterly Budget Review Statement’. The decrease is primarily related to capital works rolled over to future years.

Proposed variations to the capital expenditure budget are outlined in Attachment 1 and include:

- Budget roll overs of \$19.4 million including:
 - \$6.75m Mona Vale and Long Reef surf clubs
 - \$4.529m Connecting Communities – Footpath & Cycleway Programs
 - \$2.811m Collaroy – Narrabeen coastal protection works
 - \$1.4m Duffys Forest Rural Fire Station
- Budget (increases) and decreases of (\$2.9 million) including:
 - (\$1.254m) Bike Plan implementation
 - (\$0.584m) Warriewood Valley – Public Space and Recreation
 - \$0.967m Dee Why Town Centre
 - \$0.920m Planned Stormwater renewal

Expenditure on Capital Works for the six months ended 31 December 2020 is \$29 million.

[Capital budget summary – as at 31 December 2020](#)



Financial Performance Measures

The following financial performance measures indicate that Council’s financial results will be temporarily impacted by the COVID-19 pandemic. With an \$18.2 million operating deficit (excluding capital grants and contributions) forecast, the Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has adjusted funding for the capital expenditure program to provide capacity to respond to the pandemic and to retain our long term strong and sustainable position.

\$ '000	Forecast result 30/6/2021	Forecast indicator 30/6/2021		Benchmark
1. Operating Performance				
Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	(15,468)	(4.55%)	X	>0%
Total continuing operating revenue ¹ excluding capital grants and contributions	343,159			
This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.				
For the 2020-21 financial year, the forecast result will not meet the benchmark, primarily due to the impact of the COVID-19 pandemic and settlement of the Whistler Street Carpark dispute.				
2. Own Source Operating Revenue				
Total continuing operating revenue ¹ excluding all grants and contributions	318,231	84.49%	✓	>60%
Total continuing operating revenue ¹ inclusive of capital grants and contributions	376,630			
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue.				
3. Unrestricted Current Ratio				
Current assets less all external restrictions	106,490	1.66x	✓	>1.5x
Current liabilities less specific purpose liabilities	64,309			

The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g. developer contributions, unexpended grants and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council's other operating and borrowing costs – these funding sources are removed from this ratio.

For the 2020-21 financial year, the forecast result will continue to meet the benchmark, but has been impacted by the COVID-19 pandemic, expenditure of dividends from Kimbriki and settlement of the Whistler Street Carpark dispute.

¹ Excludes fair value adjustments, reversal of revaluation decrements and net gain on sale of assets.

CONSULTATION

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

TIMING

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The operating surplus (which includes capital grants and contributions) for the financial year is forecast to decrease by \$9.1 million to a surplus \$18.2 million. Excluding capital grants and contributions the result is forecast to decrease by \$4.3 million, from a deficit of \$14 million to a deficit of \$18.2 million. Capital Expenditure is forecast to decrease by \$16.6 million to \$105.5 million.

Council's financial results will be temporarily impacted by the COVID-19 pandemic, with a deficit position forecast. Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has adjusted funding for its capital expenditure program to provide capacity to respond to the pandemic and retain our long term strong and sustainable position.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the operational plan 2020/21. This includes the continued delivery of services and capital works that support our community and economy. These initiatives will have a positive social and economic impact on the community, including additional services and support available during the current COVID-19 pandemic.

ENVIRONMENTAL CONSIDERATIONS

The report provides progress on implementing the operational plan 2020/21 which includes a range of projects which will protect and enhance our natural environment by managing our coast, bush and biodiversity; implementing catchment management initiatives; and a variety of on-ground works and education in our urban and natural settings.

GOVERNANCE AND RISK CONSIDERATIONS

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e. implementation of the Operational Plan 2020/21 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.

ITEM 9.4	MONTHLY INVESTMENT REPORT - NOVEMBER 2020
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2020/763907
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 \$175,913,936 comprising:

- Trading Accounts \$7,610,129
- Investments \$168,303,807

Performance over the period from 1 July 2020 to date was strong having exceeded the benchmark: 0.99%pa vs. 0.58%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.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 30 November 2020, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

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.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2020 to date was \$724,843 compared to budgeted income of \$693,910, a positive variance of \$30,933.

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

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in December 2020, and no change to the Policy was required following that review.

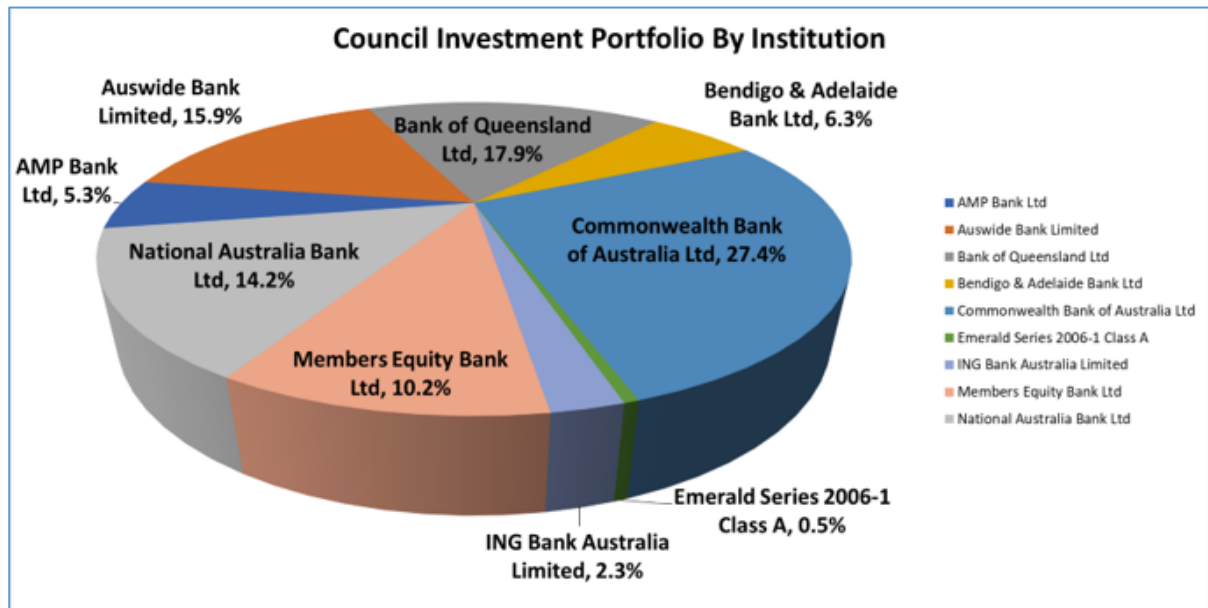
Council's Investment Policy and Strategy were reviewed in September 2020 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy "remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet" and that they "do not recommend any changes to the list of approved investments or credit limit frameworks".

INVESTMENT BALANCES				
As at 30-Nov-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	5,772,871		0.15%
National Australia Bank Ltd	A1+	27,757		0.00%
		5,800,628		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	8,244,659	At Call	0.40%
		8,244,659		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	826,434	21-Aug-51	0.4682%
		826,434		
Term Deposits				
Auswide Bank Limited	A2	2,000,000	03-Dec-20	1.65%
National Australia Bank Ltd	A1+	2,000,000	08-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	08-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	10-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	15-Dec-20	0.75%
National Australia Bank Ltd	A1+	3,000,000	17-Dec-20	0.73%
National Australia Bank Ltd	A1+	2,000,000	17-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	18-Dec-20	0.70%
National Australia Bank Ltd	A1+	4,000,000	21-Dec-20	0.70%
Auswide Bank Limited	A2	3,000,000	05-Jan-21	1.65%
Members Equity Bank Ltd	A2	2,000,000	07-Jan-21	0.60%
National Australia Bank Ltd	A1+	2,000,000	12-Jan-21	0.73%
ING Bank Australia Limited	A1	2,000,000	14-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	19-Jan-21	1.65%
National Australia Bank Ltd	A1+	2,000,000	21-Jan-21	0.70%
AMP Bank Ltd	A2	1,500,000	21-Jan-21	1.55%
Members Equity Bank Ltd	A2	2,000,000	25-Jan-21	0.65%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	1.05%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	0.70%
Bank of Queensland Ltd	A2	1,000,000	02-Feb-21	0.80%
Bank of Queensland Ltd	A2	2,000,000	02-Feb-21	0.70%
Auswide Bank Limited	A2	1,000,000	04-Feb-21	1.65%
Bank of Queensland Ltd	A2	2,000,000	09-Feb-21	0.70%
Auswide Bank Limited	A2	2,000,000	11-Feb-21	1.72%
AMP Bank Ltd	A2	2,000,000	16-Feb-21	0.80%
National Australia Bank Ltd	A1+	2,000,000	18-Feb-21	0.70%
Auswide Bank Limited	A2	2,000,000	23-Feb-21	0.85%
Auswide Bank Limited	A2	2,500,000	23-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	25-Feb-21	1.65%
Auswide Bank Limited	A2	2,500,000	25-Feb-21	0.85%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	02-Mar-21	0.63%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.80%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Mar-21	0.70%
Auswide Bank Limited	A2	2,000,000	16-Mar-21	0.80%
Auswide Bank Limited	A2	2,000,000	18-Mar-21	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Mar-21	0.66%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	25-Mar-21	0.65%

INVESTMENT BALANCES				
As at 30-Nov-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Bank of Queensland Ltd	A2	2,500,000	30-Mar-21	0.75%
Auswide Bank Limited	A2	3,000,000	07-Apr-21	0.80%
Members Equity Bank Ltd	A2	3,000,000	08-Apr-21	0.50%
Bank of Queensland Ltd	A2	1,000,000	13-Apr-21	0.80%
Auswide Bank Limited	A2	2,000,000	13-Apr-21	0.80%
Members Equity Bank Ltd	A2	2,000,000	15-Apr-21	0.50%
Members Equity Bank Ltd	A2	3,000,000	20-Apr-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Apr-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	27-Apr-21	0.75%
Members Equity Bank Ltd	A2	3,000,000	29-Apr-21	0.55%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	04-May-21	0.65%
Members Equity Bank Ltd	A2	3,000,000	06-May-21	0.50%
Bank of Queensland Ltd	A2	1,000,000	11-May-21	0.85%
AMP Bank Ltd	A2	2,500,000	13-May-21	0.70%
Bank of Queensland Ltd	A2	3,000,000	18-May-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-May-21	0.67%
Auswide Bank Limited	A2	1,000,000	27-May-21	0.55%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Jun-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	08-Jun-21	0.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	10-Jun-21	0.60%
AMP Bank Ltd	A2	2,500,000	15-Jun-21	0.70%
Bank of Queensland Ltd	A2	3,000,000	22-Jun-21	0.50%
Auswide Bank Limited	A2	1,000,000	24-Jun-21	0.55%
Bank of Queensland Ltd	A2	2,000,000	29-Jun-21	0.70%
Bank of Queensland Ltd	A2	2,000,000	06-Jul-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jul-21	0.50%
Bank of Queensland Ltd	A2	2,000,000	29-Jul-21	0.60%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Sep-21	0.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Sep-21	0.70%
AMP Bank Ltd	A2	900,000	19-Oct-21	0.75%
		139,900,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,809,500		0.00%
		1,809,500		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,014,833	At Call	0.01%
		3,014,833		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Dec-20	0.48%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Dec-20	0.30%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Jan-21	0.28%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Jan-21	0.28%
Commonwealth Bank of Australia Ltd	A1+	11,317,882	22-Feb-21	0.37%
		16,317,882		
Total Cash and Investments		175,913,936		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

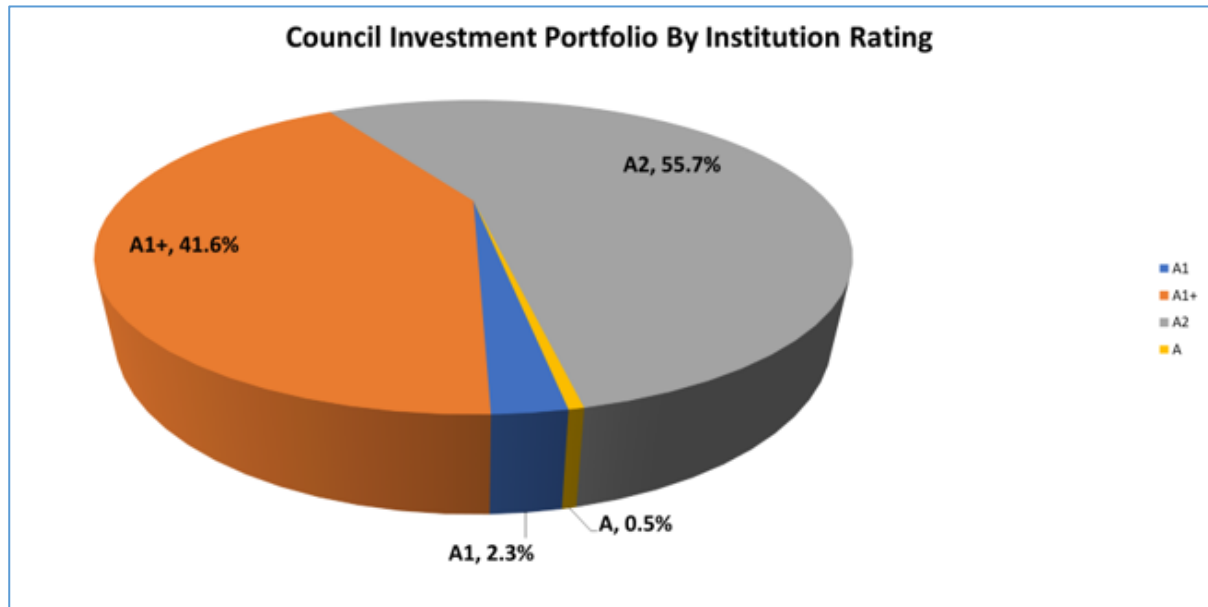
PORTFOLIO ANALYSIS



Institutional Credit Framework – Compliance with Investment Policy Requirements

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

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



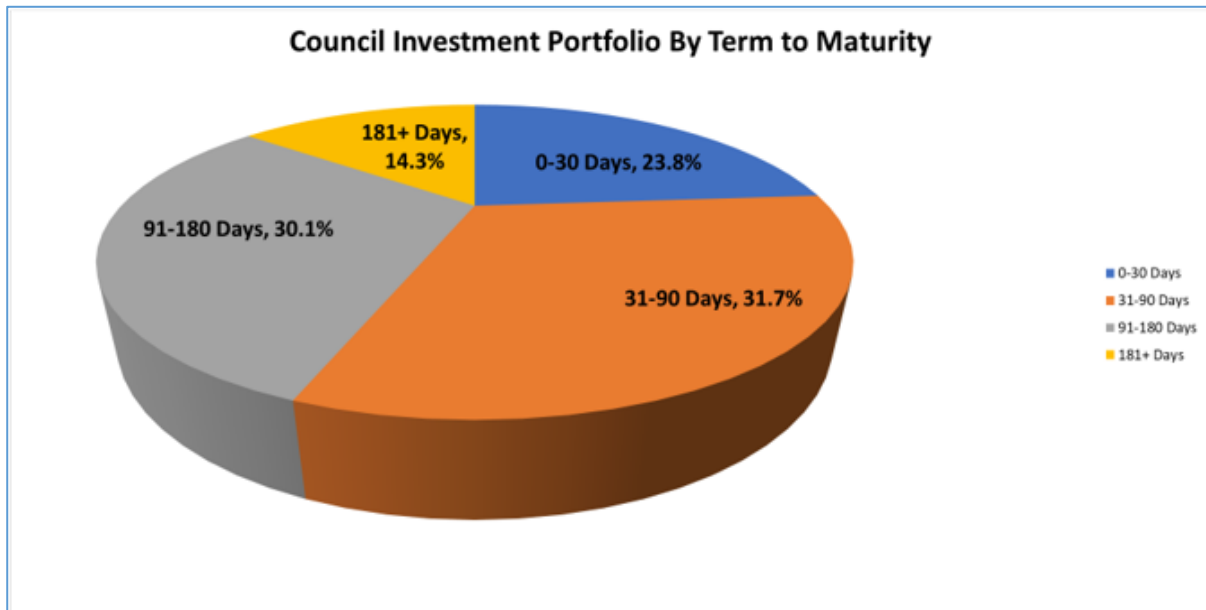
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

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

* Or Moody's / Fitch equivalents

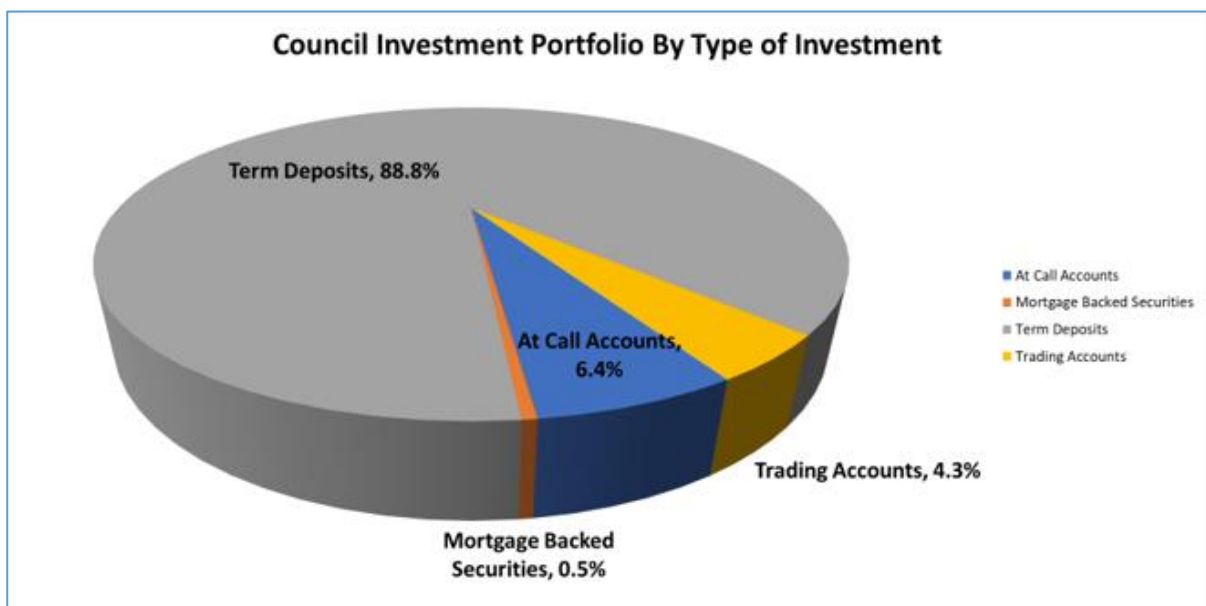
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

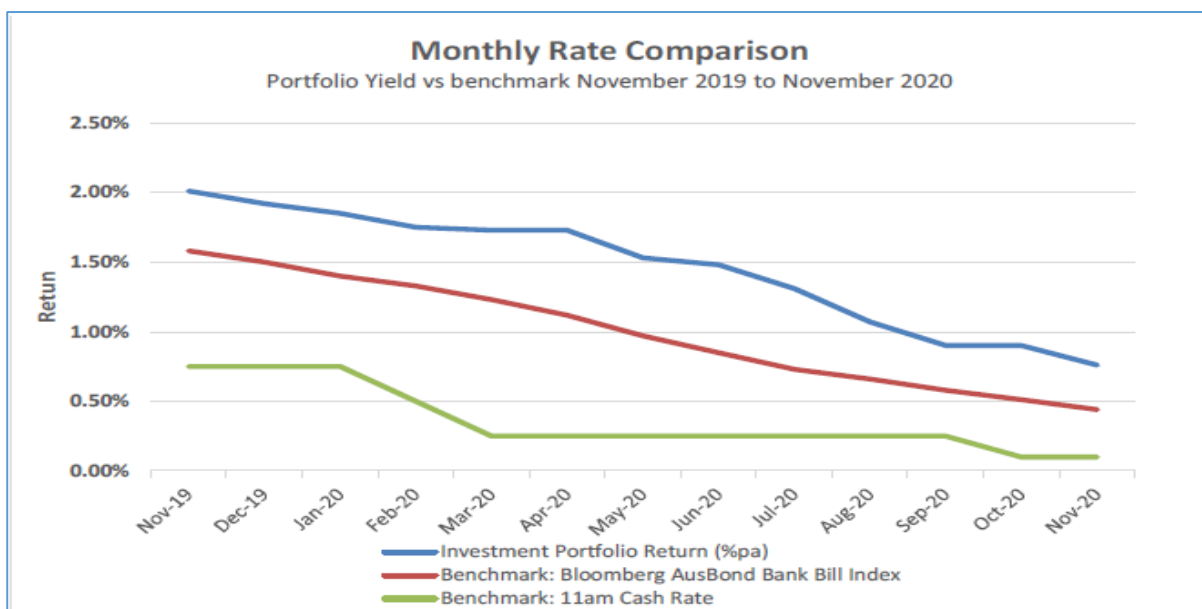


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.76%	0.44%	0.10%
3 Months	0.85%	0.51%	0.15%
6 Months	1.07%	0.63%	0.20%
FYTD	0.99%	0.58%	0.19%
12 Months	1.41%	0.94%	0.33%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

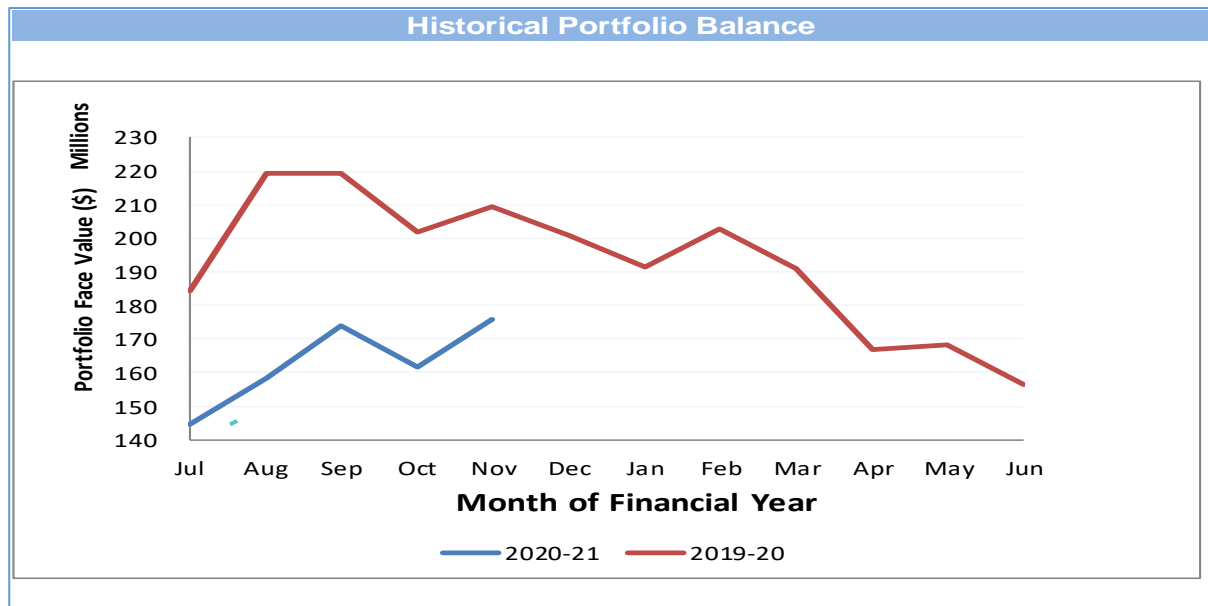


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Nov 2020 \$	Year to Date \$
Investment Income	105,385	657,811
Adjustment for Fair Value	(3)	67,032
Total Investment Income	105,382	724,843
Budgeted Income	136,672	693,910

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2020-21	2019-20
Jul	144,611,603	184,317,848
Aug	158,270,262	219,369,559
Sep	173,826,570	219,459,189
Oct	161,704,389	201,971,383
Nov	175,913,936	209,221,468
Dec		200,959,271
Jan		191,226,461
Feb		202,672,569
Mar		190,792,653
Apr		166,981,616
May		168,080,277
Jun		156,257,927
Average Portfolio Balance	162,865,352	192,609,185



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Economic reports and surveys for major economies released during November show some upside surprises although the proportion is noticeably less than in October. Australia is an exception where upside surprises continued through the month. The global economic recovery from the covid-19 recession is continuing mid-Q4 2020 at a less frantic pace than in Q3, although in Australia the pace is lifting in Q4. Fiscal and monetary policy settings internationally remain expansionary supporting economic growth. Resurgent covid-19 infection rates in the US and Europe present a potential stumbling block to economic recovery, although one that may be removed soon with several covid-19 vaccines very close to widespread distribution. Australia's outstanding effort almost eliminating covid-19 through November has added to factors placing the economy on strong footing to out-perform by international comparison. Another factor providing hope of a better economic recovery in the US and the world was the outcome of the US presidential election. The win by Joe Biden is still being challenged by President Trump, although with no success through the courts so far and options for further challenges close to nonexistent running towards the Electoral College vote and certification of the result on 14 December. The messy transition between the Trump and Biden presidencies does not detract from the fact that after inauguration in late January, President Biden, probably constrained by what may still be a Republican majority in the Senate, has little opportunity to tax harder, but has some chance to extend fiscal stimulus blocked through the election campaign.

US economic readings have turned mixed strength. Housing activity continues to forge ahead with October housing starts up 4.9% m-o-m, after rising 6.3% in September, October existing home sales up 4.3% and the November National Association of Homebuilders' index lifting to an exceptional 90 from 85 in October. Household consumption spending, however, the mainstay of the 33.1% annualised lift in Q3 GDP, is starting to flag in Q4. October retail sales rose by only 0.3% m-o-m. November consumer sentiment fell to 76.9 from 81.8 in October. Legislative gridlock has prevented extension of unemployment benefit support payments and the resulting weaker household income growth is starting to hurt household spending prospects.

In China, the strong quarterly Q2 GDP bounce moderated in Q3. October economic readings point to moderate economic growth continuing early in Q4. October export growth accelerated to 11.4% y-o-y, but imports grew at softer pace, +4.7% y-o-y from +13.2% in September an indication of less robust domestic spending. Annual growth in industrial production was steady at +6.9% in October, while fixed asset investment spending, +1.8% y-o-y from +0.8% y-o-y in September and retail sales, +4.3% y-o-y from +3.3% in September showed modest improvement. China's economic recovery continues at better pace than in most major economies but increasing international trade frictions with its major trading partners threatens to limit export growth and dial down what has been a major factor in China's economic growth out-performance over the past two decades.

In Europe, Q3 GDP growth lifted sharply by 12.6% q-o-q, but annual growth was still down 4.4% y-o-y. European growth is showing signs of stalling in Q4 amid resurgence of covid-19 infection rates and new lockdowns in the major European economies including France, Germany, and the United Kingdom. Europe is struggling to implement the substantial fiscal economic rebuilding program promised earlier amid opposition from some EU members. The final Brexit deadline is also approaching with doubts about the deal between the EU and the UK. Europe is at risk of suffering a double-dip recession and at the very least looks set to under-perform economically for an extended period.

In Australia, business and consumer optimism continued to rise in November while almost all October economic readings were stronger than expected pointing to strengthening economic recovery. September housing finance commitments rose 6.0% m-o-m extending earlier strong monthly gains. September home building approvals were much stronger than expected, lifting by 15.4% m-o-m. Weekly home auction sales have returned to levels not seen in more than a year at the height of the last housing boom and house prices are rising in all Australian capital cities.

ITEM 9.5	MONTHLY INVESTMENT REPORT - DECEMBER 2020
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2021/011649
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 \$163,952,299 comprising:

- Trading Accounts \$3,029,639
- Investments \$160,922,660

Performance over the period from 1 July 2020 to date was strong having exceeded the benchmark: 0.95%pa vs. 0.55%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.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 31 December 2020, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

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.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2020 to date was \$822,897 compared to budgeted income of \$818,330, a positive variance of \$4,567.

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

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in December 2020, and no change to the Policy was required following that review.

Council's Investment Policy and Strategy were reviewed in September 2020 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".

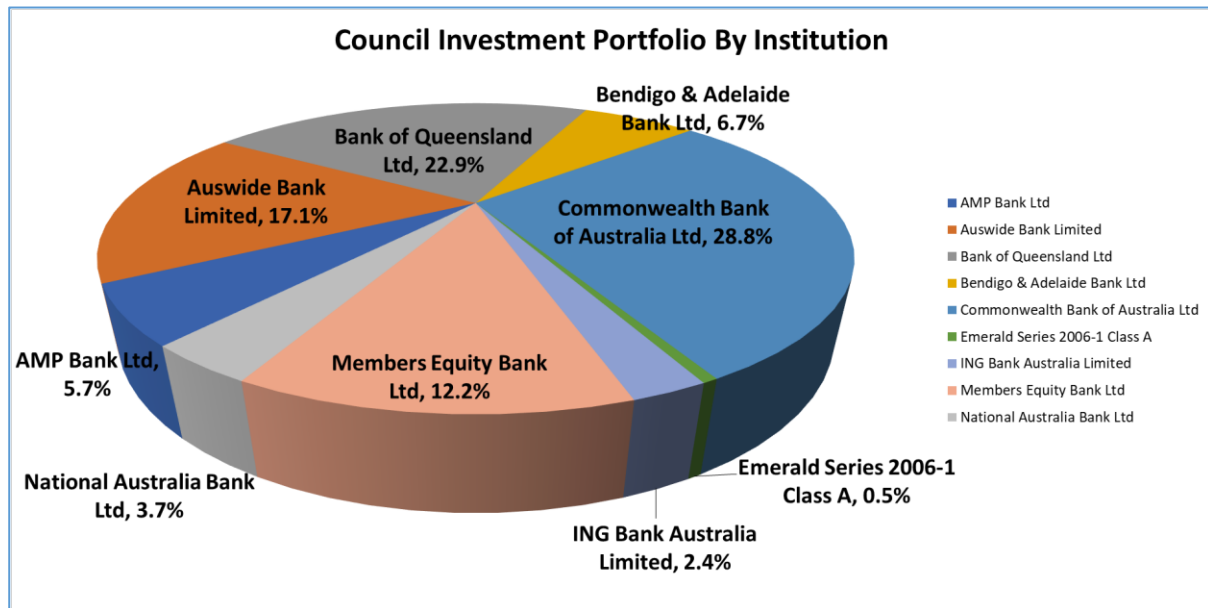
Investment Balances

INVESTMENT BALANCES				
As at 31-Dec-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,566,679		0.15%
National Australia Bank Ltd	A1+	23,431		0.00%
		1,590,110		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	10,747,107	At Call	0.25%
		10,747,107		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	826,436	21-Aug-51	0.4682%
		826,436		
Term Deposits				
Auswide Bank Limited	A2	3,000,000	05-Jan-21	1.65%
Members Equity Bank Ltd	A2	2,000,000	07-Jan-21	0.60%
National Australia Bank Ltd	A1+	2,000,000	12-Jan-21	0.73%
ING Bank Australia Limited	A1	2,000,000	14-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	19-Jan-21	1.65%
AMP Bank Ltd	A2	1,500,000	21-Jan-21	1.55%
National Australia Bank Ltd	A1+	2,000,000	21-Jan-21	0.70%
Members Equity Bank Ltd	A2	2,000,000	25-Jan-21	0.65%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	1.05%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	0.70%
Bank of Queensland Ltd	A2	1,000,000	02-Feb-21	0.80%
Bank of Queensland Ltd	A2	2,000,000	02-Feb-21	0.70%
Auswide Bank Limited	A2	1,000,000	04-Feb-21	1.65%
Bank of Queensland Ltd	A2	2,000,000	09-Feb-21	0.70%
Auswide Bank Limited	A2	2,000,000	11-Feb-21	1.72%
AMP Bank Ltd	A2	2,000,000	16-Feb-21	0.80%
National Australia Bank Ltd	A1+	2,000,000	18-Feb-21	0.70%
Auswide Bank Limited	A2	2,500,000	23-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	23-Feb-21	0.85%
Auswide Bank Limited	A2	2,000,000	25-Feb-21	1.65%
Auswide Bank Limited	A2	2,500,000	25-Feb-21	0.85%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	02-Mar-21	0.63%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.80%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Mar-21	0.70%
Auswide Bank Limited	A2	2,000,000	16-Mar-21	0.80%
Auswide Bank Limited	A2	2,000,000	18-Mar-21	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Mar-21	0.66%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	25-Mar-21	0.65%
Bank of Queensland Ltd	A2	2,500,000	30-Mar-21	0.75%
Auswide Bank Limited	A2	3,000,000	07-Apr-21	0.80%
Members Equity Bank Ltd	A2	3,000,000	08-Apr-21	0.50%
Bank of Queensland Ltd	A2	1,000,000	13-Apr-21	0.80%
Auswide Bank Limited	A2	2,000,000	13-Apr-21	0.80%
Members Equity Bank Ltd	A2	2,000,000	15-Apr-21	0.50%
Members Equity Bank Ltd	A2	3,000,000	20-Apr-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Apr-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	27-Apr-21	0.75%

INVESTMENT BALANCES				
As at 31-Dec-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	3,000,000	29-Apr-21	0.55%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	04-May-21	0.65%
Members Equity Bank Ltd	A2	3,000,000	06-May-21	0.50%
Members Equity Bank Ltd	A2	2,000,000	11-May-21	0.50%
Bank of Queensland Ltd	A2	1,000,000	11-May-21	0.85%
AMP Bank Ltd	A2	2,500,000	13-May-21	0.70%
Bank of Queensland Ltd	A2	3,000,000	18-May-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-May-21	0.67%
Auswide Bank Limited	A2	1,000,000	27-May-21	0.55%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Jun-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	08-Jun-21	0.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	10-Jun-21	0.60%
AMP Bank Ltd	A2	2,500,000	15-Jun-21	0.70%
Auswide Bank Limited	A2	2,000,000	17-Jun-21	0.55%
Bank of Queensland Ltd	A2	3,000,000	22-Jun-21	0.50%
Auswide Bank Limited	A2	1,000,000	24-Jun-21	0.55%
Bank of Queensland Ltd	A2	2,000,000	29-Jun-21	0.70%
Bank of Queensland Ltd	A2	2,000,000	06-Jul-21	0.50%
Bank of Queensland Ltd	A2	3,000,000	13-Jul-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jul-21	0.50%
Bank of Queensland Ltd	A2	2,000,000	29-Jul-21	0.60%
Bank of Queensland Ltd	A2	3,000,000	03-Aug-21	0.50%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Sep-21	0.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Sep-21	0.70%
AMP Bank Ltd	A2	900,000	19-Oct-21	0.75%
		128,900,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,439,529		0.00%
		1,439,529		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	116,853	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	3,014,382	At Call	0.01%
		3,131,235		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Jan-21	0.28%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Jan-21	0.28%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-21	0.31%
Commonwealth Bank of Australia Ltd	A1+	11,317,882	22-Feb-21	0.37%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Mar-21	0.23%
		17,317,882		
Total Cash and Investments		163,952,299		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

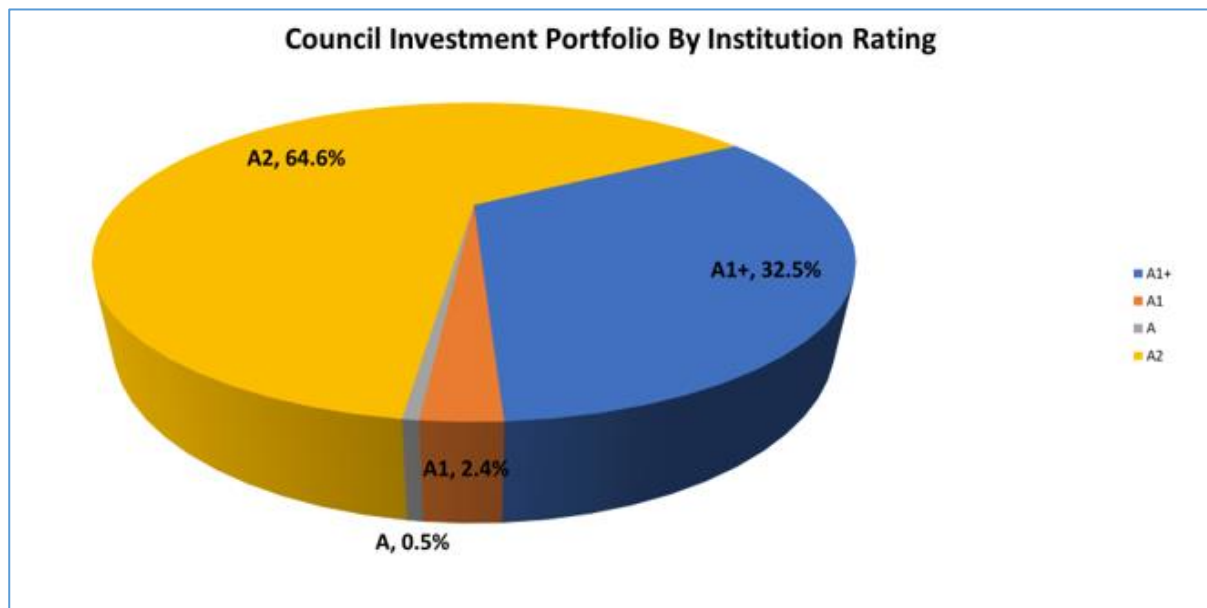
PORTFOLIO ANALYSIS



Institutional Credit Framework – Compliance with Investment Policy Requirements

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

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



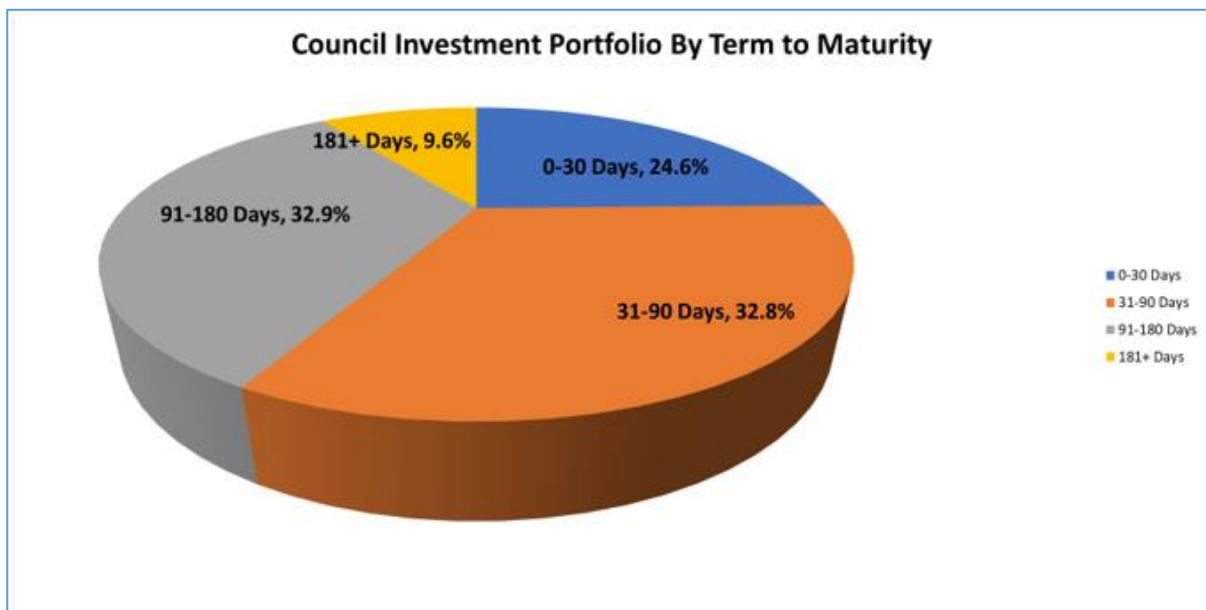
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

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

* Or Moody's / Fitch equivalents

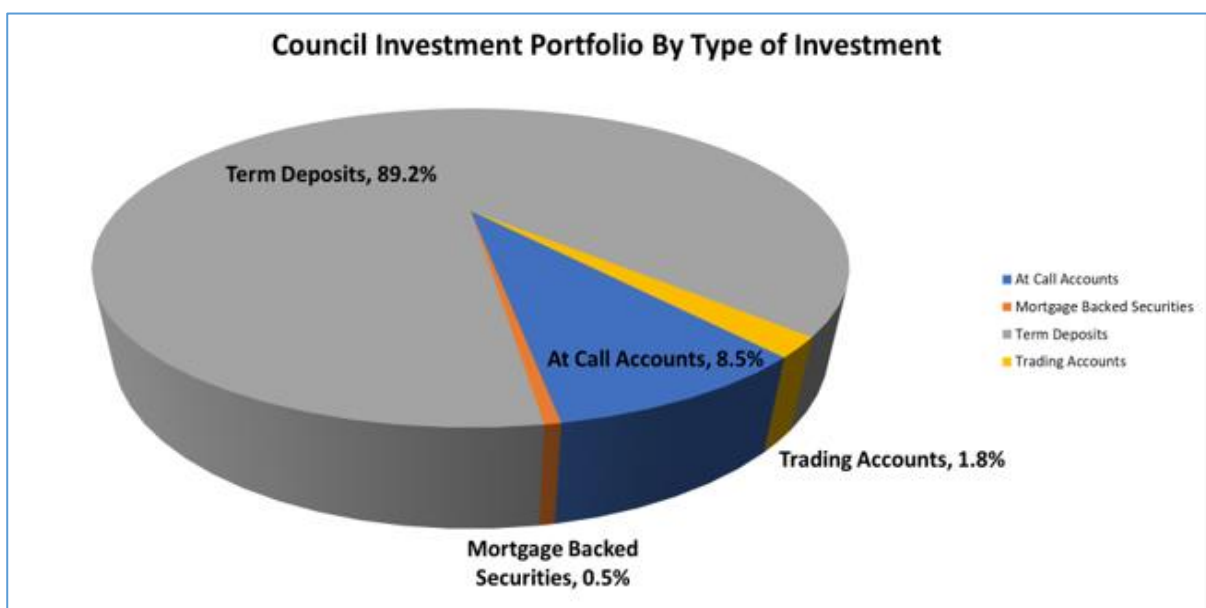
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

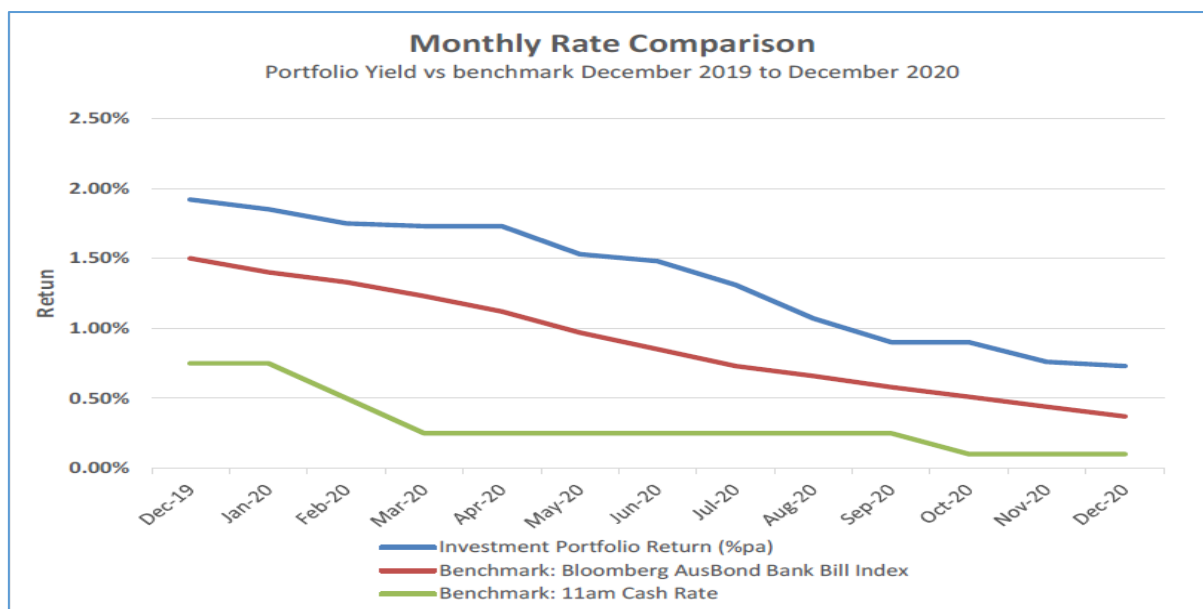


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.73%	0.37%	0.10%
3 Months	0.80%	0.44%	0.10%
6 Months	0.95%	0.55%	0.18%
FYTD	0.95%	0.55%	0.18%
12 Months	1.31%	0.85%	0.28%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

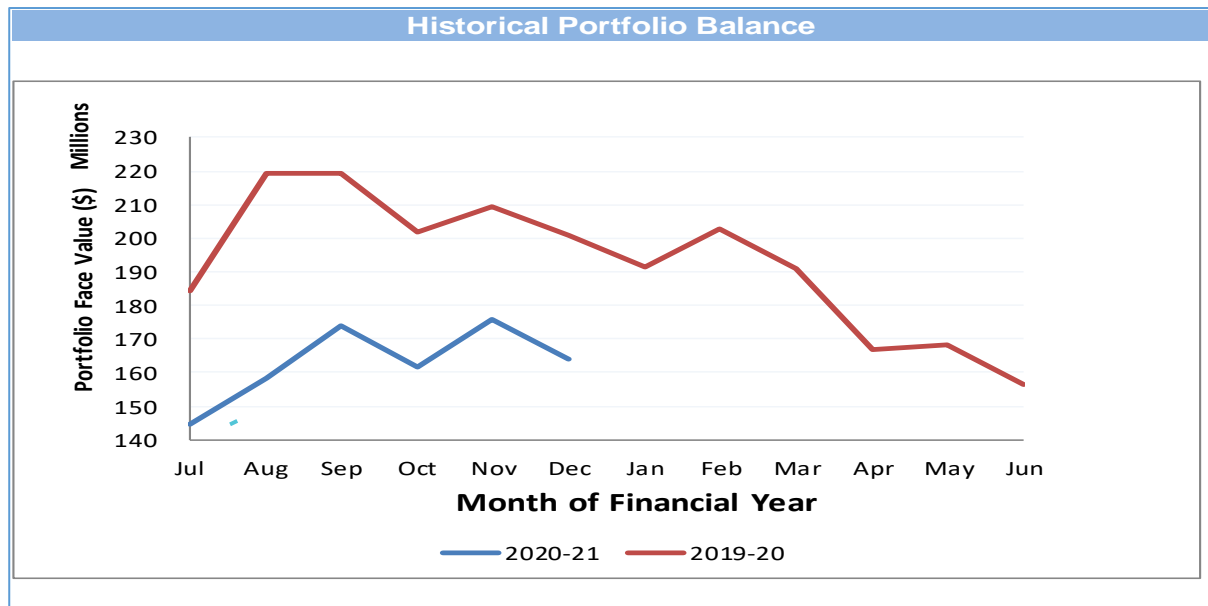


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Dec 2020 \$	Year to Date \$
Investment Income	98,051	755,862
Adjustment for Fair Value	2	67,035
Total Investment Income	98,053	822,897
Budgeted Income	124,420	818,330

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2020-21	2019-20
Jul	144,611,603	184,317,848
Aug	158,270,262	219,369,559
Sep	173,826,570	219,459,189
Oct	161,704,389	201,971,383
Nov	175,913,936	209,221,468
Dec	163,952,299	200,959,271
Jan		191,226,461
Feb		202,672,569
Mar		190,792,653
Apr		166,981,616
May		168,080,277
Jun		156,257,927
Average Portfolio Balance	163,046,510	192,609,185



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Risk assets added to bumper gains in November in December completing a year that ran from deep losses early on to sharp gains for much of the rest of the year. The drivers of the extraordinary change in market sentiment during 2020 were the negative market influence of deep economic recession in the first half of 2020 caused by global pandemic containment measures quickly ameliorated and reversed, initially by massive fiscal stimulus reinforced by complementary monetary expansion, and then by unusually quick development of covid-19 vaccines.

The rally in risk assets extended and intensified in November and December notwithstanding sharply rising COVID-19 infection numbers in many countries, especially in the United States and Europe as well as steps backwards and re-imposition of some restrictions containing covid-19 at year-end in Australia – albeit with still extremely low infection numbers in Australia by international comparison. At the start of 2021, the global pandemic is worsening in terms of daily infection numbers and the early roll-out of vaccinations in worst-hit US and Europe are experiencing early logistic problems inevitable when trying to vaccinate many hundreds of millions of people.

What continues to go right with a wobble or two is the economic policy response. The latest US fiscal stimulus measures involving \$US600 cheques in the post and extension of unemployment benefits were legislated a few days ago. European economic support measures were legislated more than a month ago. Even if the global pandemic is worsening at present the policy measures to counter the negative economic consequences are falling into place.

Also, the roll out of vaccinations is likely to become more efficient over the next month or two providing real hope that the global pandemic will be contained and diminish in 2021. Setbacks to the rally in risk assets from bleak near-term pandemic news are likely to be short-lived in our view as market focus turns to the continuing massive policy support for economic recovery combined with what will be better news on the vaccination front over time.

Returning to December, major share markets extended large November gains. During the month increases ranged from 1.1% for Australia's ASX 200 to 3.8% for both the US S&P 500 and Japan's Nikkei. Over 2020, share market changes ranged from -14.3% for Britain's FTSE 100 weighed by Brexit issues and poor pandemic control to up 16.3% for the US S&P 500 where poor pandemic control in the final months of the Trump administration was offset by one of the world's most pronounced bounce out of recession. Australia's ASX 200 was down 1.5% in 2020 denied a rise for the year in the closing days by the return of community covid-19 infections in New South Wales and Victoria.

Credit markets rose again in December adding to strong November gains. Throughout 2020 credit markets have been supported by central banks maintaining extremely easy monetary conditions with no end in sight. Most central banks, including the US Federal Reserve, the European Central Bank and the RBA have committed to maintaining growth accommodating monetary conditions for several years. Housing activity is likely to benefit from persistently low borrowing interest rates. Potential problems for Australian banks' housing borrowers are diminishing as housing continues to strengthen. Australian home borrowers are returning to regular repayment schedules faster than expected and with less-than-expected negative repercussions, a positive influence on Australian credit markets showing no signs of diminishing in 2021.

Notwithstanding the COVID-19 setbacks in December, Australia's economy remains on the brink of starting to out-perform by international comparison. A strong Q4 GDP report is in the bag given October and November readings of housing activity and retail sales. In particular, the sharp surge in retail sales, up 1.4% m-o-m in October followed by an out-sized 7.0% rise on preliminary reading in November points to a significant increase in Q4 household consumption expenditure. The increases in retail sales in recent months in Australia contrast with falling sales in Europe and the United States.

ITEM 9.6	MONTHLY INVESTMENT REPORT - JANUARY 2021
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2021/069205
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 \$154,102,219 comprising:

- Trading Accounts \$2,660,613
- Investments \$151,441,606

Performance over the period from 1 July 2020 to date was strong having exceeded the benchmark: 0.90%pa vs. 0.51%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.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 31 January 2021, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

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.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2020 to date was \$908,230 compared to budgeted income of \$934,033, a negative variance of \$25,803.

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

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in December 2020, and no change to the Policy was required following that review.

Council's Investment Policy and Strategy were reviewed in September 2020 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".

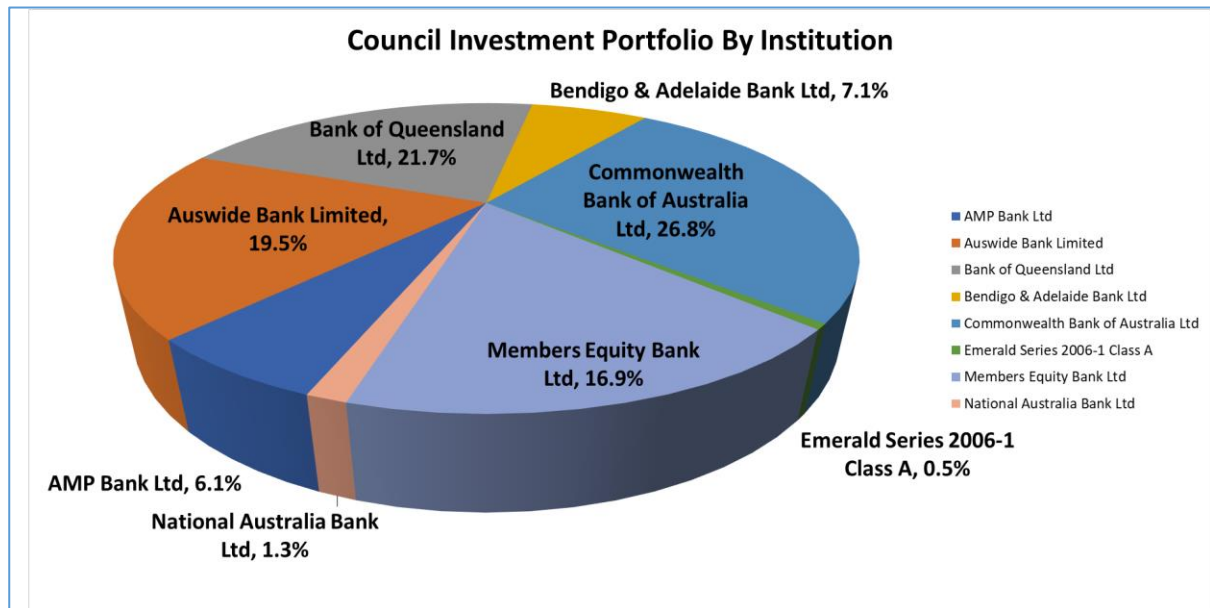
Investment Balances

INVESTMENT BALANCES				
As at 31-Jan-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	948,395		0.15%
National Australia Bank Ltd	A1+	21,764		0.00%
		970,158		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	6,849,212	At Call	0.25%
		6,849,212		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	826,439	21-Aug-51	0.4682%
		826,439		
Term Deposits				
Bank of Queensland Ltd	A2	2,000,000	02-Feb-21	0.70%
Bank of Queensland Ltd	A2	1,000,000	02-Feb-21	0.80%
Auswide Bank Limited	A2	1,000,000	04-Feb-21	1.65%
Bank of Queensland Ltd	A2	2,000,000	09-Feb-21	0.70%
Auswide Bank Limited	A2	2,000,000	11-Feb-21	1.72%
AMP Bank Ltd	A2	2,000,000	16-Feb-21	0.80%
National Australia Bank Ltd	A1+	2,000,000	18-Feb-21	0.70%
Auswide Bank Limited	A2	2,500,000	23-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	23-Feb-21	0.85%
Auswide Bank Limited	A2	2,500,000	25-Feb-21	0.85%
Auswide Bank Limited	A2	2,000,000	25-Feb-21	1.65%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	02-Mar-21	0.63%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.75%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Mar-21	0.70%
Auswide Bank Limited	A2	2,000,000	16-Mar-21	0.80%
Auswide Bank Limited	A2	2,000,000	18-Mar-21	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Mar-21	0.66%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	25-Mar-21	0.65%
Bank of Queensland Ltd	A2	2,500,000	30-Mar-21	0.75%
Auswide Bank Limited	A2	3,000,000	07-Apr-21	0.80%
Members Equity Bank Ltd	A2	3,000,000	08-Apr-21	0.50%
Auswide Bank Limited	A2	2,000,000	13-Apr-21	0.50%
Auswide Bank Limited	A2	2,000,000	13-Apr-21	0.80%
Bank of Queensland Ltd	A2	1,000,000	13-Apr-21	0.80%
Members Equity Bank Ltd	A2	2,000,000	15-Apr-21	0.50%
Members Equity Bank Ltd	A2	3,000,000	20-Apr-21	0.50%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Apr-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	27-Apr-21	0.75%
Members Equity Bank Ltd	A2	3,000,000	29-Apr-21	0.55%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	04-May-21	0.65%
Members Equity Bank Ltd	A2	3,000,000	06-May-21	0.50%
Bank of Queensland Ltd	A2	1,000,000	11-May-21	0.85%
Members Equity Bank Ltd	A2	2,000,000	11-May-21	0.50%
AMP Bank Ltd	A2	2,500,000	13-May-21	0.70%
Bank of Queensland Ltd	A2	3,000,000	18-May-21	0.50%
Members Equity Bank Ltd	A2	1,000,000	20-May-21	0.45%
Members Equity Bank Ltd	A2	2,000,000	25-May-21	0.45%

INVESTMENT BALANCES				
As at 31-Jan-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-May-21	0.67%
Auswide Bank Limited	A2	1,000,000	27-May-21	0.55%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Jun-21	0.66%
Members Equity Bank Ltd	A2	2,000,000	08-Jun-21	0.45%
Bank of Queensland Ltd	A2	2,000,000	08-Jun-21	0.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	10-Jun-21	0.60%
Members Equity Bank Ltd	A2	2,000,000	15-Jun-21	0.45%
AMP Bank Ltd	A2	2,500,000	15-Jun-21	0.70%
Auswide Bank Limited	A2	2,000,000	17-Jun-21	0.55%
Bank of Queensland Ltd	A2	3,000,000	22-Jun-21	0.50%
Members Equity Bank Ltd	A2	1,000,000	24-Jun-21	0.45%
Auswide Bank Limited	A2	1,000,000	24-Jun-21	0.55%
Bank of Queensland Ltd	A2	2,000,000	29-Jun-21	0.70%
Members Equity Bank Ltd	A2	2,000,000	01-Jul-21	0.45%
Bank of Queensland Ltd	A2	2,000,000	06-Jul-21	0.50%
Bank of Queensland Ltd	A2	3,000,000	13-Jul-21	0.50%
Auswide Bank Limited	A2	2,000,000	15-Jul-21	0.55%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jul-21	0.50%
Bank of Queensland Ltd	A2	2,000,000	29-Jul-21	0.60%
Bank of Queensland Ltd	A2	3,000,000	03-Aug-21	0.50%
Auswide Bank Limited	A2	1,000,000	17-Aug-21	0.55%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Sep-21	0.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Sep-21	0.70%
AMP Bank Ltd	A2	900,000	19-Oct-21	0.75%
AMP Bank Ltd	A2	1,500,000	04-Jan-22	0.75%
		124,900,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,690,455		0.00%
		1,690,455		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	233,681	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	1,314,391	At Call	0.01%
		1,548,073		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-21	0.31%
Commonwealth Bank of Australia Ltd	A1+	11,317,882	22-Feb-21	0.37%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Mar-21	0.23%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Mar-21	0.24%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Apr-21	0.25%
		17,317,882		
Total Cash and Investments		154,102,219		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

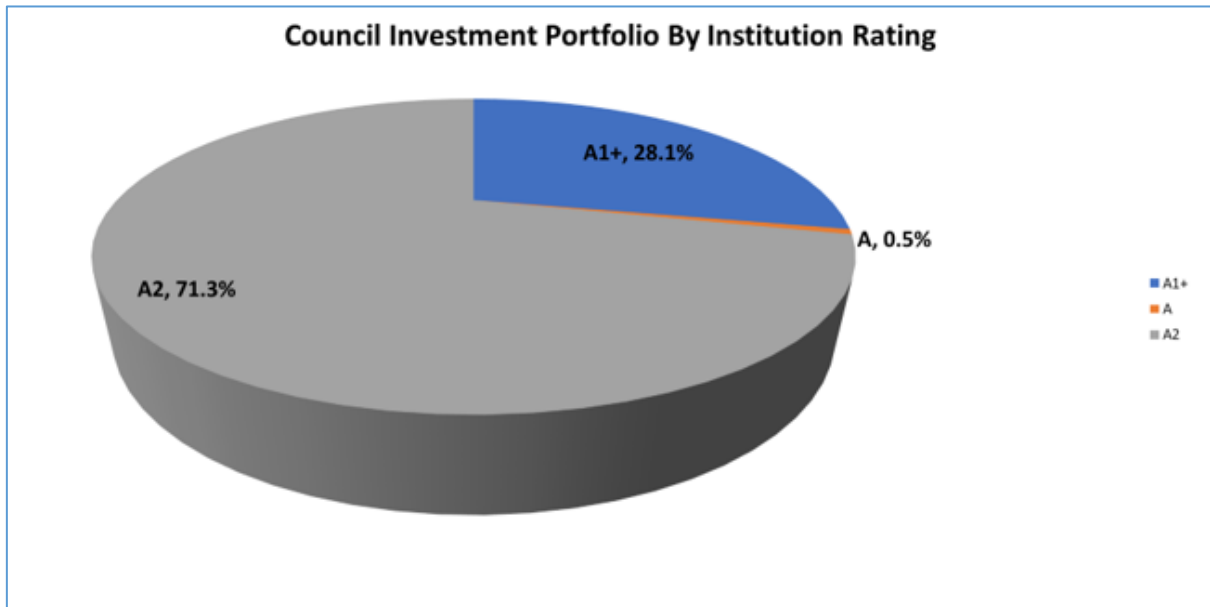
PORTFOLIO ANALYSIS



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	A-3	10%	Yes
	Unrated	10%	Yes (\$Nil)



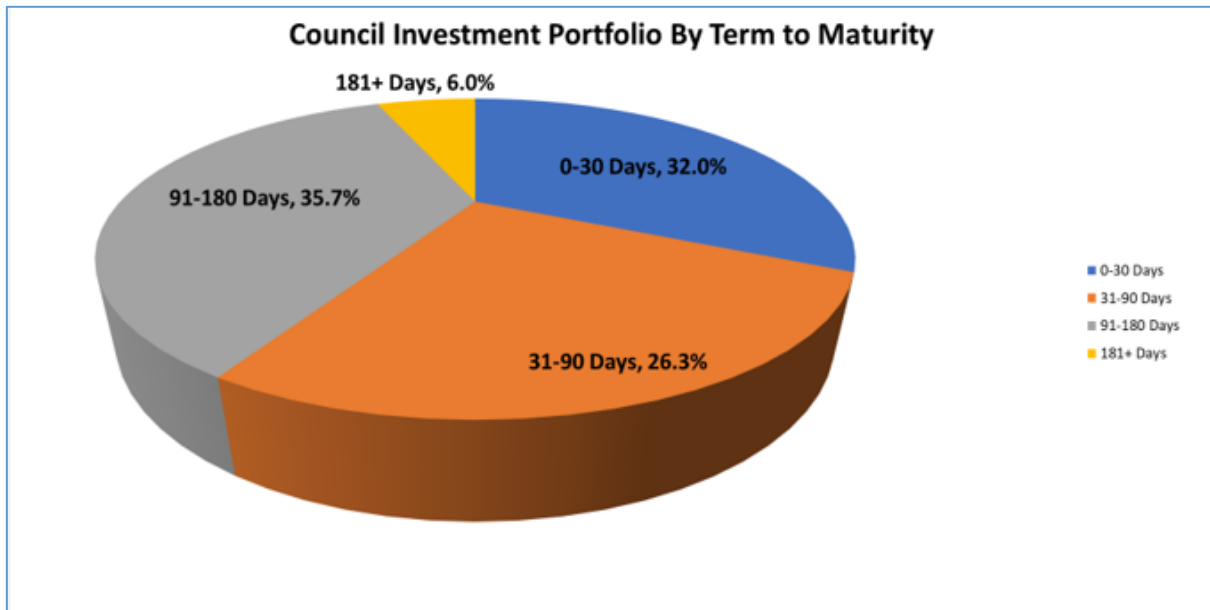
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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-	A-2	80%	Yes
BBB+			
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

* Or Moody's / Fitch equivalents

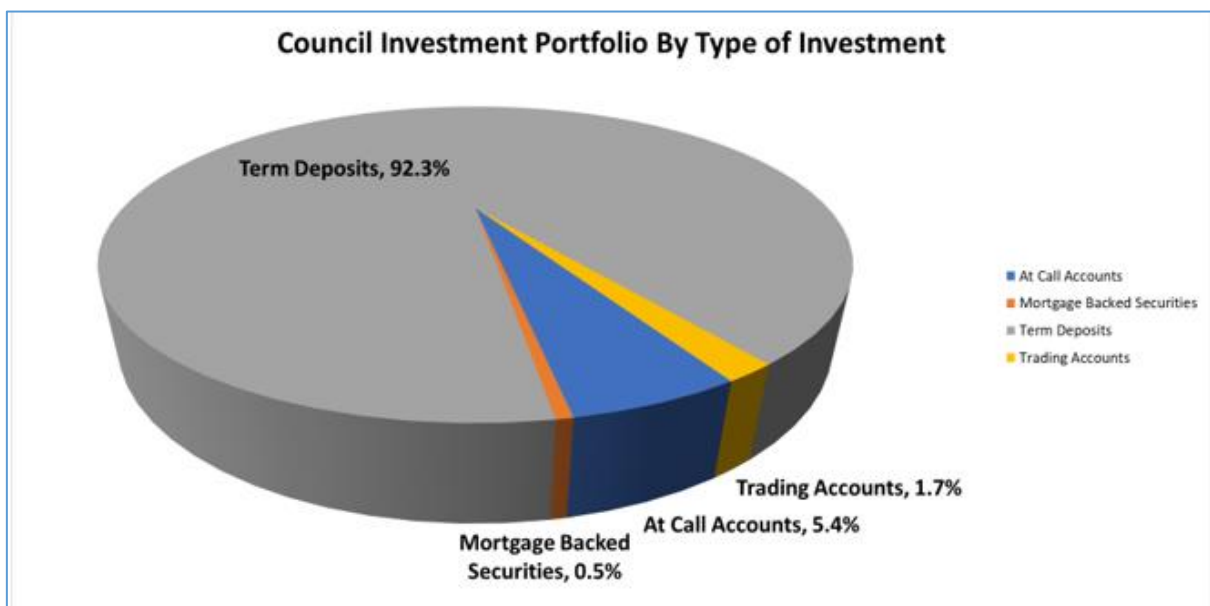
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

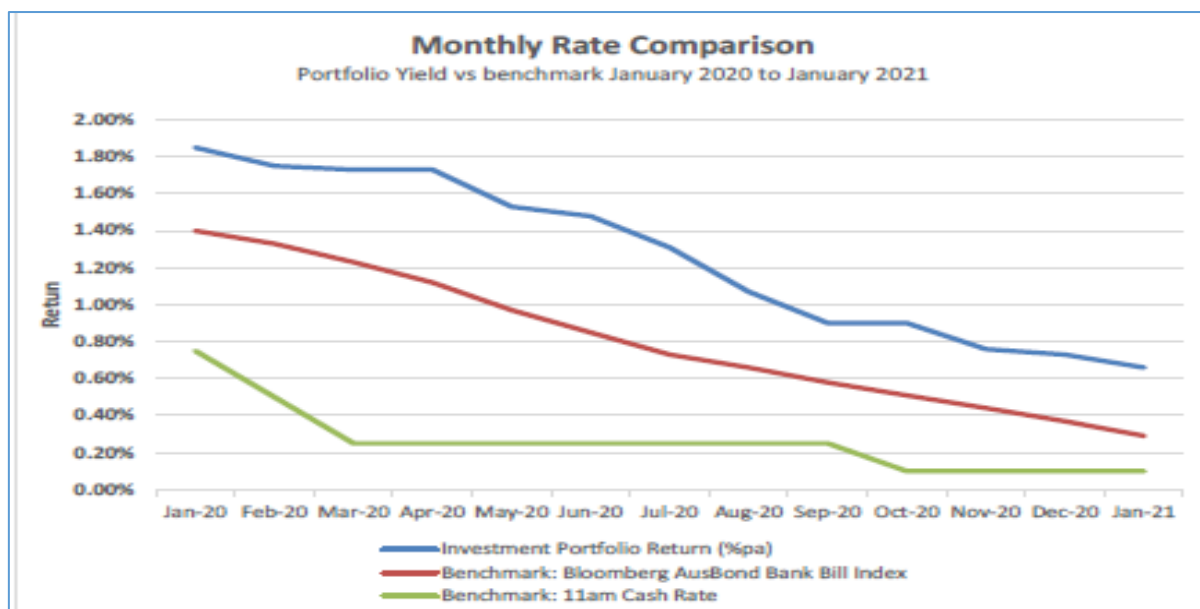


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.66%	0.29%	0.10%
3 Months	0.72%	0.37%	0.10%
6 Months	0.84%	0.48%	0.15%
FYTD	0.90%	0.51%	0.16%
12 Months	1.21%	0.76%	0.22%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

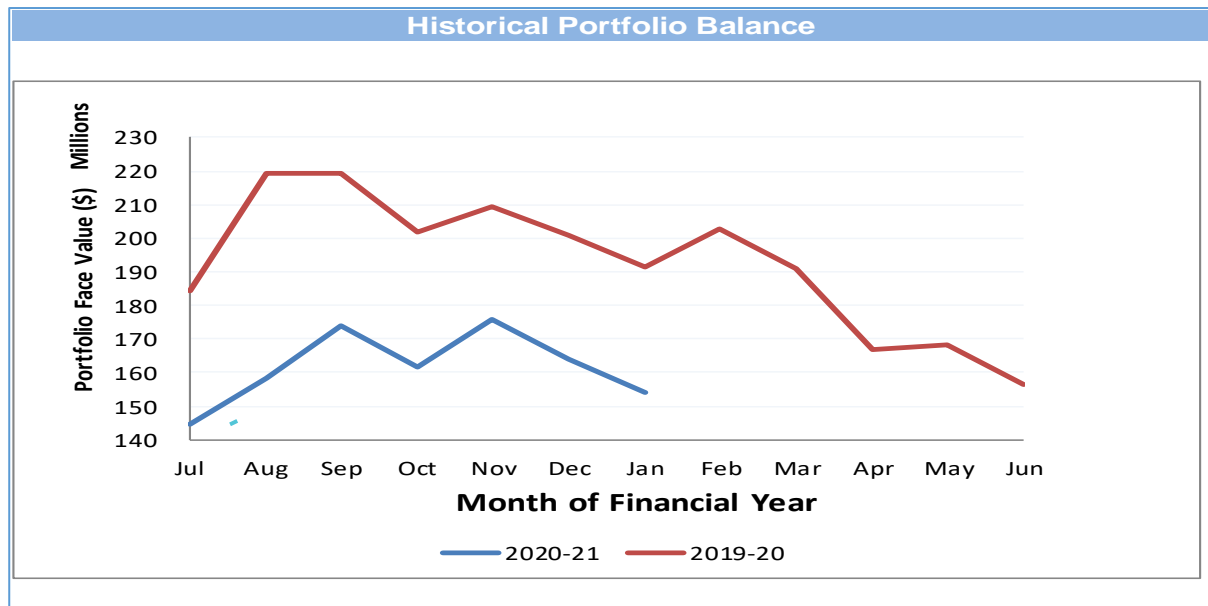


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Jan 2021 \$	Year to Date \$
Investment Income	85,332	841,193
Adjustment for Fair Value	2	67,037
Total Investment Income	85,334	908,230
Budgeted Income	115,703	934,033

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2020-21	2019-20
Jul	144,611,603	184,317,848
Aug	158,270,262	219,369,559
Sep	173,826,570	219,459,189
Oct	161,704,389	201,971,383
Nov	175,913,936	209,221,468
Dec	163,952,299	200,959,271
Jan	154,102,219	191,226,461
Feb		202,672,569
Mar		190,792,653
Apr		166,981,616
May		168,080,277
Jun		156,257,927
Average Portfolio Balance	161,768,754	192,609,185



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Risk assets rose through much of January before giving up gains towards month-end as good news related to COVID-19 vaccines, the new presidency in the US and potential for stronger global economic growth was countered by concern about substantial losses of US hedge funds from stock shorting gone terribly wrong because of the collective buying power of millions of small investors using social media to act as one.

Broad economic and investment fundamentals have not changed. As the global pandemic reduces in 2021 because of more effective containment through restrictions and vaccinations the power of fiscal stimulus combined with accommodating monetary conditions will be reinforced. Global economic growth, including Australian economic growth should accelerate in 2021, especially in the second half.

Returning to January, major share markets mostly surrendered early gains. During the month losses for the US and European share markets ranged from 0.8% for Britain's FTSE 100 to 2.1% for Germany's DAX. The US S&P 500 fell 1.1%. Asian and the Australian share markets fared better. Japan's Nikkei rose by 0.8% while Australia's S&P 200 was up 0.3%.

Credit markets reflected the forces driving share markets in January and rose through much of the month before surrendering gains at month end. While Australian credit will be influenced by events in the US it should also benefit from positive local developments. Continuing Australian housing market improvement is allowing the number of housing borrowers on suspended repayments to reduce more rapidly than expected. Business borrowers are also returning to regular loan repayments more rapidly than expected on the improving economy.

Australia stands out by international comparison both in economic performance and in containing COVID-19. Australia's Q4 GDP report when released in March will be among the strongest in the world and will ensure that the fall in 2020 GDP is among the smallest, a fact recognised in the latest IMF global economic forecasts. Factors extending Australia's economic out-performance in 2021 include policy support from stimulus spending and complementary monetary settings, continuing housing recovery, and a household sector primed to spend more after months of rising employment and after lifting savings to a 40-year high in the pandemic. Australian exports are also rising more strongly than expected on increasing demand for commodities as manufacturing continues to lead global economic recovery.

Small outbreaks of covid-19 in Australia in December have been contained effectively and quickly providing confidence that the latest community infection in Perth will be contained. Australia's hotel quarantine system for returning travellers became the gold standard for infection control in January and is being copied in other countries including the US and the UK.

Australia's out-performance is starting to place upward pressure on longer-term interest rates. The 10- year bond yield rose in January by 16 basis points (bps) to 1.13%. Australia's 10-year bond yield traded 6bps above its US counterpart at the end of January despite lower government debt than in the US and lower annual inflation. Australia's 10-year bond yield premium is a factor driving a stronger Australian dollar an unwanted encumbrance to economic recovery.

In early February, the pullback in risk asset markets on concerns about battling small investors and hedge funds should cause some bond-buying and lower yields. The reprieve from rising bond yields may be short-lived. As positive economic growth fundamentals reassert bond yields start to rise again. The RBA will not want longer-term bond yields to rise too fast, but it is one of a range of problems the RBA faces as it tries to keep interest rates low to assist economic recovery.

ITEM 9.7	CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD 3 SEPTEMBER 2020 AND 8 SEPTEMBER 2020
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2021/030372
ATTACHMENTS	<p>1 ⇒ Minutes of Extraordinary ARIC Meeting held 3 September 2020 (Included In Attachments Booklet)</p> <p>2 ⇒ Minutes of the ARIC Meeting held 8 September 2020 (Included In Attachments Booklet)</p>

SUMMARY

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee extraordinary meeting held on 3 September 2020 and the Audit, Risk and Improvement Committee meeting held on 8 September 2020.

EXECUTIVE SUMMARY

The Audit, Risk and Improvement Committee (ARIC) plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement, along with external accountability responsibilities.

In accordance with the Audit, Risk and Improvement Committee Charter, the confirmed minutes of Audit, Risk and Improvement Committee meetings are to be reported to Council. The confirmed minutes of the extraordinary meeting held on 3 September 2020 are reported in full as per Attachment 1. The confirmed minutes of the meeting held on 8 September 2020 are reported in full as per Attachment 2.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note:

1. The confirmed minutes of the Audit, Risk and Improvement Committee extraordinary meeting held on 3 September 2020.
 2. The confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 8 September 2020.
-

REPORT

BACKGROUND

This purpose of the extraordinary meeting held on 3 September 2020 was to provide the Audit, Risk and Improvement Committee with an overview of the process undertaken and significant judgements and assumptions used in preparing the draft 2019/20 Northern Beaches Council financial statements prior to their inclusion on the agenda for a Council Meeting to be held on 29 September 2020.

The purpose of the meeting held on 8 September 2020 was to provide the Audit, Risk and Improvement Committee with progress updates in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

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

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.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee functions in accordance with the non-mandatory guidelines issued by the Chief Executive of the Office of Local Government under 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.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	OUTCOME OF THE PUBLIC EXHIBITION OF DRAFT COMMUNITY CENTRES POLICY AND COMMUNITY CENTRES STRATEGY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/031996
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒Community Engagement Report Community Centres Strategy Stage 2 (Included In Attachments Booklet) 2 ⇒Community Centre Policy - Pittwater Council (Included In Attachments Booklet) 3 ⇒Senior Citizens Centre Policy - Manly Council (Included In Attachments Booklet) 4 ⇒Draft Community Centres Policy - Northern Beaches Council 2021 (Included In Attachments Booklet) 5 ⇒Draft Community Centres Strategy (Included In Attachments Booklet) 6 ⇒Draft Community Centres Strategy Action Plan February 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on submissions received from the public exhibition of the draft Northern Beaches Community Centres Policy (the policy) and the draft Community Centres Strategy (the strategy) and to seek Council adoption of the amended documents.

EXECUTIVE SUMMARY

On 22 October 2019 Council endorsed the public exhibition of the draft Community Centres Policy and the draft Community Centres Strategy for a minimum of 28 days. They were placed on public exhibition from 25 October 2019 to 8 December 2019.

A total of two submissions were received for the draft Community Centres Policy and twenty-six submissions were received regarding the draft Community Centres Strategy. Overall, the feedback from the community was positive and supportive of community centres, and the need for a strategy to provide a framework for their management and strategic direction.

There are no recommended amendments to the draft Community Centres Policy. The feedback on the draft strategy has mostly confirmed the findings and validated the recommendations. A number of amendments have been made to the Strategy in response to the feedback, including a greater emphasis on the cultural heritage of the buildings. Two new Strategic Recommendations have been added.

In addition, revised population projections were received by Council in 2020, which have been updated in the strategy. These amended population forecasts have not instigated major amendments to the draft strategy or recommendations within.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Note the community feedback received during the public exhibition of the draft Community Centres Policy and the draft Community Centres Strategy.
 2. Adopt the Northern Beaches Community Centres Strategy and the Community Centres Policy.
 3. Rescind the following:
 - A. Community Centre Policy no.46, (former Pittwater Council).
 - B. The Manly Senior Citizens Centre Policy, S20, (former Manly Council).
-

REPORT

BACKGROUND

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

Community centres are of increasing value to the whole community as demographic profiles change across the local government area. Northern Beaches is an older population, with housing becoming medium to high density, impacting on demand for community space outside the home. Community infrastructure needs to adapt as the community grows and demographic profiles and social trends change.

Council owns and directly hires out 38 community centres across the Northern Beaches, which have been acquired or built at various times over the past century. There are significant variances in the condition of centres. Some of these buildings are no longer able to respond to contemporary needs, activities, and population changes due to the increasing level of maintenance required. Many are not in the best locations, with those located in central, strategic locations are in high demand for community space and are at capacity.

To effectively manage these community assets in a fair and equitable manner for all, a draft Community Centres Policy (the policy), a draft Community Centres Strategy (the strategy) and an associated Action Plan attached to the strategy were developed.

Specifically, the strategy has identified current gaps in community centre floor space provision across the Northern Beaches, and space required for the future population. In particular, there is a lack of large, integrated multipurpose community facilities in key locations.

CONSULTATION

The draft Community Centres Policy and draft Community Centres Strategy were placed on public exhibition from 25 October to 8 December 2019. Details of feedback and responses are included in the Community and Stakeholder Engagement Report for the Community Centres Strategy - Stage 2 (Attachment 1).

1. The draft Community Centres Policy

The draft Community Centres Policy received two submissions during the public exhibition period. Out of the two submissions received, one was in reference to the draft Community Centres Strategy and submitted to the policy in error.

Key themes and comments are detailed below:

Key Themes and Comments	Response and proposed Amendments
<p>Population Projections</p> <p>Population estimates for both Mona Vale and Frenchs Forest Planning Catchment Areas are inaccurate.</p> <p>It is noted that the Mona Vale Planning Area has the largest proportional population growth in the near future. ... and Mona Vale Memorial hall does not have satisfactory floor space.</p>	<p>This submission was in response to the Mona Vale Catchment area and not the policy (incorrectly submitted). It has been referred to in the comments for the strategy.</p> <p>No amendments to the policy</p>
<p>Child Safety</p> <p>The principles in this policy do not give sufficient emphasis to the NBC's responsibility towards child safety, as well as for young people and vulnerable people. Then, when that is translated to Scope and Application, the concept of 'safety' disappears altogether! NBC has an ethical responsibility, and it is now set in legislation, refer to discussion here; https://www.lindsaytaylorlawyers.com.au/in_focus/public-sector-agencies-civil-liability-for-child-abuse/</p>	<p>The matter is addressed in the Community Centre Terms and Conditions for all hirers to abide by.</p> <p>No amendments to the policy</p>

There are no recommended amendments to the draft Community Centres Policy. The adoption of the Policy will supercede two existing policies from the former Pittwater and Manly Councils (Attachment 2 and 3).

2. The draft Community Centres Strategy – Stage 2 of the Consultation process

The draft Community Centres Strategy received 26 submissions during the public exhibition period. The feedback mostly confirmed the findings and validated the recommendations of the strategy.

Key themes and comments are detailed below:

Key Themes and Comments	Response and proposed Amendments
<p>Locations</p> <p>Supports findings on lack of space in key, central locations such as Dee Why, Brookvale, Manly and Balgowlah.</p> <p>Value of keeping smaller centres, such as North Balgowlah Community Centre.</p> <p>Mona Vale Memorial Hall needs additional space.</p>	<p>As detailed in the strategy, smaller centres will only be rationalised after Council has investigated and committed to the provision of a larger district facility to meet community needs.</p> <p>No amendments to the strategy.</p>

Key Themes and Comments	Response and proposed Amendments
<p>Accessibility</p> <p>Request for closer parking to the Tramshed Arts & Community Centre.</p> <p>Online bookings/payments and searching availability needed to improve accessing space and information.</p>	<p>A new online organisational bookings and payments project is underway for community centres, due to be released publicly in 2021.</p> <p>No amendments to the strategy.</p>
<p>Cultural Facilities</p> <p>More art spaces, galleries, music and performance venues.</p>	<p>These matters are identified and addressed in the Arts and Culture Strategy.</p> <p>No amendments to the strategy.</p>
<p>Historical Reference</p> <p>Memorabilia, historical references and use.</p>	<p>Additional references have been made to the strategy.</p>
<p>Indigenous Heritage</p> <p>Request for permanent indigenous displays and spaces.</p>	<p>Amendments have been made to the strategy, with a new Strategic Recommendation; Strategy 10.</p>
<p>Population Figures</p> <p>Population estimates for both Mona Vale and Frenchs Forest Planning Catchment Areas are inaccurate. The figures for the Mona Vale area included the original Ingleside Planning Precinct proposal (since cancelled), and the Frenchs Forest figures did not include the Frenchs Forest Hospital Precinct population.</p>	<p>In late 2020, the population figures for the proposed Ingleside precinct were revised and Frenchs Forest Health Precinct data included in population forecasts for the Strategy (id demographics).</p> <p>Amendments have been made to the strategy, with new projections for all Planning Areas.</p>
<p>Future proposals/Strategic Directions</p> <p>Feedback confirms the lack of and need for space in key locations.</p>	<p>The need for additional multipurpose community space is identified in the strategy.</p> <p>No amendments to the strategy.</p>
<p>Feedback requests consideration of Manly Town Hall for community centre space.</p>	<p>Since the draft strategy was developed the Manly Town Hall Meeting Rooms (former Chambers) became available to the community to hire after hours (not during</p>

Key Themes and Comments	Response and proposed Amendments
	<p>Covid -19 pandemic).</p> <p>The strategy has been amended to include Manly Town Hall as a short-term option to meet the gap in floor space in Manly CBD, while the future plans for the venue are considered by Council.</p>
<p>Upgrades/Affordability</p> <p>A number of existing community centres require upgrades, and for the centres to be affordable.</p>	<p>This is addressed in the strategy and the action plan.</p> <p>No amendments to the strategy.</p>
<p>Marketing</p> <p>Marketing of centres to improve utilisation.</p> <p>Marketing centres as venues for live performance.</p>	<p>No amendments to the strategy.</p>
<p>Indoor Sport</p> <p>The need for additional indoor sport space.</p>	<p>This matter will be addressed by a project led by Parks and Recreation in 2021/22.</p> <p>No amendments to the strategy.</p>
<p>Child Protection</p> <p>Child safety should be included in the Guiding Principles.</p>	<p>This is addressed in operational terms and conditions of hire of community centres.</p> <p>No amendments to the strategy.</p>

In summary, a number of amendments have been made to the strategy since the exhibition period, including the inclusion of two new strategies:

Strategy 9: Develop a funding plan to enable the implementation of this strategy, including divestment, renewal, grant programs and capital works budget.

Strategy 10: Investigate the Aboriginal history of the sites of current and future centres, and ensure the history is recognised.

Other amendments include revised population projections and the updating of information on the status of Centre renovations. All of the amendments provide improved clarity and accuracy and do not change the overall intent or direction of the strategy.

The Community Centres Policy (Attachment 4) and amended Community Centres Strategy (Attachment 5) are presented to Council for adoption. These will be implemented through the associated action plan (Attachment 6).

LINK TO COUNCIL STRATEGY

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

Places for people – *We aspire to create welcoming, accessible and affordable private and public places that foster good health and social interaction.*

Community and Belonging - *We aspire to care for everyone in the community, making sure that people feel safe, supported, included and have diverse opportunities for a rich cultural and social life.*

FINANCIAL CONSIDERATIONS

The implementation of the Community Centres Policy poses no financial impact on Council.

The implementation of the Community Centres Strategy will have financial implications in relation to capital works over the next 20 years. The strategic directions within the strategy will assist in the development of robust asset management plans and need to be considered in the Long Term Financial Plan (LTFP) and annual capital works budgets.

Some major capital works are already included in the LTFP, such as the Warriewood Valley Community Centre and other current projects. Other ongoing minor upgrades are covered in annual budgets and renewal programs, subject to available funds and competing projects across Council.

SOCIAL CONSIDERATIONS

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

The growth in population and increase in medium density housing will put pressure on existing centres to provide sufficient space for the population. This contributes to the need to expand the community centre network in the future to respond to existing and changing demographics.

Community centres in the future will also provide spaces for use during times of community need such as has been experienced with recent natural storm events and during the COVID-19 pandemic. The network of community centres will be a key element in ensuring the ongoing resilience of our population. It is noted here that the soon to be constructed Warriewood Community Centre has been designed to meet this likely future need. An integrated network of

larger multipurpose centres will be an important consideration for the future to be prepared for disaster events and the follow-on impacts.

ENVIRONMENTAL CONSIDERATIONS

All capital upgrades and management of the centres will include sustainable products and practices. Council's Environment and Climate Change Strategy outlines commitments to ensuring new Council buildings are exemplars of best practice sustainability and to retrofitting existing Council buildings to deliver similar outcomes. The strategy also commits that Council buildings will operate using 100% renewable electricity and where feasible install onsite solar panels.

GOVERNANCE AND RISK CONSIDERATIONS

Both the policy and the strategy will provide clear direction for Council to deliver effective Community Centre service operations, strategic directions and capital expenditure for the next twenty years.

The policy will provide a robust framework for the management of community centres, providing equitable access to the whole community.

ITEM 10.2	THE COAST WALK PUBLIC ART STRATEGIC PLAN - FUNDING (INCLUDING RESPONSE TO NOTICE OF MOTION 30/2020)
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/625978
ATTACHMENTS	1 Northern Beaches Cultural Collection Management and Gifts Policy, amended

SUMMARY

PURPOSE

To report back to Council on the research undertaken regarding fundraising to support the implementation of the Coast Walk Public Art Strategic Plan, and the steps required to collect and manage donations for this purpose.

EXECUTIVE SUMMARY

The Coast Walk Public Art Trail provides Council with an opportunity to create one of Australia's great walks. Along its 36-kilometre expanse, the Coast Walk has the scale, scenery, stories and character to make it an iconic destination for tourists, visitors and locals. The opportunity to tell unique stories through art will enhance wellbeing and belonging and deliver economic flow-on benefits for a range of local businesses. Synonymous with the Northern Beaches identity and featuring some of Australia's best known beaches, the walk is a defining opportunity for community identity and connection.

In response to a Council resolution of 23 June 2020, this report presents an indicative budget to effectively realise the vision of the Coast Walk Public Art Strategic Plan. In order to fund this project in its entirety there are a number of options, including the allocation of Developer Contribution Funds or Council rates on an annual basis over an extended period; and/or seeking funds from the private sector, in the form of business partnerships and donations.

This item supports the Community Strategic Plan outcomes of Protection of the Environment, Places for People and Community and Belonging.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Note the research undertaken regarding the steps and commitment required to successfully fundraise.
2. Support the development of a detailed fundraising plan for the long-term funding of public art on the Coast Walk.
3. Establish an internally restricted cash reserve named Manly Art Gallery and Museum Gift Fund for the purpose of managing cash contributions through Manly Art Gallery and Museum's existing Deductible Gift Recipient Status for expenditure on the development, housing, display, administration, management and maintenance of its collection and associated matters.
4. Rename the existing internally restricted cash reserve 'Manly Art Gallery' to 'Manly Art Gallery Bequest Fund' to differentiate the gift fund from the funds received through a bequest to Council from Theodore Batten to fund youth art award programs and artwork acquisitions.

5. Place the amended Cultural Collections Management and Gifts Policy on public exhibition for 28 days to include public art in the Manly Art Gallery and Museum collection.
-

REPORT

BACKGROUND

On 27 June 2017, Council resolved to allocate \$2 million over four years to fund public art in key locations along the Northern Beaches Coast Walk (Coast Walk) from Manly to Palm Beach (Item: 115/17), with an extract from the Meeting Minutes as follows:

That Council:

- A. *Allocate funds from the Merger Savings Fund to the following programs and projects:*
 - a. *Arts and Cultural Program*
 - ii. *Public Art in key locations (e.g. coastal walkway) with commissions from local artists where possible - \$500,000 per year for four years commencing in 2017/18.*

The Coast Walk Public Art Strategic Plan was developed through extensive engagement with the community and adopted by Council in May 2019. The Strategic Plan sets out a plan for artworks that reflect the cultural, heritage and natural significance of the Northern Beaches.

Council's Public Art Working Group, appointed in October 2019, has been predominantly focussed on commencing implementation of the Strategic Plan. The expert group has reviewed the Strategic Plan and associated documentation, toured key sites and considered the scale and quality of artwork that will be required to achieve the vision of the Coast Walk as one of Australia's iconic destinations.

To progress implementation of the Strategic Plan, on 26 May 2020 (Item: 093/20) Council resolved the following:

That Council:

- 1. *Notes the minutes of the Public Art Working Group meeting held on 5 March 2020.*
- 2. *Amend the Coast Walk Public Art Strategic Plan vision statement to: The Coast Walk is a unique experience that unlocks the extraordinary environment through art, creativity and cultural heritage.*
- 3. *Endorse the following three projects and budgets for the initial commissions of public art on the Coast Walk:*
 - A. *Aboriginal artwork and interpretation project (integrated along the Coast Walk and at sites to be selected with key local Aboriginal stakeholders) with a budget of \$400,000, part funded by a \$200,000 grant from Clubs NSW.*
 - B. *Open Commission at McKillop Park, Freshwater, with a budget of \$400,000-\$500,000.*
 - C. *Public Art Artist Panel Commission at Robert Dunn Reserve, Mona Vale Headland, with a budget of \$200,000. The intention was to strengthen the opportunity to deliver a world class walking experience for both the local community and visitors.*

The endorsed funding levels for the artworks listed in the above resolution were developed with advice from the Public Art Working Group. It was considered that these budgets accurately reflected the scale and quality of works required to meet the endorsed vision for the Coast Walk.

At the meeting of 23 June 2020 (Notice of Motion No 30/2020 - Future Funding for Manly to Palm Beach Art Walk), Council resolved the following:

That:

1. *Work commences on the development of a Fund Raising Plan to secure future works for the Manly to Palm Beach Art Walk to ensure the viability of cultural programs and commissions going forward.*
2. *This will include identifying a diverse range of funding sources to build the public art collection, including government, private, and philanthropic as well as the long-term fiscal management of the project.*
3. *A report be brought back to Council within three months which includes the following:*
 - A. *Create a budget outlining the pathway that complements the existing original resolution of Council 27 June 2017 and future artworks that have yet to be funded.*
 - B. *Look at creating a possible trust fund structure or similar creating security for donors.*
4. *Allow for the Chief Executive Officer to determine the priority for implementing this resolution given the current external environment with appropriate notice provided to update councillors with any changes.*

The work undertaken to date is outlined in this report, which includes research into the steps and commitment required for effective fundraising. Once Council support has been established, a detailed fundraising plan, including fundraising campaigns, will be developed.

Coast Walk Public Art Budget

An indicative budget has been prepared for the implementation of Coast Walk Public Art Strategic Plan. The indicative budget identifies 21 recommended locations for integrated public art, as part of the successful realisation of the vision detailed in the Coast Walk Public Art Strategic Plan 2019:

The Coast Walk is a unique experience that unlocks the extraordinary environment through art, creativity and cultural heritage.

Each project site has undergone a preliminary assessment and unfunded projects will be prioritised for implementation as funding becomes available. It should be noted that the Aboriginal Art and Storytelling project will be implemented at multiple sites, as determined with local Aboriginal community members, and will influence the future prioritisation of locations. The indicative budget identifies probable costs for future artworks suitable for each site, with budgets ranging from \$10,000 to \$500,000. In preparing this budget consideration has been given to:

- Council's resolution of June 2017
- Feedback from the Public Art Working Group
- Public Art Working Group Minutes endorsed by Council
- The intent of delivering on the vision of the Coast Walk as one of Australia's great coastal walks
- Current economic and social climate.

Project	Indicative budget	Funding source	Financial Year	Comments
STAGE 1				
Coast Walk Public Art Strategic Plan	\$200,000	Council	2018/19	Completed
Aboriginal Art and Storytelling Project	\$400,000	Council - \$200,000 Club Grants - \$200,000	2020/21 – 2021/22	Shortlist artists are currently developing proposals that will be reported to Council on 23 March 2021
Robert Dunn Reserve, Mona Vale South Headland	\$200,000	Council	2020/21 -2021/22	Shortlist artists are currently developing proposals that will be reported to Council on 23 March 2021
McKillop Park, Freshwater	\$500,000	Council	2020/21-2021/22	EOI to commence in March 2021
Dee Why Rockpool artwork panels upgrade	\$10,000	Council	2020/21-2021/22	Council Resolution Item 10.3, 25 February 2020, Public Art Working Group Minutes 5 March 2020
Subtotal	\$1,310,000			
STAGE 2				
Collaroy Beach South	\$200,000	Council	2021/22 – 2022/23	
Newport Beach Reserve	\$350,000	Council	2021/22 – 2022/23	
Freshwater Reserve (adjacent to Pilu)	\$250,000	Council	2021/22 – 2022/23	
Mona Vale Surf Life Saving Club	\$45,000	Council	2021/22 – 2022/23	Integrated into new Clubhouse or surrounds
Long Reef Surf Lifesaving Club	\$45,000	Council	2021/22 – 2022/23	Integrated into new Clubhouse or surrounds
Subtotal	\$890,000			
STAGES 1 & 2 TOTALS	\$2,200,000	Council		Funds allocated from Merger Savings Fund

Project	Indicative budget	Funding source	Financial Year	Comments
STAGE 3				
Freshwater Beach Reserve (behind beach)	\$150,000	To be identified	As funding and timing of Masterplan integration permits	Integrated into the proposed playground area in the Freshwater Beach Masterplan
Dee Why Headland	\$215,000	To be identified	As funding permits	
Governor Phillip Park, Palm Beach	\$500,000	To be identified	As funding permits	Council Resolution Item 10.3, 25 February 2020, replacing Pittwater Park as listed in the Coast Walk Public Art Strategy
Mona Vale North Headland	\$300,000	To be identified	As funding permits	
Long Reef Headland	\$250,000	To be identified	As funding permits	
Bilgola Headland	\$250,000	To be identified	As funding permits	
Manly Corso East End	\$500,000	To be identified	As funding permits	
Dee Why Headland North	\$300,000	To be identified	As funding permits	
Avalon Beach Reserve	\$200,000	To be identified	As funding permits	
Avalon Surf Life Saving Club	\$45,000	To be identified	As funding permits	
Manly Surf Club	\$45,000	To be identified	As funding permits	Integrated into new Clubhouse or surrounds
Warriewood Surf Lifesaving Club	\$45,000	To be identified	As funding permits	
Sub-total	\$2,800,000			
STAGE 3 FUNDS TO BE SECURED	\$2,800,000			

Select sites for integrated works identified in the Coast Walk Public Art Strategic Plan are not proposed to be pursued due to social, heritage and / or environmental concerns raised by the community and the Public Art Working Group since the adoption of the Strategy. This includes Bangalley Headland, North Narrabeen Rock Pool, Queenscliff Headland, Turrimetta Headland, Little Av (South Avalon Headland); and Observation Point.

Program sites also identified in the Coast Walk Public Art Strategic Plan will require additional funding, with a source to be determined. Nominated sites include:

- Whale Beach Reserve
- Newport Beach Reserve
- Bungan Castle and Bungan Headland
- Apex Park, Mona Vale
- Fishermans Beach, Collaroy
- Dee Why Beachfront Reserve
- Freshwater to Curl Boardwalk
- McKillop Park, Freshwater
- Queenscliff Beach

To realise the vision of the Coast Walk for integrated artworks, an approximate total project cost of \$5,000,000 is proposed. With Council contributing \$2,200,000 from Merger Savings Funds and already secured grants, an additional \$2,800,000 needs to be secured for integrated artworks. Funding for programs and activations along the Coast Walk also require a funding source.

External funding sources

There are three main sources of funding available to fund public art, in addition to Council funding from rates or levies, namely:

1. Government – such as grants and in-kind support
2. Business partnerships – such as sponsorships
3. Philanthropy – donations from private individuals and businesses.

Current Arts and Culture Funding Landscape

Desktop and industry research has been undertaken to understand the current fundraising landscape and inform the development of an effective fundraising plan, including: review of relevant reports and resources; meetings with representatives from the Australian Museum, The Sydney Theatre Company; and workshops and coaching with Creative Partnership Australia.

The 2019 report Public Expenditure on Artistic, Cultural and Creative Activity in Australia argues that there should be better recognition of the essential role that local government provides in supporting arts and culture. The report reveals that over the last decade, local government has increased expenditure by 11.0 per cent per capita, compared to 3.9 per cent per capita for state governments and a federal government decrease of 18.9 per cent per capita.

The capacity for local government to provide for arts and culture has traditionally been limited to self-funding, income-generating activities, grants from other levels of government, and business partnerships.

Recent research from Creative Partnerships Australia, presented in Giving Attitude: Private Sector Support Survey 2018 showed that in 2017, private sector support for arts and culture was \$608

million in Australia with \$208 million earned in NSW, including donations, cash, in-kind and volunteering. The report notes that there is generally a low awareness in the sector of fundraising from the private sector and that larger organisations that employed specialist fundraising staff were more successful.

The study estimated the return on investment for fundraising in arts and cultural organisations was \$3.50 raised for every dollar. The study found that approximately half the costs of fundraising are spent on staff salaries with other costs including consultants, events and marketing.

The most common fundraising activities undertaken in Australia were business sponsorships (81%) and donations (72%). The chart below details the most common fundraising techniques used by arts and cultural organisations:

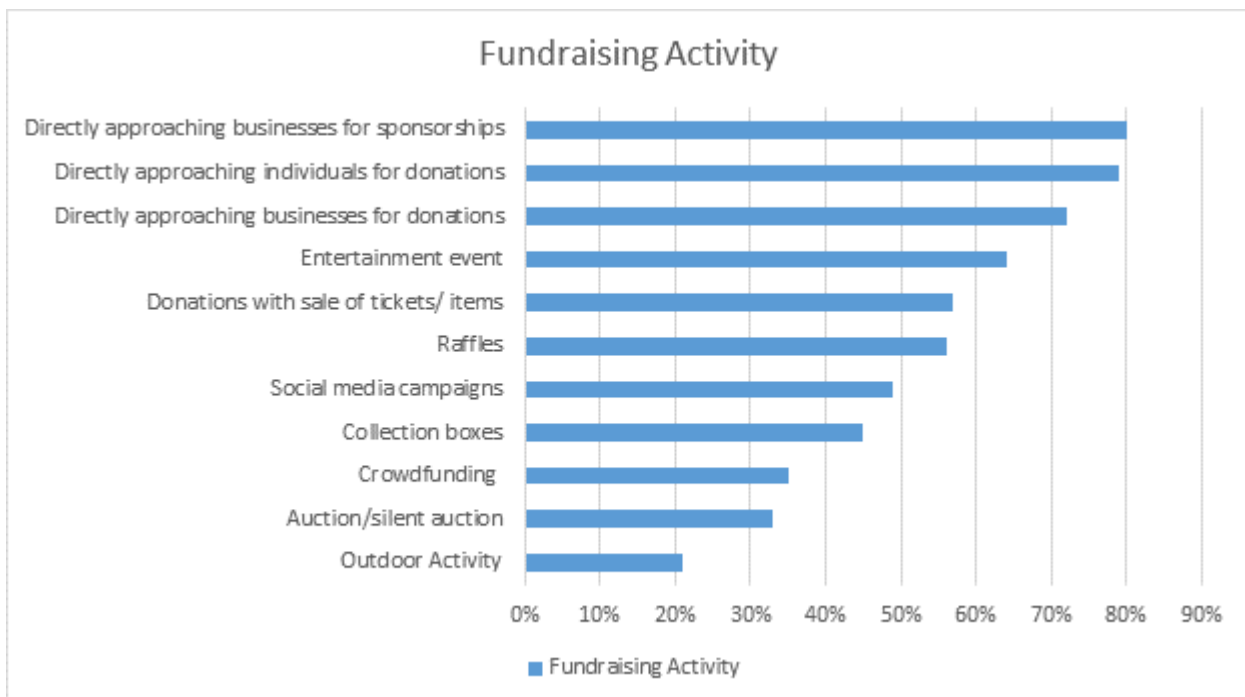


Chart: Fundraising Activities in Australia

(Source: *Giving Attitude: Private Sector Support Survey 2018 Research Report*)

It also notes that successful fundraising campaigns comprise the following features:

- Commitment to building long-term relationships with a community of donors and sponsors is important
- Corporate support is usually more effective as sponsorship than donations
- Used a personal approach to individuals is the most effective strategy
- Directly approaching individuals is the most effective fundraising strategy
- Board engagement is a key factor in successful campaigns
- Dedicated staff with requisite skills sets manage the relationships

Fundraising Challenges for Council

There are a number of challenges for Council to consider as part of fundraising for the Coast Walk:

- **Current economic downturn and pandemic affecting giving capacity of business and private individuals:** a report produced by JBWere, *Where to from here?* The outlook for philanthropy during COVID-19, estimates that giving in Australia will reduce by 7.1% in 2020,

and by a further 11.9% in 2021. It is noted that corporate sponsorships are closely aligned to profitability, which are also likely to be under pressure over the next few years.

- **Competition and donor fatigue:** Following the recent bush fires and the on-going pandemic effects, Council should anticipate donor fatigue and increased competition for available support.
- **Organisational preparedness:** It has been identified that in order to effectively attract and manage donors, operational resources are required. Investigation is underway to identify these resources so that a range of fundraising and sponsorship campaigns could be implemented to support a number of activities of Council, such as community events, public art, community education and competitions/ prizes.
- **Timing:** Any fundraising plan should be considered as an on-going and long-term initiative.
- **Perception of Council:** as a government agency, it is likely that Council may be perceived as not requiring private support.

Fundraising Opportunities for Council

In developing a fundraising plan for the Coast Walk, Council can strategically leverage a number of key opportunities, including the following:

- Refine its case for support and effectively tell the story of the Coast Walk as a once-in-a-generation opportunity to provide a legacy for current and future generations.
- Promote the community as owners of the Coast Walk with Council as custodian of the Coast Walk, acting on behalf of its community.
- Promote that Council has committed \$2 million to commence the initiative, with \$200,000 received from NSW State Government to date.
- Development of a strong brand and profile for the Coast Walk as one of Australia's great walks, using the range of communication tools available to Council.
- Engage with individuals interested in contributing to a cultural legacy for local communities and all Australians.
- Develop a plan with a range of fundraising mechanisms, including a major campaign for public art, involving the Manly Art Gallery and Museum Society and small donations campaigns.
- Create a whole-of-organisation approach driven by Councillors and senior leaders to ensure success over a long period of time.
- The development of business partnerships. The Coast Walk presents some unique opportunities to engage with health and well-being businesses, across areas such as insurance, personal wear, equipment and dietary supplements.
- Maximise the capacity of Manly Art Gallery and Museum's existing Deductible Gift Recipient Status.

Options

In order to fund the implementation of the Coast Walk Public Art Strategic Plan, a number of options are available to Council for consideration, including:

Option 1

Allocation of an annual amount of Developer Contributions Funds, or Council rates, over an extended period. If this were to be pursued an amount of \$200,000 per annum would be suitable

and requires approval by Council in the annual budget process. The use of these funds would require a reduction in other capital and operational budgets, such as a reduction in open space improvements that are identified to be funded from Developer Contribution Funds.

This option could leverage off Council funding to attract additional grant funding, such as the \$200,000 grant funding already secured in a matching funds grant program.

Option 2

Funds could be sought from the private sector, in the form of business partnerships and donations. This involves the development and implementation of a long-term fundraising plan to secure private sector support.

Option 3

Council could determine to progress a combination of Options 1 and 2, with some level of ongoing Council funding, grant applications and the implementation of a fundraising plan.

Option 4

Reduce the project scope to deliver Stage 1 and 2 projects only, using the allocated funds. This option will not fully realise the vision of the Coast Walk Public Art Strategic Plan or provide artwork along the full 36km of the Coast Walk.

Proposal

It is recommended that Option 2 be pursued, with the development of a comprehensive fundraising plan. The development of the plan will address the challenges and opportunities outlined in this report and include the following actions, for determination by Council prior to the commencement of any fundraising activity for the Coast Walk:

- A documented strategy, including funding targets.
- The allocation of resources, including dedicated staff time and budget.
- Clear organisational commitment to building long-term relationships with private and corporate donors at senior and elected levels.
- Effective organisational processes.
- Tax deductibility capacity, such as Deductible Gift Recipient Status.
- A review and amendment of the Cultural Collections Management and Gifts Policy to incorporate public art as part of the Manly Art Gallery and Museum's collection. This will enable donors to benefit from the Gallery's existing Deductible Gift Recipient Status. Other minor amendments to the Policy have also been identified since its adoption, that will be incorporated into the revised Policy.

During the development of the fundraising plan, appropriate grants will be sought to continue to contribute to the funding of public art on the Coast Walk.

CONSULTATION

The following organisations have been engaged in the development of this report:

- Australian Museum
- The Sydney Theatre Company
- Creative Partnership Australia.

Council staff from Legal Services and Finance and external legal advisors have also been consulted.

TIMING

The timing of a fundraising plan for public art on the Coast Walk should be considered in terms of the long-term commitment required to successfully fundraise from the private sector.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- 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.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative and recreational activities.
- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural and creative activities and events.

FINANCIAL CONSIDERATIONS

Funding to commence the Coast Walk Public Art program is included in the existing budget. The project is funded from the allocation of \$2 million from the Merger Savings Fund, as per the Council resolution of 27 June 2017, and a \$200,000 grant from Clubs Community NSW Infrastructure Fund for the Aboriginal Art and Storytelling Project.

The proposed budget for the project identifies an additional \$2.8 million will be required to fund the full implementation of the Coast Walk Public Art Strategic Plan. Council will continue to seek funding from state and federal grant funding bodies.

Council has considered various options for the receipt of funds for the purpose of funding public art with regard to relevant legal authority and taxation requirements.

SOCIAL CONSIDERATIONS

The social and community benefit of implementing the Coast Walk Public Art Strategic Plan will be immense and ongoing. The project benefits the entire Northern Beaches community by drawing a connection between the villages, beaches and headlands from the north to the south of the Northern Beaches. Public art on the Coast Walk will connect the community through the arts and contribute to social wellbeing and community cohesion. It will provide a source of civic pride and assist to create a vibrant community, providing opportunities for events, the arts and education.

Apart from providing employment for artists, designers and a range of sub-contractors (such as engineers, planners, and fabricators), the economic flow-on benefits of the project will be considerable for the Northern Beaches, through increased tourism supporting local operators, hospitality and accommodation businesses.

ENVIRONMENTAL CONSIDERATIONS

The Coast Walk is an environmentally sensitive location and environmental considerations are highlighted in the Coast Walk Public Art Strategy. As such, sustainability and environmental sensitivity will feature strongly in procurement documentation for public art works along the Coast Walk. Council may also wish to consider potential corporate donors that are aligned to this objective.

GOVERNANCE AND RISK CONSIDERATIONS

The procurement and commissioning of public art works is in accordance with the Northern Beaches Council's Procurement Policy. Council has developed specific commissioning agreements to support this process.

To ensure good governance in receiving and managing cash donations, it is recommended that Council amend the Cultural Collections Management and Gifts Policy and establish an internally restricted cash reserve named Manly Art Gallery and Museum Gift Fund. This gift fund will be for the purpose of managing cash contributions through Manly Art Gallery and Museum's existing Deductible Gift Recipient status for expenditure on the development, housing, display, administration, management and maintenance of its collection and associated matters.

It is also recommended that the existing internally restricted cash reserve 'Manly Art Gallery' be renamed to 'Manly Art Gallery Bequest Fund' to differentiate the gift fund from the funds received through a bequest to Council from Theodore Batten to fund youth art award programs and artwork acquisitions.



Northern Beaches Cultural Collection Management and Gifts Policy

Introduction

Northern Beaches Council is the custodian of a diverse cultural collection that includes artworks, public art, civic ephemera and local history items that directly relate to the Northern Beaches area and its communities.

The Cultural Collection encompasses a series of existing sub-collections including the Manly Art Gallery & Museum Collection, the Local Studies Collection, the Public Art Collection, the Community Art Collection and the Civic Collection. It consists of many items of local, state and national significance, which document the unique social, artistic, cultural and local governance history of the Northern Beaches. It includes many nationally significant artworks and an unparalleled assemblage of historic material relating to both local beach culture and the history of surfing.

Policy Statement

Northern Beaches Council will build and maintain a cultural collection that preserves and expresses local identity and creates community well-being and connection to place on the Northern Beaches. As a resource the Collection will be used to:

- Enrich knowledge, understanding and experience of the Northern Beaches area and its communities
- Create a sense of place
- Conserve significant heritage and artistic expression for the benefit of the community and future generations
- Contribute to the development of an outstanding art gallery and museum for the area
- Interpret the history, development and significance of the area and its communities
- Contribute to and foster historical and cultural debate
- Provide an educational, research and display facility for the community

Principles

- Council will undertake targeted and coordinated collecting of cultural material to enhance the depth and value of its collections
- Council will only acquire items, including accepting gifts and donations, that fulfil its acquisition criteria and the generic requirements of relevance and provenance
- Council welcomes financial gifts for general purposes that support the overarching aims and objectives of the Northern Beaches Cultural Collections
- Artworks, objects or cultural material will only be acquired when Council can provide appropriate resources and storage to maintain and care for them

- No artworks, objects or cultural material will be acquired with conditions or restrictions on the way they may be used or displayed in the future
- No artworks, objects or cultural material will be acquired from significant heritage sites where removal will diminish the significance of the object or the place, except in circumstances where the object is at risk
- No artworks, objects or cultural material will be acquired that relate to Aboriginal heritage on the Northern Beaches. Aboriginal people are the cultural owners and managers of items or objects relating to their heritage, and as such, any cultural material offered to Council will be referred to the appropriate custodians
- Council will maximise the opportunity for access to, and use of, its cultural collections by the community
- Council will encourage interaction and connection with local communities, cultural organisations and the general public through its cultural collections
- Council will document its cultural collections to a standard that ensures it can consistently record the nature and location of its items
- Council will allow the temporary loan of items both into and from its collections, subject to the safety and security of the item being assured and appropriate documentation undertaken
- Council will seek to provide appropriate conditions at all times for the display and storage of its collections, including appropriate environments and housing materials
- De-accessioning of items from Council's collections is acceptable, subject to strict adherence to criteria and detailed documentation
- Disposal of an item in Council's collections will only be undertaken where it is de-accessioned, or has never been accessioned, and will follow strict disposal procedures
- All collecting activity and collection management processes will be conducted in accordance with the [ICOM Code of Ethics for Museums](#) and within the framework of the [NSW Heritage Office Movable Heritage Principles](#), the [Library Council of NSW Standards and Guidelines for NSW public libraries](#) and the [Australian Copyright Council Moral Rights](#).

Collection Development – Acquisitions

Acquisitions into the Cultural Collection can be made by donation, bequest, or through purchase or commissioning. Civic or ceremonial gifts awarded to or received by Councillors and staff in the course of their duties, may be considered for inclusion in the Collection. Items can only be purchased if funds are available in Council's budget or funds are made available through a financial gift or bequest. If there are no funds available in the current budget, a Report will be submitted to Council seeking funding.

To be eligible for acquisition into the Collection, an item must meet the essential acquisition criteria, listed below as well as the specific acquisition criteria relevant to the sub-collection category to which it will belong. The Community Arts & Culture and Library Services Executive Managers will oversee all acquisitions that are considered significant to their sub-collections.

Essential Acquisition Criteria

To be considered for the Northern Beaches Cultural Collection all items must meet the essential acquisition criteria. Incomplete items or works will not be considered.

1. Demonstrable significance for the Northern Beaches community
2. Comply with the stated purpose and key collecting areas of the Collection
3. Unconditional donation or purchase that has valid and clearly verifiable legal title
4. Whole, complete and finished item
5. Established and verifiable provenance
6. Acceptable standard of physical condition, presentation and format
7. Resource implications such as staffing, storage or display requirements are satisfied
8. There are no unreasonable or inappropriate restrictions on display of the item
9. Council can loan the item
10. That copyright agreement is not unreasonable
11. That Council can de-accession the item

Specific Acquisition Criteria for each Sub-Collection

Manly Art Gallery & Museum Collection	<ol style="list-style-type: none"> 1. Works of high quality by significant Australian artists, both historical and contemporary, in a range of mediums 2. Significant artworks by artists associated with Manly and the Northern Beaches area that document the social, cultural and artistic history of the region 3. Objects for the Museum that reflect and expand on the knowledge of Australian beach culture, with specific reference to the role that Manly and the Northern Beaches area has played in this history 4. Permanent public artworks within the Northern Beaches area, acquired and managed according to the Northern Beaches Council Public Art Policy 2019
Local Studies Collection	<ol style="list-style-type: none"> 1. Items that have a distinct and verifiable connection to the Northern Beaches 2. Items that contribute to an understanding of people, life or the environment of the Northern Beaches in the past or the present 3. Items that improve the existing research and reference collections currently used by the community 4. Items that demonstrate rarity or outstanding representativeness of a particular type of object
Community Art Collection	<ol style="list-style-type: none"> 1. Works of high quality by local artists for display within Council-owned buildings across the Northern Beaches, including community, civic and administrative spaces
Civic Collection	<ol style="list-style-type: none"> 1. An item of visual art, ephemera or memorabilia gifted to a Council representative in the course of official Council business (See also– Council's Code of Conduct) 2. Framed photographs or ceremonial documents, such as scrolls and certificates, generated by the Northern Beaches Council, awarded to Northern Beaches Council or which represents a major Northern Beaches event, activity or initiative such as 'Sister Cities'.

Collection Management and Gifts Guidelines

Guidelines to be used in conjunction with this Policy outline the decision making processes that shape the cultural collections of Northern Beaches Council. These Guidelines should be used as a reference document and can be amended through internal processes.

The Guidelines provides a set of principles to manage:

- **Collection development** – purpose and priorities of the Northern Beaches Collection and its various sub-collections
- **Acquisitions** – purchases, commissions, donations, long-term loans
- **Gifts** – acceptance of financial gifts, including donations of material associated with the Commonwealth Government's [Cultural Gifts Program](#) which provide tax incentives to encourage gifts of culturally significant items from private individuals to public collections
- **Preservation and care** – documentation, conservation, storage and security
- **Access** – digital and physical access through exhibitions, loan agreements, publications, public programs and research

Scope and application

This policy applies to all employees, agents, officers, councillors and committee members of Northern Beaches Council and the general public.

References and related documents

Northern Beaches Council (2018) Public Art Policy

Northern Beaches Council (2018) Movable Heritage Policy

Northern Beaches Council (2018) Draft Northern Beaches Coast Walk Strategic Plan

Northern Beaches Council (2018) Draft Arts and Creativity Strategy

Northern Beaches Council (2018), Community Strategic Plan SHAPE 2028

Definitions

- **Acquisition:** Acquiring or gaining possession of an item or collection
- **Burra Charter:** Charter developed and adopted by Australia ICOMOS (International Council on Monuments and Sites), which establishes nationally accepted principles for the conservation of places of cultural significance.
- **Collection:** A body of acquired items held by a collecting organisation, or the accumulated items held by a collector
- **Collection policy:** A publicly accessible document that guides the development and management of an organisation's cultural collection, specifying why, what, where, how and when it collects, and how and why items may be deaccessioned from the collection. The collection policy includes a range of clauses or policy statements that provide an ethical framework for making sound decisions about the development and use of the collection
- **Criteria (or assessment criteria):** A broad framework of cultural, aesthetic and natural values used in the significance assessment process to draw out or elucidate how and why the item or collection is significant
- **Deaccession:** To de-register an item from a collection. Deaccessioning is the process of de-registering an item from a collection for clearly stated reasons, and disposing of it in accordance with approved policies and procedures spelt out in the collection policy or in a separate deaccessioning policy
- **Documentation:** The process of record keeping for each item in a collection. Documentation includes registration, cataloguing and research notes

- **Interpretation:** All the ways of presenting the significance of an item or collection, from simple object labels to exhibitions, education programs and web-based resources
- **Moral rights:** Protecting the personal relationship between a creator and their work even if the creator no longer owns the work, or the copyright in the work. Moral rights concern the creator's right to be properly attributed or credited, and the protection of their work from derogatory treatment.
- **Movable heritage:** Any reasonably portable item or collection of historic, aesthetic, scientific or social significance.
- **Provenance:** The documented chain of ownership of an item or collection, or more broadly the life history of an item including previous owners, origin, and context of use
- **Significance:** The meaning and values of an item or collection, or what makes it important. Significance is the historic, aesthetic, scientific and social values that an item or collection has for past, present and future generations

Responsible Officer

Executive Manager Community, Arts and Culture

Review Date

November 2022

Revision History

Revision	Date	Status	TRIM Ref
1	5/11/2018	First draft Northern Beaches Cultural Collection Management and Gifts Policy	2018/700784
2	29/4/2019	Approved Northern Beaches Cultural Collection Management and Gifts Policy	2019/243423
3	28/5/2019	Adopted by Council	2019/247884
4	12/02/2021	Amendments made for Public Exhibition in March 2021	2021/091664

ITEM 10.3	NORTHERN BEACHES ART PRIZE - REVISED CONCEPT AND FORMAT
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2021/069426
ATTACHMENTS	NIL

SUMMARY

PURPOSE

This report outlines a new concept and format for the Northern Beaches Art Prize, scheduled to be implemented in 2021.

EXECUTIVE SUMMARY

The Northern Beaches Art Prize (the Prize) has been presented by Council since 2017, having been rebranded from the Warringah Art Prize that was presented by the former Warringah Council annually from 1955.

To ensure the Prize remains relevant and accessible to the whole Northern Beaches community, Council engaged a consultant to review the Manly Arts Festival and Northern Beaches Art Prize between June to November 2019. The aim of this review was to assess the existing programs in terms of access for artists, audience engagement across the Local Government Area, and recommend a way forward for the ongoing success of the Prize.

The revised concept and format was due for implementation in 2020, however with the health orders associated with the COVID-19 pandemic, the Prize was presented in an online format with the theme *Postcards from Home*.

It is proposed that the 2021 Prize be positioned as the *Northern Beaches Environmental Art and Design Prize* to reflect the uniqueness of the Northern Beaches, the community's strong relationship with the natural environment and sustainable living, and its long history of excellence in art and design.

It is recommended that the new event and associated activities be held in August each year, to provide activations and engagement during the winter months for locals and visitors to the Northern Beaches. It will be held alongside other activities, such as an open studios event, to support existing creative sector clusters and informal arts precincts throughout the Local Government Area.

The proposed concept and format of the Northern Beaches Art Prize will have significant benefit to artists and creative businesses, increase community engagement with creativity and provide a positive impact on community connections and wellbeing.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council endorse the revised concept and format of the Northern Beaches Art Prize.

REPORT

BACKGROUND

Council engaged consultants, Gill Minervini Creative, to undertake a review of the Northern Beaches Art Prize and Manly Arts Festival between June and November 2019. The review included an analysis of the existing Prize and benchmarking against other Council-run prizes.

The key recommendations of the report were:

1. A New Cultural Identity - it was strongly recommended that the Manly Arts Festival and Northern Beaches Art Prize be combined and form a new cultural entity – Northern Beaches Arts Festival and Prize (working title) with the purpose and objectives as suggested.
2. Name - the name of the new entity was Northern Beaches Arts Festival and Prize. This was suggested as a working title. It was recommended that another name be explored that captures the contemporary nature of the new event, the unique Northern Beaches “vibe” and the distinctiveness of the location. It was also suggested that the new event title avoid the use of the word “festival” in the title to reflect a more progressive and flexible model – allowing for ongoing events, event concentration within a time period and the prize process.
3. Target Audiences - local, national and potentially international audiences be targeted for inclusion in the new Festival and Prize. Whilst the foundation of participation would be local audiences, the notion of an authentic and emerging local arts scene was very attractive to visitors and appropriate marketing of this would create interest outside the local government area over time. It was important to ensure that the current audiences and participants of the existing events be maintained through continued opportunities for involvement and inclusion.
4. Management Model – it was proposed that the management model for the new event continue to be a collaborative one between various Council teams.
5. Programming – should consist of several elements, with a view to building and diversifying the program across all art forms according to strategy objectives and priorities each year, including core and associated events and activations.
6. Identity and Marketing - that a new brand be developed for the Festival and Prize that works outside of, yet complements, the current Council brand guidelines in order to promote a contemporary identity that speaks to both the local cultural community and beyond, reflects the Northern Beaches vibe and firmly establishes and promotes the new event’s identity to a broad demographic. The development of this brand is critical to the long-term success of the event.
7. Market Research and Data - data collection and market research be prioritised as part of the development of the Northern Beaches Arts Festival and Prize to ensure substantial and meaningful analysis of future audience, participants, growth, content and reach.
8. Timing and Venues - the event be staged annually over a two to three-week period at locations across the Local Government Area at a time of year when there are identified ‘gaps’ in the event calendar – such as August.
9. Partners - for the Festival and Prize be investigated, encouraged and secured as soon as possible across all sectors to assist the development of the events.

CONCEPT

Research undertaken by the consultant and Council staff showed that successful Australian art prizes most often have a unique offering or point of difference that attracts artists and audiences each year. Some key examples include Woollahra Council's Small Sculpture Prize, the Mosman Art Prize known for painting, the Archibald Prize known for portraiture, and the Blake Prize known for religion/spirituality.

Northern Beaches' residents regularly rate the natural environment as the greatest feature of the Northern Beaches. Consideration of the history of art on the Northern Beaches shows that the natural environment has been inspiring the creative community since the 1860's, when painters Edward Combes and George Penkivil Slade travelled to the area to capture the landscape for over 20 years. This led the way for generations of now famous Australian artists, including Antonio Rubbo, Margaret Preston and Lloyd Rees, to follow suit.

This synergy between the natural environment, creativity and the community presents a unique opportunity for the Prize to build on the contemporary brand of the Northern Beaches as a community passionate about caring for and enjoying the natural environment.

The concept of environmental art and design combines the community's value of the natural world with the long histories of art and design practice in the area. It also aligns with strategies in the Arts and Creativity Strategy and the community's interest in climate change and sustainability.

Design prizes researched mostly showed limited themes and subject matters, such as the high profile Lexus Design Award (national), the Rigg Design Prize (Victoria) and the Clarence Prize (Tasmania). The Solar Art Prize (Royal SA Society of the Arts) offers an award for works in any medium that express "landscapes, seascapes, wild fauna or flora or environmentally aware people or thought-provoking images". An award solely for environmental design would fill an interesting and topical gap in the prize market and give it a ready identity.

With the working title, Northern Beaches Environmental Art & Design Prize, the event can be uniquely positioned in the Australian art prize calendar, attracting broader interest for visitors while still catering for individuals who have traditionally participated in the Northern Beaches Art Prize and in particular, in the subcategory of Waste to Art.

Venues

To increase the accessibility of the Prize for communities across the Local Government Area, it is proposed that different Prize categories would be geographically spread over the following venues:

1. Manly Art Gallery & Museum (MAG&M)
2. Creative Space, Curl Curl
3. Mona Vale Civic Centre

Dependent on the availability of space at Mona Vale, the Youth category could be accommodated at a community centre, MAG&M or the Creative Space, to be determined by the number of entries across the categories.

Timing

It is proposed to hold the Prize in August as an annual event. The following indicative timeline is required to meet an August delivery date:

Month	Activity
February	New concept endorsed by Council
April	Selection Panel established and sponsorship secured
May & June	Applications open
July	Selection of works for 3 venues
6-21 August	Exhibitions open

Categories

The following categories and prize money, by venue, are proposed for the new Prize:

Category	Prize	Venue
Open		
Ceramics & Small Sculpture	\$5,000	MAG&M
Design Functional (eg: architecture, urban design, a prototype of an object / product, furniture)	\$5,000	Creative Space
Design Wearable (fashion)	\$5,000	Creative Space
Digital Work, Film and Video	\$5,000	MAG&M
Interdisciplinary Collaboration (eg: art & science; design & engineering)	\$5,000	MAG&M
Painting	\$5,000	MAG&M
Works on Paper and Photography	\$5,000	MAG&M
Young Artists & Designers		
Ages 7 - 12 years	\$2,000	Mona Vale
Ages 13 - 18 years	\$2,000	Mona Vale
People's Choice		
3 Awards \$1,000 each	\$3,000	All
Total Prize Pool	\$42,000	

In 2020, the prize pool of \$16,000 reflected the online format, limited categories, waiving of entry fees and lack of sponsorship. In 2019, Council contributed \$10,000 and sponsors the remaining \$14,750 of the \$24,750 prize pool. The total prize pool of \$42,000 in 2021 is largely due to the new Design, Digital and Interdisciplinary categories, and repositioning of the Prize as a significant event on the Northern Beaches calendar of events.

The application form will advise that the judges may choose not to award a winner in each category, should the standard of work be low or only a small number of entries be entered into the category. The intention is to position the brand of the new Prize as one of excellence and quality, to attract visitors to the Northern Beaches and provide meaningful career opportunities and exposure for participating artists and designers.

Associated Activities

It is also proposed that the Prize is complemented by an open studios style event that would operate throughout the Local Government Area over 2 weekends in August, further supporting and promoting the unique culture and creativity of the Northern Beaches. This event would replace the former Manly Arts Festival.

It is envisaged that Council would call for expressions of interest from local creative studios, artist-run-initiatives and venues interested in mounting events/performances to participate in the event. This event will broaden community engagement with the Prize and support local artists, artist collectives and businesses.

Conclusion

In summary, the proposed concept and format of the Northern Beaches Art Prize will provide social and economic benefit to the Northern Beaches. It will provide increased opportunities for artists and stimulate engagement with art and creativity across the Local Government Area. Artists that have traditionally submitted for the Northern Beaches Art Prize will be encouraged to participate, as the proposed broad categories encompass the range of genres exhibited in previous years of the Prize.

The introduction of a larger Prize pool and increasing the exhibition from one to three venues will improve access to creativity and improve community connections and wellbeing.

CONSULTATION

Feedback was received from local artists and the creative industry regarding the potential elements of the Prize. This was received through an online survey and three creative conversation workshops conducted as part of the cultural mapping project in November 2020. This feedback aligned with the findings of the review of the Northern Beaches Art Prize and Manly Arts Festival.

Arts and Culture staff have also reviewed feedback received from Prize recipients in 2019 and 2020 and discussed the new concept with the cross-Council Events Working Group that includes staff from Environmental Services, Events, Marketing and Communications.

This engagement has informed the development of the new concept and format of the Prize, with no formal engagement on the specifics being undertaken. It should be noted that this cultural program does not fit within the remit of the Public Art Working Group.

An evaluation of the concept and execution of the Prize will be undertaken annually, with a view to constantly review and evolve the Prize to ensure it meets participants and Council's expectations.

TIMING

The new concept and format of the Northern Beaches Art Prize will be implemented in 2021, with the Prize exhibited from 6 to 21 August 2021.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural, creative activities and events.

The Northern Beaches Art Prize also addresses the following actions from the Arts and Creativity Strategy: Connected through Creativity:

- Enable Creative Sector Vitality
 - supporting artists and curators through programs such as the Northern Beaches Art Prize, Northern Beaches Artists' Studios and Manly Art Gallery and Museum
 - review major Council produced artists events to meet changing community needs, including the Northern Beaches Art Prize and Manly Arts Festival
- Share Local Stories
 - Encouraging conversations about important issues impacting our community, such as climate change, through programs such as the Big Ideas Forum and the Art Prize.

FINANCIAL CONSIDERATIONS

The proposed new concept and format of the Prize has been included within the existing operational budget. It is noted that Council's capacity to raise sponsorship this year may be limited and this is reflected in the budget.

Due to identified efficiencies, the existing budget will enable the provision of additional prize money to participants and support additional exhibitions and activations across the Local Government Area.

SOCIAL CONSIDERATIONS

The new Prize format will provide opportunities for the local community to participate in local art events, promoting belonging and connection. The Prize also serves as an important opportunity for artists and designers to develop their careers, build audiences and participate in a public dialogue about the natural world, explore innovative solutions for sustainable living and inspire the broader community.

The new Prize will have economic impacts over the long term, attracting new audiences to the area. Local businesses that support and work with artists will also benefit from the broader prize categories and increased arts activity in the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The new Prize will highlight issues of community importance such as the natural environment, and innovative responses to dealing with the impacts of climate change.

GOVERNANCE AND RISK CONSIDERATIONS

Prize guidelines will be developed and published to guide the application and assessment process.

Applications will be assessed against pre-defined and advertised criteria and follow a clear and transparent process to ensure equity. The program will be widely advertised and independent judges will be appointed to assess applications against the published criteria and award prizes objectively. Conflicts of interest will require declaration as part of this process.

Exhibition venue risk assessments will be prepared for each exhibiting venue. Sponsorship will be sought in accordance with Council's Sponsorship Policy.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	OUTCOME OF THE PUBLIC EXHIBITION OF DRAFT BUSH FIRE MANAGEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/015231
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Draft Bush Fire Management Policy (Included In Attachments Booklet) 2 ⇒ Community and Stakeholder Engagement Report - Draft Bush Fire Management Policy - February 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the outcomes of public exhibition of the draft Bush Fire Management Policy and to recommend adoption of the final Policy.

EXECUTIVE SUMMARY

The Northern Beaches area is exposed to high levels of bush fire risk. Whilst bush fire loss can be reduced or avoided in some cases, it cannot be entirely prevented. The draft Bush Fire Management Policy (the Policy) provides a framework for Council in managing its risk, and how risk can be better managed in the community.

The Policy was endorsed by Council for public exhibition on 27 October 2020 and was subsequently exhibited for a period of 46 days from 4 November 2020 to 20 December 2020. 49 submissions were received, with 39 submitted via Council's Your Say page, 6 submitted via letter or email and 4 by telephone appointments.

The outcomes of the community engagement process demonstrated a level of support for the Policy's principles and application. Key themes raised in the submissions included:

- Risk management planning
- Level of fire management works
- Implementing cultural burning practices
- Appropriate development, land use planning and evacuation
- Implications for other agencies
- Protecting bushland and biodiversity
- Context of climate change
- Community engagement considerations
- Fire trail management
- Bush fire hazard complaints

- General feedback

As a result of submissions received and internal feedback, some amendments and minor wording corrections are proposed to the Policy which is now presented for final endorsement by Council.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

1. Notes the outcomes of the public exhibition of the draft Bush Fire Management Policy.
 2. Adopts the Bush Fire Management Policy.
-

REPORT

BACKGROUND

The Northern Beaches area is exposed to high levels of bush fire risk. Whilst bush fire loss can be reduced or avoided in some cases, it cannot be entirely prevented. The draft Bush Fire Management Policy (the Policy) provides a framework for Council in managing its risk, and how risk can be better managed in the community.

Prior to amalgamation, the three former councils had developed various strategies, policies and management plans relating to bushland and biodiversity management across the Northern Beaches. However, there was no specific policy solely considering bush fire management.

This draft Policy fills this gap and considers research into how other government agencies tackle bush fire management, as well as considering best practice in the marketplace and relevant state and federal bush fire management frameworks and legislation, particularly the *Rural Fires Act 1997*. The Policy has been reviewed for consistency and alignment with the draft Bushland & Biodiversity Policy.

CONSULTATION

Council endorsed public exhibition of the draft Policy at the Council Meeting of 27 October 2020. The draft Policy was subsequently placed on public exhibition for a period of 46 days, from 4 November 2020 to 20 December 2020. Community and stakeholder input was obtained through a range of methods as detailed in the attached engagement report.

49 submissions were received, with 39 submitted via Council's Your Say page, six submitted via letter or email and four by telephone appointments. The attached Community Engagement Report provides a summary of the key themes and comments received during the public exhibition process, Council's response and proposed policy amendments.

Ten key themes were identified in the submissions:

- Risk management planning
- Level of fire management works
- Implementing cultural burning practices
- Appropriate development, land use planning and evacuation
- Implications for other agencies
- Protecting bushland and biodiversity
- Context of climate change
- Community engagement considerations
- Fire trail management
- Bush fire hazard complaints
- General feedback

Table 1 below provides a summary of the themes and the proposed changes to the Policy. Themes that did not result in any changes are not included in the table below.

Table 1: Key changes proposed to the draft Bush Fire Management Policy

Theme	Summary	Proposed policy changes
Risk management planning	<ul style="list-style-type: none"> Risk management was an important issue for respondents with 20 submissions related to this theme. Five minor amendments are proposed to the policy following consultation. 	<p>Principles Section:</p> <ul style="list-style-type: none"> Dot point 4 - Amend from 'under applicable Bush Fire Risk Management Plans' to 'any applicable Bush Fire Risk Management Plan (Risk Plan)' <p>Risk Management Section:</p> <ul style="list-style-type: none"> Add 'As defined in the Rural Fires Act 1997' to the first paragraph Dot point 1 - Amend from 'the Northern Beaches Bush Fire Risk Management Plan (Risk Plan)' to 'any current Risk Plan applicable to the Northern Beaches' Dot point 3 - Amend from 'NSW Rural Fire Service' to 'BFMC' Dot point 7 – Amend from 'fire risk when planning, resourcing and managing bush fire' to 'bush fire risk when planning, resourcing and being part of the management of bush fires'
Implementing cultural burning practices	<ul style="list-style-type: none"> Respondents showed strong support for cultural and traditional burning practices in the Policy with 14 submissions related to this theme. One amendment to the policy is proposed following consultation. 	<p>Principles Section:</p> <ul style="list-style-type: none"> Add 'Managing fire so as to protect Aboriginal cultural heritage'
Protecting bushland and biodiversity	<ul style="list-style-type: none"> 12 submissions were related to protecting our natural bushland and biodiversity on the Northern Beaches Two amendments to the policy are proposed following consultation. 	<p>Principles Section:</p> <ul style="list-style-type: none"> Dot point 7 - Amend from 'risk mitigation' to 'bush fire management activities' <p>Fire Management Section:</p> <ul style="list-style-type: none"> Dot point 12 - Amend from 'fuel' to 'bush fire risk'
Context of climate change	<ul style="list-style-type: none"> Seven respondents considered the climate change as part of their 	<p>Principles Section:</p> <ul style="list-style-type: none"> Dot point 6 - Amend from 'NSW Rural

Theme	Summary	Proposed policy changes
	<p>submission.</p> <ul style="list-style-type: none"> One amendment to the policy is proposed following consultation. 	<p>Fire Service' to 'BFMC'</p>
Community engagement considerations	<ul style="list-style-type: none"> Seven respondents considered community engagement as part of their submission. One amendment to the policy is proposed following consultation. 	<p>Community Engagement Section:</p> <ul style="list-style-type: none"> Dot point 2 - Amend from 'Working with our BFMC partners, facilitate residents' preparation for bush fire. Residents who choose to live in bush fire prone areas must' to 'Support our BFMC partners to facilitate residents' preparation for bush fire impact. Residents who choose to live in bush fire prone areas should'
Fire trail management	<ul style="list-style-type: none"> Five respondents considered fire trail management as part of their submission. One amendment to the policy is proposed following consultation. 	<p>Fire Management Section:</p> <ul style="list-style-type: none"> Dot point 7 - Amend from 'Maintain a network of designated service trails in accordance with the Risk Plan and FAFT Plan' to 'Identify, construct and maintain a network of strategic and tactical fire trails in accordance with the FAFT Plan'
General feedback	<ul style="list-style-type: none"> As a result of consultation, a number minor amendments, were identified from submissions and internal Council feedback. 	<p>Minor amendments were made to the following sections:</p> <ul style="list-style-type: none"> Policy Statement Principles Risk Management Fire Management Community Engagement Land Use Planning References and Related Documents Definitions & Appendices

TIMING

Should the Policy be adopted it will remain in force for a period of five years with an expected review date of February 2026.

LINK TO STRATEGY

This report relates to the Community Strategic Plan (CSP) Outcomes of:

- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Protection of the Environment - Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.
- Environment Sustainability - Goal 6: Our Community will continue to work towards sustainable use of resources.

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

The Northern Beaches CSP highlights the vulnerabilities for human settlement and the environment from natural hazards, particularly from bush fire, and the risks posed by climate change. Council is committed to collaborating with the community and partners to plan, promote, educate and facilitate better protection for life, property and the environment for current and future generations.

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

FINANCIAL CONSIDERATIONS

Council allocates resources under the Environment and Sustainability Division for the ongoing management of bush fire risk. Additional grant funding is available to support Council's bush fire management programs, administered through the NSW Rural Fire Service.

SOCIAL CONSIDERATIONS

The Policy includes strategic direction for how Council will engage with and build resilience in the community to mitigate the risk of bush fires throughout the Northern Beaches. The Policy seeks to foster a more integrated and shared approach between Council and the community, where landowners recognise the need for management measures and accept a level of personal risk from choosing to live in a bush fire prone area.

ENVIRONMENTAL CONSIDERATIONS

Whilst many of the Northern Beaches ecosystems are adapted to bush fire, forecast changes to the climate poses a key threat with more frequent and more intense extreme events predicted (Australasian Fire and Emergency Services Authorities Council (2019) Bushfires and Community Safety Position). The Policy provides Council and the community with the strategic direction to mitigate the risk of bush fires for current and future generations. Adoption of the Policy will help Council achieve its goals as adopted in the Northern Beaches CSP and the Strategy.

GOVERNANCE AND RISK CONSIDERATIONS

The Policy provides clear direction for Council to deliver its obligations under the Northern Beaches Bush Fire Management Committee (BFMC)'s Bush Fire Risk Management Plan and Fire Access and Fire Trail (FAFT) Plan. The Policy also refers to Council's obligations under the *Rural Fires Act*

1997 to take practicable steps to prevent the occurrence of bush fires, and to minimise the danger of the spread of bush fire from Council land.

ITEM 11.2	OUTCOMES OF THE PUBLIC EXHIBITION OF DRAFT BUSHLAND AND BIODIVERSITY POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/015285
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Draft Bushland and Biodiversity Policy (Included In Attachments Booklet) 2 ⇒ Community Engagement Report - Bushland and Biodiversity Policy (Included In Attachments Booklet) 3 ⇒ Former Warringah Council Bushland Policy 2008 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the outcomes of public exhibition of the draft Bushland and Biodiversity Policy (the Policy) and to recommend adoption of the Policy.

EXECUTIVE SUMMARY

The Northern Beaches Local Government Area (LGA) is subject to historic and ongoing decline in bushland and biodiversity assets that are highly valued by the community. The Policy represents an opportunity to apply a consistent direction to the management of bushland and biodiversity across the Northern Beaches and replaces the former Warringah Council Bushland Policy 2008.

The draft Policy was endorsed by Council for public exhibition on 22 October 2019 and was subsequently exhibited for a period of six weeks from 26 October to 8 December 2019. 38 submissions were received, with 29 submitted via Council's Your Say page and 9 submitted via email.

The Policy has been reviewed for consistency and alignment with the draft Bush Fire Management Policy. Whilst this has delayed finalisation of the draft Bushland and Biodiversity Policy, it has also allowed for policy alignment between environmental commitments and Council's approach to bush fire risk management.

The outcomes of the community engagement process demonstrated support for the Policy's principles and objectives. Key themes identified in the submissions included:

- Protecting and valuing bushland and biodiversity including wildlife corridors;
- Compliance and resourcing;
- Development and strategic planning;
- Equity for rural landholders;
- The Precautionary Principle;
- Bush fire planning and management;
- The 'Avoid, Minimise, Offset' hierarchy;
- Mapping and data quality;
- Education, engagement and collaboration;

- Climate change mitigation and adaptation;
- The impact of invasive species;
- Domestic animal management; and
- Population growth.

As a result of submissions received and internal feedback, 10 key amendments and minor wording corrections are proposed to the Policy which is now presented for final endorsement by Council.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

1. Note the outcomes of the public exhibition of the draft Bushland and Biodiversity Policy.
 2. Adopt the Bushland and Biodiversity Policy at Attachment 1.
 3. Rescind the former Warringah Council Bushland Policy 2008.
-

REPORT

BACKGROUND

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

The Policy expands on policy principles of the three former councils, replaces the former Warringah Council Bushland Policy 2008, and provides a framework that addresses the major threats to bushland and biodiversity including land clearing for urban development and invasive species.

The Policy seeks to better value bushland and biodiversity whilst having regard to economic, social and environmental matters. Recognising the need to balance protection of bushland and biodiversity with management of bush fire risk, presentation of the Policy for Council adoption has been scheduled to coincide with presentation of the draft Bush Fire Risk Management Policy. Whilst this has delayed finalisation of the draft Policy, it has also allowed for policy alignment between environmental commitments and Council's approach to bush fire risk management.

CONSULTATION

Council endorsed public exhibition of the draft Policy at the Council Meeting of 22 October 2019. The draft Policy was subsequently placed on public exhibition for a period of six weeks, from 26 October to 8 December 2019. Community and stakeholder input was obtained through a range of online and face-to-face methods as detailed in the attached Community Engagement Report.

38 submissions were received, with 29 submitted via Council's Your Say page and nine submitted via email. The attached Community Engagement Report provides a summary of the key themes and comments received during the public exhibition process, Council's response and proposed amendments to the Policy.

13 key themes were identified in the submissions:

- Protecting and valuing bushland and biodiversity including wildlife corridors
- Compliance and resourcing
- Development and strategic planning
- Equity for rural landholders
- The Precautionary Principle
- Bush fire planning and management
- The 'Avoid, Minimise, Offset' hierarchy
- Mapping and data quality
- Education, engagement and collaboration
- Climate change mitigation and adaptation
- The impact of invasive species
- Domestic animal management
- Population growth

Table 1 below provides a summary of the themes and the key proposed changes to the Policy. Themes that did not result in any changes are not included in the table below.

Table 1. Key changes proposed to the draft Bushland and Biodiversity Policy.

Theme	Summary	Proposed Policy Changes
Protecting and valuing bushland and biodiversity	<ul style="list-style-type: none"> Strong support for valuing, protecting and/or restoring our local bushland and biodiversity. Requests for specific reference to various natural assets e.g. hollow trees. One amendment is proposed to the policy following consultation. 	<p>Scope and Application section:</p> <ul style="list-style-type: none"> Update to include natural assets that are identified as a priority for protection.
Compliance and resourcing	<ul style="list-style-type: none"> Approximately half of submissions discussed enforcement and compliance actions. One amendment is proposed to the policy following consultation. 	<p>Guidance on the Assessment of Developments and Activities section:</p> <ul style="list-style-type: none"> Include a dot point which states: "Enforcement procedures and penalties for unauthorised activities will be undertaken in accordance with Council's Compliance and Enforcement Policy, relevant legislation and associated regulations."
Development and strategic planning	<ul style="list-style-type: none"> Many submissions raised concerns about the impact of development and strategic planning decisions on bushland and biodiversity. Two amendments are proposed to the policy following consultation. 	<p>Principles section:</p> <ul style="list-style-type: none"> Update Principle 3 to "Ensuring that new developments are consistent with the principles of ecologically sustainable development and are designed to first avoid and then minimise impacts to bushland and biodiversity..." <p>Strategic Policy and Land Use Planning section:</p> <ul style="list-style-type: none"> Dot Point 1 – amend to reflect a commitment to the avoid-minimise-offset hierarchy.
Equity for rural landholders	<ul style="list-style-type: none"> Submissions were concerned that the burden of achieving the Policy's objectives would be disproportionately borne by rural landholders. One household was concerned that rural landholders would be required to provide APZs on their property to for adjoining urban developments. Concern was raised that the policy would require rural landholders to reinstate vegetation on historically 	<p>Policy Statement:</p> <ul style="list-style-type: none"> Update to reflect that Council and the entire community have responsibilities to protect bushland and biodiversity: "The...Environment and Climate Change Strategy further outlines Council's commitment to work with the entire community to protect our bushland and biodiversity". <p>Strategic Policy and Land Use Planning section:</p>

Theme	Summary	Proposed Policy Changes
	<p>cleared land.</p> <ul style="list-style-type: none"> Three amendments are proposed to the policy following consultation. 	<ul style="list-style-type: none"> Dot Point 3 – amend to strengthen statement that APZs must not encroach on adjoining properties: “Planning proposals must demonstrate that the required APZs can be met on the development site rather than encroaching into adjacent lands, in accordance with PBP 2019”. The policy does not make reference to compulsory vegetation restoration on historically rural/cleared land. Dot Point 5 – amend to state that threatened species habitat will be restored “where appropriate”.
The ‘Avoid, Minimise, Offset’ hierarchy	<ul style="list-style-type: none"> Submissions requested stronger emphasis on the ‘Avoid, Minimise, Offset’ impact assessment hierarchy Two amendments are proposed to the policy following consultation. 	<p>Principles section:</p> <ul style="list-style-type: none"> Update to state: “Ensuring that new developments are consistent with the principles of ecologically sustainable development and are designed to first avoid and then minimise impacts to bushland and biodiversity...” <p>Strategic Policy and Land Use Planning section:</p> <ul style="list-style-type: none"> Dot Point 1 – amend as per Development and Strategic Planning theme above Dot Point 2 – update to ‘Guidance on the Assessment of Developments and Activities’ to reflect a commitment to the avoid-minimise-offset hierarchy (irrespective of whether the Biodiversity Offsets Scheme applies).
Domestic animal management	<ul style="list-style-type: none"> Concerns around roaming domestic animals and the need for effective enforcement Wording amendments requested to clarify administration of Companion Animals Act 1998. One amendment is proposed to the policy following consultation. 	<p>Management of Invasive Species on Public and Private Land section:</p> <ul style="list-style-type: none"> Dot Point 8 – Amend reference to Wildlife Protection Areas to clarify that they are declared by Council in accordance with the provisions of the Companion Animals Act 1998.

TIMING

Should the Policy be adopted, it will remain in force for a period of five years with an expected review date of February 2026.

LINK TO STRATEGY

The Policy relates to the following goals of Council's Community Strategic Plan (CSP):

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

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

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

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

The Policy provides Council and the community with the strategic direction to retain, protect and restore bushland and biodiversity, now and for future generations. Adoption of the final Policy will help Council achieve its environmental goals as identified within the Northern Beaches CSP and the Environment and Climate Change Strategy 2040.

GOVERNANCE AND RISK CONSIDERATIONS

The Policy provides clear direction for Council to deliver the Protection of the Environment Community Outcomes adopted in the Northern Beaches CSP. The Policy will assist in mitigating risks to the organisation through harmonising the approaches of the former councils into a single approach.

ITEM 11.3	AMENDMENT OF THE WATER MANAGEMENT FOR DEVELOPMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/078514
ATTACHMENTS	1 ↓ Maps (Set) 1 – Northern Beaches High Quality Catchments

BRIEF REPORT

PURPOSE

To amend the Water Management for Development Policy 2020 Maps (Set) 1 – Northern Beaches High Quality Catchments to include Curl Curl Creek (Manly Dam) catchment. This catchment was inadvertently excluded from the final policy that was adopted by Council in August 2020.

REPORT

The Water Management for Development Policy (the policy) was adopted by Council at the meeting of 25 August 2020 following a public exhibition period of 28 days between 26 October 2019 and 28 November 2019.

Council resolved to adopt the draft policy and associated DCP amendments to harmonise the existing water management policies of the three former councils. The policy provides a set of clear and consistent guidelines for development across the Northern Beaches, simplifying and improving the application and assessment process in relation to water management such as on-site detention and stormwater treatment measures.

In harmonising the policies, existing high quality catchment descriptions were translated into maps. Recently an omission has been identified where one existing high quality catchment; Curl Curl Creek (Manly Dam) catchment was omitted from Maps (Set) 1 – Northern Beaches High Quality Catchments.

To address this issue, the maps have been updated to include the Curl Curl Creek catchment. This amendment will reinstate the level of controls applied previously under Water Management Policy PL850 (former Warringah Council).

There are no other changes proposed to the policy.

This is a minor administrative amendment to resolve an anomaly in the harmonisation process and further public exhibition is not considered to be required.

LINK TO COUNCIL STRATEGY

This report relates to the following Community Strategic Plan goals:

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

FINANCIAL CONSIDERATIONS

The cost of implementing this minor amendment can be met within the existing budget.

ENVIRONMENTAL CONSIDERATIONS

This amendment will ensure the ongoing protection of this catchment as intended in the former Warringah Council Policy.

SOCIAL CONSIDERATIONS

This amendment will assist in protecting the amenity of this area.

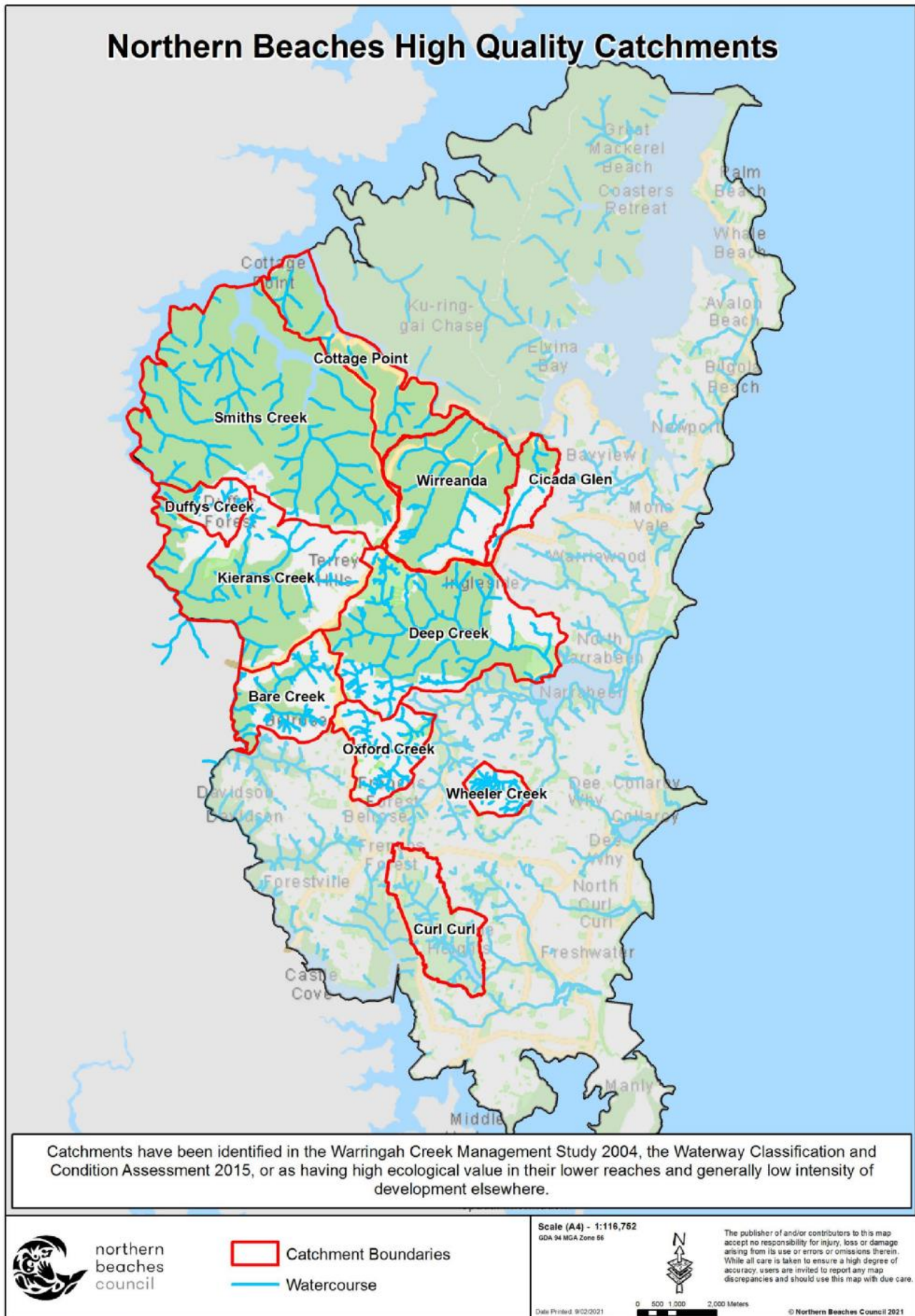
GOVERNANCE AND RISK CONSIDERATIONS

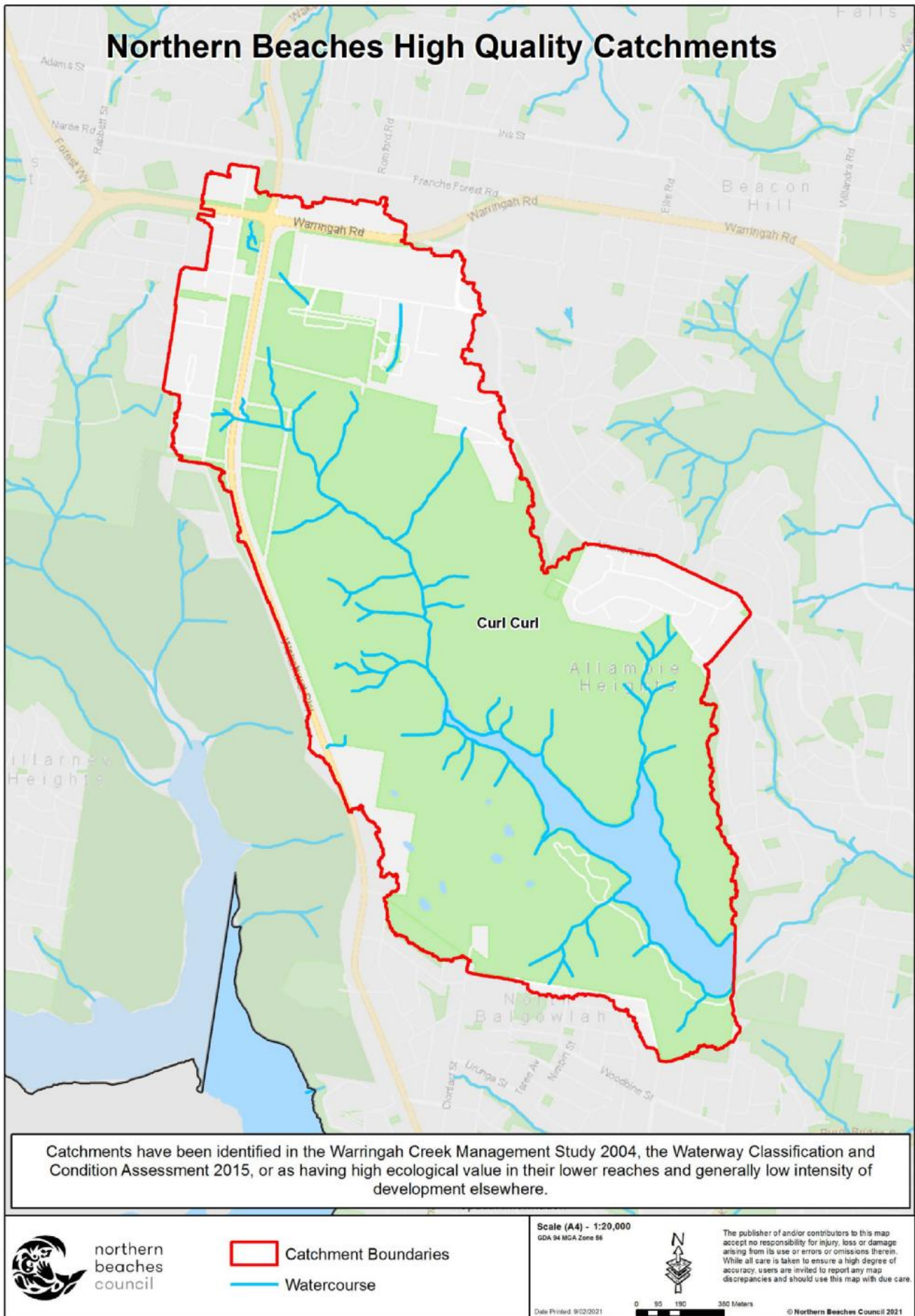
This amendment finalises the harmonisation process and includes Curl Curl Creek catchment as a high quality catchment as identified in the Water Management Policy PL850 (former Warringah Council). Not undertaking or delaying the amendment will impact development assessment in this catchment and reduce the level of environmental protection that has previously applied to this area (which includes Manly Dam).

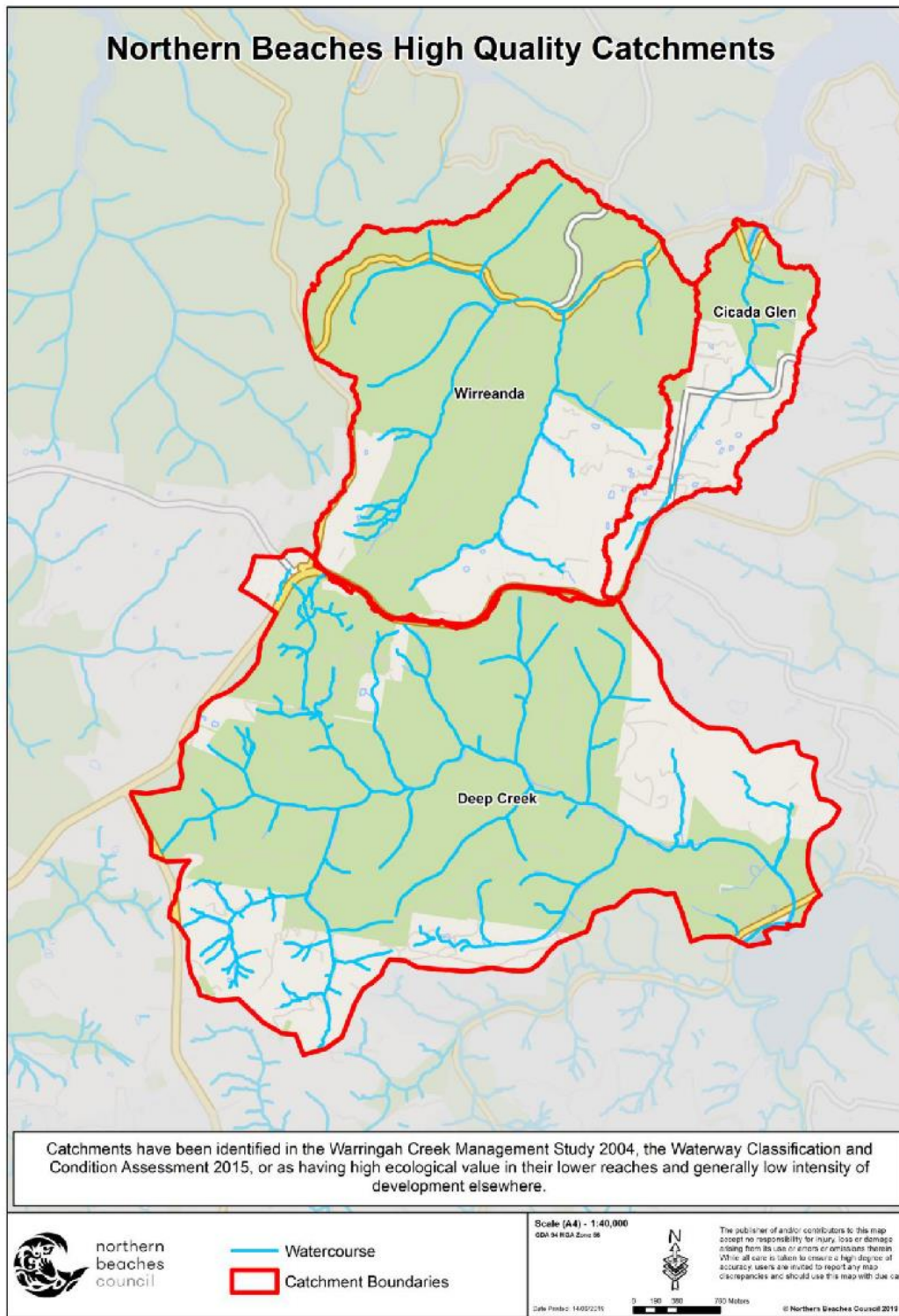
RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

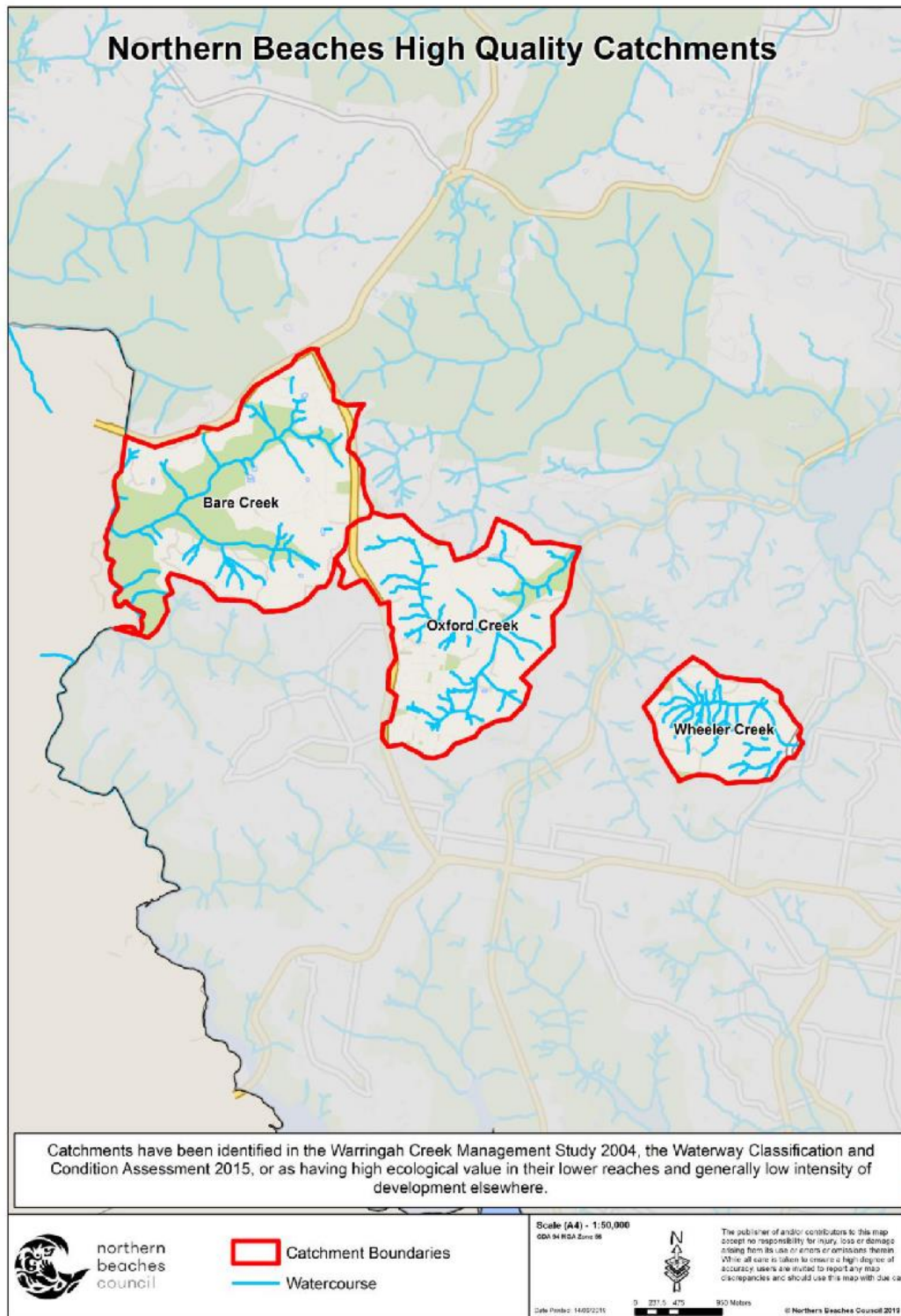
1. Approve the inclusion of Curl Curl Creek Catchment as a high quality catchment in the Water Management for Development Policy.
 2. Replace all current Maps (Set) 1 – Northern Beaches High Quality Catchments in that policy, with all maps contained in Attachment 1.
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12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	NATURAL DISASTERS LOCAL ENVIRONMENTAL PLANS CLAUSE
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2020/779768
ATTACHMENTS	<ol style="list-style-type: none"> 1 Draft Natural Disasters Local Environmental Plans Clause 2 NSW Department of Planning, Industry & Environment - Natural Disasters Clause - Guidance for Implementation - November 2020 3 Council's Submission to DPIE - Proposed Natural Disasters Clause - Dated 31 August 2020

SUMMARY

PURPOSE

To seek Council's approval to insert a new Natural Disasters Local Environmental Plan clause into the current Northern Beaches Local Environmental Plans to simplify the approvals process for the repair and replacement of dwelling houses and secondary dwellings that have been destroyed or damaged by a natural disaster.

EXECUTIVE SUMMARY

The Department of Planning, Industry & Environment has developed an optional Local Environmental Plan clause that will simplify the development application and assessment process for repairing or replacing a dwelling house or secondary dwelling that have been destroyed or damaged by a natural disaster. The provision reflects the NSW Government's stated commitment to helping communities recover and rebuild, and future-proof our planning system from natural disasters.

The provision does not 'exempt' an applicant from obtaining development consent for the repair or replacement of the dwelling house or secondary dwelling by a natural disaster, but rather ensures that development consent can be granted for the repair or replacement despite any provisions in the relevant LEP which would otherwise prevent the consent authority from doing so.

Examples of where this might occur is where the dwelling or secondary dwelling is no longer a permitted land use under the current LEP, or where the current LEP controls, such as height or FSR are different to those when the dwelling was erected. In essence the proposed clause eliminates the need for the applicant to prepare a formal request to vary a development standard (commonly referred to as a clause 4.6 variation); or demonstrate the continuance of an existing use in circumstances where the dwelling house or secondary dwelling are no longer permitted with consent in the relevant zone.

Notwithstanding the above, applicants will need to establish that the dwelling house or secondary dwelling was lawfully erected, and Council would still be required to undertake a merit assessment of the development application under section 4.15 of the Environmental Planning and Assessment Act 1979.

The optional clause is intended to save applicants money in lodging a development application as the level of documentation to be submitted is not as detailed as in usual circumstances.

If agreed, the Department of Planning, Industry & Environment will implement the change to Council's Local Environmental Plans by way of an amending State Environmental Planning Policy.

It is recommended that Council support the inclusion of the standard clause in all zones within all its current Local Environmental Plans.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Agrees to have inserted the proposed Natural Disaster Local Environmental Plan clause prepared by the Department of Planning, Industry & Environment into Manly Local Environmental Plan 2013, Pittwater Local Environmental Plan 2014, Warringah Local Environmental Plan 2011 and Warringah Local Environmental Plan 2000 applying to all zones in those Local Environmental Plans.
 2. Advises the Department of Planning, Industry & Environment of its agreement to amend the four Northern Beaches Local Environmental Plans by a State Environmental Planning Policy amendment in the above terms.
-

REPORT

BACKGROUND

In August 2020, the Department of Planning, Industry & Environment (the Department) wrote to councils seeking expressions of interest to implement an optional Natural Disaster Local Environmental Plans clause (the clause). The provision reflects the NSW Government's stated commitment to helping communities recover and rebuild, and future-proof our planning system from natural disasters.

The clause would apply where development consent is sought to repair or replace a dwelling house or secondary dwelling that was damaged or destroyed by a natural disaster and would permit development consent to be granted despite any other provisions in the relevant Local Environmental Plans (LEPs).

Natural disasters are defined for the purpose of this clause as being naturally occurring, rapid onset events that cause serious disruption to life or property in a community or region, such as floods, bushfires, earthquakes, storms, cyclones, storm surges, landslides and tsunamis. A natural disaster can include a state of emergency declared under section 33 of the State Emergency and Rescue Management Act 1989.

On 31 August 2020 Council wrote to the Department to express interest in the potential use of the clause subject to further information being provided regarding its implementation. Council noted that the Northern Beaches LGA was prone to several risks associated with natural disasters and supported, in principle, the efforts of the Department to support recovery from natural disasters (Attachment 3).

The final drafted Natural Disasters Local Environmental Plans clause (Attachment 1) and accompanying guidance material (Attachment 2) were distributed by the Department on 24 November 2020, inviting Council to provide formal confirmation that it wished to incorporate the clause into its LEPs.

The guidance material confirms that:

- Applicants would be required to establish that the dwelling house or secondary dwelling damaged or destroyed was lawfully erected.
- Council would be required to assess the development application in accordance with the merit considerations under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act), any relevant State Environmental Planning Policies (SEPPs) and Development Control Plans (DCPs) and could refuse the development application on that basis. Assessment of relevant applications would include whether the site is suitable for redevelopment under section 4.15 of the EP&A Act. If the site is not considered suitable, for reasons that might include flooding, bushfire or coastal protection risks, then the DA could still be refused for those reasons.
- Changes to the design and location of a proposed dwelling may be required to meet the relevant provisions of a DCP, other environmental planning instruments, associated legislation or the requirements of the National Construction Code, and that there is no requirement for the 'repair and replacement' the subject of a DA to be identical to the original dwelling that was damaged or destroyed.
- Other LEP provisions could not be considered and/or used for reasons for refusal of the development application.

Once confirmed, the Department will progress an amending SEPP which will insert the clause into relevant LEPs.

COMMENT

For the purposes of confirming Council's formal opt-in to the clause, the Department requires:

- confirmation that the council agrees to have the final clause inserted into its LEP by way of the amending SEPP, which will be progressed by the Department
- the relevant LEPs to be amended
- the zones where the proposed clause will apply
- details of a contact person at council.

It is recommended that the clause should be inserted into all of Council's current LEPs and that it should apply to all zones within those LEPs. In summary, this would permit applicants to submit an application to rebuild or repair a lawfully erected dwelling house or secondary dwelling damaged or destroyed by a natural disaster regardless of where the dwelling house or secondary dwelling is located and regardless of whether it is permitted under the current land use zone.

This approach is supported because:

- the clause will simplify the development application process for those who have suffered damage and destruction from a natural disaster, in that they will not be required to justify departures to LEP clauses and controls, or demonstrate the continuance of existing use rights as part of the documentation required to be submitted with the DA
- the clause is limited to dwelling houses and secondary dwellings and does not include more intense forms of development
- the dwelling house or secondary dwelling damaged or destroyed must have been lawfully erected
- a merits-based development assessment process will continue to apply to any development application submitted including consideration of relevant SEPPs and DCPs
- the community can participate in the DA decision making process in accordance with the Community Participation Plan
- the clause is likely to be used rarely and will not place an additional burden on Development Assessment staff.

CONSULTATION

The Department Planning, Industry and Environment exhibited the draft LEP clause in August 2020. It subsequently prepared additional guidance material to support the draft LEP clause and released this to Council in November 2020.

TIMING

The Department has requested Council's confirmation to incorporate the clause into its LEPs by 15 February 2021. To enable consideration of this by Council, arrangements have been made with the Department to provide a final response following its 23 February 2021 Council meeting.

LINK TO 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.
- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in our environment that supports innovation and economic growth.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The recommendations of this report have no financial implications for Council. Provisions associated with development requiring development consent are an operational matter for Council. The clause was prepared in response to regulatory and potentially financial challenges faced by homeowners seeking to rebuild homes following natural disasters. It would be open to Council in the future to consider the waive or reduction of DA fees for applications in which the natural disasters clause was to apply.

SOCIAL CONSIDERATIONS

The clause aligns with Council's commitment to community resilience to ensure our communities are prepared, and able to effectively respond and recover from natural disasters. In this regard Council supports the NSW Government commitment to helping our communities recover after natural disasters.

ENVIRONMENTAL CONSIDERATIONS

The clause provides an operational response to environmental risks. Natural disasters are naturally occurring, rapid onset events that cause serious disruption to life or property in a community or region, such as floods, bushfires, earthquakes, storms, cyclones, storm surges, landslides and tsunamis. Council will continue as the consent authority for these applications and will assess and determine development applications made in accordance with this clause and be required to consider any environmental impacts of such proposals.

GOVERNANCE AND RISK CONSIDERATIONS

The clause has been prepared by the Department. Implementing the clause will be achieved by way of an amending SEPP.

It is considered that the proposed clause raises no significant governance or risk issues and seeks to appropriately simplify the planning approvals process in very specific circumstances.

Dwelling house or secondary dwelling affected by natural disaster

- (1) The objective of this clause is to enable the repair or replacement of lawfully erected dwelling houses and secondary dwelling that have been damaged or destroyed by a natural disaster.
- (2) This clause applies to land in the following zones—
 - (a) *[set out the zones to which the clause is to apply]*,
- (3) Despite any other provision of this Plan, development consent may be granted to development on land to which this clause applies to enable a dwelling house or secondary dwelling that has been damaged or destroyed by a natural disaster to be repaired or replaced if—
 - (a) the dwelling house or secondary dwelling was lawfully erected, and
 - (b) the development application seeking the development consent is made to the consent authority no later than 5 years after the day on which the natural disaster caused the damage or destruction.

Natural Disasters Clause

Guidance for Implementation



November 2020

Natural Disasters Local Environmental Plan Clause

Introduction

Clause 5.9 of the Standard Instrument Order (the clause) was introduced to support homeowners whose homes have been damaged or destroyed by natural disasters. The clause applies to development applications (DAs) where development consent is sought to repair or replace a dwelling house or secondary dwelling that was damaged or destroyed by a natural disaster.

The clause was prepared in response to regulatory challenges faced by homeowners seeking to rebuild homes following natural disasters where planning controls in Local Environmental Plans (LEP) have changed over time.

The clause will ensure that development consent can be granted for the repair or replacement of a dwelling that was damaged or destroyed by a natural disaster despite any provisions in the relevant LEP which would otherwise prevent the consent authority from doing so.

The clause intends to eliminate the need for applicants to:

- Prepare formal requests to vary a development standard; or
- Demonstrate the continuance of an existing use in circumstances where dwelling houses or secondary dwellings are no longer permitted with consent in the relevant zone (applicants will need to demonstrate that the existing dwelling was lawfully erected).

Natural Disasters

Natural disasters are naturally occurring, rapid onset events that cause serious disruption to life or property in a community or region, such as floods, bushfires, earthquakes, storms, cyclones, storm surges, landslides and tsunamis. A natural disaster can include a state of emergency declared under section 33 of the *State Emergency and Rescue Management Act 1989*.

The rebuilding or repair of damage or destruction caused by or because of any of these events is development to which the clause applies.

Varying Development Standards

The clause states that consent can be granted to the specified development in a zone where the clause applies despite any other provision of the relevant LEP. For this reason, it is not necessary for applicants to submit a request to vary a development standard where a development standard is contravened. DAs will still undergo a merit assessment to ensure that dwelling houses and secondary dwellings are of an appropriate size, location and design in the context of the site.

In situations where key planning controls or development standards have changed over time, removing the need to formally request a variation under clause 4.6 of the relevant LEP will save time and resources for applicants and consent authorities.

Merit Assessment

For DAs where the clause applies, the consent authority cannot refuse a DA on the basis it does not comply with a development standard or other provision in the applicable LEP.

The proposed development will be assessed on its merits against the relevant considerations under section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and any other applicable legislation.

Natural Disasters Clause

Guidance for Implementation



Any standards or provisions outlined in a State Environmental Planning Policy (SEPP) that are relevant to the DA continue to apply (including any concurrence or referral requirements). Development Control Plan (DCP) provisions also continue to apply.

Evaluation under section 4.15 of the *Environmental Planning and Assessment Act 1979* where the clause applies

For DAs where the clause applies, LEP provisions themselves must not be used as a reason for refusal. However, if the consent authority considers that the risk, or other environmental impact associated with the proposed development is inconsistent with the relevant considerations of section 4.15, the consent authority can refuse the application on that basis.

Example

Due to a period of local severe rains, a river floods and destroys two homes. Although this natural event is not subject to an emergency declaration under section 33 of the *State Emergency and Rescue Management Act 1989*, it is still considered to be a natural disaster and accordingly, the natural disasters clause could potentially be applied to rebuild the destroyed dwelling houses.

Council is unable to refuse the DA to rebuild the destroyed dwelling on the basis that it does not comply with a development standard in the applicable LEP – however, council will be able to undertake a merit assessment under section 4.15 of the EP&A Act. If council considers the site is unsuitable for redevelopment under section 4.15(1)(c) due to flooding concerns, then the DA may be rejected on this basis.

Other Applicable Legislation

The requirements of other applicable legislation referred to in a SEPP, or in the EP&A Act continue to apply to DAs where the clause applies. For example, section 4.14 of the EP&A Act continues to apply for development of bushfire prone land and all relevant requirements of *Planning for Bushfire Protection 2019* must be satisfied.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and the *Biodiversity Conservation Act 2016* will also continue to apply to development involving clearing of vegetation and development of land with high biodiversity values. Any relevant assessment and offsetting requirements under that Act must also be met.

Replace and Repair

The clause refers to the *repair* or *replacement* of a lawfully erected dwelling house or secondary dwelling that was damaged in a natural disaster. There is no requirement for the *replacement* or *repair* subject of a DA to be identical to the original dwelling which was destroyed or damaged.

Development consent can be granted for dwelling houses and secondary dwellings that are of a different size, location or design to the original dwelling under the clause. Changes to the design and location of a proposed dwelling may be required to meet the relevant provisions of a DCP, other environmental planning instruments, associated legislation or the requirements of the National Construction Code.

Lawfully Erected

To be a lawfully erected dwelling house or secondary dwelling, it must have been constructed under a valid development consent, building approval or another lawful planning pathway under the EP&A Act or equivalent historical planning legislation.

Natural Disasters Clause

Guidance for Implementation



Further Information

For more information:

Web: www.planningportal.nsw.gov.au/natural-disasters-clause

Phone: 1300 73 44 66

Email: disaster.recovery@planning.nsw.gov.au



31 August 2020

Mr Glen Evans
Executive Officer
Floodplain Management Australia
NSW Department of Planning, Industry & Environment

Our Ref: 2020/507674

Email: eo@floods.org.au

Dear Mr Evans

Submission - Proposed Natural Disasters Clause

Thank you for the opportunity to provide feedback on the Department of Planning, Industry & Environment (DPIE) proposed clause to clarify that development consent can be granted for repairing or replacing a dwelling impacted by a natural disaster.

The Northern Beaches LGA is prone to a number of risks associated with natural disasters. We support, in principle, the efforts of DPIE to support recovery from natural disasters.

We wish to submit (Stage 1) an expression of interest to incorporate the final "natural hazards" clause into our LEPs.

We wish however, to make the following comments about the proposal documentation:

- It is not clear from the drafting of the clause that it will achieve its intended purpose i.e. to permit the rebuilding of dwelling houses damaged/destroyed by a natural disaster, without having to consider development standards and local provisions in relevant LEPs.
- Should the clause as drafted, or as subsequently amended, achieve this outcome then Council is concerned that the outcome may not be appropriate in some circumstances. For example:
 - Rebuilding of dwellings in inappropriate locations (coastal inundation, bushfire prone areas)
 - Building in a way that is inconsistent with modern development standards (floor levels in flood prone areas, environmental controls etc.)
- Whilst the documentation indicates that Council can still assess applications "on the merits" under Clause 4.15 of the EP&A Act, any development standards in SEPPs would still apply and there is a reference to the design and location of any proposed rebuild potentially changing to meet relevant provisions of DCPs.

- Council is currently undertaking a Resilience Strategy which is crucial in ensuring our communities are prepared, and able to effectively respond and recover from natural disasters. It will include land use planning initiatives. Council will be considering a range of means by which to build resilience, seeking to minimise or mitigate the community's exposure to risk, through any recovery phase into the future.

Should you require any further information or assistance in this matter, please contact Andrew Pigott, Executive Manager Strategic & Place Planning on Ph: 8495 6273.

Yours faithfully



Louise Kerr
Director Planning & Place

ITEM 12.2	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2021/047312
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council the variations to development standards granted 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 1 October 2020 to 31 December 2020, the following variations were granted:

- 12 variations under Clause 4.6 of Pittwater Local Environmental Plan 2014.
- 16 variations under Clause 4.6 of Manly Local Environmental Plan 2013.
- 16 variations under Clause 4.6 of Warringah Local Environmental Plan 2011.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council note the Development Applications approved with variations to development standards during the period of 1 October 2020 to 31 December 2020.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period 1 October 2020 to 31 December 2020 for each of the LEPs in the Northern Beaches LGA, and whether the determination was made by staff under delegated authority or a determination panel. Northern Beaches Council has two external panels, being the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal determination panel is known as the Development Determination Panel (DDP).

The following applications had a Clause 4.6 variation request granted during the period of 1 October 2020 to 31 December 2020.

Pittwater LEP2014

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/0455	50 - 52 Golf Avenue MONA VALE NSW 2103	Residential - New multi- unit	4.3 Height of buildings 4.5A Density controls for certain residential accommodation	Variation: 8.3% Control: 8.5m Proposal: 9.2m Variation: 9.8% Control: 200m ² Proposal: 182m ²	NBLPP
DA2020/0650	18 Alleyne Avenue NORTH NARRABEEN NSW 2101	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 4.10% Control: 8.5m Proposal: 8.85m	Delegated Authority
DA2020/0680	47 Seaview Avenue NEWPORT NSW 2106	Residential - Alterations and additions	4.3 Height of buildings	Variation: 17.60% Control: 8.5m Proposal: 10.0m	DDP
DA2020/0793	119 Richard Road SCOTLAND ISLAND NSW 2105	Residential - Alterations and additions (boat shed)	4.3 Height of buildings	Variation: 25.75% Control: 4m Proposal: 5.03m	NBLPP
DA2020/0906	52 Irrubel Road NEWPORT NSW 2106	Residential - Alterations and additions	4.3 Height of buildings	Variation: 1% Control: 8.5m Proposal: 8.6m	Delegated Authority
DA2020/0959	15 Malo Road WHALE BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 36.47% Control: 8.5m Proposal: 11.6m	DDP
DA2020/0960	47 Pacific Road PALM BEACH NSW 2108	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 2.90% Control: 8.5m Proposal: 8.75m	DDP
DA2020/1080	156 Whale Beach Road WHALE BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 16.50% Control: 8.5m Proposal: 9.9m	DDP

DA2020/1166	29 Lakeview Parade WARRIEWOOD NSW 2102	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 1.88% Control: 8.5m Proposal: 8.65m	Delegated Authority
DA2020/1169	10 Capua Place AVALON BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 35.30% Control: 8.5m Proposal: 11.5m	DDP
DA2020/1359	12 Emma Street MONA VALE NSW 2103	Residential - Alterations and additions	4.3 Height of buildings	Variation: 14.1% Control: 8.5m Proposal: 9.7m	DDP

Manly LEP 2013

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/0077	1 Tabalum Road BALGOWLAH HEIGHTS NSW 2093	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 12.90% Control: 8.5m Proposal: 9.6m	NBLPP
DA2020/0544	52 Darley Road MANLY NSW 2095	Residential - New multi-unit	4.3 Height of buildings	Variation: 5.80% Control: 8.5m Proposal: 9.0m	Delegated Authority
DA2020/0646	117 B Seaforth Crescent SEAFORTH NSW 2092	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 32.47% Control: 8.5m Proposal: 11.26m	DDP
DA2020/0702	9 Steinton Street MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 22.50% Control: 0.75:1 (114.225m ²) Proposal: 0.91:1 (140m ²)	DDP
DA2020/0729	42 Peacock Street SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings	Variation: 1.02% Control: 8.5m Proposal: 8.66m	Delegated Authority
DA2020/0747	8 Griffiths Street FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 5.20% Control: 0.6:1 (170.5m ²) Proposal: 0.63:1(179.4m ²)	Delegated Authority
DA2020/0759	25 Cutler Road CLONTARF NSW 2093	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 5.8% Control: 8.5m Proposal: 9.0m Variation: 5.6% Control: 0.4:1 (Area U-750 m ²) is 300 m ²) Proposal: 0.422:1 (317m ²)	Delegated Authority

DA2020/0821	32 Beatrice Street CLONTARF NSW 2093	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 9.4% Control: 8.5m Proposal: 9.3m Variation: 50.6% Control: 0.4:1 (230.28m ²) Proposal: 0.6:1 (347m ²)	DDP
DA2020/0872	65 Bower Street MANLY NSW 2095	Residential - Single new detached dwelling	4.4 Floor space ratio	Variation: 2% Control: 0.45:1 (315 m ²) Proposal: 0.46:1(322 m ²)	Delegated Authority
DA2020/0936	11 Bareena Drive BALGOWLAH HEIGHTS NSW 2093	Residential - Single new detached dwelling	4.4 Floor space ratio	Variation: 11.5% Control: 0.4:1 (258m ²) Proposal: 0.44:1 (287.7m ²)	DDP
DA2020/0979	4 Kangaroo Street MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 4.69% Control: 8.5m Proposal: 8.89% Variation: 9.2% Control: 0.6:1 (282m ²) Proposal: 0.65:1 (307.95m ²)	Delegated Authority
DA2020/1296	38 Ponsonby Parade SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.60% Control: 8.5m Proposal: 8.8m	Delegated Authority
DA2020/1316	1 Peacock Street SEAFORTH NSW 2092	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 4.44% Control: 0.45:1 (0.45:1 (194.81m ²) Proposal: 0.47:1(205.1m ² GFA)	Delegated Authority

Warringah LEP 2011

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
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DA2019/1101	10 Painters Parade DEE WHY NSW 2099	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 7.64% Control: 8.5m Approved: 9.15m	Delegated Authority
DA2019/1217	504 & 508 Pittwater Road NORTH MANLY NSW 2100	Mixed use – shop top housing	4.3 Height of buildings	Variation: 22.9% Control: 8.5m Approved: 10.45m	NBLPP
DA2019/1274	70 South Creek Road DEE WHY NSW 2099	Other - School	4.3 Height of buildings	Variation: 36.82% Control: 8.5m Approved: 11.63m	SNPP
DA2020/0540	60 Carrington Parade CURL NSW 2096	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 2.30% Control: 8.5m Approved: 8.7m	DDP
DA2020/0645	37-43 Federal Parade BROOKVALE NSW 2100	Other - school	4.3 Height of buildings	Variation: 16.80% Control: 8.5m Approved: 9.9m	NBLPP
DA2020/0677	62 Innes Road MANLY VALE NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 8.20% Control: 8.5m Approved: 9.2m	Delegated Authority
DA2020/0749	86 Queenscliff Road QUEENSCLIFF NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 16.47% Control: 8.5m Approved: 9.9m	DDP
DA2020/0843	1/40 Griffin Road NORTH CURLCURL NSW 2099	Residential – Alterations and additions dual occupancy	4.3 Height of buildings	Variation: 8.20% Control: 8.5m Approved: 9.2m	Delegated Authority
DA2020/0863	1 Aperta Place BEACON HILL NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 2.40% Control: 8.5m Approved: 8.7m	Delegated Authority
DA2020/0870	126 Queenscliff Road QUEENSCLIFF NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 4.70% Control: 8.5m Approved: 8.9m	Delegated Authority
DA2020/1165	3 Hay Street COLLAROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 8.20% Control: 8.5m Approved: 9.2m	Delegated Authority
DA2020/1181	38 Mildred Avenue MANLY VALE NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.60% Control: 8.5m Approved: 9.32m	Delegated Authority
DA2020/1215	5 / 20 Dowling Street QUEENSCLIFF NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 36.47% Control: 8.5m Approved: 11.6m	NBLPP

DA2020/1241	22 Marlborough Avenue FRESHWATER NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 4.70% Control: 8.5m Approved: 8.9m	Delegated Authority
DA2020/1374	33 Norfolk Avenue COLLARROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.9% Control: 8.5m Approved: 9.0m	Delegated Authority
DA2020/1417	33 Coutts Crescent COLLARROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.9% Control: 8.5m Approved: 9.0m	Delegated Authority

CONSULTATION

Variations to development standards lodged as part of a Development Application are made available to the community for comment on Council's Application Search, during the prescribed exhibition period and are available for viewing at all other times.

TIMING

Not applicable.

LINK TO STRATEGY

This report relates to the outcome in the Community Strategic Plan: Environmental Sustainability: 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 social impacts through section 4.15 of the *Environmental Planning and Assessment Act 1979*.

ENVIRONMENTAL CONSIDERATIONS

All Development Applications are required to consider environmental impacts 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 12.3	PLANNING PROPOSAL 5 BOWLING GREEN LANE, AVALON BEACH
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2021/059592
ATTACHMENTS	<p>1 ⇒ Planning Proposal - 5 Bowling Green Lane, Avalon Beach (Included In Attachments Booklet)</p> <p>2 ⇒ Minutes of the Northern Beaches Local Planning Panel dated 3 February 2021 (Included In Attachments Booklet)</p>

SUMMARY

PURPOSE

To report the assessment of a Planning Proposal for 'Green 3' at the Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach and recommend that Council progress the Planning Proposal to a Gateway Determination.

EXECUTIVE SUMMARY

A Planning Proposal has been prepared for 'Green 3' at Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach. The proposal seeks to amend Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014) to rezone from R2 Low Density Residential to RE1 Public Recreation for recreational purposes.

The Avalon Bowling Club is located within Dunbar Park, Avalon (Lot 7 in DP 124040). Dunbar Park is owned and managed by Council and includes the Avalon Recreation Centre, the Avalon Bowling Club, Avalon RSL Club outdoor area (leased from Council) and Woolworth's carpark (leased from Council). The western section of the land is leased to Avalon Bowling and Recreation Centre Limited (ABBRC) to operate the Avalon Beach Bowling Club.

The site 'Green 3' consists of a bowling green which is utilised by the Avalon Beach Bowling Club for club purposes and contains no other surface improvements.

The planning proposal was placed on non-statutory exhibition from 6 November to 20 November 2020. During the non-statutory exhibition three submissions in support of the proposal were received.

An assessment of the planning proposal against DPIE's 'Planning Proposals: A Guide to Preparing Planning Proposals' confirms that the proposal is consistent with the relevant directions and objectives of the Greater Sydney Region Plan and the priorities of the North District Plan and Northern Beaches Local Strategic Planning Statement and demonstrates strategic and site specific merit.

The Northern Beaches Local Planning Panel considered the planning proposal at its meeting on the 3 February 2021 and advised Council it supported the planning proposal progressing to a gateway determination.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council endorse the planning proposal for 5 Bowling Green Lane, Avalon Beach (Green 3) to be rezoned from R2 Low Density Residential to RE1 Public Recreation and that the planning proposal be submitted to the Department of Planning, Infrastructure and Environment to seek a gateway determination.

REPORT

BACKGROUND

Avalon Beach Bowling Club is located within Dunbar Park, an open space area sited adjacent to the Avalon Beach commercial centre (Figure 1). The Park, being Lot 7 in DP 124040, is owned and managed by Council and includes the Avalon Recreation Centre, the Avalon Beach Bowling Club, Avalon RSL Club outdoor area (leased from Council) and Woolworth's carpark (leased from Council). The western section of the land is leased to Avalon Bowling and Recreation Centre Limited (ABBRC) to operate the Avalon Beach Bowling Club.

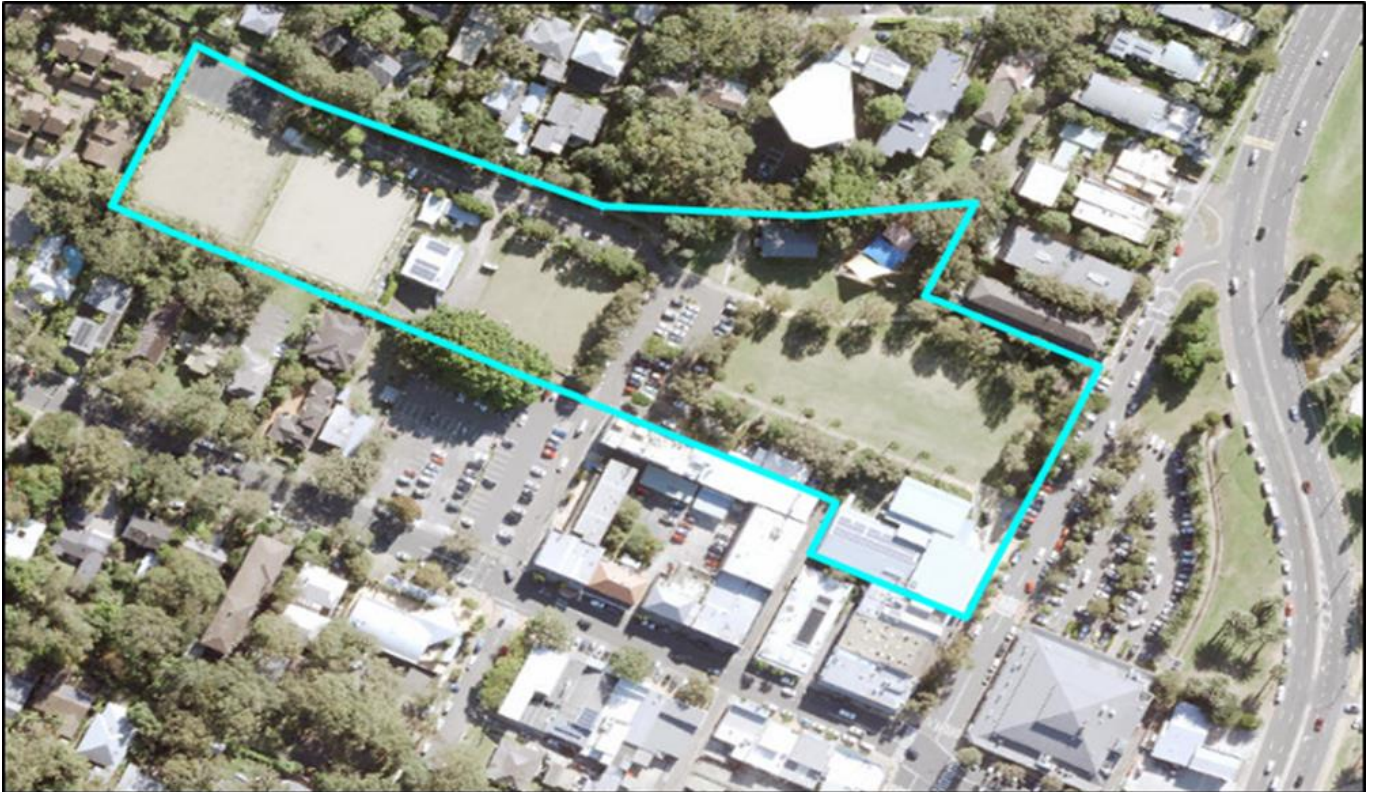


Figure 1 – Aerial Photo of Dunbar Park

The land (formally Lot 2 in DP 517185 as shown in figure 2) was purchased by Council on 26 September 2016 from ABBRC in accordance with a Pittwater Council resolution of 20 April 2015.

The land was purchased by Council on the 26 September 2016 and as a condition of sale ABBRC requested the following:

- *That the land comprising Green 3 be reclassified as Community Land, as soon as reasonably practicable after settlement as per the resolution of Council dated 20 April 2015 (Council Resolution).*
- *After completion of the contract Council will consolidate Green 3 and Lot 6 (Consolidation).*
- *Green 3 will be rezoned from R2 Low Density to RE1 Public Recreation (rezoning) as per Council Resolution.*

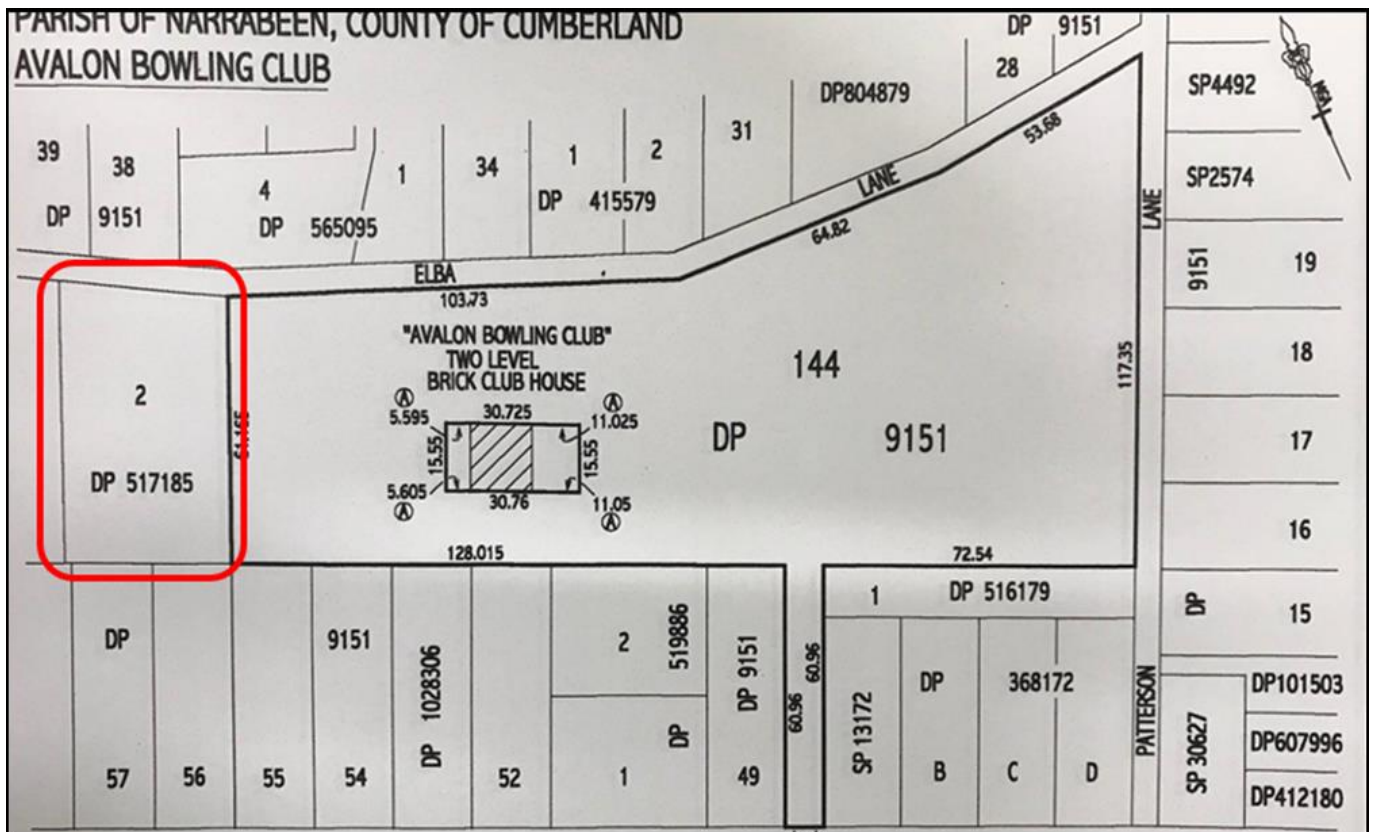


Figure 2: Plan of Subdivision Prior to Consolidation; Highlighted in Red, Lot 2 DP 517185 (Green 3).

Lot 2 in DP 517185 and Lot 6 in DP 1102075 were subsequently consolidated into one lot, being Lot 7 in DP 124040 (Figure 3). The reclassification of Green 3 from Operational land to Community land was completed on 26 December 2016 in accordance with the requirements of the Local Government Act 1993.

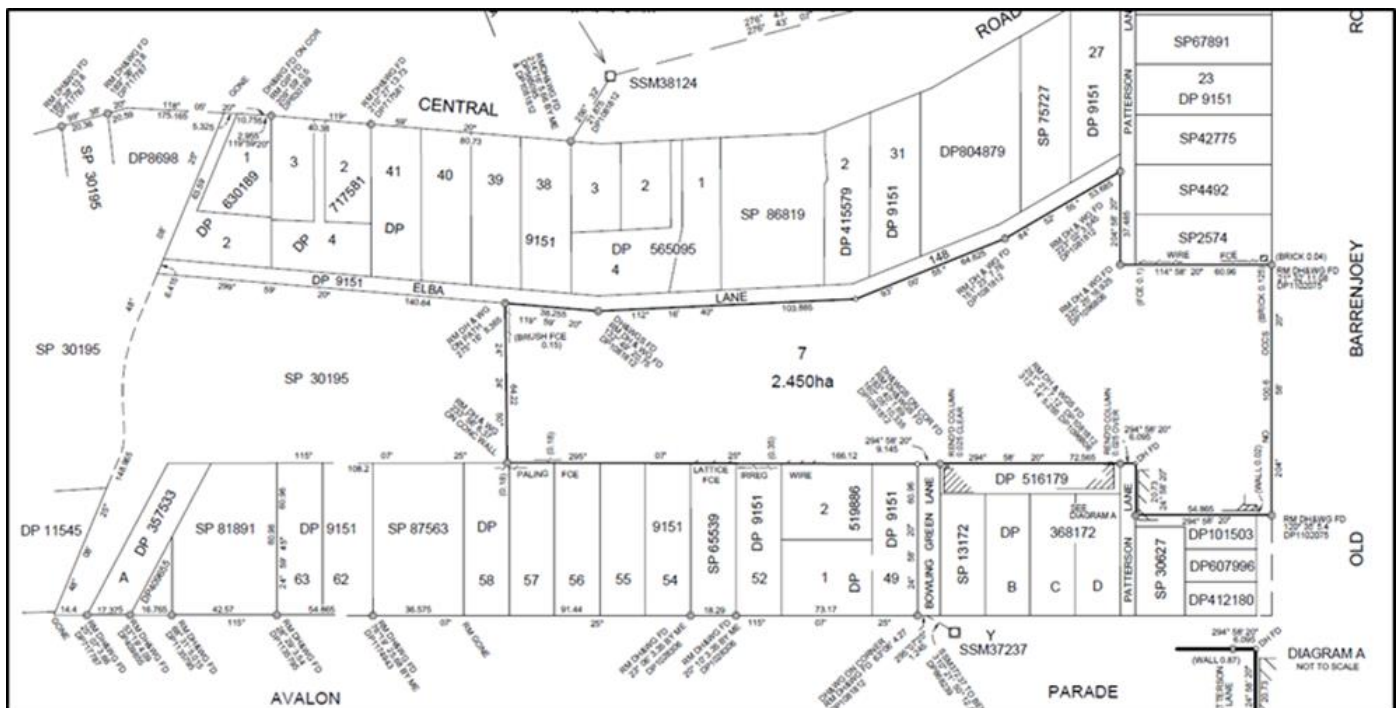


Figure 3 – Plan of Subdivision

Site Description

The subject site incorporates 'Green 3' of the Avalon Beach Bowling Club (the Club) and forms the western section of Lot 7 DP 124040, Dunbar Park (figure 4). 'Green 3' continues to be utilised by the Club for lawn bowls and club related purposes.

The subject site adjoins land developed for residential purposes to the north, south and west. Dunbar Park and the Avalon Beach Bowling Club are sited to the east.

The site does not contain any native vegetation however is subject to flooding during a 1% AEP event.



Figure 4 – Subject Site, Green 3

Current Zoning

The site 'Green 3' is zoned R2 Low Density Residential under Pittwater LEP 2014. Properties adjoining the site to the north, south and west are zoned R2 Low Density Residential and Dunbar Park which adjoins the site to the east is zoned RE1 – Public Recreation.

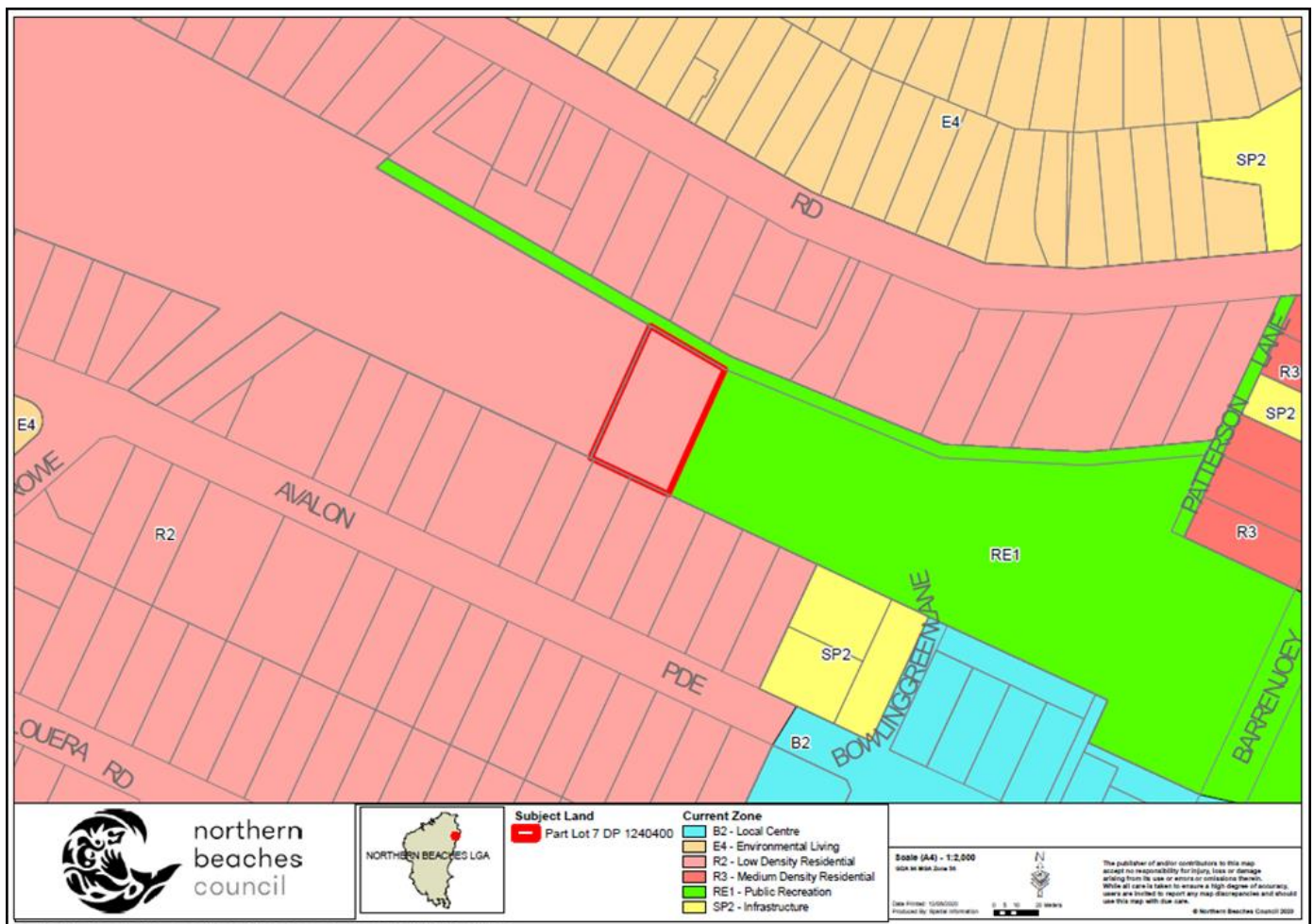


Figure 5 – Existing Zoning Map

The objectives of the R2 Low Density Residential are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

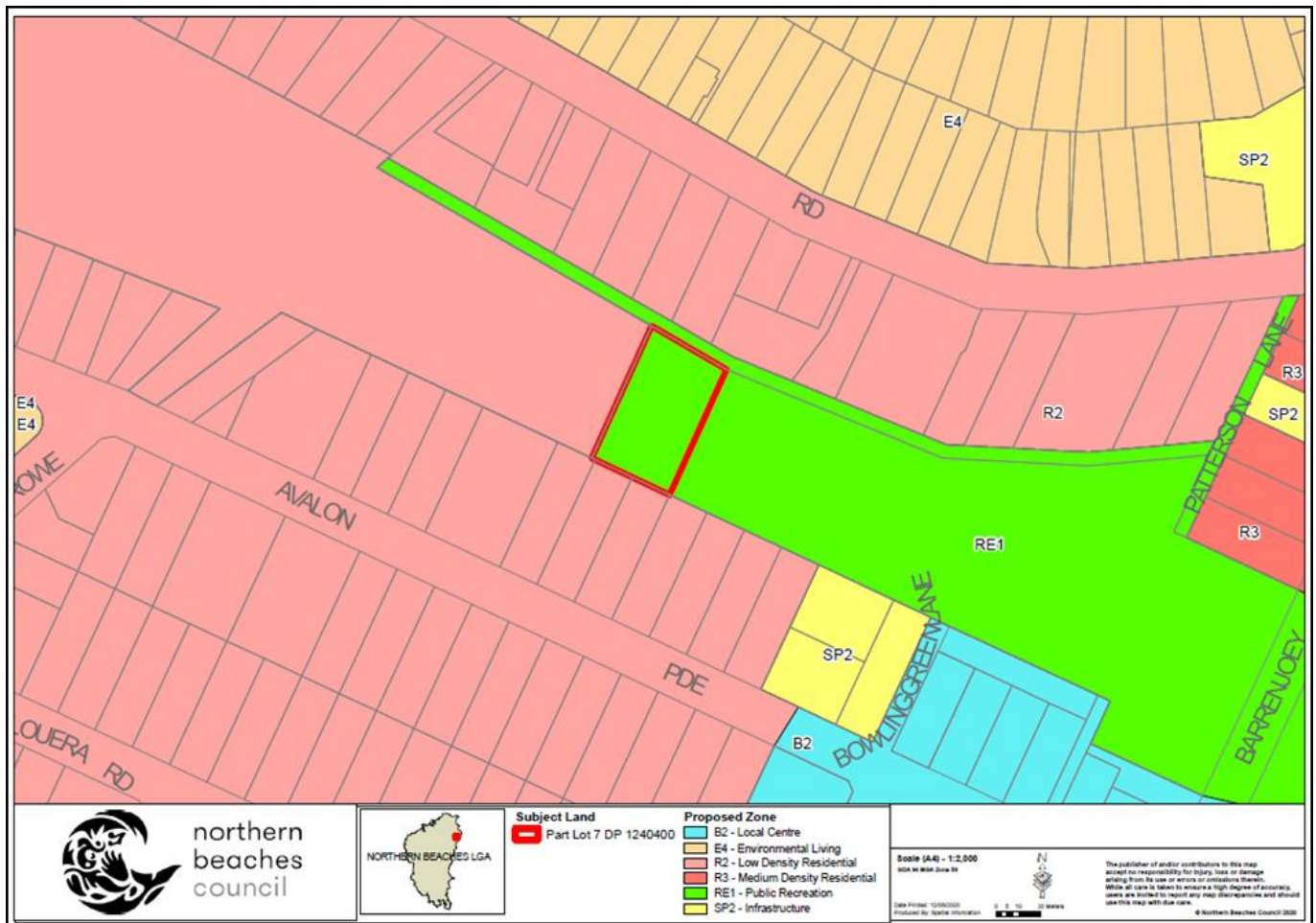


Figure 6 – Proposed Zoning Map

The Proposal

The Planning Proposal seeks to amend the planning controls within Pittwater LEP 2014 to rezone the site to facilitate public recreation uses in conjunction with the Avalon Beach Bowling Club.

Specifically, the Planning Proposal seeks to:

- Change the zoning of the site from R2 Low Density Residential to RE1 Public Recreation

The Objectives of the RE1 Public Recreation Zones are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To allow development that does not substantially diminish public use of, or access to, public open space resources.
- To provide passive and active public open space resources, and ancillary development, to meet the needs of the community.

Assessment of Planning Proposal

The following assessment is undertaken in accordance with the NSW Department of Planning, Industry and Environment's 'Planning Proposals: A Guide to Preparing Planning Proposals'.

Part 1 – Objectives or Intended Outcomes

The Planning Proposal seeks to amend the Pittwater LEP 2014 to change the zone of the subject site from R2 Low Density Residential to RE1 Public Recreation.

Part 2 – Explanation of Provisions

The proposed amendments to Pittwater Local Environmental Plan 2014 are:

- Amend LZN_016 map to change the zoning from R2 Low Density Residential to RE1 Public Recreation.

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, Strategic Study or report?

The Planning Proposal is not the result of any endorsed Local Strategic Planning Statement, strategic study or report. The Planning Proposal is the result of a former Pittwater Council Meeting resolution of 20 April 2015 that required the following actions be undertaken following the completion of the contract for sale:

- Reclassify Green 3 (part of Lot 7 DP 124040) from Operational Land to Community Land (Completed 26 December 2016); and
- Re-Zone Green 3 from R2 Low Density Residential to RE1 Public Recreation.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the Planning Proposal is the best means to rezone the subject site from R2 Low Density Residential to RE1 Public Recreation.

Section B - Relationship to Strategic Planning Framework

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, The Planning Proposal gives effect to the following regional plans, district plans and strategy.

3.1 A Metropolis of Three Cities – Greater Sydney Region Plan

The proposal has been reviewed against relevant outcomes of the Greater Sydney Region Plan 'A Metropolis of Three Cities'. The proposal is consistent with the broad directions of the Plan as outlined in Table 1 below.

Direction	Objective	Planning Proposal
A City supported by infrastructure.	Objective 2: Infrastructure aligns with forecast growth. Objective 3: Infrastructure adapts to future needs.	Avalon Beach is characterised as an ageing population with static growth, the average age of residents is 45, in comparison to 36 for Greater Sydney. Population projections indicate that the ageing trend will continue with the 75 – 79 years age group experiencing the largest growth between 2016- 2026. The preservation of open space within proximity to the village centre will service the needs and requirements of the changing demographic of the area and support the use of the site for recreational purposes in line with the current Avalon Beach Bowling and Recreation Centre.
A Collaborative City	Objective 5: Benefits of growth realized by collaboration of governments, community and business.	Council is working in collaboration with the Avalon Beach Bowling and Recreation Centre to ensure that Avalon Beach has sufficient open space to satisfy community needs now and into the future
A City for people.	Objective 7: Communities are healthy, resilient and socially connected.	The Planning Proposal seeks to increase land zoned for the purpose of public recreation that will provide additional opportunities for the community to connect socially and physically through passive and active recreation.
A City of great places	Objective 12: Great places that bring people together.	The rezoning of the subject site will secure the open space for the use of the Avalon Beach Bowling and Recreation Centre and for the use of the community.

Table 1: Relevant Objectives and Directions of a Metropolis of Three Cities.

3.2 The North District Plan:

The Planning Proposal gives effect to the following objectives of the North District Plan

Livability Theme		
Priority	Objective	Planning Proposal
Planning Priority N3 - Providing services and social infrastructure to meet people's changing needs.	Objective 6: Services and infrastructure meet communities' changing needs.	The demographics of Avalon Beach is changing with the highest growth experienced in the 75 -79 age group. The average age is 45, in comparison to 36 for Greater Sydney, with 50% of the population aged between 35-69 years. Avalon Beach is an aging population and the planning proposal will provide additional open space zoned land to meet the demographic trend and changing needs and requirements of the community now and into the future.

Planning Priority N4 – Fostering Healthy, Creative, Culturally Rich and Socially Connected Communities.	Objective 7: Communities are healthy, resilient and socially connected.	The Planning Proposal seeks to increase land zoned for public recreation purposes in the Avalon Beach locality. The additional public open space will provide additional opportunities for the community to connect socially and physically through passive and active recreation activities associated with the Avalon Beach Bowling Club and surrounding Dunbar Park area.
Planning Priority N6 - Creating and renewing great places and local centers, and respecting the District's heritage.	Objective 12: Great places that bring people together.	Dunbar Park is located within the Avalon Beach village and holds significant value to the local community. Dunbar Park consists of a diverse range of facilities and infrastructure catering to the social and recreational needs of the community. The Planning Proposal will facilitate and enable the Avalon Beach Bowling and Recreation Centre to secure their current activities and foster the development of a social and recreational hub that will bring the community together for range of social and recreation purposes.
Sustainability Theme		
Priority	Objective	Planning Proposal
Planning Priority N20 - Delivering high quality open space	Objective 31: Public space is accessible, protected and enhanced.	The North District Plan highlights the importance of open space as a form of green infrastructure that not only enhances the character of the District, but also supports active lifestyles and provides opportunities to unite and bring communities together. The District Plan recognises that there is limited opportunity to increase the quantity of open space. The Planning Proposal addresses this issue and seeks to provide additional open space zoned land by rezoning R2 Residential Low Density land to RE1 Public Open Space.
Planning Priority N22 - Adapting to the impacts of urban and natural hazards and climate change	Objective 37 Exposure to natural and urban hazards is reduced	The site is subject to high and medium flood hazards in the 1% AEP flood event. The District North Plan advocates the need to avoid or reduce exposure to natural hazards where possible. The site is currently zoned for residential purposes that would permit additional

		residential development to be exposed to flooding hazards. The Planning Proposal seeks to remove the residential land zoning and replace it with a public open space zone which is more compatible with the flood affectation of the site.
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Table 2: North District Plan –Priorities.

a. Does the proposal have strategic merit?

Yes. The Planning Proposal gives effect to an endorsed former Pittwater Council Meeting resolution relating to 5 Bowling Green Lane, Avalon Beach. Furthermore, it will give effect to the relevant directions and objectives of the Greater Sydney Region Plan, specifically objectives 2,3,5,7 and 12, and Planning Priority N3, N4, N6, N20 and N22 of the Sydney North District Plan.

b. Does the proposal have site specific merit?

Yes. The Planning Proposal has site-specific merit. While the site is currently zoned R2 Low Density Residential and adjoins residential zoned land to the north, south and west it has a long history of being used for open space and recreation purposes as part of the Avalon Bowling Club and adjoins Dunbar Park to the east. Furthermore, in accordance with the Council resolutions relating to the purchase of the subject site the land has been consolidated into Dunbar Park and will be leased to Avalon Beach Bowling and Recreation Centre for recreational uses.

4. Is the planning proposal consistent with a council's local Strategy or other local strategic plans?

Yes. The Planning Proposal gives effect to the following planning priorities of the LSPS

4.1 Northern Beaches Local Strategic Planning Statement

Priority	Principles	Planning Proposal
Priority 6 High quality open space for recreation	<ul style="list-style-type: none"> Improve the provision, diversity and quality of open space for recreation. Ensure open space responds to demand and meets diverse community needs. Encourage collaboration and partnerships to promote use. 	<p>Priority 6 recognises that open space forms a central part of the Northern Beaches lifestyle and supports leisure for fun, relaxation or fitness.</p> <p>The Planning Proposal will retain the current use of the site, as open space, and rezone the land to RE 1 Public Recreation to reflect the use and ensure it remains open space into the future.</p>
Planning Priority 11 Community facilities and services that meet changing community needs.	<ul style="list-style-type: none"> Enhance the effectiveness of existing facilities Encourage partnerships for shared and joint use of government and privately owned facilities for community uses 	<p>The Priority seeks to provide a range of community facilities and services that allow people to connect, create and learn.</p> <p>The Planning Proposal seeks to rezone the site to RE1 Public to support the continuation of the site for open space and recreation uses undertaken by Avalon Beach Bowling Recreation Centre.</p>
Planning Priority 12 An inclusive, healthy, safe and socially connected	<ul style="list-style-type: none"> Develop neighborhoods that inspire social interaction and inclusion 	<p>The proposed rezoning will further allow Avalon Beach Bowling Club to provide outdoor physical activities</p>

community.	<ul style="list-style-type: none"> and support health and wellbeing. Cater for social interaction, creative and cultural pursuits, and night time activity in public spaces. Provide accessible, welcoming and safe places for all ages, abilities and cultures. 	and opportunities for social interaction in a safe and accessible environment.
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Table 3: Relevant Northern Beaches Local Strategic Planning Statement Priorities.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The Planning Proposal is considered consistent with applicable State Environmental Planning Policies (as shown in Table 4), namely:

• State Environmental Planning Policy (Koala Habitat Protection) 2019

The SEPP and associated guidelines are to be applied in two ways, being:

1. By councils preparing Koala Plans of Management which forms part 2 of the Guideline,
2. By landholders and councils when preparing and assessing a development application under part 3 of the Guideline.

The Planning Proposal is consistent with the requirements of the SEPP.

• State Environmental Planning Policy No. 55 – Remediation of Land

The site is currently zoned R2 Low Density Residential and caters for sensitive residential land uses. The Planning Proposal seeks to rezone the site to RE1 Public Recreation. Given the current zoning and history of the site, the risk of contamination possibilities is considered low.

SEPPs (as at November 2020)		Applicable	Consistent
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
33	Hazardous and Offensive Development	Yes	Yes
36	Manufactured Home Estates	Yes	Yes
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
55	Remediation of Land	Yes	Yes
64	Advertising and Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	No	N/A
70	Affordable Housing (Revised Schemes)	Yes	Yes
	(Aboriginal Land) 2019	No	N/A
	(Activation Precincts) 2020	No	N/A
	(Affordable Rental Housing) 2009	Yes	Yes
	(Building Sustainability Index: BASIX) 2004	Yes	Yes
	(Coastal Management) 2018	No	N/A
	(Concurrences and Consents) 2018	No	N/A
	(Education Establishments and Child Care Facilities) 2017	Yes	Yes
	(Exempt and Complying Development Codes) 2008	Yes	Yes
	(Gosford City Centre) 2018	No	N/A

SEPPs (as at November 2020)		Applicable	Consistent
	(Housing for Seniors or People with a Disability) 2004	Yes	Yes
	(Infrastructure) 2007	Yes	Yes
	(Koala Habitat Protection) 2019	Yes	Yes
	(Kosciuszko National Park – Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
	(Major Infrastructure Corridors) 2020	No	N/A
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production and Rural Development) 2019	No	N/A
	(State and Regional Development) 2011	No	N/A
	(State Significant Precincts) 2005	No	N/A
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non-Rural Areas) 2017	Yes	Yes
	(Western Sydney Aerotropolis) 2020	No	N/A
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
Sydney Regional Environmental Plans (Deemed SEPPs):			
8	(Central Coast Plateau Areas)	No	N/A
9	Extractive Industry (No 2 -1995)	No	N/A
16	Walsh Bay	No	N/A
20	Hawkesbury – Nepean River (No 2 – 1997)	No	N/A
24	Homebush Bay Area	No	N/A
26	City West	No	N/A
30	St Marys	No	N/A
33	Cooks Cove	No	N/A
	(Sydney Harbour Catchment) 2005	No	N/A

Table 4: Compliance with State Environmental Planning Policies (SEPPs)

6. Is the planning Proposal Consistent with Applicable Ministerial Directions (S9.1 directions)?

The Planning Proposal is consistent with applicable Ministerial Directions including:

S9.1 Direction	Requirement	Comment
3.1 Residential Zones Objectives (1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,	A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the	While the site is zoned for residential purposes, it has historically been used for open space and recreational purposes. Council now seeks to amend the existing zoning from R2 Low Density to RE1 Public Recreation to reflect the current and long-term use of the land as open space and recreation

<p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	
<p>4.3 Flood Prone Land</p> <p>Objectives</p> <p>(1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off</p>	<p>This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land</p>	<p>The site is flood affected in the 1% AEP flood event.</p> <p>Amending the zoning of the site from residential to public recreation will be consistent with the objectives of this Direction.</p>

the subject land.		
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development	This direction seeks to minimise provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.	The Planning Proposal does not seek to introduce approval or referral requirements and is consistent with the Direction.
6.2 Reserving Land for Public Purposes. a) To facilitate the provision of public services and facilities by reserving land for public purposes.	A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning.	Council purchased the site on 26 September 2016 from Avalon Beach Bowling and Recreation Centre. Council now seeks to amend the existing zoning from R2 Low Density to RE1 Public Recreation to reflect the current and long-term use of the land as open space and recreation
7.1 Implementation of 'A plan for growing Sydney.'	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in 'A plan for growing Sydney'.	This Planning Proposal is consistent with the directions and objectives of the Greater Sydney Regional Plan – A Metropolis of Three Cities

Table 5: Applicable Ministerial Directions (S9.1).

Directions (as at November 2020)		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	No	N/A
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum Production and Extractive Industries	No	N/A
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	No	N/A
2.2	Coastal Protection	No	N/A
2.3	Heritage Conservation	No	N/A
2.4	Recreation Vehicle Areas	No	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	N/A
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	No	N/A
3.3	Home Occupations	No	N/A
3.4	Integrating Land Use and Transport	No	N/A
3.5	Development Near Licensed Aerodromes	No	N/A
3.6	Shooting Ranges	No	N/A

Directions (as at November 2020)		Applicable	Consistent
3.7	Reduction in non-hosted short term rental accommodation period	No	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	No	N/A
4.2	Mine Subsidence and Unstable Land	No	N/A
4.3	Flood Prone Land	Yes	Yes
4.4	Planning for Bushfire Protection	No	N/A
5	Regional Planning		
5.1	Implementation of Regional Strategies	No	N/A
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	No	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008 See amended Direction 5.1)	No	N/A
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A
5.8	Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	No	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A
5.10	Implementation of Regional Plans	No	N/A
5.11	Development of Aboriginal Land Council land	No	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	No	N/A
7	Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Yes	Yes
7.2	Implementation of Greater Macarthur Land Release Investigation	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
7.11	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
7.12	Implementation of Greater Macarthur 2040	No	N/A

Table 6: Compliance with Ministerial Directions

CONSULTATION

The Planning Proposal was placed on non-statutory public exhibition for 14 days in accordance with the Northern Beaches Community Participation Plan from 6 November – 20 November 2020. Notification included:

- Notification letters to adjoining landowners and occupiers;
- Email to community members who have registered their interest;
- An updated Council Public Exhibition website 'Your Say' with relevant information; and
- Council's Community News

During the non-statutory exhibition period three submissions were received with all submissions supporting the Planning Proposal.

The Planning Proposal was reported to the Northern Beaches Local Planning Panel (the Planning Panel) of the 3 February 2021 for consideration. The recommendation of the Planning Panel was as follows:

'That the Panel advise Council that the Planning Proposal for 5 Bowling Green Lane, Avalon Beach, be submitted to the Department of Planning, Infrastructure and Environment to seek a Gateway Determination'.

Agency Referrals

The Planning Proposal was not referred to any state agencies for comment.

Internal referrals

Given the nature of the Planning Proposal, no internal referrals were undertaken.

TIMING

It is anticipated that the timeframe for the completion of the Planning Proposal is approximately 10 – 12 months from the date of Council's approval to proceed. Following the issue of a Gateway Determination, Council will be required to formally exhibit the Planning Proposal for 28 days. The matter will be reported back to Council for final consideration following exhibition.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects unique character of our village, natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. The assessment of the Planning Proposal is covered within existing budget allocations.

SOCIAL CONSIDERATIONS

The Planning Proposal is not anticipated to have any adverse social impacts, given the site is currently used in conjunction with the Avalon Beach Bowling Club and located adjacent to the Dunbar Park. Subsequent to the consolidation of lots, the site now forms part of Dunbar Park and will continue to be used for recreational purposes.

ENVIRONMENTAL CONSIDERATIONS

Given the site has historically been developed and extensively used for recreational purposes, specifically a bowling green, it is anticipated that there will be no adverse environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

The Planning Proposal is not anticipated to have any governance or risk implications.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	OUTCOME OF THE PUBLIC EXHIBITION OF DRAFT NORTH HARBOUR RESERVE LANDSCAPE PLAN
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/033486
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ North Harbour Reserve Landscape Plan (Included In Attachments Booklet) 2 ⇒ Community Engagement Report - North Harbour Reserve Landscape Plan (Included In Attachments Booklet)

SUMMARY

PURPOSE

To consider the adoption of the North Harbour Reserve Landscape Plan following community engagement.

EXECUTIVE SUMMARY

Council staff have been working with the local community around North Harbour Reserve, Balgowlah to develop a North Harbour Reserve Landscape Plan (the landscape plan) which will guide future improvements to the reserve. The landscape plan has been developed to conserve and enhance the existing landscape character, address safety and accessibility issues and protect the bush areas and rock outcrops.

After several months of working with the North Harbour Residents Community Group, the landscape plan went on public exhibition in mid-2020 for a period of four weeks. During this period, 135 submissions were received with the majority supporting the draft landscape plan.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council adopt the North Harbour Reserve Landscape Plan.

REPORT

BACKGROUND

North Harbour Reserve (the Reserve) is located in Balgowlah at the base of a steep valley that runs into the western arm of North Harbour, part of Sydney Harbour. The reserve was historically a working harbour for the shipment of material to and from the Northern Beaches during its early development, with ships sidling up to a long jetty that extended from Condamine Street. Starting in the 1920s Council, in response to community demand, progressively reclaimed land from the harbour to create a wide open space and the park as we know it was developed by the late 1930s.

The reserve is surrounded by bushland and rock outcrops to the north and south and mixed residential (single to multiple dwellings per lot) development beyond this and to the west. The reserve contains several mature trees, a playground, a recently renewed public toilet, half-court basketball court and picnic facilities. It also forms part of the very popular Manly to Spit walk. There is a plan of management for the site and the North Harbour Reserve Landscape Plan complies with this document.

There has been strong demand from the community to make improvements to the reserve and in late 2019 Council's landscape architects began collaborating with the North Harbour Residents Community Group to develop a landscape plan that balanced the concerns and needs of the community while addressing key management issues.

Key features of the landscape plan include:

- The installation of a new irrigation system and rehabilitation of turf areas.
- Formalisation of the informal dirt car park to the west of Condamine Street
- Reconfiguring and upgrading the southern picnic area to address drainage and wear issues and provide a better user experience
- Renewing the stair case to Boyle Street to improve access.
- Installation of fitness equipment in proximity to the half court
- Improve the half court
- Installation of nature play near the southern rock face
- Minor landscaping including a new hedge along Condamine Street to deter children and dogs running onto the street.

CONSULTATION

Community engagement was undertaken into two stages. The first stage involved collaborating with the North Harbour Residents Community Group to understand the issues with the site and then to develop a landscape plan to address these. In addition to frequent correspondence, five formal meetings were held between Council and the community group.

The second stage of community engagement was the public exhibition of the landscape plan from 24 July 2020 to 23 August 2020. The opportunity to comment on the landscape plan was advertised through:

- Letterbox drop to nearby residents and owners
- Advertising through Council's social media platforms, newsletter and community engagement register
- Signs on site.

Due to the COVID-19 social distancing restrictions in place, no drop in sessions were held but members of the project team were available to discuss the landscape plan.

In total 135 formal submissions were received. A summary of the key issues raised during community engagement is below:

- Support for the plan – the vast number of respondents supported the plan, in particular noting the maintenance of the existing character
- Feedback requesting the construction of an accessible ramp from the reserve to Boyle Street. This proposal is not supported as Boyle Street itself is very steep and the construction of the ramp will need to zig zag across the natural rock face to provide compliant ramp access and have a significant impact on the bushland on the northern side of the reserve.
- High demand for fitness equipment – new fitness equipment is included in the landscape plan.
- Concerns that Condamine Street is unsafe – not within the scope of the landscape plan. In response Transport & Civil Infrastructure Business Unit is planning to conduct a road safety audit following the completion of the planned pavement maintenance.

A more comprehensive response to the feedback to the community can be found in the attached Community Engagement Report (Attachment 2).

In response to this feedback and further investigation, the following changes were made from the exhibited draft plan and are presented in the final landscape plan as seen at attachment 1.

- Removal of two proposed parking spaces in the new car park to facilitate resident access
- Relocating one accessible parking space from the proposed car park to Lower Beach Street
- Minor changes to proposed furniture positioning
- Minor realignment of the stairs on the northern side of the reserve.

TIMING

It is planned to undertake the implementation of the landscape plan, if adopted, in stages as funding and other priorities allow. Council has budgeted to replace the irrigation system, undertake turf improvements and renew the stairs leading to Boyle Street in the 2022/2023 financial year. In the 2023/2024 financial year, Council will formalise the car park, upgrade the southern picnic area and install additional fitness equipment. Many smaller items identified in the landscape plan, such as relocating seats and signage, will be carried out through operational budgets when maintenance work on that asset is required.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

Grant funding through the Metropolitan Greenspace Program, managed by the Department of Planning, Industry and Environment, will be investigated to assist in the implementation of the Landscape Plan. Council will work to identify grant opportunities to bring works forward.

SOCIAL CONSIDERATIONS

North Harbour Reserve is a popular park that provides significant natural and recreational value to the residents of Balgowlah and the Northern Beaches Community. The proposed upgrades will improve amenity and conserve the open space landscape character and heritage for future generations.

ENVIRONMENTAL CONSIDERATIONS

A key objective of the landscape plan is to conserve and enhance the landscape character and protect the natural assets of North Harbour Reserve. The landscape plan achieves this through a sympathetic design that does not impinge on any natural assets and through the drainage improvements which reduce the risks to these assets. The landscape plan is conceptual in nature and has not been developed to a detailed design level. As each stage of implementation is developed Council staff will undertake the appropriate environmental due diligence and seek environmental approval through the correct planning approval pathway under the *Environmental Planning and Assessment Act 1979*.

GOVERNANCE AND RISK CONSIDERATIONS

Council will manage risk for the implementation of the landscape plan if adopted by complying with Council's risk management framework and procurement manual.

ITEM 13.2	COUNCIL'S RESPONSE TO THE BEACHES LINK ENVIRONMENTAL IMPACT STATEMENT
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2021/079572
ATTACHMENTS	1 ⇒ Response to Beaches Link Environment Impact Statement (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to the submission to the Department of Planning, Industry and Environment of Council's submission to Beaches Link and Gore Hill Freeway Connection Environmental Impact Statement.

EXECUTIVE SUMMARY

On 9 December 2020 the NSW Government released the Beaches Link and Gore Hill Freeway Connection Environmental Impact Statement (EIS) for the proposed projects. The public exhibition period concludes on 1 March 2021.

The Beaches Link Tunnel project is broadly supported, given it represents the largest investment in infrastructure by the NSW Government in the Northern Beaches Local Government Area. In November 2018 Council resolved to support the project subject to the further development of the project addressing the concerns of the community. At that time a written submission was endorsed by Council and was provided to the project development team highlighting the concerns of the community that should be addressed as the project was progressed to the EIS stage of the approval process.

The 2018 submission key considerations include:

- Ensuring that the project caters for appropriate levels of public transport within the tunnel thereby supporting increased mode shift from private to public transport
- Exploring alternate options to address the community concerns regarding the Link Road and connectivity to the portal
- Maximising the green space at Balgowlah
- Ensuring that independent scientific review of the project's potential air emissions from ventilation outlets is undertaken by the Office of the Chief Scientist and Engineer and is publicly available pre and post monitoring of emissions
- Potential impacts on flora and fauna
- Location of construction compounds
- Enhanced consultation for future stages of the project.

The project team appears to have considered these issues along with local community's and Council's concerns in the further development of the project and documented them in the EIS.

The EIS, including appendices, contains almost 11,000 pages of both high-level summary comment and detailed assessment information provided by various consultants as part of the response to the Secretary's Environmental Assessment Requirements (SEARs) as the part of the State Significant Infrastructure approval process.

This report provides a description of the key elements and impacts of the Beaches Link and seeks Council's endorsement to submit a formal submission on the EIS to the Department of Planning, Industry and Environment. The Report and draft submission have been prepared with input from multi-disciplinary teams across Council's divisions. The submission also includes input provided from the Transport and Travel Strategic Reference Group extraordinary meeting held on 28 January 2021.

The key areas of concern to be addressed by the Department of Planning, Industry and Environment in the assessment of the EIS and through the detailed design phase of the project include:

- Bushland and biodiversity impacts and associated offsetting
- Groundwater drawdown in the local catchments
- Ecological impacts on the local creeks and Middle Harbour
- Construction impacts on the local residents and how this is managed through the environmental licence, including noise, traffic and vibration
- Impact on the adjoining road network, congestion during construction and operational impacts around the peripheral network approaching the tunnel
- Public Transport Priority over the private car usage
- Tunnel emissions and ongoing monitoring. If the modelling is incorrect and it creates a hazard what measures are in place to manage the issue
- Active transport and bus connectivity during and post construction
- Local road network being used to bypass the work zones
- Balgowlah Golf Course precinct and the reuse of the club house for the community
- Consultation and next steps.

It is noted that further work is required by the project proponent (Transport for NSW) to address the concerns raised in the response to the EIS submission document as they move into the detailed design.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Endorse the submission to the Beaches Link Environmental Impact Statement (Attachment 1) for submission to the NSW Department of Planning Industry and Environment.
 2. Writes to the Hon. Andrew Constance MP, Minister for Transport and Roads advocating strongly for the amendments to the proposed design to further address the concerns of our community.
-

REPORT

BACKGROUND

Council recognises that the Beaches Link Tunnel Project would be the largest single investment in infrastructure by the NSW Government within the Northern Beaches. The proposed State Significant Infrastructure project is a transformative transport project.

It is acknowledged that significant improvement is needed in the way our community travel around the Northern Beaches and connects to Greater Sydney. A well-functioning transport network is vital to the Northern Beaches' future. The current road network is congested, adding to delays that impacts quality of life, economic viability and the way we move around. Council's key priority is improved public transport and the NSW Government's B-Line has been a welcome addition that has significantly improved public transport patronage.

During the reference design consultation significant community feedback was received on the NSW Government's proposed Beaches Link project that showed the overall support for Beaches Link as vital infrastructure with the need for the tunnel to provide a fast-public transport link to further enhance the B-Line.

Following significant community engagement and review of the proposed project, Northern Beaches Council endorsed in 2018 the reference design for the Beaches Link project for the community of the Northern Beaches, subject to the resolution of several issues affecting our local communities.

It was clear that local residents have serious concerns about the local construction, traffic and environmental impacts of the project. It is critical these concerns are addressed by the NSW Government as it further refined the project design. Where possible, the project team has attempted to address the concerns raised as part of the reference design consultation.

The Environmental Impact Statement (EIS) was released on 9 December 2020 for community consultation with the submissions due by 1 March 2021.

Key considerations in the further revision of the project detailed design and in the assessment of the EIS by the Department of Planning, Industry and Environment should include:

- Ensuring enhanced public transport within the tunnel to support increased mode shift from private to public transport use
- Exploring the alternate access option to address the community concerns regarding the Link Road and connectivity to the portal
- Maximising the green space at Balgowlah, working with Council as the land manager of the public open space
- Ensuring independent scientific review of the project's potential air emissions from ventilation outlets by the Office of the Chief Scientist and Engineer is publicly available and there is pre and post monitoring of emissions. An ongoing management plan will be required to address the emissions issue moving into the operational phase of the project.
- Avoiding, minimising or offsetting impacts to flora and fauna (both terrestrial and aquatic) in local bushland, local creeks, and Middle Harbour
- Groundwater impacts and catchment management across the project
- Management of the construction compound locations to minimise impact on the community.
- Enhanced consultation for future stages of the project

- Further investigating and addressing the impacts of the broader road network as travel patterns change including at the key locations raised in Council's submission on the EIS.

CONSULTATION

Public consultation for this project is being undertaken by Transport for NSW through online forums and live question and answer sessions with the community. A full community engagement report will be submitted by the project proponent as part of the EIS response documentation.

Council will continue to advocate on behalf of the community and work with the project proponent to ensure that the community is fully informed of the project progression and once construction commences will advocate for additional resourcing to ensure that the Community is kept informed of all project related matters.

TIMING

The submission is due to be submitted to the Department of Planning, Industry and Environment on 1 March 2021. If the project receives approval construction is likely to commence in 2023 and open to traffic in 2028.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.
- Transport and Infrastructure - Goal 17: Our community can safely and efficiently travel within and beyond Northern Beaches.
- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.

This report also relates the Northern Beaches Transport Strategy Themes:

- Theme 1 – Accessible and Liveable Places directions 3 & 4.
- Theme 2 – Active Travel directions 1, 2, 3, & 4.
- Theme 3 – Public Transport direction 2
- Theme 4 – Efficient Road Network directions 1, 4, & 6.

FINANCIAL CONSIDERATIONS

The report has been produced using existing resources with the established structure. The recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

There are socio-economic considerations as a result of this project, whether it proceeds or not. There are opportunities to the wider Northern Beaches Community to have a fourth access and egress point, providing a direct connection to the Sydney Motorway Network

ENVIRONMENTAL CONSIDERATIONS

The proposed project has highlighted some significant impacts to our local environment, and a range of measures in response. There is significant consideration given to the environmental impacts through the EIS documents and Council's response also contains a substantial amount of information that needs to be considered and addressed as the project proceeds.

GOVERNANCE AND RISK CONSIDERATIONS

There is limited risk from a governance or risk perspective as this is a NSW Government project, however as a major stakeholder in terms of the role as crown land manager and the advocate for the community affected by the project, Council does assume some organisational reputation risk with this project, particularly if aspects of the project result in impacts that are not considered commensurate with the proposed benefits.

ITEM 13.3	OUTCOME OF PUBLIC NOTICE OF PROPOSED RECLASSIFICATION OF COUNCIL LAND AT 40 STUART STREET, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/763044
ATTACHMENTS	1 ⇒Community Engagement Report - Proposed Reclassification of 40 Stuart Street, Manly (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek a resolution of Council to reclassify land owned by Council at 40 Stuart Street, Manly (Lot 3 DP 252420) from operational to community land under the *Local Government Act 1993 (NSW)*.

EXECUTIVE SUMMARY

40 Stuart Street, Manly was purchased by the former Manly Council in 2012 and the land is currently classified operational land under the *Local Government Act 1993 (NSW)*.

The property is zoned RE1 - Public Recreation under *Manly Local Environmental Plan 2013* and has a total area of approximately 369.9sqm.

On 26 November 2019, Council resolved a number of actions relating to the land, including with respect to the reclassification of the land.

In accordance with this resolution and the requirements of the *Local Government Act 1993 (NSW)*, on 28 October 2020 Council gave public notice of the proposed resolution to reclassify the land as community land and submissions were received on the proposal until 1 December 2020.

RECOMMENDATION DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the submissions received in respect of the proposed reclassification of 40 Stuart Street, Manly (Lot 3 DP 252420) and Council's response to the submissions.
 2. Reclassify 40 Stuart Street, Manly (Lot 3 DP 252420) from operational to community land in accordance with the *Local Government Act 1993 (NSW)*.
 3. Update the Little Manly Coastline Plan of Management to include this land and to incorporate this land in the Little Manly Reserve.
 4. Subject to the requirements of the *Local Government Act 1993 (NSW)*, continue to lease the dwelling on the land until it is demolished, which is anticipated to occur in 2022/2023.
 5. Delegate authority to the Chief Executive Officer to do all things and execute all necessary documentation in order to give effect to the above resolutions.
-

REPORT

BACKGROUND

40 Stuart Street, Manly was purchased by Council in October 2012. The land is approximately 369.9 sqm and is zoned RE1 – Public Recreation, in accordance with *Manly Local Environmental Plan 2013 (LEP)*.

The land is presently classified operational land under the *Local Government Act 1993 (NSW)* (the **Act**).

Council resolved at its meeting of 26 November 2019 that:

1. *Council adopt the Little Manly Reserves Landscape Masterplan.*
2. *Council include the demolition of the dwelling at 40 Stuart Street, Manly to increase the park area at Little Manly Reserve as part of the development of the 2022/23 Delivery Plan.*
3. *Council commence reclassification of 40 Stuart Street Manly (Lot 3 DP 252420) to Community Land and that, in accordance with the Local Government Act 1993, it is publicly advertised and submissions invited for a period of 28 days and Council subsequently proceed with the proposed reclassification subject to no adverse submission being received.*
4. *If the proposed reclassification proceeds, the Community Land classification only be finalised following the update of the Little Manly Coastline Plan of Management to include the subject property and allow for the leasing of the existing dwelling.*

In accordance with the above resolution and the requirements of section 34 of the Act, Council undertook public notification of its intention to resolve that the land be reclassified to community land.

It is considered that if Council passes the resolution as recommended on page 1 of this report, the resolution made on 26 November 2019 at paragraph 4 above will in effect be replaced by the later resolution to update the Little Manly Coastline Plan of Management following the reclassification, rather than before the reclassification. The Act does not require a plan of management to be in place before operational land is reclassified as community. However, it is noted that the recommended resolution will have the same outcome as the 2019 resolution, which anticipates the continued lease of the dwelling on the land.

It is considered that Council can continue to lease the dwelling on the land until it can be demolished (which is currently anticipated to occur in about 2022 or 2023) and the land is incorporated into the Little Manly Coastline Reserve. In this regard, it is noted that section 44 of the Act states: *“Pending the adoption of a plan of management for community land, the nature and use of the land must not be changed.”*

The current lease of the dwelling expires in September 2021. Council may grant a lease of community land, but only in accordance with Chapter 6, Part 2, Division 2 of the Act. A lease of community land may be granted for residential purposes in relation to housing owned by Council only where there is an express authorisation in the plan of management applying to the land. This means that Council will need to have finalised the amendments to the plan of management prior to putting in place a new lease / renewed lease for the existing dwelling.

CONSULTATION

In accordance with section 34 of the Act, a proposal to reclassify public land from operational land to community land requires Council to give notice of a proposed reclassification of the land. The public notice must specify a period of not less than 28 days during which time submissions may be

made to Council. Council undertook the public notification of the proposed resolution to reclassify the land from operational land to community land for a period of 35 days, commencing on 28 October 2020 and concluding on 1 December 2020.

In accordance with section 705 of the Act, public notice of the proposed resolution was given in a manner which Council considered would bring the matter to the attention of as many people in its area as possible. Council included a notice on Council's website and newsletters and directly emailed the notice to community interest groups and other stakeholders.

During the public notification process, Council received a total of 65 submissions. 89% of the submissions received were in support of the proposed reclassification. 11% of submissions (being 7 submissions) were unsupportive of the proposal or questioned the proposal.

The Community Engagement Report at Attachment 1 to this report contains a summary of the submissions received.

The submissions by theme, commentary and Council response are listed below:

Theme	Commentary	Council response
Open space	The proposal is considered to be long overdue, with the land being consistently zoned for open space since the late 1940s, and residents lobbying the Council over many decades to ensure this vision is fulfilled.	The inclusion of this land as open space will increase the recreational opportunities of local residents. The masterplan proposes a row of trees along the fence-line with the neighbouring property and the installation of two picnic tables and 2 seats, along with the planting of 3 shade trees.
Accessible foreshore	The reclassification of 40 Stuart St to Community Land would allow the foreshore to be accessible to more people. This was flagged as important by some because of the increasing population and the popularity of Little Manly and other Manly Harbour and ocean beaches. Concern that the reclassification would bring more visitors to the Little Manly Beach area and that it would no longer be a peaceful haven for local residents.	The proposal will enable greater public access to foreshore land. While concerns are noted regarding increased patronage of Little Manly Beach as a result of the reclassification, it is considered that the reclassification itself will not increase patronage. The area is approximately 8 to 10m wide and will only increase available seating minimally with the proposed inclusion of 2 picnic benches and 2 seats. The masterplan proposes improve shade options in the area with the planting of 3 large shade trees and trees along the perimeter fence.
Finances/cost	The price paid for the land was too expensive, citing the money may have been better spent on other Council and community services.	It is considered that the reclassification itself does not prevent the existing lease continuing. Submissions regarding the retention or sale of the land are noted, however,

	<p>Council should consider selling the house and land and use the income for other Council services.</p> <p>Rental income made on the house is important and should be used to provide facilities in the local area.</p>	<p>Council has previously resolved that this land be included in Little Manly Reserve as open space.</p>
Consultation process	<p>Issues were raised about previous Council consultation processes regarding the property, however, there were no concerns raised about how the current public consultation process was run.</p>	<p>Residents' concerns regarding previous community consultation procedures are noted, however, they are not the subject of the current community engagement.</p> <p>No concern was raised regarding community consultation of the proposed reclassification.</p>
House at 40 Stuart St	<p>Concerns regarding the demolition of a heritage building were raised and it was suggested that Council should reuse the house for other purposes.</p>	<p>The dwelling on the land is not listed as a heritage property in the LEP.</p> <p>Council has previously resolved that this land be used as an open space addition to Little Manly Reserve.</p>
Private ownership	<p>Concerns that Council would sell the property, stating that it should not be in private ownership because it has always been intended to be public land.</p>	<p>When the land has been reclassified as 'community' land, Council cannot sell this land without first reclassifying it as 'operational' land, which involves further community consultation, an independent public hearing, a resolution of Council and an amendment to Council's LEP.</p>

TIMING

Council will continue to lease the subject property until the building is demolished, which is anticipated to occur in 2022/23.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

There are a number of financial impacts as a result of this proposal:

- The reclassification of the land from operational to community land will result in a non-cash asset write down of approximately \$4m related to the value of the land.
- The remaining building asset value will need to be written off in Council's asset register – the current written down value is approximately \$1.1m.
- Demolishing the dwelling to create public open space will result in an ongoing revenue reduction of approx. \$120,000 a year (being the current rental income), which will need to be offset in future budgets.
- The demolition and redevelopment of the land will require funding in future years' budgets, currently estimated to be approximately \$0.5m.

SOCIAL CONSIDERATIONS

Reclassifying the subject land from operational to community land will have a positive outcome for the local community and visitors to the Little Manly Beach Reserve by expanding the available public open space and increasing local amenity.

ENVIRONMENTAL CONSIDERATIONS

The proposed reclassification of the land will have a beneficial effect on the environment as a result of new plantings and the creation of public open space.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed amendment of the Little Manly Coastline Plan of Management will need to be considered in due course.

ITEM 13.4	OUTCOME OF THE PUBLIC EXHIBITION OF DRAFT PROPOSED OUTDOOR DINING LICENCE - WATERFRONT CAFE AND STORE 1860 PITTWATER RD CHURCH POINT
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/705165
ATTACHMENTS	1 ⇒Location Plan (Included In Attachments Booklet) 2 ⇒Community Engagement Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval, in accordance with sections 47(5) – (9) of the *Local Government Act 1993*, to apply to the Minister for Local Government for consent to grant a long term outdoor dining licence to the business trading as the 'Waterfront Café & General Store' at 1860 Pittwater Road, Church Point.

EXECUTIVE SUMMARY

The Church Point Plan of Management adopted by Council 2010 (POM) includes the development of a proposed boardwalk and floating pontoon around the business trading as the Waterfront Café & General Store. The POM also contemplated the inclusion of outdoor dining on the proposed boardwalk by the adjoining business owner. The boardwalk and floating pontoon is due to commence construction early this year.

After discussions with the applicant regarding the boardwalk construction, an application was received to progress the outdoor dining licence over part of the new boardwalk. Council publicly notified the licence as per section 47 of the *Local Government Act 1993* (the Act) from Sunday 25 October 2020 to Friday 27 November 2020. The proposed term was approximately 18 years to coincide with the existing lease for the Waterfront Café, terminating on 31 October 2039 with an area size of 38.4sqm and a maximum of 40 patrons.

This resulted in a combined total of 163 submissions. Feedback themes included parking, commercial interests, environmental effects, public access and length of term. A full list of submissions and summary responses can be found in the attached Community Engagement Report.

This report proposes that Council applies for the Minister's consent to enter into an (approximately) eighteen (18) year licence with the Waterfront Café & General Store to use 38.4sqm of Crown Land under Council's management known as Lot 1 DP 1249367 given that submissions by way of objection to the lease have been received. This is a requirement under the Act where objections to a lease/licence for a period exceeding five years are received.

This proposal is in accordance with Council strategy including Places for People - Goal 8, Vibrant Local Economy - Goal 13 and Good Governance - Goal 19.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note the objections received in respect of the proposed outdoor dining licence and endorse the position in response to those objections set out in this report.
 2. Council apply to the Minister for Local Government in accordance with section 47 (5) – (9) of the *Local Government Act 1993* for consent to grant the proposed outdoor dining licence referred to in item 4 of this recommendation.
 3. Subject to the consent of the Minister for Local Government, Council apply to the Minister for Planning and Public Spaces under clause 70(2)(f) of the *Crown Land Management Regulation 2018* to grant the proposed outdoor dining licence referred to in item 4 of this recommendation.
 4. Subject to consent from both the Minister for Local Government and the Minister for Planning and Public Spaces, Council grant the proposed outdoor dining licence to the business trading as Waterfront Café & General Store for the use of 38.4sqm of space on the newly constructed boardwalk at 1860 Pittwater Road, Church Point for an amount in accordance with Council's adopted Fees and Charges and for a term of approximately eighteen (18) years terminating 31 October 2039 in line with the adjacent café lease held by the applicant from Crown Lands.
 5. Council delegates authority to the Chief Executive Officer to do all things and execute all necessary documentation in order to give effect to the above.
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REPORT

BACKGROUND

The Church Point Plan of Management adopted by Council 2010 (POM) includes the development of a proposed boardwalk and floating pontoon around the business trading as the Waterfront Café & General Store, hereafter referred to as the applicant. The POM also contemplated the inclusion of outdoor dining on the proposed boardwalk by the adjoining business owner. Funding is allocated in the 2020/21 Capex Budget to construct the boardwalk as well as a floating pontoon for short term tie-ups funded by Transport for NSW.

Council's Property and Capital Projects teams have been in communication with the applicant since 2018 discussing the proposed works and how their use of the adjoining boardwalk for outdoor dining could be facilitated.

In July 2018 the *Crown Lands Management Act 2016* (the CLM Act) came into effect resulting in some changes in the way Council was required to manage Crown Land for which they are the Reserve manager. One of these changes required a POM to be current and explicitly authorise any long term leases or licences. Initial advice from Department of Planning Industry & Environment – Crown Lands (DPIE) was that the 2010 POM was not deemed to be current and as such a term of no more than 12 months could be issued on new leases or licences.

Following this advice, and receipt of an application for outdoor dining, in April 2020 Council gave notice according to section 47A of the *Local Government Act 1993* (the Act), of their consideration to grant a licence to the business trading as Waterfront Café & General Store, to use 28sqm located on the proposed walkway at 1860 Pittwater Rd adjacent to McCarr's Creek in Church Point Reserve known as Lot 1 DP 1249367 for a term of 12 months. This notification commenced on 10 April 2020 and closed on 2 June 2020. Submissions received on the initial proposal have been included in the final community engagement report attached.

Subsequent to the notification of the 12 month licence the applicants wrote to Council requesting that a longer term agreement be offered. Council liaised with DPIE following the request from the applicant with DPIE confirming on 23 September 2020 that the Minister for Planning and Public Spaces would consider exercising his function under clause 70(2)(f) of the *Crown Land Management Regulation 2018* (the CLM Regulation) to permit a long term licence. This was granted on the basis that the POM was in force immediately before the commencement of the CLM Act and that the 2010 POM contemplates the grant of commercial tenure consistent with Council's Outdoor Seating Policy.

Before exercising the Minister's function under clause 70(2)(f) of the CLM Regulation, the Minister's delegate will need to consider the terms of the draft tenure for in-principle approval, and then be provided with a copy of any lease or licence executed by both parties to formally execute the Minister's opinion against. This will be carried out following the public exhibition and resolution of Council contemplated in this report.

The licence was re-notified in October 2020 with a proposed term of approximately eighteen (18) years terminating on 31 October 2039 with an area size of 38.4sqm (as requested by the applicant) and a maximum of 40 patrons.

CONSULTATION

The first public notification of the application, based on the initial submission for a 12 month period Outdoor Dining Licence for 28sqm, commenced 10 April 2020 and closed on 2 June 2020.

The second public notification for an 18 year licence in line with their café lease for 38.4sqm commenced on 25 October 2020 and closed on 27 November 2020. Both notifications were in accordance with section 47 of the *Local Government Act 1993*.

The public notification included a notice on Council's website (Your Say), notice letters to surrounding property owners (2105) and notice signs at the Waterfront Café & General Store as well as a community engagement newsletter which was distributed to 20,000 members of the community.

There were 163 submissions received through the notification period with the key themes raised being parking, general community support, commercial interests, environmental effects, public access and length of term.

A full account of the submissions received is included in this report as Attachment 2. The submissions by theme are listed below along with Council's responses.

Theme	Commentary	Council Response
Parking	Respondents unsupportive of the proposal, were mainly concerned with the potential increase in restaurant patron numbers and the impact it would have on parking availability.	<p>If approved, the outdoor dining license will not increase the maximum number of patrons permitted at the premises under the development consent for the site. As a result there is not expected to be an increase in parking demand as a result of the Licence.</p> <p>This concern was raised during the initial engagement. To fully inform the community this was addressed in the second engagement as part of the frequently asked questions addressing the main themes of the initial engagement.</p>
Overall support	Support for the proposal reflected the positive impact on pedestrian safety from the introduction of the new walkway, the support for local businesses particularly with COVID restrictions and the enhancement of the amenity and vibrancy of the area	The overarching tone of the feedback indicated that the proposed licence would support the local economy, enhance the ambience and increase the amenity of the area.
Commercial interest	Responses reflected concerns identifying the conflict of public space for pedestrian and commercial use.	<p>Outdoor dining has been identified in the Plan of Management for Church Point. The boardwalk has been designed to address the needs of both pedestrians and outdoor diners without impacting either user.</p> <p>Boardwalk markers will delineate the outdoor dining area. Licence conditions require that all furniture must be removed from the area when the restaurant is not operating.</p>
Environmental impact -	Respondents raised concerns about increased noise, smoking, alcohol and amplified music and waste.	<p>Outdoor dining licences are required to comply with Council's outdoor dining standards which include: controls for noise, lighting, patron numbers, alcohol, smoking, operating hours and waste management.</p> <p>Additional conditions have been added to the proposed Licence to specifically address</p>

		issues to reduce the environmental impact of the outdoor dining area on the water.
Pedestrian access and safety Not related to licence specifically but to the construction of the boardwalk	The majority of respondents highlighted that the new walkway would provide positive outcomes on pedestrian safety. Some comments reflected the need for additional pedestrian capacity on walkways in the area to ease choke points at the Pasadena and along McCarrs Creek Road. Feedback also identified the need to keep areas around the general store clear of mess/bins as the area can be difficult to navigate	The pedestrian walkway has been designed to link the east and west of Church Point and provide safe pedestrian access between the two. The roadworks stage will also address pedestrian safety and access to public transport.
Length of Term	A small number of respondents were concerned about the length of the proposed term of lease.	The term of the proposed Licence was increased at the request of the applicant to bring the term in line with their café lease.

TIMING

The finalisation and issuing of the proposed outdoor dining licence is expected to be completed early in 2021, subject to consent from the Minister for Local Government and Minister for Planning and Public Spaces. The licence will have a delayed commencement date to align with the completion of the boardwalk and a termination date of 31 October 2039 to align with the lease termination date of the adjacent premises.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in our environment that supports innovation and economic growth.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The annual rental amount received from the applicant for the proposed licence area has been calculated in accordance with Council's adopted Fees & Charges. The current annual rate per square metre (sqm) is \$255/sqm. Based on the requested area of 38.4 sqm, the proposed annual license fee for 2020-2021 will be \$9,817.50 per annum (inclusive of GST).

SOCIAL CONSIDERATIONS

Outdoor dining is generally supported by the Northern Beaches Community in providing a vibrant local atmosphere and a great location for promoting social interaction. The boardwalk has been designed to address the needs of both pedestrians and outdoor diners without impacting either user.

ENVIRONMENTAL CONSIDERATIONS

The proposed outdoor dining licence includes requirements to abide by all environmental laws and has requirements to minimise waste, comply with Council's Single Use Plastic Policy and not use chemicals for washing the flooring or decking.

Included within the proposed licence are conditions that ensure any spillage is required to be carefully cleaned immediately to ensure no waste, organic or otherwise enters the water.

GOVERNANCE AND RISK CONSIDERATIONS

A consideration is that issuing a long-term licence agreement for outdoor dining is non-standard for Council and reduces flexibility to change based on any future community aspirations.

This matter will need to be considered both by the Minister for Local Government under section 47A of the *Local Government Act 1993* and consequently by the Minister for Planning and Public Spaces under clause 70(2)(f) of the *Crown Land Management Regulation 2018* (the CLM Regulation) to permit a long term licence.

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1	STRONGER COMMUNITIES AND NEW COUNCIL IMPLEMENTATION FUND - QUARTERLY REPORT DECEMBER 2020
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2021/044786
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide a progress report to Council on the outcomes delivered and expenditure of funds from the \$36.1 million Stronger Communities Fund and \$10 million New Council Implementation Fund, as required by the conditions of the funding agreement until funds are spent.

EXECUTIVE SUMMARY

Council received \$36.1 million from the NSW Government's Stronger Communities Fund (SCF) to support the delivery of improved infrastructure and services to the community. The SCF funding has been broken into streams including \$1 million 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 31 December 2020 is below:

Program	Funding	Expenditure to 31 December 2020
Community Grants Program (SCF) ¹	\$1,000,000	\$1,025,599
Connecting Communities Program (SCF)	\$14,000,000	\$13,987,632
Tied Grants Program (SCF)	\$21,100,000	\$8,150,408
New Council Implementation Fund (NCIF) ²	\$10,000,000	\$10,187,698
Total	\$46,100,000	\$33,351,337

¹The additional \$25,599 on the Community Grants Program is interest earned on the SCF funds

²The additional \$187,698 on the NCIF is interest earned on the fund

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That Council notes the Stronger Communities Fund and New Council Implementation Fund report for the quarter ending 31 December 2020.

REPORT

BACKGROUND

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

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

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

The projects and their status being delivered under these programs are as follows:

Community Grants Program - \$1 Million

Program	Status
Community Grants Program	<p>Complete</p> <ul style="list-style-type: none"> • This program has been fully expended and final report issued to Council in the September 2019 Quarterly Report.

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 comprises the 'Connecting Northern Beaches' and 'Connecting All Through Play' programs.

The \$22.3 million Connecting Northern Beaches program, providing a 36km continuous all-weather walkway from Palm Beach to Manly and a 35.5km Council-wide cycle way and shared path network focused on the B-Line.

- Connecting Northern Beaches – cycle ways and shared paths
- Connecting Northern Beaches – Coast Walk

Sub-programs	Status
Connecting Northern Beaches – cycle ways and shared paths	<p>Complete</p> <ul style="list-style-type: none"> • Final report to Council in the December 2019 Quarterly Report.
Connecting Northern Beaches – Coast Walk	<p>Ongoing</p> <ul style="list-style-type: none"> • 6.5kms delivered since the program commenced • Governor Phillip Park to Palm Beach Pavilion - works underway with 450m completed • Whale Beach Road Stage 1 – work on detailed design underway • Newport to Avalon pedestrian link - outcome of community consultation to be reported to Council early

Sub-programs	Status
	2021. Additional community engagement required for the serpentine.

The \$10.3 million Connecting All Through Play program features a regional network of inclusive accessible playgrounds at Lionel Watts Reserve, Manly Dam and Clontarf Reserve and upgrades to play areas across the Northern Beaches. It also includes sporting facilities and surf lifesaving club improvements. The projects delivered under this program are:

- Connecting All Through Play – Inclusive Play
- Connecting All Through Play – Active Play

Sub-programs	Status
Connecting All Through Play - Inclusive Play	Ongoing <ul style="list-style-type: none"> • Clontarf accessible playground – procurement has been completed and a contractor appointed. Construction will commence in March 2021.
Connecting All Through Play - Active Play	Ongoing <ul style="list-style-type: none"> • Passmore Reserve and John Fisher Park sportsfield lighting – a Development Application has been submitted.

Tied Grant Program \$21.1 Million

The Tied Grants Program commenced in October 2017 with the NSW Government allocating \$21.1 million for 11 specified projects. The projects delivered under this program are:

Project	Status
North Pittwater foreshore improvements projects	Complete <ul style="list-style-type: none"> • Final report to Council in September 2019 Quarterly Report on the following works: <ol style="list-style-type: none"> i. Hudson Parade, Clareville – new footpath between Clareville Beach and Taylors Point ii. George Street, Avalon - extended the seawall iii. South Palm Beach – new landscaping works.
The Church Point Community Park (Pasadena)	Complete <ul style="list-style-type: none"> • The project was abandoned and the funds disbursed to other tied grant projects with confirmation on the reallocation from the Office of Local Government received in October 2018.
Barrenjoey Performance Space	Complete <ul style="list-style-type: none"> • The project was officially opened on 15 November 2019.

Project	Status
Scotland Island wastewater feasibility study	<p>Complete</p> <ul style="list-style-type: none"> The options assessment, commercial feasibility assessment and professional peer review is complete. Documents are available on Council's website. As a result of Council's November 2020 meeting recommendation, the reports were shared with the State Government and Sydney Water, asking them to consider the need for improved services.
Wakehurst Parkway flood mitigation	<p>Ongoing</p> <ul style="list-style-type: none"> Options to reduce flooding on Wakehurst Parkway require more expansive works. The NSW budget released in November provided an additional \$13.1m for the works.
Mona Vale Public School: regional performing arts centre	<p>Ongoing</p> <ul style="list-style-type: none"> Council at its meeting on 24 November resolved to release the funds to the NSW Department of Education to facilitate the delivery of a performance space in the school grounds.
Mona Vale Surf Life Saving Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> The construction tender process is close to completion. A report recommending the preferred contractor will be presented to Council at the February meeting. Works are expected to commence in May 2021.
Long Reef Surf Life Saving Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> Council appointed the tender for construction at the December meeting. Contracts are being finalised for the works which are scheduled to commence in February 2021 for completion early 2022.
Currawong Beach heritage: refurbishment and upgrade of existing infrastructure	<p>Ongoing</p> <ul style="list-style-type: none"> Works to refurbish three holiday cabins and the games room building at Currawong Beach are complete. A new pathway and retaining wall are also complete, improving access and drainage across the site. A Section 60 application has been prepared for stage two refurbishment and upgrades to six cabins which will be lodged in February 2021.
Avalon Netball Courts	<p>Ongoing</p> <ul style="list-style-type: none"> The courts, lighting and tree planting has been completed. Council is waiting on advice from Roads and Maritime Services to progress the bridge design.
Newport Surf Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> Community consultation is complete. The engagement report is being prepared and scheduled for completion by the end of February 2021. It is anticipated the Development Application will be lodged in March 2021.

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

An additional \$10 million was provided to Council under the NCIF to assist with the upfront cost of implementing the new Council. The program status is as follows:

Program	Status
New Council Implementation Fund (NCIF)	<p>Original Fund of \$10 million dollars fully expensed with only associated interest now being drawn down</p> <ul style="list-style-type: none"> The NCIF has been fully committed in accordance with the fund guidelines. The NCIF funded priorities such as integrating core systems, signage, development of Council's website, and operational policy harmonisation. The remaining funds in the reserve are associated with accrued interest and will be expensed on the continued rollout of signage.

CONSULTATION

Consultation on individual projects funded by the SCF is ongoing.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

At 31 December 2020, a total of \$30,223,711 has been spent on the Connecting Communities Program, Community Grants Program and Tied Grants of which \$23,163,639 is from the SCF as follows:

Program	Total expenditure	SCF
Community Grants	\$1,025,599	\$1,025,599
Connecting Communities		
Cycleways	\$7,080,948	\$3,232,886
Pathways	\$5,636,043	\$5,584,607
Inclusive play	\$5,021,600	\$3,170,138
Active Play	\$ 2,581,745	\$2,000,001
Tied Grants	\$8,877,776	\$8,150,408
Total expenditure	\$30,223,711	\$23,163,639

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

At 31 December, the NCIF has funded a combined total of \$10,187,698 on the up-front costs associated with creating the new council. A breakdown is as follows:

Expenditure category	Total expenditure
Expert Advice	\$268,393
Systems Integration	\$4,446,153
Redundancy	\$3,169,961
Signage	\$818,437
Website	\$675,252
Change Management	\$601,159
System Upgrades	\$20,563
Other	\$187,780
Total expenditure	\$10,187,698

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 cycle ways 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

Expenditure of funds is in line with the commitments to the Office of Local Government (OLG). Extensions of time were granted to December 2021 to complete the remaining projects under the Connecting the Northern Beaches and to September 2022 to complete the Tied Grant projects.

15.0 NOTICES OF MOTION

ITEM 15.1 **NOTICE OF MOTION NO 8/2021 - INVESTIGATION INTO CCTV AND SECURITY GUARDS**

TRIM FILE REF **2021/083426**

ATTACHMENTS 1 [↓](#) **Response to Councillor De Luca - Cost of Vandalism on Public Buildings in Narrabeen and Pittwater Wards**

Submitted by: Councillor Vincent De Luca OAM

MOTION

That Council resolves to:

1. Note the significant costs documented in the attached memo in relation to vandalism of Council assets.
 2. Request the Chief Executive Officer to investigate and report back to Council at the April Council meeting, the efficacy and costs of installing CCTV and alarms at all Council owned assets and at identified hot spots, and appointing Security Guards to patrol during high periods of known vandalism, eg school holidays, weekends.
-



Memo to Councillors

Property

To: Cr De Luca
CC: All Councillors
From: Campbell Pfeiffer
Executive Manager Property
Date Submitted: 7 January 2021
Date: 8 February 2021
Subject: Cost of vandalism on public buildings in Narrabeen and Pittwater Wards
Record Number: 2021/017903

I refer to a request from Cr De Luca and I provide the following response:

1. *a. since 2016 What is the total amount of costs because of vandalism on Council buildings/facilities in the Narrabeen Ward*
b. Since 2016 What building/facility in the Narrabeen Ward has been subject to the most costly damages due to vandalism and what is the total cost of those damages?
c. Since the opening of the new Narrabeen Swimming Clubhouse and amenities what is the total costs occasioned by vandalism?
d. Since the opening of the new Clubhouse at Rat Park what is the total costs occasioned by vandalism?
e. Since 2016 what is the total costs occasioned by vandalism at Elanora Heights Pre School?
2. *a. Since 2016 What is the total amount of costs because of vandalism on Council buildings/facilities in the Pittwater Ward?*
b. Since 2016 What building/facility in the Pittwater Ward has been subject to the most costly damages due to vandalism and what is the total cost of those damages?

A summary of the cost of vandalism cannot be reported from the data available in Council systems. Requests for repairs and rectifications come through many different channels (phone, web, site inspections etc) and more often than not the issue is not referred to as vandalism, but as a rectification (eg: a broken door).

Additionally, when attending to damage and faults it is not always apparent that these were as a result of vandalism (ie: intentionally caused damage) and are recorded in the system as maintenance jobs.

Graffiti rectifications are one clear category of direct vandalism. However the contract structure under which the jobs are completed means that the graffiti removal jobs are not allocated against specific buildings. As such, graffiti costs can only be reported based on the whole Council area, with estimates by Wards.

The table below sets out estimated graffiti removal costs for the Narrabeen and Pittwater Wards between 1 January 2016 and 15 January 2021, based on percentage of graffiti removal jobs, including council buildings and facilities in each Ward during this period:

	Estimated Graffiti Removal Costs
Narrabeen Ward	\$350,000
Pittwater Ward	\$515,000

Tagged Vandalism Repair Costs between FY18/19 to current are as follows:

	Repair Costs
Narrabeen Ward	\$57,029
Pittwater Ward	\$69,286

To try and provide as clear a picture of the perceived vandalism, based on the documented vandalism related jobs and Council staff knowledge, the most frequently vandalised Council buildings in the Narrabeen Ward are:

- St Matthews Farm Sport Amenities, Cromer
- Tramshed Public Amenities, Narrabeen

In relation to the cost of perceived vandalism to the below sites;

- Narrabeen Swim Club:
Since this building renovation was completed in 2019 there has been 141 tasks generated for repairs & maintenance with a total expenditure of \$72,580. Based on the task description 39 of these tasks relate to vandalism
- North Narrabeen Reserve Sports Amenities North
Since this building was completed in early 2019 there has been 29 tasks generated for repairs & maintenance with a total expenditure of \$13,176. Based on the task description 8 of these tasks relate to vandalism
- Elanora Heights Community Centre
Since July 2017 there has been 89 tasks generated for repairs & maintenance with a total expenditure of \$112,040. Based on the task description only 2 of these tasks relate to vandalism

Based on the number of vandalism- related jobs and Council staff knowledge, the most frequently vandalised Council buildings in the Pittwater Ward are:

- Avalon SLSC Public Amenities
- Kitchener Park Public Amenities, Mona Vale



- North Narrabeen Reserve Sports Amenities North

Should you require any further information about matters raised in this memo please contact my office on [REDACTED].



Campbell Pfeiffer
Executive Manager Property

ITEM 15.2**NOTICE OF MOTION NO 9/2021 - EAST ESPLANADE - 24 HOUR
ALCOHOL FREE ZONE****TRIM FILE REF** 2021/092561**ATTACHMENTS** NIL

Submitted by: Councillor Pat Daley OAM

MOTION

That:

1. East Esplanade next to Manly Wharf be made a 24 hour alcohol free zone as it was previously.
2. Appropriate Council staff call a meeting with Police and the Local State MPs to help put in place strategies which will help Police and Council Rangers enforce alcohol free zones across the whole of the Manly ward.
3. Council call a meeting of all stakeholders to discuss strategies (including community engagement) to combat the increasing problem of binge drinking and illegal drug use on the Northern Beaches particularly involving teenagers.

BACKGROUND FROM COUNCILLOR PAT DALEY OAM

It is now clear that alcohol consumption on East Esplanade is out of control. Sadly this is setting a very bad standard not only for Manly but also the wider Northern Beaches.

Increasing numbers of people are coming into Manly to drink not only at East Esplanade but also other public parks and beach areas. A large percentage of these people are now coming from other areas of Sydney.

Due to the deteriorating situation on East Esplanade, Manly is now regarded as an anything goes area where young people can illegally drink in public places. In this environment there is absolutely no responsible service of alcohol and enforcement of underage drinking which happens in hotels.

Police are trying their best to get on top of the situation however they need all the help they can get. We need to assist the Police not hinder them with poor Council policy. The community now needs to get involved and help the Police.

This motion is the start of a community fight back against the increasing problem of alcohol and drug abuse and related antisocial behaviour not only in Manly but also the wider Northern Beaches.

ITEM 15.3	NOTICE OF MOTION NO 10/2021 - INPATIENT PALLIATIVE CARE BEDS, MONA VALE HOSPITAL
TRIM FILE REF	2021/096981
ATTACHMENTS	NIL

Submitted by: Councillor Kylie Ferguson

MOTION

That Council thank all those involved who have worked to bring inpatient palliative care beds to Mona Vale Hospital.

BACKGROUND FROM COUNCILLOR KYLIE FERGUSON

After decades of work from many in the community, the day had finally arrived. Thursday 4 February, 2021, saw the long awaited opening of the Inpatient Palliative Care Unit at Mona Vale Hospital. It adjoins a ten bed Geriatric Evaluation Unit.

There are 10 beds in both the geriatric and inpatient units. Each room is separate accommodation, has a private balcony and room for a loved one to stay overnight.

A brief history:

The Palliative Care Service at Mona Vale Hospital was opened by the Hon. Bronwyn Bishop, on 29 October 1989.

Community Services Minister, Mr Jim Longley, announced a new 12 bed hospice to be built at Mona Vale, costing \$2million, to be completed in August 1997. A change of State Government resulted in refusal of the new hospice at Mona Vale Hospital.

For many years, Jo-Ann Steeves - Friends of Northern Beaches Palliative Care President, Eileen Gordon - Mona Vale Hospital Auxillary, Cora Adcock, Gail Carew - Rotary and the Mona Vale Hospital Auxillary, raised funds and advocated for inpatient beds.

In July 2014 Councillor Kay Millar of Pittwater Council, raised a Notice of Motion requiring inpatient beds at Mona Vale Hospital and shortly thereafter the Inpatient Palliative Care Working Group began, of which I was a member. Thanks to Kay Millar - Chair Jo-Ann Steeves, Eileen Gordon, Andrew Johnston (Rob Stokes representative), Philip Macaulay, Gail Carew, Geraldine Dixon, Yvonne McMaster and Kelly Arthurs for their tireless efforts the inpatient facilities have come to fruition.

In the words of Kay Millar: *"Our work has taken 7 years, but I know that others have tried over decades and we can all be grateful to them. Over the 7 years of our journey..... Jo-Ann has been an unwavering support to the group and to me. Her commitment to palliative care is ongoing and I pay tribute to her efforts.... Each of you will continue with your work, as will I, however I will always value the times we came together to realise the dream".*

There are many to thank besides those mentioned above, but a special thanks to the Hon. Rob Stokes for his long-term support in bringing this project to completion.

Not everyone requiring palliative care is elderly, it can affect anyone at any stage of life. It made me feel sad watching families (many with young children) having to go straight from work or school, drive outside of the Beaches to visit their loved one, return home, do homework and prepare dinner. It made for a very long day which had to be repeated day after day. Now they can visit locally and it's a wonderful thing.

The continual efforts of all those involved have resulted in a facility that will service our community well into the future.

ITEM 15.4 NOTICE OF MOTION NO 11/2021 - BILGOLA PLATEAU PUBLIC SCHOOL SAFETY**TRIM FILE REF 2021/097929****ATTACHMENTS 1** [↓ Kiss and Ride](#)

Submitted by: Councillor Rory Amon

MOTION

That Council allocate at least \$200,000 in the 2021/22 budget to widen the footpath outside a Bilgola Plateau Public School.

BACKGROUND FROM COUNCILLOR RORY AMON

Local children attending Bilgola Plateau Public School continue to be at serious risk of injury and worse.

The school has been requesting since July 2017 that the footpath at the “*Kiss and Drop Zone*” immediately outside the school on Plateau Road be widened.

As you can see from the attached photo, the footpath is too narrow to safely operate the “*Kiss and Drop Zone*” and the school has had numerous complaints from staff and parents about its inadequacy.

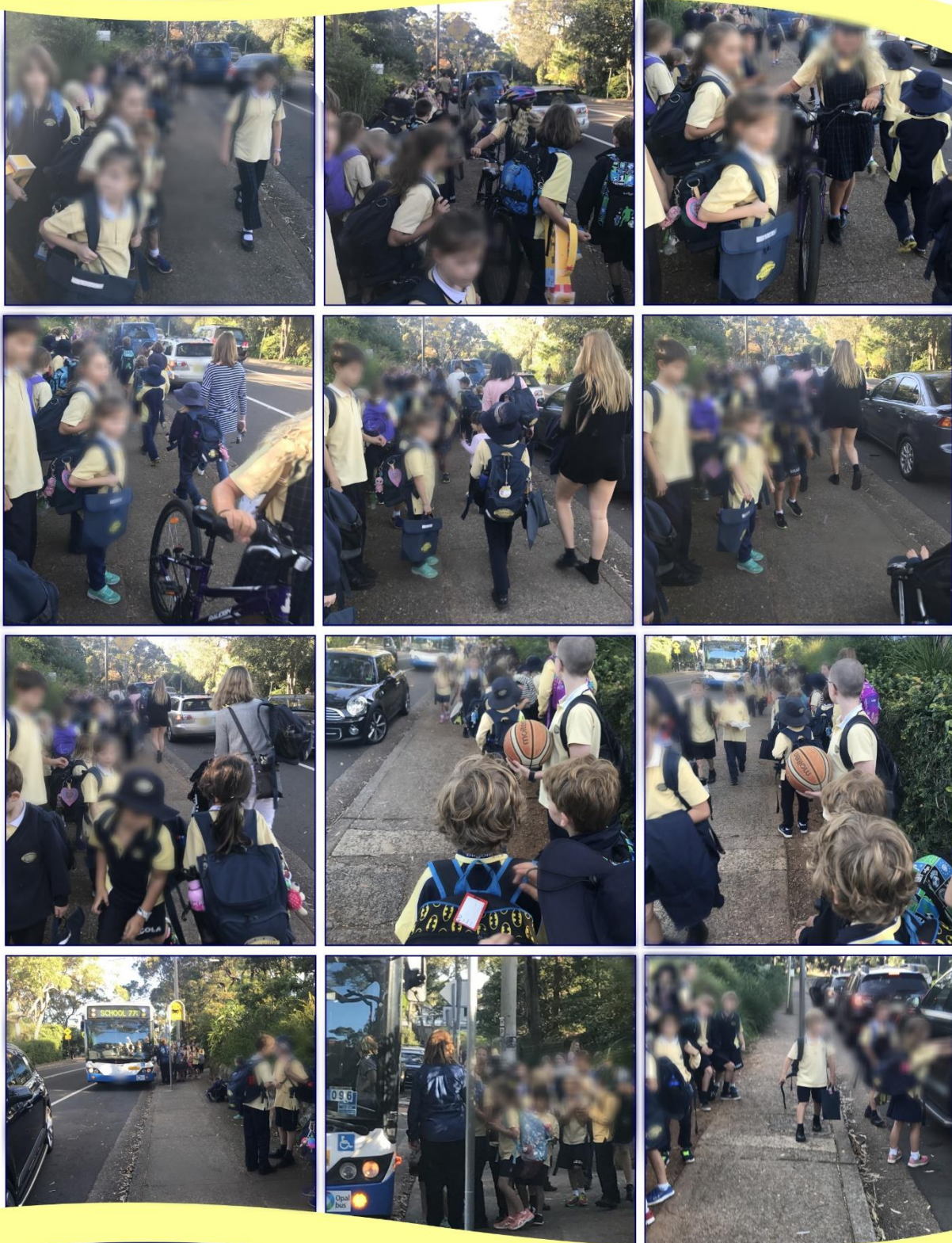
Council has made changes, such as extending the “*Kiss and Drop Zone*” further down the road. This has angered local residents, removed parking, and is not practical. It also remains unsafe given the narrow footpath. Changes have been made by Council which the school does not support.

The school is simply requesting that the footpath be widened in its existing location in the “*Kiss and Drop Zone*” to allow more capacity for children to be picked up and dropped off. There is no loss of parking and all that is required is for the embankment adjacent to the footpath to be excavated somewhere between 500mm and 750mm to create a wider footpath.

Council staff have advised that a widening could cost in the vicinity of \$200,000. I note that Council has recently received over \$8,000,000 in Federal Government for capital projects.



Kiss and Ride Zone



ITEM 15.5	NOTICE OF MOTION NO 12/2021 - PUBLIC SAFETY BRIEFING
TRIM FILE REF	2021/097956
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

MOTION

That Council:

1. Thank the local Northern Beaches Police for their service, especially over the past 12 months with the impacts of the COVID-19 pandemic significantly impacting local policing.
2. Invite the Local Area Command to attend a confidential Council Briefing and update Council regarding increasing reports of anti-social and criminal behaviour on the Northern Beaches.

BACKGROUND FROM COUNCILLOR RORY AMON

Residents, media, and social media reports have been indicating increased anti-social behaviour across the Northern Beaches in recent months. These reports range from graffiti, robberies, daylight assaults, domestic violence, alcohol induced trespasses, public urination, groups of young people intimidating and harassing members of the public unprovoked, and so on.

Our local Police are heroes. They do a tremendous job, operating on the thin blue line to keep us safe. Our local Police are represented on Council's Community Safety Committee, which includes various community and elected representatives. That committee is regularly briefed by local Police and the minutes of those meetings are provided to public Council meetings for noting.

I note the heightened sensitivity around increased reports of anti-social and criminal behaviour in our community. In the circumstances, it is appropriate that Council asks the local Police if they would be prepared to attend a confidential Councillor briefing and provide a comprehensive update about recent reports, and also the facts and statistics which sit behind these reports. Such a report may not be appropriate for the meeting of Community Safety Committee but, in any event, not all Councillors are able to attend those meetings, and only five Councillors sit on that committee. It is important that, as elected representatives, we are aware of and engaged with local safety issues, especially in these difficult times.

ITEM 15.6	NOTICE OF MOTION NO 13/2021 - OUTDOOR DINING FEES
TRIM FILE REF	2021/097967
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

MOTION

That Council waive all outdoor dining fees until 30 June 2021.

BACKGROUND FROM COUNCILLOR RORY AMON

Noting the impact of the COVID-19 pandemic on the business community, Council should extend its waiver of outdoor dining fees until 30 June 2021. Fees are currently waived until 31 March 2021. Council should extend the waiver now to provide business with certainty moving forward. This will measure will cost in the vicinity of a quarter of a million dollars in foregone revenue.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:

The proposed motion would have a negative impact on Council's budget, estimated at \$332,907. If the motion is passed, a report will be provided to the March 2021 Council meeting identifying capital projects of an equivalent value recommended for deferral, to offset the budget impact.

ITEM 15.7	NOTICE OF MOTION NO 14/2021 - BARE CREEK SELF-FUNDING MAINTENANCE REPORT
TRIM FILE REF	2021/098792
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

MOTION

That:

1. Council recognise the great gift from the NSW Government of world class mountain biking facilities at Bare creek, Belrose.
2. Council acknowledge the \$1.5 million oneoff funding Council has received from the NSW Government to assist in the ongoing maintenance of the facility.
3. That staff provide a report to Council within three months on potential opportunities to reduce the ongoing maintenance costs of the facility which in the long term will be borne by Northern Beaches ratepayers.

BACKGROUND FROM COUNCILLOR STUART SPROTT

Northern Beaches has been gifted with a world class facility providing an amazing asset to our community.

Mountain bikers from across Sydney come to Belrose to experience a ride like no other found anywhere else in Sydney.

We truly are lucky to have such a high quality facility here on our door step and I thank the NSW Government for its generosity in building such a facility.

However these facilities can be expensive to maintain and we need to have extra revenue streams to offset the financial burden on ratepayers.

I propose staff provide a report back to Council with options on how this can be achieved while still providing our local community with a place they can enjoy their sport of mountain biking.

ITEM 15.8	NOTICE OF MOTION NO 15/2021 - COVID-19 SUMMER LOCKDOWN - IMPACT ON COUNCIL FINANCES
TRIM FILE REF	2021/098923
ATTACHMENTS	NIL

Submitted by: Councillor Sarah Grattan

MOTION

That Council:

1. Write to the NSW State Government (Premier, Treasurer, Local MPs, and local government Minister) to request a waiver of all state government fees, levies and charges for the 2020/21 financial year.
2. If the waiver is granted, return these levies to business and resident ratepayers as a discount on their rates notices.
3. Identify an opportunity on Council rates notices to indicate the extent of state government levies on Council rates and charges.

BACKGROUND FROM COUNCILLOR SARAH GRATTAN

Alongside the impacts on businesses and residents Northern Beaches Council's financial position was negatively impacted by the COVID-19 Christmas/ summer lockdown. After the \$21million financial cost to Council of the first lockdown in March-April 2020, the second lockdown cost Council a further financial impact of \$8million, resulting in a total \$29.3million hit to Council's budget. This impact includes \$8.7million in business and community support and \$20.6million in costs to impacted services and Council businesses (eg aquatic centres, Glen Street, Lakeside Holiday Park) and loss of revenue (eg fines, parking). This included logistical support to Council also provided to NSW Health in setting up testing sites and providing communications.

The impacts on working capital and our budget position from this localised lockdown was significant. And the people of the Northern Beaches overwhelmingly complied with this lockdown designed to keep all of NSW safe from potential transmission of COVID-19 virus. It would be reasonable to expect that the state government recognises the impact this policy had on the residents and businesses of the Northern Beaches and provide some direct financial relief, rather than our ratepayers having to cover these extraordinary impacts to our budget.

The \$15million of state government levies that Council pays represents approximately half of the total financial impact on the COVID-19 pandemic and would be some compensation for the Northern Beaches taking this hit for NSW and providing some relief. If all payments to state government were included, nearly \$20million or 2/3 of the COVID impact would be covered.

State Government levies are an increasing burden on Council finances, and increasing at over 8% per year, significantly faster than inflation or the local government rates cap. Identifying these state government levies on rates notices will draw attention to these levies, educate the community as to cost burdens faced by Council and provide an incentive to minimise cost shifting onto local government.

In 2019/20 total levies and other charges paid to State Government were \$18.6million and are forecast to grow to \$19.6million in 2020/21, a growth of 8.1%. Where typically levies pay for Council or third parties to provide services, the proposal is those services be funded directly by the State

for 2020/21 rather than charged to Council; and that the NSW Government guarantee that a waiver to Council would not cut funding to those third parties.

16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 1/2021 - ALCOHOL PROHIBITED AREA - EAST ESPLANADE
TRIM FILE REF	2021/099503
ATTACHMENTS	NIL

Submitted by: Councillors David Walton and Stuart Sprott

QUESTION

In relation to Notice of Motion 14/2018 - East Esplanade, moved by Councillor Bingham and seconded by Councillor Grattan:

'That:

- A. *Council endorse the 'Alcohol Prohibited Area' at East Esplanade to an Alcohol Prohibited Area from 8.00pm to 8.00am to assist Council and Police to enforce the zoning.'*

1. What "other strategies" did Council adopt "to clear the area of illegal drinkers" as per the above Notice of Motion, during:
 - a. 2020
 - b. 2021?
2. Please supply the location of, and date of publishing of the Council prepared "Community Safety Management Plan for East Esplanade" as per the above Notice of Motion.
3. If user pays police were used in East Esplanade, was this reported to Council on a quarterly basis including costs and dates as per the above Notice of Motion? If not, why not?
4. What are the total costs to Council/ratepayers related directly and indirectly to East Esplanade, including but not limited to: security; maintenance by Council employees and contractors; cleansing by Council employees and contractors; rostered and additional Council Rangers; the hiring and/or purchase and monitoring of CCTV equipment; other relevant costs, since the implementation of the above Notice of Motion to present?
5. What is Council's current recommended ratio of public toilets to people for Council parks Council run public/community events and what is the current ratio of public toilets to visitors to East Esplanade on a busy (excluding poor weather days) Friday, Saturday and Sunday evening from 4pm to 8pm?

17.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 17.1	RESPONSE TO QUESTION WITH NOTICE NO 16/2020 - PROCESS BEHIND STATION BEACH DOG TRIAL
TRIM FILE REF	2021/003284
ATTACHMENTS	<ol style="list-style-type: none"> 1 Quote from Marine Ecosystems Unit, NSW Department of Industry, Fisheries, 1 November 2018 2 Quote from Marine Ecosystems Unit, NSW Department of Industry, Fisheries, 14 March 2019 3 Internal Memo regarding the Draft Station Beach Dog Off-leash Area Proposed Trial, Review of Environmental Factors, 19 March 2019 4 Letter from NSW Department of Primary Industries, Fisheries, Station Beach, 14 August 2019

Submitted by: Councillor Rory Amon

QUESTION

1. Could the CEO please produce copy of the brief that was issued to Ms Astles, instructing the limits and scope of her work on behalf of Council in relation to Station Beach.
2. Could the CEO please produce evidence of there having been a process followed by staff, to critically appraise the work done by Ms Astles on behalf of Council in relation to Station Beach.
3. Could the CEO please produce the results of that critical appraisal (if any), particularly with respect to the element of the Astles work that sought to overturn the settled August 2018 position of the Department of Primary Industries - Fisheries confirming no agency need for the marker buoys.
4. Could the CEO please provide a full and detailed account of the internal staff processes that caused Council's retention of Ms Astles in relation to Station Beach.

RESPONSE

I refer to the Response to Question With Notice No 16/2020 - Process Behind Station Beach Dog Trial and I provide the following response:

1. **Could the CEO please produce copy of the brief that was issued to Karen Astles, instructing the limits and scope of her work on behalf of Council in relation to Station Beach.**
 - Ms Astles is a research scientist from the Marine Ecosystems Unit of the NSW Department of Primary Industries, Fisheries (the MEU). Council staff discussed the scope of work with the MEU who subsequently provided a quote and reverse brief on 1 November 2018 (Attachment 1). The engagement of the MEU was to contribute specific information for the Review of Environmental Factors (REF) being prepared by Cardno; a third party external environmental consulting firm.
 - In March 2019 Council expanded the brief by way of a request to the MEU to provide additional information for the REF. A quote including the scope of work was subsequently provided (Attachment 2).

2. Could the CEO please produce evidence of there having been a process followed by staff, to critically appraise the work done by Karen Astles on behalf of Council in relation to Station Beach

- Staff from a number of departments in Council worked collaboratively to implement Council's resolution 188/18 regarding this matter. Additionally, a third party external environmental consulting firm (Cardno), which also had a role in reviewing associated documentation, was engaged to prepare the REF. The draft MEU report was to be incorporated into the REF.
- The first draft of the REF was received on 20 February 2019 which integrated and included the draft MEU report. These reports were reviewed by Council staff, and an internal memo prepared (19 March 2019) with recommendations for areas that needed to be considered or required further consideration (Attachment 3). In addition, the MEU was requested to provide further information for the REF (Attachment 2).
- A meeting was held on 26 March 2019 between staff and the MEU to discuss Council's comments on the draft MEU report.
- Council received the final draft REF on 24 May 2019 which integrated and included the final draft MEU report titled *Review of Environmental Factors for Dog Swimming Area at Station Beach, Pittwater and Estuarine Ecological Component*.
- The final draft REF (including the MEU report) was provided to the Coastal Systems Unit at the Department of Primary Industries, Fisheries (another unit within Fisheries) for its review and also placed on public exhibition.

3. Could the CEO please produce the results of that critical appraisal (if any), particularly with respect to the element of the Astles work that sought to overturn the settled August 2018 position of the Department of Primary Industries - Fisheries confirming no agency need for the marker buoys.

- The internal critical appraisal of the draft REF by Environment and Climate Change staff is provided at Attachment 3. Additional feedback was received from other departments, which was also used to inform the review and advice back to Cardno and MEU.
- In terms of the marker buoys, there was not an attempt to "overturn" Fisheries' position with respect to marker buoys.
- Rather, in July 2019 Fisheries was asked by Council to review the draft REF. In its response dated 14 August 2019 (Attachment 4) Fisheries advised, amongst other things, that in regard to marker buoys:

Markers (pole or buoy) must be installed 3m east (shoreward) of the seagrass beds. If buoys are used, floating rope is preferred to chains in order to prevent seabed scouring and harm to benthic invertebrates. If a chain is used, it should be as short as functionally possible and be fitted with an inline float to raise the chain off the sea floor.

- Based on this advice it was planned that the boundary of the proposed off-leash area at Station Beach would be denoted by three marker buoys. It was understood that the purpose of the marker buoys would be to define the activity area and assist in public awareness.

4. Could the CEO please provide a full and detailed account of the internal staff processes that caused Council's retention of Karen Astles in relation to Station Beach.

- In 2018 a recommendation was made by a technical member of staff regarding 2 expert consulting organisations who may have the capacity to assist with a seagrass survey and monitoring program on a consultancy basis. As a result, the MEU was engaged for the more specialised component of work, with Cardno being engaged to prepare the REF.

- In July 2018 discussions were held with the MEU about services that it could provide to Council regarding the proposed trial.
- In September 2018 the MEU provided Council with a preliminary quote about the services it could provide regarding the proposed trial. This quote was reviewed by staff.
- In November 2018 the MEU provided Council with a final quote for the work requested for the REF (Attachment 1). This quote was accepted and the MEU was engaged.



Marine Ecosystems Unit
Level 3, Block F, 84 Crown St, Wollongong, 2520
PO Box 5106, Wollongong, 2520
T +61 2 4222 8344
www.dpi.nsw.gov.au

1st November, 2018

██████████
Senior Recreation Planner
Northern Beaches Council
PO Box 82
Manly, NSW, 1655

Dear ██████████,

Re: Quote for Review of Environmental Factors for Unleash Dog Swimming Trial at Station Beach, Pittwater

Below is a quote from DPI Fisheries to provide a section of the Review of Environmental Factors (REF) report to assess the potential impacts of the proposed unleashed dog swimming trial at Station Beach in Pittwater on estuarine flora and fauna. This will include a threatened species assessment and species impact statement for the endangered ecological community of *Posidonia australis* present in the area of the trial, as required in the guidelines for a Review of Environmental factors from the Office of Environment and Heritage. The remaining sections of the REF will be completed by an environmental consultant engaged by the council.

Quote:

Table 1. Costs (\$) for providing scientific service to contribute the estuarine section to the REF report.

Item	Report ¹	Grand total
Research Scientist	██████████	██████████
28% on-costs ²		██████████
Project total		██████████

Notes:

1. Update report covers Research scientist salary for 2 weeks of work to write report
2. On-costs are compulsory requirement of Department for contracts

If you have any questions regarding the above please contact Karen Astles (karen.astles@dpi.nsw.gov.au).

Yours sincerely,

██████████

██████████
Research Leader, Marine Ecosystems Unit
Fisheries NSW
Port Stephen Fisheries Institute, Taylors Beach, NSW



Marine Ecosystems Unit
Level 3, Block E, 84 Crown St, Wollongong, 2520
PO Box 5106, Wollongong, 2520
T +61 2 4222 8344
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14th March, 2019

Senior Recreation Planner
Northern Beaches Council
PO Box 82
Manly, NSW, 1655

Dear [REDACTED],

Re: Quote for Additional Information for Review of Environmental Factors for Unleash Dog Swimming Trial at
Station Beach, Pittwater

Below is a quote from DPI Fisheries to provide additional information to the section of the Review of Environmental
Factors (REF) report as requested by Northern Beaches Council on the 11/3/19 to:

- a) investigate a buffer zone – for the soft sediment area, before the seagrass area, as an option for dog access to
the water at low and mid tide (as well as high tide);
- b) provide a map of the proposed trial area showing where the seagrass is and the soft sediment as well as the
buffer;

Note: DPI Fisheries do not have maps of soft sediment habitats in Pittwater estuary; it only has maps of
where seagrass, mangroves and saltmarsh occur. Therefore, the distribution of soft sediment can
only be inferred from the maps available and cannot be relied upon to accurately represent neither
the type nor the distribution of the actual soft sediment.

- c) provide a recommendation for the water depth required above the top of the seagrass and soft sediment bed
that would enable dogs to swim in these areas.

Quote:

Table 1. Costs (\$) for providing scientific service to contribute the estuarine section to the REF report.

Item	Report ¹	Grand total
Research Scientist	[REDACTED]	[REDACTED]
28% on-costs ²	[REDACTED]	[REDACTED]
Project total	[REDACTED]	[REDACTED]

Notes:

- 1. Additional report covers Research Scientist salary for 5 days of work to add to the initial REF report
- 2. On-costs are compulsory requirement of Department for contracts

If you have any questions regarding the above please contact Karen Astles (karen.astles@dpi.nsw.gov.au).

Yours sincerely,

Research Leader, Marine Ecosystems Unit
Fisheries NSW
Port Stephen Fisheries Institute, Taylors Beach, NSW



Memo

Natural Environment and Climate Change

To: [REDACTED] - Executive Manager Parks & Recreation

Cc: [REDACTED] – Senior Environment Systems Officer, [REDACTED]
[REDACTED] - Senior Recreation Planner

From: [REDACTED] – Acting Executive Manager Natural Environment
& Climate Change

Date: 19/3/2019

Subject: NECC Review of Station Beach Off Leash Dog Trial Review of
Environmental Factors (REF)

Record Number 2019/110612

Natural Environment and Climate Change staff have reviewed the draft Review of Environmental Factors (REF) for the Station Beach Off Leash Dog Trial (2019/112623) and provide comments in relation to areas that need to be considered or require further consideration

1. Compliance

The REF does not provide sufficient detail on the compliance and enforcement program to be conducted during the trial. The plan of management should include further details on the proposed inspection regime, additional resources required and protocols for dealing with non-compliance.

Compliance breaches should be reported immediately and the relevant action taken as per the REF and plan of management. It is noted that the REF recommends suspension of the trial if any of the mitigation measures are not implemented (Section 6, Environmental Management, pg 28).

2. Monitoring

Monitoring is a key mitigation measure specified within the REF and is key to measuring any potential environmental impact of the trial. The REF proposes a monitoring program of one event prior to the trial, four events at three month intervals during the trial and one event after the trial concludes. It is recommended that further detail be included within the plan of management that includes increasing the monitoring frequency during the early stages of the trial.

Further, the design of monitoring programs should enable the detection of any potential changes to the environment in a timely manner to avoid any damaging effects to the environment.

3. The NSW Marine Estate Threat and Risk Assessment

The NSW Marine Estate Threat and Risk Assessment (TARA) identified that off leash dogs are a threat to the marine estate. The TARA noted that off-leash dogs on beaches designated for this purpose can disturb shorebirds, nesting turtles and other species of concern in a local area. The TARA also ranked dogs as a high threat to species protected under the *Biodiversity Conservation Act 2017*. It is important that REF considers the findings of the NSW Marine Estate TARA when assessing the risks to the environment from the proposed trial.

4. Threatened and Migratory Species

Whilst it can be reasonably assumed that White's Seahorse and/or other syngnathids occur in seagrass within the study area, a targeted survey prior to and following the trial should be undertaken to fully understand the effects of the proposed trial on this species.

The ornithologist's report fails to address that the Crested Tern (*Thalasseus bergii*) is listed under the Japan-Australia Migratory Birds Agreement (JAMBA) and as migratory under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Further assessment against these matters is recommended.



Our Ref: C19/475

14 August 2019

██████████
Northern Beaches Council
c/o: ██████████@northernbeaches.nsw.gov.au

Dear ██████████,

**Re: DPI Fisheries comments on the Review of Environmental Factors (Cardno, May 2019)
for a dog off-leash trial at Station Beach.**

Thank you for your referral of 22/7/2019 seeking comment on REF for the proposed dog off-leash trial at Station Beach, prepared by Cardno in May 2019.

DPI Fisheries has reviewed the REF and has no objections to the trial proceeding, subject to the following conditions:

1. Markers (pole or buoy) must be installed 3m east (shoreward) of the seagrass beds. If buoys are used, floating rope is preferred to chains in order to prevent seabed scouring and harm to benthic invertebrates. If a chain is used, it should be as short as functionally possible and be fitted with an inline float to raise the chain off the sea floor.
2. A different coloured marker should be installed at the northern and southern extent of the off-leash area as a visible reminder that dogs need to go back on leads at that point.
3. Off-leash dogs are to remain within the trial boundaries i.e. east (shoreward) of the markers and between the northern and southern extents.
4. DPI Fisheries does not object to the northern boundary extending 100m to the north, in line with the wharf.
5. The time restrictions (e.g. sunrise to sunset) and dates of the trial must clearly communicated to dog walkers and the broader community.
6. A Seagrass Monitoring Plan is to be prepared and submitted to DPI Fisheries for approval at least 2 weeks prior to the commencement of the trial. Council must implement the approved plans on site.
7. Council must install multiple signs, at the entry points to Station Beach and within the trial area (on the dune), advising the community of:
 - a. The physical extent of the trial area.
 - b. A clear diagram showing the trial area.
 - c. The times and dates that dogs are permitted off-leash.
 - d. The ecological importance of seagrass beds and the endangered status of *Posidonia australis*. Statements such as "1m² of seagrass produces 1 tonne of recreational fish per year" and "seagrass beds provide homes for threatened species of seahorse" are helpful in connecting with the community. DPI Fisheries can assist in providing wording and pictures for the sign.
 - e. Regular compliance patrols and on-the-spot fines for non-compliance with the trial conditions.
 - f. Dog faeces must be collected immediately by the owner and disposed of in bins at either end of the beach. (Doggy bags and bins should be provided by Council and maintained regularly.)
8. At the conclusion of the trial, DPI Fisheries would like to review the report that details the outcomes of the trial, including the findings of the seagrass monitoring program.
9. The REF states in Table 5.2 – Mitigation Measures:
"Increased compliance patrols by Council officers to ensure compliance with permitted high tide swimming periods" and



Department of Primary Industries

"Increased compliance patrols by Council officers to ensure compliance with permitted dog access areas and times".

Fisheries recommends that the findings/outcomes of any specific compliance program be reported as part of the trial monitoring program.

10. Prior to appointing a permanent dog off-leash area, DPI 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. DPI Fisheries has a strong preference for the use of ocean beaches for the dog off-leash area, rather than estuary beaches. DPI Fisheries recommends that Council consider Palm Beach (on the ocean side) amongst other ocean beach options. Ocean beaches do not support living marine vegetation or Syngnathids (such as the endangered Whites Seahorse that lives in seagrass beds in Pittwater), so the potential impact of dogs on marine life is considered to be far less on ocean beaches. Obviously, there will be other consideration on ocean beaches, such as shore birds, that will need to be assessed.

If you require any further information, please contact me on [REDACTED].

Yours sincerely,

[REDACTED]

[REDACTED]
Fisheries Manager, Coastal Systems

ITEM 17.2	RESPONSE TO QUESTIONS WITH NOTICE NO 17/2020 - 40 STUART STREET MANLY
TRIM FILE REF	2021/003382
ATTACHMENTS	NIL

Submitted by: Councillor Sarah Grattan

QUESTION

Regarding 40 Stuart St, Manly:

1. What is the process to reclassify land from operational to community?

In accordance with the *Local Government Act 1993 (NSW)* (the Act), Council may resolve to reclassify Council-owned land from operational land to community land.

Before such a resolution may be made, Council must give public notice of the proposed resolution to reclassify the land. The public notice must specify a period of no less than 28 days, during which time submissions on the proposed reclassification of the land may be made to Council.

2. What is the expected timing of the change of this land classification to “community” from “operational”?

If Council resolves to reclassify the land, the reclassification will take effect on and from the date of the resolution. However, the decision as to whether and when to reclassify the land is a matter for Council.

3. In part 3 of the Council resolution of 26 November 2019, why was the wording “no adverse submission” included in the motion? What is the definition of “no adverse submission”?

The phrase “no adverse submission” was included in the resolution by Councillors. That wording was not recommended by Council staff.

The original recommendation read as follows:

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

Adopt the Little Manly Reserves Landscape Masterplan.

Consider the demolition of the dwelling at 40 Stuart Street, Manly to increase the park area at Little Manly Reserve as part of the development of the 2022/23 Delivery Program.

An adverse submission is considered to be one which opposes the proposed reclassification of the land.

4. Could one non-supportive submission from the community prevent the re-categorisation to community land?

It is considered that paragraph 3 of Council’s resolution of 26 November 2019 required Council to consider any adverse submission received before proceeding with the proposed resolution to reclassify the land. However, a non-supportive submission will not necessarily

prevent the reclassification of the land from operational to community land. It is a matter for Council to decide whether or not to reclassify its land after considering all of the submissions received.

5. What is the process to reclassify land if an “adverse submission” is received?

Council is required under the Act to give public notice of a proposal to reclassify public land from operational land to community land before resolving to reclassify the land. The purpose of giving public notice is to inform the community of the proposed reclassification and to allow the community time to consider and make submissions to the Council about the proposed reclassification.

Council should consider the submissions received before deciding whether or not to proceed with the proposed reclassification. Community submissions are relevant considerations for Council to take into account in making a decision to reclassify its land. Other considerations may be relevant, as outlined in the report at Item 13.1 and the attachment.

There is nothing in the Act which prevents Council from not proceeding with a proposed reclassification of land if it receives submissions opposing the proposal.

6. What procedures/ safeguards are in place or could apply that would prevent any sale of the property prior to reclassification?

The sale of Council-owned land is a non-delegable function of Council. The sale of the land would require a resolution of Council. If the land is classified as community land, Council has no power to sell the land.

Regarding part 4 of the Council resolution of 26 November 2019:

1. Why will classification to community land be delayed until after a Coastline plan of management is completed?

This was a decision of Council made on 26 November 2019. However, if Council passes the resolution as recommended, that decision will be replaced by the resolution to commence the process under the Act to include the land in the Little Manly Coastline Plan of Management and to update that plan of management to permit the continued lease and ultimate demolition of the dwelling on the land.

A plan of management is only required under the Act for land which is classified as community land. If the land is reclassified as community land. The proposed amendment of the Little Manly Coastline Plan of Management will need to be considered in due course.

2. Does a Little Manly Coastline Management Plan already exist? If not, why not

Yes, the Little Manly Coastline Management Plan has been in existence since 2004.

3. What plan of management currently applies to 40 Stuart St, Manly?

There is no plan of management that currently applies to 40 Stuart Street. This is because the land is currently classified operational land and as such, no plan of management is required for the land under the Act.

Question over leasing & loan arrangements of 40 Stuart St, Manly**1. What would prevent Council from continuing to lease out the property at 40 Stuart St if the land is re-categorised to Community Land?**

S 44 of the Act, which provides as follows:

44 Use of community land pending adoption of plan of management

Pending the adoption of a plan of management for community land, the nature and use of the land must not be changed.

Once a plan of management is in place for the land, Council is required to manage and use the land in accordance with that plan of management.

Council must follow the requirements set out in Chapter 6, Part 2, Division 2 of the Act in relation to the lease of community land. If there is no plan of management in place authorising the dwelling on the land to be leased, then Council cannot renew the lease or enter into a new lease until the Little Manly Coastline Plan of Management is updated to expressly permit the lease of the dwelling.

2. Does Northern Beaches Council have other properties on community land that are leased?

Council does lease other residential properties that are located on community land, these include:

- 1596 Pittwater Road, Mona Vale
- 34 Stuart Street, Manly
- Caretakers Cottage Warringah Aquatic Centre, Aquatic Drive, French Forest (Crown Reserve managed by Council)
- Stony Range Cottage, 802 Pittwater Road, Dee Why (Crown Reserve managed by Council)
- 1/275 Pittwater Road, Manly.

3. Why was the lease recently reviewed until September 2021?

The previous lease expired and this new term was requested by the tenant. It was considered that this lease term was in line with Council's resolution to re-lease the property to continue to provide the revenue forecast within Council's budget.

Additionally, Council does not wish to have a vacant house that is potentially vulnerable to vandalism.

4. What other loans are on foot across the Northern Beaches Council that have been taken out for a specific purpose or property? Are those loans also expected to be self-funding and why?

Council is currently paying down 14 loans from the former Councils. At the time of taking out these loans, 7 of these were expected to be self-funding as the investment was undertaken to improve an income stream or provide a community asset funded by fees.

5. Regarding the 2022/23 demolition date as per the resolution. Will the timing of this project be delayed given the push-out of timing on capital projects due to COVID?

Currently there are no plans to delay the demolition date as per the resolution.

Council will need to decide which projects originally programmed for 2022/2023 will proceed based on funding available.

ITEM 17.3	RESPONSE TO QUESTION TAKEN ON NOTICE NO 22/2020 - RATES HARMONISATION
TRIM FILE REF	2020/792505
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 15 December 2020 from: Councillor Vincent De Luca OAM.

QUESTION

Can the Chief Executive Officer please confirm by way of minutes of former Warringah Council the number of occasions that motions were put to council requesting a referendum instead of forcibly amalgamating the three councils, and were defeated on the numbers of the 'Your Warringah' political party

RESPONSE

A review of the minutes of Warringah Council between September 2014 (when the NSW Government's Fit for the Future Blueprint was released) and April 2016 (prior to the proclamation of the Northern Beaches Council on 12 May 2016) identified 24 motions referencing Fit for the Future or council amalgamations, and one reference in a proposed amendment to undertaking a council poll (referendum) regarding council amalgamations.

Extract from 10 February 2015 Council Meeting minutes:

8.12 FIT FOR THE FUTURE - COMMUNITY ENGAGEMENT

Cr Menano-Pires / Cr Gobert

- A. That Council engages with the community about the option of one Northern Beaches Council in recognition that the northern beaches is a distinct community with similar values, interests and needs that cross current council boundaries.
- B. That Council notes that new research shows that one Northern Beaches Council could save approximately \$200 million over 10 years.
- C. That the 2015 Community Perception Survey by Jetty Research, which surveyed over 1,200 northern beaches residents, form part of the consultation with the community.
- D. That the report '*Local Government Structural Change Options Analysis – Supplementary report*' (SGS, February 2015), a supplementary study to the SGS report of September 2013, form part of the consultation with the community.
- E. That Council note that a meeting has occurred with Ku-ring-gai Council and have advised that they are in discussions with Hornsby Council, however they wish to continue strategic cross-regional work with Warringah.

AMENDMENT

Cr De Luca / Cr Giltinan

- A. That Council engages with the community about various options as to amalgamations on the Northern Beaches and the Upper North Shore.
- B. That Council notes that new research shows that one Northern Beaches Council could save approximately \$200 million over 10 years.
- C. That the 2015 Community Perception Survey by Jetty Research, which surveyed over 1,200 northern beaches residents, form part of the consultation with the community.
- D. That the report '*Local Government Structural Change Options Analysis – Supplementary report*' (SGS, February 2015), a supplementary study to the SGS report of September 2013, form part of the consultation with the community.
- E. That Council note that a meeting has occurred with Ku-ring-gai Council and have advised

that they are in discussions with Hornsby Council, however they wish to continue strategic cross-regional work with Warringah.

- F. That a Council poll be undertaken at the next election on any proposals regarding amalgamations.

VOTING

For the amendment: Crs De Luca and Giltinan

Against the amendment: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

LOST

NOTE: With the permission of the Mover and Seconder the original motion was amended to read 'Options' in Point A as below:

020/15 RESOLVED***Cr Menano-Pires / Cr Gobert***

- A. That Council engages with the community about the options of one Northern Beaches Council in recognition that the northern beaches is a distinct community with similar values, interests and needs that cross current council boundaries.
- B. That Council notes that new research shows that one Northern Beaches Council could save approximately \$200 million over 10 years.
- C. That the 2015 Community Perception Survey by Jetty Research, which surveyed over 1,200 northern beaches residents, form part of the consultation with the community.
- D. That the report '*Local Government Structural Change Options Analysis – Supplementary report*' (SGS, February 2015), a supplementary study to the SGS report of September 2013, form part of the consultation with the community.
- E. That Council note that a meeting has occurred with Ku-ring-gai Council and have advised that they are in discussions with Hornsby Council, however they wish to continue strategic cross-regional work with Warringah.

VOTING

For the resolution: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Crs De Luca and Giltinan

CARRIED

ITEM 17.4	RESPONSE TO QUESTION TAKEN ON NOTICE NO 23/2020 - COST OF CODE OF CONDUCT COMPLAINTS
TRIM FILE REF	2020/792528
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 15 December 2020 from: Councillor Rory Amon

QUESTIONS

Please confirm the total cost of dealing with Code of Conduct complaints from:

1. 1 September 2017 to 31 August 2018
2. 1 September 2018 to 31 August 2019

RESPONSE

The cost of dealing with Code of Conduct complaints about councillors and the CEO (as reported to the OLG):

- | | |
|---------------------------------------|--|
| 1. 1 September 2017 to 31 August 2018 | \$37,418 (may not include staff costs) |
| 2. 1 September 2018 to 31 August 2019 | \$148,788 (includes staff costs) |

ITEM 17.5	RESPONSE TO QUESTION TAKEN ON NOTICE NO 24/2020 - CONSTITUTIONAL REFERENDUM
TRIM FILE REF	2020/792570
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 15 December 2020 from: Councillor Vincent De Luca
OAM

QUESTIONS

1. When was OLG Circular 19-23 *Constitutional Referendums and Polls*, received by Council?
2. Was it acted upon?

RESPONSE

On 24 September 2019, Council resolved (292/19) to advise the NSW Electoral Commission that a ward boundary alteration was not required.

The OLG Circular 19-23 *Constitutional Referendums and Polls* which addressed, among other things, ward boundary reviews, was received by Council on 30 September 2019. The ward boundary review had already been acted upon and the other matters contained within the circular were considered changes that would be driven by councillors via notices of motions.

ITEM 17.6	RESPONSE TO QUESTION TAKEN ON NOTICE NO 01/2021 - DESTINATION NORTHERN BEACHES RECOVERY PLAN
TRIM FILE REF	2021/024494
ATTACHMENTS	NIL

Taken on notice at the Extraordinary Council meeting on 12 January from: Councillor Rory Amon

QUESTION

In respect of the Destination Northern Beaches Recovery Plan, my understanding was that notwithstanding the public exhibition of the plan, there were items in it which were otherwise being implemented in the ordinary course. Have any of those recommendations been made? For example, how is the Hello Manly website going? Has it been updated? What has the traffic to the website been? Are any of those things being implemented or how are they going?

RESPONSE

At this stage, feedback from community consultation on the Destination Management Plan (DMP) is still being received and comments reviewed as the closing date was extended until 14 February 2021 due to the impact of COVID.

The final DMP, the Two Year Action Plan and recommendations to Council are in progress and will be presented to Council at the 23 March 2021 meeting.

In response to the impact of COVID on the local tourism and small business sectors since early 2020, Council has delivered a range of support initiatives in collaboration with key community stakeholders including the local Business Chambers. Some of the operational projects were aligned with the broader recommendations in the Two-Year Recovery Plan. This includes:

- Local community social media campaign – targeting residents to support the local industry featuring; Last minute gift ideas to support local businesses, Explore your own backyard this summer, and Shop local Christmas
- Promoting COVID-safe visitor experiences to regional NSW through social media campaigns in 2020 for the June Long Weekend, winter school holidays and summer Christmas holidays. These campaigns were in line with the COVID travel restrictions at that time
- Supporting expansion of COVID-safe outdoor dining and fee waivers from March 2020
- Streets and Shared Spaces pilot initiatives held late 2020
- Improved communication with the local tourism sector, including fortnightly Business e-newsletters and tourism specific updates.
- Building local industry capacity through a Tourism Mentoring Program which has commenced in February 2020 and networking with Destination NSW through industry specific webinars.

Hello Manly website

Recently new content was added including information on a number of local sites such as Collins Beach, Forty Baskets, Tania Park and others. Work is also progressing on a creating a series of blogs aimed at increasing visitation to the website.

The most viewed pages on the Hello Manly website in January 2021 were:

- Manly food deals and specials
- Top 15 picnic spots

- Best places to SUP.

Hello Manly Website – data for 2020

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Sessions (Visits)	14,633	11,494	10,451	4,133	5,200	15,528	9,353	7,140	8,661	9,704	8,712	10,457
Users	12,696	9,834	8,257	3,736	4,677	13,305	7,837	5,859	7,093	8,148	7,282	9,141
New Sessions	88%	86%	81%	92%	92%	90%	88%	87%	86%	87%	87%	89%
Page views					8,426	22,638	14,160	11,785	15,382	15,875	14,767	15,689

This work is scheduled within the current operational work plan and budget and does not include proposed recommendations in the DMP for developing other key digital assets to support visitation to the Northern Beaches.

ITEM 17.7

**RESPONSE TO QUESTION TAKEN ON NOTICE NO 02/2021 -
NUMBER OF STAFF IN MANAGEMENT POSITIONS AND
SALARIES**

TRIM FILE REF	2021/026099
ATTACHMENTS	NIL

Taken on notice at the Extraordinary Council meeting on 12 January 2021 from: Councillor Vincent De Luca OAM

QUESTIONS

1. Could you please advise how many executive managers this Council now has, have they increased or decreased? I understand it was 23 at the last time of report, costing \$6,222,578.
2. Could you also please advise that this council still has 94 managers and team leaders amounting to a cost of \$15,375,114 and have these increased or decreased and what is the projected cost of those 94 managers and team leaders over the next year?
3. Could you also please confirm that this Council has doubled its three directors to six upon your arrival and that those directors are costing over \$2.4 million and whether that amount has increased?
4. Mr CEO, in view of numerous other councils cutting salaries to their workers, their bureaucracy, as well as mayors and councillors to provide for savings to the community why do you continue to refuse to do so?

RESPONSES

1. Council continues to employ 23 executive managers. The 2020/21 budgeted amount for salaries and oncosts is \$6,183,693 as reported to Council in August 2020.
2. Council currently employs 92 managers. Since the August report three manager roles have been abolished and one new manager role has been established. The 2020/21 budgeted amount for salaries and oncosts is \$15,831,375 and remains unchanged since the August 2020 report. The reforecast cost for salaries and oncosts will be adjusted to \$14,608,425.
3. Council employs six Directors. The 2020/21 budgeted amount for salaries and oncosts is \$2,218,566 as reported to Council in August 2020.
4. Council continues to comply with the Local Government (State) Award 2020 and to honour its Contract of Employment with staff, it has not taken steps to renegotiate contract conditions and salaries, and will continue to comply with Award conditions and rates of pay.

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. 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 Alternative Procurement Process - Works on Public Assets at Collaroy Narrabeen Beach 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/provides advice concerning the procurement of construction works at Collaroy-Narrabeen beach. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would confer a commercial advantage and/or prejudice the position of a business that Council is proposing to engage.

- b. Item 18.2 RFT 2020/002 - Narrabeen Lagoon Pedestrian and Cycle Bridge on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning tenders for works from external parties. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would make public information which is commercial in confidence and would prejudice the commercial position of the tenderers.

- c. Item 18.3 RFT 2020/161 - Renewable Electricity Procurement on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning specific electricity contract details including pricing. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would make public confidential details of the contract.

2. 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.
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19.0 CONFIDENTIAL ITEMS RESOLVED BY EXCEPTION

20.0 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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