



Chapter 14 - Avalon Beach

Prepared by Pittwater Council, 18 February 2013

DRAFT - Updated by Northern Beaches Council, May 2019

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14.1 INTRODUCTION

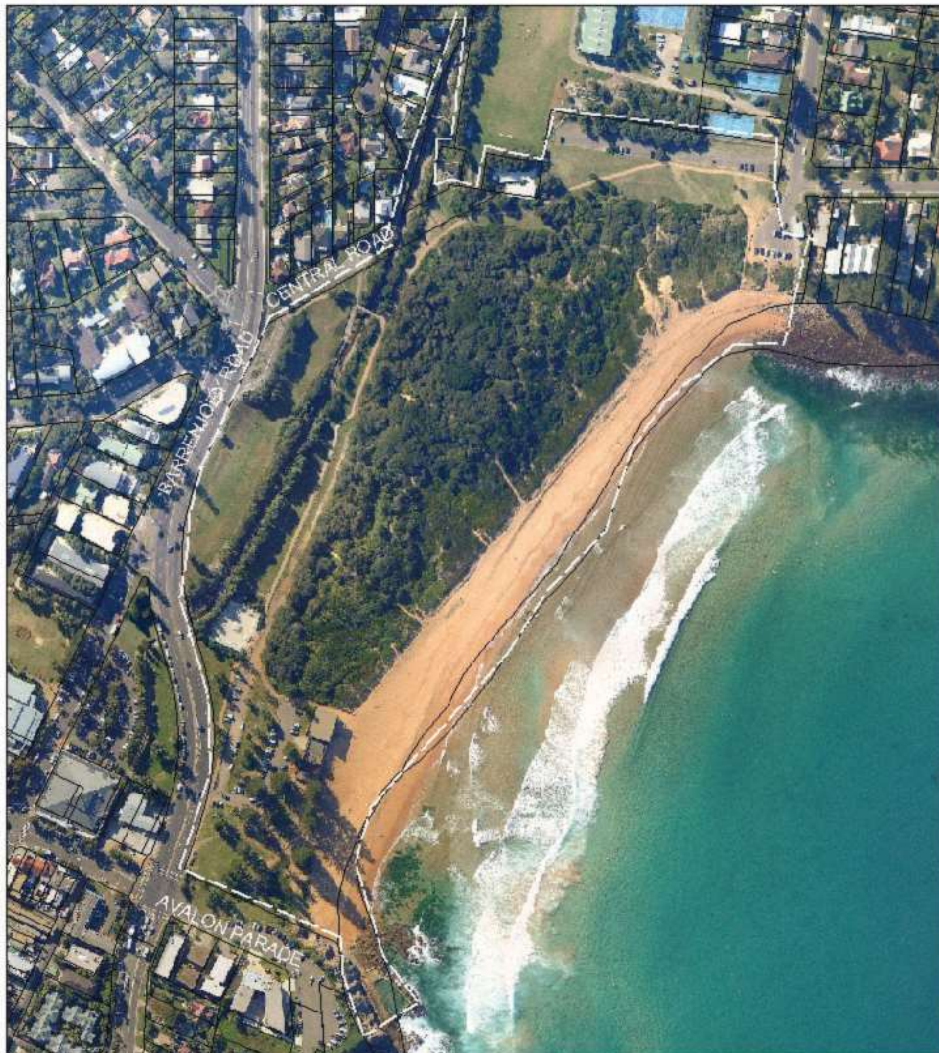
14.1.1 LOCATIONAL CONTEXT OF AVALON BEACH

Avalon Beach lies east of Clareville, between Whale Beach to the north and Bilgola to the south.

Avalon Beach is located in the suburb of Avalon Beach, having been renamed from Avalon, as assigned 20 January 2012.

Figure 14-1 shows the area covered within this Plan of Management, illustrating the Reserve boundary and adjoining land uses. The beach is bounded by Barrenjoey Road to the west.

Figure 14-1 | Avalon Beach – Boundary Map



The management area covered by this plan of management is shown by the white dashed line. It should be noted that this line is an indicative boundary only, particularly the seaward boundaries given the ambulatory nature of high and low mean water marks.

Avalon Beach village shopping centre is located within walking distance of the southern end of the beach. Other adjoining and nearby land uses include Maria Regina Primary School, Barrenjoey High School, Barrenjoey Montessori School, a fire- station and pumping station.



The study area incorporates Avalon Beach and Avalon Surf Life Saving Club, rock platforms, a rock pool and sand dunes. Surrounding parklands consist of Avalon Beach Reserve which contains the access road and vehicle parking areas, a skate park, a fenced off leash dog exercise area, a small playground and a picnic area. Separated at the northern end of the beach is Des Creagh Reserve, which provides road access parking and a small area of parkland.

14.1.2 HISTORY OF AVALON BEACH

The early land grants in the Avalon area were to John Farrell in 1827 and Father John Joseph Therry in 1833. In 1921 Arthur J. Small instigated the subdivision of the Avalon area and funded public amenities including Palmgrove Park and the golf course and he named the area 'Avalon'.

The Avalon Beach SLSC was established in 1925 with the original financed by A. J Small. The former SLSC building dating from 1961 was rebuilt in 2014.



Avalon Beach in the 1920s showing the location of the original surf club building, Norfolk Island Pine Trees, the dunes and the kiosks. (Source: Avalon Historical Society).

A.J. Small planted the Norfolk Island Pine trees (*Aracaria hetrophylla*) along the beachfront. Norfolk Island Pine trees are endemic to Norfolk Island. They appealed to earlier settlers due to their distinctive appearance and coniferous shape. In 1816 Mrs Macquarie, wife of Governor Macquarie planted a Norfolk Island Pine tree in the Demesne (Domain). Norfolk Island Pine trees continued to be planted during the twentieth century. Their presence in coastal areas is further linked to their ability to withstand salt and wind.

Avalon Beach is widely documented to be the first place in Australia where modern malibu surfboard riding was displayed in November 1956, contributing to the Australian coastal culture. This eventuated from the American and Hawaiian lifesavers visiting Avalon to compete in the local carnival when they first arrived for the demonstration sport with the 1956 Olympics. From this event the lifesaving movement in England established itself with the surfboard industry also being started due to 4 lifesavers from the club going over for lifeguard positions. The rubber ducky also could be said to have been a result of that day. A very successful commemoration of this event was conducted between the board riding and surf lifesaving communities 50 years later in the Surf Club. This has assisted with the very good relationships between all the surfing fraternities at the beach.



The large dune to the north was removed (mined) in the 1960s to supply Sydney's building market. Mining was stopped due to local opposition to the loss of the dunes. The Soil Conservation Service reshaped the remaining sand and dunes (not the north-west area) and divided the dunes into 'paddocks' fenced the area and installed walkways.

Avalon beach in 1964. The mining for sand was from the area in the bottom right hand side of the photo. Tracks and machinery can be seen in this location. (Source: Avalon Historical Society).

There is no record of the plants used during the dune stabilisation work. An article in the Soil Conservation Journal stated that several local native dune plants had been planted, and some non-native species but it didn't name them - possibly Bitou was among them as it had been in use to stabilise beaches after sand mining along the coast in the 1960s. Regardless of whether Bitou was planted or not, by the late 1980s Avalon dunes were 80% covered in Bitou.

Since 1989, the dunes have undergone a remarkable renewal and rehabilitation, with weeding and planting, largely undertaken by the *Friends of the Avalon Dunes Dunecare group* assisted by several grants, and works by Warringah, Pittwater and then Northern Beaches Councils.

Many people who remember the dunes in the 1960s think they were much higher but this is probably not the case. The dunes look very different now covered in thick vegetation compared to looking up a hill of sand. Since rehabilitation a lot of sand has been captured by dune vegetation on the foredunes.

The story of the restoration project is available in *Avalon Dunes: Restoring a Metropolitan Dune System*, by NSW Environmental Trusts and Friends of Avalon Dunes Dunecare Group. Publisher: the Friends, 1995.



Avalon in the early 1960s. (Source Avalon Historical Society).

Since the previous Plan of Management for Avalon Beach was adopted by Pittwater Council in 2013, the rebuilt Avalon Surf Life Saving Club was opened on 31 August 2014.

The landscaping in the masterplan for Avalon Beach has been implemented.

Northern Beaches Council trialled a fenced off leash dog exercise area at the north-western section of Avalon Beach Reserve in 2017-18. The trial was successful, so the off leash dog exercise area was made permanent in April 2019.

14.1.3 DESCRIPTION, USE AND CONDITION OF AVALON BEACH

Avalon Beach is a surfing beach. The beach is patrolled by Avalon Beach Surf Life Saving Club members and Council lifeguards during the summer season.







The northern end of Avalon Beach has a unique local character with its expansive view over the beach and dunes as well as the bush- clad hills beyond. This location is popular with local surfers because it offers protection from the dominant north-easterly winds in summer.




The use and condition of the areas and facilities at Avalon Beach are outlined below.

Table 14-1 | Use and condition of Avalon Beach





Description	Uses	Condition	Images
1 North Avalon amenities building			
Male and female toilets in the amenities building at the northern end of Avalon Beach cater for people using North Avalon Beach and Des Creagh Reserve. An outdoor shower is also provided. Murals have been painted on the exterior of the building.	Changing, public amenities	Good	
2 Northern carpark and beach access			
The eastern steps leading down to the beach from the carpark have been landscaped with sandstone faced terraces, and some seating is provided. Bike racks and bins are provided. A stormwater outlet located at the base of these steps seriously affects the amenity and recreational use of this area after storms and rain periods. During and after rain periods or storms, the stormwater outlet near the base of the North Avalon beach steps, scours the beach face and creates potential health risks.	Vehicle parking, beach access	Good	 
3 Des Creagh Reserve			
Des Creagh Reserve is located at the northern end of the beach. It is a flat open grassed area with no shade trees and few facilities; however, it provides an informal recreation area adjacent to the Barrenjoey Montessori School and Barrenjoey High School.	Picnics, informal recreation, outdoor cinema	Good	 

Description	Uses	Condition	Images
4 Car park			
Des Creagh Reserve includes a 46 space sealed car park	Access to the beach, Barrenjoey Montessori School and occasional access to Barrenjoey High School	Very good	
5 Pathway network			
An open lineal shared pedestrian/ cycle corridor known locally as the 'Yellow Brick Road' connects the southern reserve road entry area to North Avalon Beach and car park at Tasman Road. This area is divided and dominated by the Careel Creek concrete drainage channel. The area is hot in summer because it is devoid of shade trees and the dunes block the sea- breezes.	Walking, cycling	Very good	
6 Avalon Dunes			
The sand dunes are located north of the SLSC building and extend behind the majority of the beach to Des Creagh Reserve.	Protective barrier and a significant backdrop to the beach.	Good	
Formed walkways, some with wooden rails, are provided through the dunes with protective fencing.	Pedestrian access to the beach	Good	
7 Careel Creek			
Careel Creek is a concrete drainage channel as it drains through Avalon Beach Reserve.	Drainage	Adequate	

Description	Uses	Condition	Images
Trash racks are located across the channel between the Yellow Brick Road access pathway and the off leash dog exercise area	Gross pollutant trap	Good	
Footbridges across Careel Creek provide pedestrian access between the western reserve and the east.	Pedestrian access	Southern steel footbridge to be replaced. Northern wooden footbridge adequate	 
8 Western Reserve area			
Fenced off leash dog exercise area with tap and dog drinking bowl	Off leash dog exercise	Good	
Unmarked grass netball courts with goal posts. Sealed netball courts are proposed to be constructed in this area.	Netball training, informal recreation	Poor	
9 Skateboard park			
On the western side of the car park is the Avalon Skate Park, comprising a concrete bowl, ramps and rails for all skill levels.	Well used by local young people for skateboarding, scootering, in-line skating, BMX cycling.	Very good	

Description	Uses	Condition	Images
10 Central Reserve			
Informal unsealed parking areas ease parking overflow. This area is subject to drainage problems and conflict with existing tree and dune planting.	Vehicle parking	Poor	
Sealed netball courts are proposed to be constructed in this area.	Overflow vehicle parking	Good	
11 Car park reserve area			
Grassed area with picnic table and access paths / steps	Informal recreation	Good	
12 Southern carpark			
This area forms the vehicle entry point to Avalon Beach and Avalon Beach Reserve.	Vehicle parking	Good	
The southern car park is surfaced and line marked adjacent to the SLSC building, accommodating approximately 35 cars. The lower section adjacent to the shared path and skate park is also formalised and sealed.	Vehicle parking	Very good	
The car parks adjoining this area can be hazardous for pedestrians, specifically at the entrance off Barrenjoey Road and in particular during peak periods.			
Public art has been incorporated into bollards in the southern carpark.	Separation of carpark and landscaping	Good	

Description	Uses	Condition	Images
13 Avalon Surf Life Saving Club			
The Avalon Beach SLSC Building is located on the beach frontage of South Avalon Beach. The building incorporates a Club Lounge, Club Room/Community Function Space, Hall of Champions, caretakers flat, meeting room, offices, restaurant and cafe, club and public amenities, gym, nippers canteen, lifeguard room, and extensive storage areas for rescue equipment, surf boats and boards. The building is naturally ventilated, highly insulated, uses minimal energy, and collects its own rainwater and solar power.	Club and community activities, functions, residence, meetings, storage	Excellent	 
14 Avalon Beach Reserve			
The grassed area adjacent to the SLSC building includes seating, picnic settings, children's play equipment, sandstone seating, flagpole, litter bins, bubblers, outdoor showers / taps, bike racks, and lighting.	Picnics, children's play, relaxing, ceremonies	Equipment, furniture and landscaping are fit for purpose. Grass areas are worn.	  
15 Corner Barrenjoey Road and Avalon Parade			

Description	Uses	Condition	Images
The corner of Barrenjoy Road and Avalon Parade is an unlandscaped grassed area.	Pedestrian access to the surf club and beach from Avalon Village and the bus stop	Good	
16 South Avalon Beach			
The southern area of the reserve at the base of the headland provides the main focus for access to the beach and rock pools. The dunes do not extend into this area, therefore it is exposed to strong winds and erosion. The existing mature Norfolk Island Pine trees are threatened by the coastal conditions.	Recreational activities, surf club events, access to the rock pool	Poor	
17 Avalon Rock Pool			
The rock platform at the southern extent of the beach accommodates a rock pool which is divided into a larger 25 metre swim pool and smaller children's pool 7 metres in length.	Swimming, access to the surf	Adequate	
18 Headland			
A headland forms the southern end of the Reserve, bounded by car parking along Avalon Parade / Surfside Avenue. The headland provides an excellent vantage point to view the surf beach and coastal panorama. A low post and rail fence provides a barrier to the street along the cliff edge.	Enjoying views	Naturally eroding	

14.1.4 PROCESS OF UPDATING THIS PLAN OF MANAGEMENT

Community engagement undertaken during preparation of the 2013 Plan of Management included:

- A community meeting held on 18 November 2012
- Several stakeholder meetings held in November 2012 and January 2013, with Friends of Avalon Dunes Dunecare group, Avalon Chamber of Commerce, Avalon Historical Society, NASA and north Avalon residents.

Issues raised at the meetings and submissions received were taken into account during preparation of the draft Plan of Management, which was placed on public exhibition for comment. Pittwater Council adopted the Plan of Management on 18 February 2013.

Since adoption, Northern Beaches Council has undertaken community engagement for several projects proposed for Avalon Beach Reserve and Avalon in general.

In May-June 2017 Council sought community feedback on a proposed trial of an off leash dog exercise area in the north-west section of Avalon Beach Reserve. Council resolved to proceed with the trial which was successful, and in April 2019 resolved to make the off leash area permanent.

The Northern Beaches Sportsgrounds Strategy 2017 identified the need for netball courts for training in Avalon. Council engaged with Pittwater Peninsula Netball Club, Northern Breakers Netball Club, Manly Warringah Netball Association, Avalon Public School, the Avalon Place Plan Working Group, and Avalon Beach SLSC about hard surface netball courts proposed to be located on the western side of Avalon Beach Reserve. Feedback from these stakeholders informed the concept plan for three netball courts and a multi-purpose netball-basketball court in Figure 14-6.

Community engagement activities for the *My Place: Avalon* project in May to July 2018 included various suggestions for additional community uses of Avalon Beach, such as for outdoor cinema.

Community feedback on this Draft Plan of Management will be invited during the public exhibition in mid 2019, and via a public hearing into the proposed recategorisation of part of Avalon Beach Reserve from Park to Sportsground to facilitate construction of the netball/basketball courts.

14.2 BASIS FOR MANAGEMENT

14.2.1 PLANNING CONTEXT

The key legislative context of Avalon Beach Reserve is shown in **Table 14-2**.

Table 14-2 | Avalon Beach Planning Context

NSW	
Legislation	Local Government Act 1993 Local Government (General) Regulation 2005 Crown Land Management Act 2016 Environmental Planning and Assessment Act 1979 Coastal Management Act 2016 State Environmental Planning Policy (Infrastructure)
Metropolitan	
	A Metropolis of Three Cities: The Greater Sydney Region Plan
Regional	
	North District Plan
Northern Beaches Council	
Land use	Pittwater Local Environmental Plan 2014 Pittwater 21 Development Control Plan: D1 Avalon
Corporate	SHAPE 2028 <ul style="list-style-type: none"> • Delivery Plan • Operational Plan Policies
Strategic	Pittwater Public Space and Recreation Strategy Northern Beaches Sportsground Strategy 2017 My Place: Avalon – draft Northern Beaches Social Infrastructure Strategy (Draft)
Management /Operational	Pittwater's Ocean Beaches Plan of Management 2005 Chapter 14 Avalon Beach
Supporting documents	Asset management plans Maintenance plans

14.2.2 LAND OWNERSHIP

Refer to **Figure 14-2** for Ownership Map.

Council owned land is described as:

- Lot 202 DP 1107408
- Lot 2 DP 607010
- Lot 3 DP 322514 (part of)
- Road Reserve (part of) – Avalon Parade

The sand area of Avalon Beach is vacant Crown Land reserved from sale or lease as contained in Regional Crown Reserve R1012329 (RCR). The RCR also contains the intertidal zone, rock pool (and submerged lands to the three nautical miles State territorial limits).

Figure 14-2 | Land Ownership Map



14.2.3 ZONING

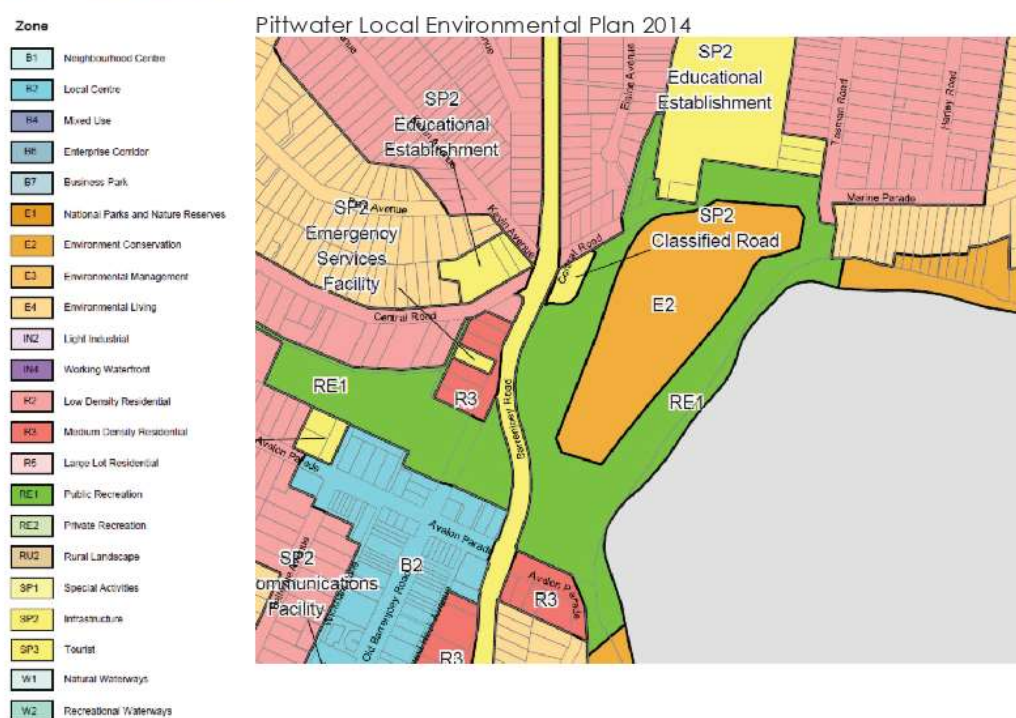
Figure 14-3 shows the sand area of Avalon Beach and Avalon Beach Reserve are zoned RE1 Public Recreation.

The sand dunes are zoned E2 Environmental Conservation.

A small section of land zoned SP2 Classified Road extends along Barrenjoey Road and Central Road in the northwest corner.

Permissible land uses in each zone are incorporated in **Table 14-4**.

Figure 14-3 | Zoning Map



14.2.4 LAND CATEGORISATION

Community and Crown land is required to be categorised under the *Local Government Act 1993*.

Avalon Beach is categorised as Natural Area – Foreshore and Watercourse, General Community Use, Park and Sportsground.

Refer to **Figure 14-4** for the categorisation map.

The guidelines and core objectives for each category are in **Table 14-3**.

Figure 14-4 | Categorisation Map



Table 14-3 | Categorisation of Avalon Beach

Category	Guidelines for categorisation	Core objectives for categorisation
Natural Area	If the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the Act.	<ul style="list-style-type: none"> conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area. maintain the land, or that feature or habitat, in its natural state and setting. provide for the restoration and regeneration of the land. provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion. assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>NSW Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i>.
Under Section 36(5) of the Act, Natural Areas are required to be further categorised as bushland, wetland, escarpment, watercourse or foreshore based on the dominant character of the natural area.		
Natural Area – Foreshore	Land that is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.	<ul style="list-style-type: none"> maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.
Natural Area – Watercourse	Land which includes: <ul style="list-style-type: none"> (a) any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and (b) associated riparian land or vegetation, including land that is protected land for the purposes of the <i>Rivers and Foreshores Improvement Act 1948</i> or State protected land identified in an order under section 7 of the <i>Native Vegetation Conservation Act 1997</i>. 	<ul style="list-style-type: none"> manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability restore degraded watercourses promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

Category	Guidelines for categorisation	Core objectives for categorisation
General Community Use	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<ul style="list-style-type: none"> • promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to: <ul style="list-style-type: none"> - public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public. - purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).
Park	Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> • encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and • provide for passive recreational activities or pastimes and for the casual playing of games, and • improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
Sportsground	If the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> • encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games. • ensure that such activities are managed having regard to any adverse impact on nearby residences.

14.2.5 LEASES, LICENCES AND OTHER ESTATES

Current

Use agreements (leases, licences and other estates) for use of Avalon Beach are subject to the requirements of the *Local Government Act 1993* and *Crown Land Management Act 2016* as applicable.

The only lease currently applicable to Avalon Beach is between Council and Surf Life Saving Australia for part of the Avalon Surf Life Saving Club building for a period of 21 years from 19 July 1999 to 18 July 2020.

The western side of the building, which accommodates the Avalon Beach public facilities (showers, change area and toilets) is not subject to the lease.

This Plan of Management authorises renewal of the lease of the surf club building for surf life saving and associated activities beyond the lease expiry in July 2020.

This Plan of Management also authorises a lease with Council with separate arrangements for commercial tenants for suitable use(s) of the building.

Proposed

This Plan of Management authorises the leasing, licensing or granting of any other estate over Avalon Beach for any commercial activity that results in a diverse range of recreational activities or an activity that is deemed to be of community benefit being provided in the area.

Proposed leases at Avalon Beach include, but do not preclude, any future leases at this location:

- Avalon Beach food & beverage outlets. The proposals:
 - (i) will be consistent with the use of the open space for recreational purposes;
 - (ii) will enhance the public use of the open space; and
 - (iii) be generally in accordance with the concept plans within this Plan of Management.
- Community use. Council may lease, license or hire areas of the SLSC building to community groups and associations. Proposals must be for the community benefit and may take the form of singular or recurrent bookings.

14.2.5 PERMISSIBLE USES AND DEVELOPMENTS

The permissible and prohibited activities and developments in the subject reserve area, and the scale and intensity of use and development, are detailed in **Table 14-4** – Avalon Beach Permissible Uses Table.

Such uses are consistent with the applicable land use zoning and category of community land.

Any proposed uses or development and building works that are permitted only with Development Consent (consistent with the uses listed in the Permissible Uses Table) would be subject to the normal Development Application process required by Council in accordance with the *Environmental Planning and Assessment Act 1979*.

Certain activities are subject to Council Permit approvals, in accordance with the relevant Council Policy. A summary of relevant Policy documents and the activities applicable, but not limited to, is detailed below:

Northern Beaches Council

- Storage of Watercraft on Council Foreshores
- Asset Management Policy
- Beach Parking Permits
- Waste Minimisation for Functions and Events Approved by Council

Pittwater Council

- Council Policy No 24 – Professional Lifeguard Service:
 - Surf Life Saving Activities & Events
- Council Policy No 30 – Dog Control

– dogs are prohibited on beaches

- Council Policy No. 52 – Surf Life Saving Movement
 - Minimum standards for surf club buildings
 - Activities and administrative arrangements
 - Identifying SLS / public buildings on beach reserves
- Council Policy No 88 Beach & Rockpool Management Policy:
 - Beach and Beach Reserves
 - Beach Rockpools and Baths
 - Regulations for the use of Public Bathing Reserves
 - Beach Usage Fees
 - Management of Commercial Activities on Beach Reserves – commercial filming, corporate functions, powerboat racing, fireworks, surf contests
 - Beach Compliance
 - Charges relating to the release of Impounded Equipment
 - Vehicles / Quad Bikes / All Terrain Vehicles on Beach Reserves
- Council Policy No 93 Reserves, Beaches & Headlands Booking Policy:
 - Social, sporting, community and commercial events i.e. weddings, charity events, fireworks
 - Lease Agreements
- Council Policy No 98 Helicopter Landings on Council Owned and Controlled Property:
 - To define conditions for the use of helicopters undertaking civil operations.
 - To control the environmental impacts and public risks associated with helicopters
- Council Policy No 120 – Open Air Concerts
- Council Policy No 129 Signs - Council's Facilities:
 - Determine appropriate signage
 - Manage risks and minimise exposure to public liability
- Council Policy No 157 – Plaques in Parks and Reserves
- Council Policy No 163 – Banners on Public Land
- Council Policy No 169 – Open Air Cinema Events on Council Controlled Land
- Council Policy No 175 - Liquor Licensing Applications
- Council Policy No 176 – Climate Change Policy
- Council Policy No 186 – Risk Management for Coastal Public Buildings and Assets Policy

Table 14-4 | Avalon Beach Permissible Uses Table

Without Development Consent Permissible Uses 'exempt' development (these may require approval under the EPA Act 1979 and/or Council Permit and/or referral to Council)	Permissible Uses Requiring Development Consent Including but not limited to the following:	Prohibited Including but not limited to the following:
<p><u>Advertising</u> (temporary) in accordance with Council's DCP</p> <p><u>Alcohol-free zones</u> requiring consent of Council and consent of relevant committees. Consumption of alcohol in alcohol-free zones (providing appropriate signposting eg. 'the consumption of alcohol is prohibited without the express permission of Northern Beaches Council' is in existence</p> <p><u>Beach and Rockpool Management</u> (in accordance with Council Policy No. 88)</p> <p><u>Booking Policy – Reserves, Beaches & Headlands</u> No. 93. – to allow, but control the impact of group activities.</p> <p><u>Building identification signs</u></p> <p><u>Car parking area (sealed or unsealed)</u> ancillary to use of the community land (in accordance with Masterplan and Management Strategy/Works Program)</p> <p><u>Environmental Protection Works</u></p> <p><u>Feral Animal Control and Eradication</u> (treat as required)</p> <p><u>Filming and Professional Still Photography</u> will be allowed with Council permission and in accordance with Council conditions.</p> <p><u>Fire Hazard Reduction Activities</u> in accordance with legislative</p>	<p><u>Major Works / Permanent Structures</u> – generally in accordance with Masterplan and Management Strategy, including but not limited to:</p> <ul style="list-style-type: none"> Major buildings / structures Provision of food and beverage outlets including ancillary support facilities Telecommunications / mobile telephone transmission facility or tower <p><u>Recreation areas</u></p> <p><u>Recreation facilities (outdoor)</u></p> <p><u>Restaurants or cafes</u></p> <p><u>Signage</u></p> <p><u>Take away food and drink premises</u></p> <p><u>Temporary Activities</u></p> <p><u>Water recreation structures</u> <u>Certain activities</u> i.e. surf club</p>	<p>Any purpose other than a purpose for which development may be carried out without development consent or only with development consent.</p> <p>Development and temporary activities or events, leases, licenses and other estates not consistent with the Local Government Act core objectives for (where applicable):</p> <ul style="list-style-type: none"> natural area park general community use sportsground <p>or Northern Beaches Council's goals for this reserve</p> <p>Prohibited Activities:</p> <ul style="list-style-type: none"> Advertising (permanent) Agriculture Alcohol consumption

Without Development Consent Permissible Uses 'exempt' development (these may require approval under the EPA Act 1979 and/or Council Permit and/or referral to Council)	Permissible Uses Requiring Development Consent Including but not limited to the following:	Prohibited Including but not limited to the following:
<p>requirements.</p> <p><u>Food Premises</u> (in accordance with Council Policy No 29).</p> <p><u>Helicopter landings</u> if consistent with the core objectives of the park, for emergency purposes and/or with the approval of the Northern Beaches Council Chief Executive Officer (in accordance with Council Policy No 98)</p> <p><u>Horticulture</u></p> <p><u>Lease Agreements</u></p> <p><u>Liquor Licensing Applications</u> (in accordance with Council Policy 175).</p> <p><u>Maintenance / minor works</u> – in accordance with the Masterplan & Management Strategy / Works Program, including but limited to the following:</p> <ul style="list-style-type: none"> • bush regeneration and land / habitat restoration works (including temporary access and storage of materials for work, minor excavation & levelling, grading, installation of protective fencing and weed removal) • children's playground equipment and structures dune stabilisation and foreshore protection measures • earthworks to construct structures (including filling, levelling, grading and topdressing) • fencing including security, childproof, protective and temporary fencing • multi-use pathways and tracks (other than for motor vehicles) footpaths, cyclepaths, boardwalks, minor footbridges, steps, ramps land restoration works, including mounding 	<p>events and competitive ocean swims are subject to Council approval and Permits. A D.A is required when the:</p> <ul style="list-style-type: none"> • number of participants and / or spectators on any one-day of an event exceeds 2000; • activities occur outside the period of 6.30am to 11.30pm; and • activities or temporary facilities occur over a total of more than 14 continuous days 	<p>between 8pm and 8am in Avalon Beach Reserve and Des Creagh Reserve.</p> <p>Part of Avalon Beach Reserve is contained within Alcohol Free Zones. See Appendix 1.</p> <p>Note: The building occupied by Avalon Beach Surf Life Saving Club is excluded from the Alcohol Prohibited Area.</p> <ul style="list-style-type: none"> • Animals on the beach, except Guide Dogs for the visually impaired • Domestic drainage outlets • Extractive industries (excepting fishing with permit) • Gaming • Obstructing access or leaving goods in dangerous condition • Private alienation or encroachment onto the reserve • Private vehicular access to

Without Development Consent Permissible Uses 'exempt' development (these may require approval under the EPA Act 1979 and/or Council Permit and/or referral to Council)	Permissible Uses Requiring Development Consent Including but not limited to the following:	Prohibited Including but not limited to the following:
<ul style="list-style-type: none"> landscaping works, including garden beds, laying turf and re-turfing lighting of reserve, including floodlighting of beach areas for beach related activities drainage, stormwater, erosion and sediment control works park furniture i.e. seating, bins, shade structures, outdoor showers and shelters viewing platforms / decks <p><u>Overflow vehicle parking</u> on a temporary basis for special events, large film shoots, etc.</p> <p><u>Professional Lifeguard Service</u> No 24.</p> <p><u>Public art</u></p> <p><u>Recreational equipment hire</u> eg. Bicycles, non-powered watercraft, umbrellas, banana chairs, locker storage equipment, etc.</p> <p><u>Temporary activities</u> require a casual booking or permit from Council, or a licence under the Local Government Act 1993 and Crown Lands Management Act 2016. Note: certain activities i.e. surf club events and competitive ocean swims may be subject to relevant authority approvals.</p> <p><u>Council Permit</u> approval subject to temporary activities satisfying all of the following criteria:</p> <ul style="list-style-type: none"> number of participants and / or spectators on any one-day of an event does not exceed 2,000; activities do not occur outside the period of 6.30am to 11.30pm; and 		<p>adjoining lands</p> <ul style="list-style-type: none"> Recreational motor vehicles, including four-wheel driving, motorbike or trail bike riding, or similar, other than use for surf life saving and filming on a short term basis (in accordance with Council Policy No 88) Residential Storage of watercraft or equipment below Mean High Water Mark (MHW/M) Unauthorised dumping of refuse including building materials, soil, fill, garden wastes and the like (other than importing of fill for permitted works) Vegetation removal not in accordance with Council's Tree Preservation and Management Order, or this Plan of Management.

Without Development Consent Permissible Uses 'exempt' development (these may require approval under the EPA Act 1979 and/or Council Permit and/or referral to Council)	Permissible Uses Requiring Development Consent Including but not limited to the following:	Prohibited Including but not limited to the following:
<ul style="list-style-type: none"> activities or temporary facilities do not occur over a total of more than 14 continuous days <p><u>Tourism in Pittwater</u> (in accordance with Council Policy No. 21).</p> <p><u>Pay Parking Facilities</u> (in accordance with Council Policy No 18). This Plan of Management authorises the charging of parking fees in accordance with Council's Beach Parking Permit Policy (as determined by Council) by automated ticketed parking systems.</p> <p><u>Risk Management for Coastal Public Buildings Assets in Pittwater</u> (in accordance with Policy No 186)</p> <p><u>Signage</u> – compliance, directional, interpretive, identification and safety (in accordance with Council Signs – Council Facilities Policy No. 129)</p> <p><u>Significant Tree Policy</u> No 118 – to protect large amenity trees with visual significance (such as the Norfolk Island Pine trees during construction works).</p> <p><u>Temporary Storage on Council Land</u> (in accordance with Council Policy No 84).</p> <p><u>Utility Installations</u></p> <p><u>Urban Stormwater</u> – Integrated Policy (in accordance with Council Policy No 69)</p> <p><u>Vehicular access</u> subject to Council approval (in accordance with Council Policy No 88)</p>		

Without Development Consent Permissible Uses 'exempt' development (these may require approval under the EPA Act 1979 and/or Council Permit and/or referral to Council)	Permissible Uses Requiring Development Consent Including but not limited to the following:	Prohibited Including but not limited to the following:
<p><u>Reserves, Beaches and Headlands Booking Policy</u> (in accordance with Council Policy No 93)</p> <p><u>Exempt Development</u> Only if, but limited to development that:</p> <ul style="list-style-type: none"> • is of minimal environmental impact complies with Pittwater LEP 2014 and Pittwater DCP 2014 • does not cause interference with the amenity of the neighbourhood i.e. noise, vibration, smell, fumes, smoke, waste products, grit or oil, or otherwise • does not restrict any vehicular (mobility vehicles only) or pedestrian access to or from the site. 		

14.3 ACTION PLAN FOR AVALON BEACH

14.3.1 MASTERPLAN

The attached Masterplan (refer **Figure 14-5**) for Avalon Beach was prepared in 2013 to illustrate the works and improvements to the beach and surrounds that are required to address key management issues and objectives. Some proposed works have been completed since that time. Remaining specific improvement works have been described in greater detail and are listed in the Action Plan in **Table 14-5**.

Figure 14-5 | Avalon Beach – Masterplan

master plan



notes

- 1 North Avalon Amenity Building
Monitor and repair the amenity building and surrounds as required. Having regard to public safety issues.
- 2 Northern Car Park and Beach Access
Car and general improvement of car park area as required (e.g. by demolition, road or surface works) to improve ground surface and drainage. Investigate and improve access to Car Park area. The car park area should be improved to provide a safe and secure environment for all users. The car park area should be improved to provide a safe and secure environment for all users. The car park area should be improved to provide a safe and secure environment for all users.
- 3 Don George Reserve
Plant and trees in a Don George Reserve area (e.g. planting, pruning, etc.) to improve the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 4 Car Park
Car and general improvement of car park area as required (e.g. by demolition, road or surface works) to improve ground surface and drainage. Investigate and improve access to Car Park area. The car park area should be improved to provide a safe and secure environment for all users. The car park area should be improved to provide a safe and secure environment for all users. The car park area should be improved to provide a safe and secure environment for all users.
- 5 Pathway network
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 6
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 7
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 8
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 9
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 10
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 11
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 12
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 13
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 14
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 15
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 16
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.
- 17
Investigate and improve the existing pathway network in the area. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users. The area should be improved to provide a safe and secure environment for all users.

14.3.2 ACTION PLAN

Table 14-5 below sets out desired actions to commence and complete desired works at Avalon Beach. It should be noted that the commencement and completion of works identified in the master plan are dependent on Council resources and funding.

Details about key actions listed below are in Section 14.3.3.

Priority:

High	1-2 years
Medium	3-4 years
Low	5 years +
Ongoing	as required

Table 14-5 | Avalon Beach Works Action Plan

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
1 North Avalon amenities building	Refurbish the North Avalon amenities building.	Medium	Transport and Assets	Refurbishment complete	Building report
	Undertake general maintenance of the amenities building.	Ongoing	Transport and Assets	Building standards met	Asset inspections
2 Northern carpark and beach access	Undertake general improvements of the car park – line marking, road surface repair (reseal).	Ongoing	Transport and Assets	Efficient parking	Inspections
	Install a picnic table on the grassed terraces.	High	Transport and Assets	Picnic table installed	Works program
	Install stone steps at the lower northern beach access.	Medium	Transport and Assets	Stone steps installed	Positive feedback from beach users
	Incorporate a small viewing platform and seating.	Low	Transport and Assets	Viewing platform and seating installed	Works program
3 Des Creagh Reserve	Plant shade trees i.e. <i>Banksia integrifolia</i> (10-15no).	High	Transport and Assets	Shade trees planted and thriving	Inspections
	Install new picnic furniture and supplementary reserve planting (shade trees).	High	Transport and Assets	Picnic area installed. Increase in picnicking in the reserve.	Observations
	Consider installing a small playground in the longer term.	Low	Transport and Assets	Decision made about installing a playground	Works program
4 Car park	Rejuvenate the existing carpark planting beds.	Low	Transport and Assets	Improved appearance and function of carpark planting beds	Observations
	Undertake general improvements of the car park – line marking /road	Low	Transport and Assets	Efficient parking	Inspections

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
	surface repair (reseal).				
5 Pathway network	Install lighting along paths (approx 5no)	High	Transport and Assets	Increase in actual and perceived safety of path users	Feedback from reserve users
	Re-grade and re-turf adjacent to the Sydney Water pumping station, and plant new trees.	Medium	Transport and Assets	Landscaping complete	Observations Work program
	Investigate extending the Yellow Brick Road, perhaps as part of the creek-line corridor.	Medium	Transport and Assets	Community support	Community engagement
6 Avalon Dunes	Prepare a works program for the dune system and surrounds.	High	Environment and Sustainability	Works program complete	Works program implemented
	Install interpretive signage where needed to discourage people from walking on the plants. Integrate signage into existing elements rather than using dominate signs on posts where possible.	Medium	Environment and Sustainability	Signage installed. Reduction in trampling of vegetation.	Photographs over time
	Stabilise the sand dune adjoining Des Creagh Reserve, re-fence the dune, and stabilise the main track leading to the beach.	Medium	Environment and Sustainability	Dune and track stable over time	Dune monitoring
	Revegetate the dune edge in the vicinity of the Central Reserve (currently vegetation in this area is over-mature).	Medium	Environment and Sustainability	Revegetation complete.	Vegetation monitoring
	Restore and expand the extent of rear dune vegetation adjacent to Barrenjoey Montessori School.	Medium	Environment and Sustainability	Increase in dune vegetation	Photographs, aerial photos
	Maintain the main access tracks through the dunes, but close the middle access track through the dunes.	Medium	Environment and Sustainability	Middle access track closed	Observation
	Close two tracks and retain one of the three tracks at the northern end of the beach.	Medium	Environment and Sustainability	Two tracks at the northern end of the beach closed.	Observation
	Establish a landscape 'buffer' of local coastal native plant species to north, west and southern	Medium	Environment and Sustainability	Increase in native planting.	Observation, Dunecare reports

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
	interfaces. Edge treatment to reduce weed encroachment from managed amenity areas.			Reduction in extent of weeds.	
	Build a viewing deck in an area of the dunes for SLSC members and lifeguards to view the beach; and provide interpretative signage for dunes.	Medium	Transport and Assets	Viewing deck constructed	Works program. Positive feedback from SLSC
	Promote communication and a coordinated approach between the Friends of Avalon Dunes, contractors and Council.	Ongoing	Environment and Sustainability	Satisfaction of all relevant parties with dune actions	Dune works program
	Undertake maintenance of dunes, including fencing, weed treatment, and supplementary planting of local coastal vegetation.	Ongoing	Environment and Sustainability	Dune maintenance according to dune works program	Dune works program
	Remove and treat weed species in accordance with best practice.	Ongoing	Environment and Sustainability	Reduction in extent of weeds	Photographs
	Replace the fencing around the perimeter of the dunes.	Ongoing	Environment and Sustainability	Intact fencing on perimeter of dunes	Observations
7 Careel Creek	Replace the steel footbridge.	High	Transport and Assets	New footbridge in place	Observations
	Construct a new boardwalk /bridge over Careel Creek and paths linking the eastern and western sections of sports courts.	High	Transport and Assets	New bridge and paths constructed	Observations
	Restore / plant the Careel Creek riparian corridor.	Medium	Environment and Sustainability	Increase in riparian vegetation cover	Observation, vegetation surveys
	Investigate 'naturalisation' of the concrete channel. Prepare feasibility study.	Low	Environment and Sustainability	Investigation complete and decision made	Report to Council
	Undertake general maintenance of footbridges.	Ongoing	Transport and Assets	Footbridges meet safety requirements and are fit for purpose	Asset condition assessment
	Undertake general maintenance, including treatment of creek line gross pollutant traps.	Ongoing	Transport and Assets	Gross pollutant traps cleared as required	Inspections after heavy rain

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
8 Western Reserve area	Construct two hard surface netball courts (30.5 x 15.25 metres)	High	Transport and Assets	Netball courts constructed	Works program
	Install floodlighting to netball court areas to Australian Standards	High	Transport and Assets	Lighting meets Australian Standards	Lighting measurements
	Install custom shelter (8 x 6 metres) and seating area	High	Transport and Assets	Shelter and seating installed	Observations
	Plant native trees with low grasses and groundcovers along Barrenjoey Road.	High	Transport and Assets	Planting completed and thriving	Inspections
	Install new seating and a drinking fountain at the off leash dog area.	Medium	Transport and Assets	Seating and drinking fountain installed	Positive feedback from dog owners
	Undertake additional landscaping at the off leash dog area.	Medium	Transport and Assets	Landscaping complete	Observations
9 Skate-board park	Undertake refurbishment of the skate park with new seating, vegetation enhancement and fencing.	Medium	Transport and Assets	Refurbishment complete.	Positive feedback from skate park users
10 Central Reserve	Construct one hard surface netball court and one hard surface multi-court (30.5 x 15.25 metres)	High	Transport and Assets	Courts constructed	Works program
	Install floodlighting to court areas to Australian Standards	High	Transport and Assets	Lighting meets Australian Standards	Lighting measurements
	Install a new drinking fountain and landscaping at the entry to the court area.	High	Transport and Assets	Entry treatments complete	Works program
	Landscape along Careel Creek including weed removal; replanting with native tree, groundcover and grass species; and protection fencing.	High	Transport and Assets	Creek landscaping complete	Positive feedback from users
	Implement changes to the parking layout including one-way access road with turning circle at the northern end, parallel parking, definition of the access road, and undertake landscaping (hard surface treatment).	Medium	Transport and Assets	Efficient parking. Maximum dune vegetation retained.	Observations, Parking surveys
	Install overhead lighting to illuminate the access drive and footpaths along the entire length of the road.	Medium	Transport and Assets	Lighting installed	Works program
	Plant shade trees along the shared path (approx 10-15no).	Medium	Transport and Assets	Trees planted and thriving	Observations

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
11 Car park reserve area	General improvements – regrade and turf	Low	Transport and Assets	Improved carrying capacity	Observation of use
	Install new picnic tables (approx 3no).	Low	Transport and Assets	Increased use of the area	Observations
	Undertake new shade tree planting (approx. 10no)	Low	Transport and Assets	Increased shade cover	Observations
12 Southern carpark	Improve entry off Barrenjoey Road (i.e. widening/'splitter island')	High	Transport and Assets	Reduction in traffic/pedestrian conflict	Observations, reports
	Review traffic circulation - two-way vehicular access driveway with turning circle at the northern section to alleviate current traffic congestion.	Medium	Transport and Assets	Efficient vehicle circulation and parking	Traffic surveys
	Formalise parking bays (mix of perpendicular and parallel parking), type dependent on location.	Medium	Transport and Assets	Efficient vehicle parking	Observations
	Undertake general improvements to the upper carpark – line marking / road surface repair (reseal)	Medium	Transport and Assets	Efficient vehicle parking	Observations
	Replace 'Koppers log' barrier fence – wheel stops / timber bollards where required	Medium	Transport and Assets	Efficient vehicle parking	Observations
	Integrate existing lighting into the new design.	Medium	Transport and Assets	Safety in the carpark	Reports of safety breaches
	Re-paint feature bollards	Medium	Community and Belonging	Public art feature	Positive feedback from reserve users
	Undertake landscaping	Low	Transport and Assets	Improved aesthetics and amenity	Observations
13 Avalon Surf Life Saving Club	Manage the building in accordance with the Avalon SLSC Coastal Protection Works Management Plan (Appendix 2).	Ongoing	Transport and Assets	No damage to building or beach	Asset inspections
	Undertake general maintenance of the surf club building	Ongoing	Transport and Assets	Building meets standards	Asset inspections
14 Avalon Beach Reserve	Provide an access pathway link from Barrenjoey Road (bus stop area) to open space, the beachfront and the SLSC.	High	Transport and Assets	Reduction in pedestrian/vehicle conflict	Observations
	Upgrade existing park furniture, seating, amphitheatre, and provide picnic	Medium	Transport and Assets	Increased user numbers	Observations

Area	Actions	Priority	Respons- ibility	Performance targets	Method of measurement
	shelter and park furniture. Upgrade the playground area.	Medium	Transport and Assets	Increased range of play experiences.	Equipment choice,
	Provide seating for carers supervising children, and shade.	Medium	Transport and Assets	Increase in satisfaction and comfort	Positive feedback from carers
15 Corner Barrenjoey Road and Avalon Parade	Implement the reserve name sign and landscaping at the corner of Barrenjoey Road and Avalon Parade.	Medium	Transport and Assets	Improved visual amenity and wayfinding	Positive feedback from reserve users
	New mass planting and shade trees (native species)	Medium	Transport and Assets	Improved visual amenity. Increased recreational use of this area	Observations. Positive feedback from reserve users
	Install additional park furniture and signage, and landscape.	Medium	Transport and Assets	Increased recreational use of this area	Observations
	Undertake general improvements including removing old/dead vegetation (i.e. cypress trees).	Ongoing	Transport and Assets	Improved visual amenity. Increased recreational use of this area	Observations
16 South Avalon Beach	Establish dune protection to supplement existing rock boulders, including 'cut-throughs' and stair access at the shower.	Medium	Transport and Assets	Protection of the dune	Monitoring of dune
	Relocate bins from under existing trees and replace with a seat.	Medium	Transport and Assets	Increase in informal recreation use	Observations
	Install an additional picnic table and concrete pad.	Medium	Transport and Assets	Increase in informal recreation use	Observations
17 Avalon Rock Pool	Install a new outdoor shower.	Low	Transport and Assets	Increase in shower facilities	Positive feedback from rock pool users
	Undertake general maintenance including platform edge re-surfacing.	Ongoing	Transport and Assets	Improved safety, reduction on slips and falls	Accident reports
18 Headland	Undertake cliff face stabilisation works i.e. underpinning of rock outcrops (in accordance with geotechnical recommendations).	High	Transport and Assets	Reduced risk of rock falls	Geotechnical reports
	Install low hardwood barrier fencing along the cliff edge.	Low	Transport and Assets	Improved safety of reserve users	Accident reports
	Monitor cliff line instabilities and risk.	Ongoing	Transport and Assets	Reduced risk of rock falls	Geotechnical reports

14.3.3 KEY PROJECTS

Area 6 - Avalon Dunes

The dunes are maintained by Council through bush regeneration contractors. Between 1989 and 2007, a group of volunteers, now called the Friends of Avalon Dunes Dunecare group, undertook the restoration of the dunes. The Friends have recently recommenced work. Their aim is to stabilise, weed and regenerate / revegetate with local dune plant species to increase biodiversity and ecosystem resilience.

Considering the history of the site, the technical skills of the Friends and the good work that has been achieved to date, the most important management strategy is to promote good communication and a well coordinated approach between the Friends, contractors and Council, particularly in relation to the weeds - where, what, why and how the various teams work throughout the dunes.

Apart from weeds, the other most concerning issue is damage by youth who build bases / camps and drag sofas into the dunes. This is a cultural problem that could be addressed in several ways, such as through the promotion of organised sport and recreational activities, youth education through interpretative signage and school visits, and young people being encouraged to form a volunteer working group for dune restoration work. A designated youth area at the edge of the dunes could also be investigated in the longer term. This could provide Council with a negotiating tool in order to contain and monitor activities (This option is not supported by the Friends).

Areas 7, 8 and 10 – Careel Creek, Western Reserve Area and Central Reserve

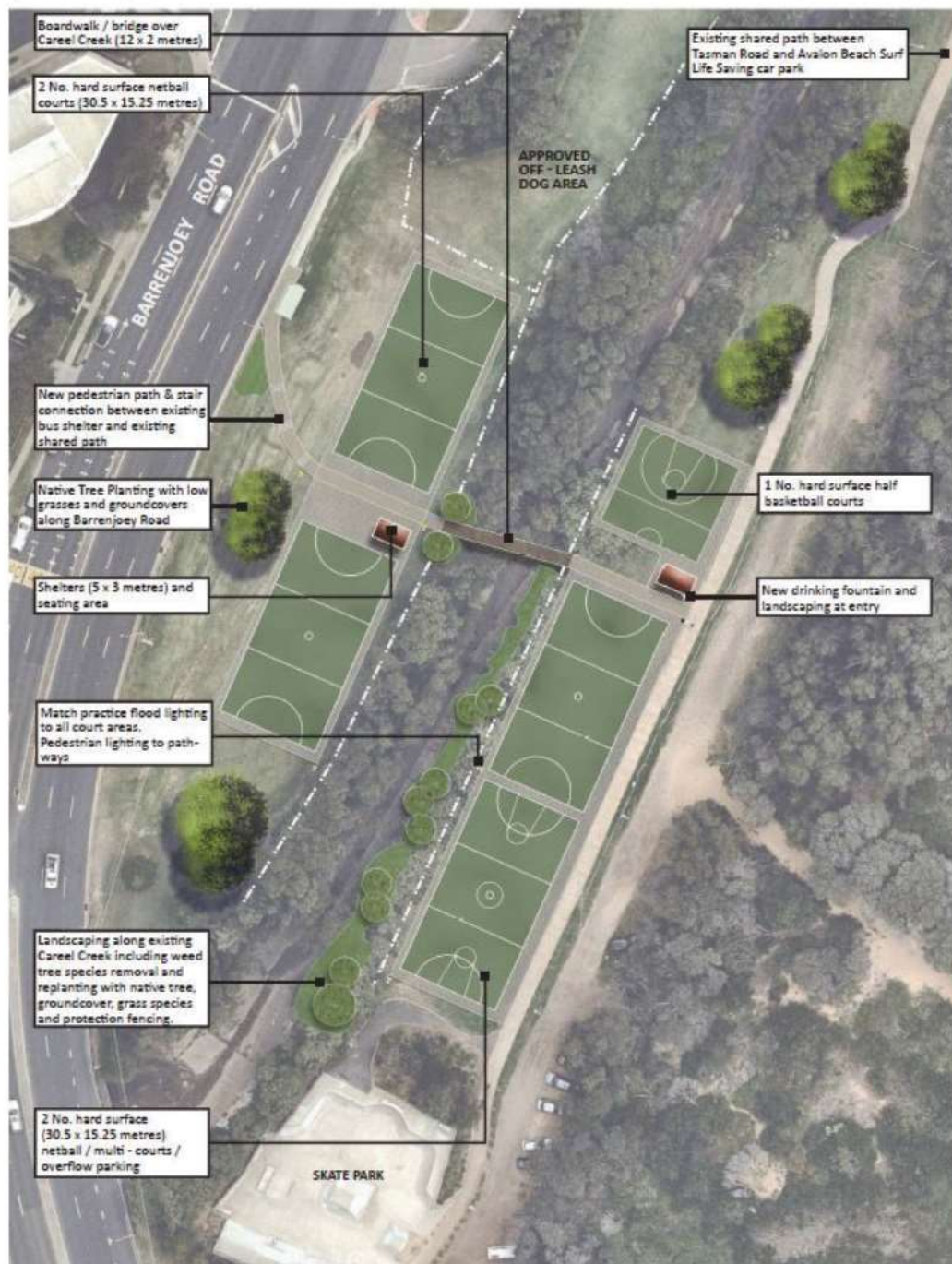
Council has identified a gap in fit-for purpose netball training courts in the northern peninsula. The Northern Beaches Sportsfield Strategy recommended filling this service gap with the development of hardcourts and sportsfield lighting to Australian Standards in Avalon.

Consultation with stakeholders, including Pittwater Peninsula and Newport Breakers netball clubs with over 1,000 members combined, identified the preferred location for the courts as the grassed area between Barrenjoey Road and the dunes in Avalon Beach Reserve, bordered by the fenced off leash dog area to the north.

Refer to the concept plan in **Figure 14-6**. Three netball courts, and one multi-purpose netball-basketball court, are proposed to be constructed. A bridge will be constructed across Careel Creek to link the two sets of courts. The eastern courts would be built to carpark standard to accommodate overflow parking. The courts will be green in colour to better blend into the surrounding environment. The courts would be lit to Australian Standard for match practice and amateur competition.

Council was successful in obtaining \$562,000 in grants from the NSW Government to fund the courts. A condition of the grant is that the project is completed by 31 December 2019.

Table 14-6 | Avalon Beach Netball Courts Concept Plan



AVALON BEACH NETBALL COURTS

Concept Plan

May 2019 1:500 @ A3



Area 10 – Central Reserve

Overflow parking is currently available towards the north of the new formalised access road. Overflow parking is necessary during peak periods, particularly during Nipper events, carnivals and surf competitions. Stage 2 proposes to formalise this area using road base to provide a low-key functional surface. The access road is single lane with parallel parking for minimal impact on the adjoining sand dunes. (Refer to **Figure 14-7**).

Table 14-7 | Overflow Parking – proposed works Stage 2



Areas 14 and 15 – Avalon Beach Reserve and Corner Barrenjoey Road and Avalon Parade

Avalon Beach Reserve will be landscaped as sensitively as possible to enable the natural landscape to dominate. Principles are:

- the proposed recreational facilities – playground and picnic area, will be contained within the small section of the reserve as shown in the Masterplan (Refer to **Figure 14-9**);
- the majority of the Reserve will be green, open space;
- vegetation will be locally native species where possible;
- plantings will consider coastal views and security (open enough to prevent people hiding behind bushes; and
- a sign with the reserve name will be considered. (Refer to **Figure 14-10**).

Figure 14-9 | Avalon Beach Reserve – Landscape Plan



DESIGN PRINCIPLES

Improve the quality of the visual and physical amenity along Barrenjoey Road, including:

- provide sandstone low wall, feature stone elements and signage as a key physical and visual feature
- additional walling to increase pedestrian area at corner
- provide mass planting in association with low wall to upgrade landscape amenity
- remove existing vegetation to embankment at corner to allow for 'sweeping' of views through to the Reserve and open space

EXISTING BUS SHELTERS

retain existing walling

remove existing stairs

proposed mass planting

existing trees protected

remove existing planting along embankment for signage wall construction and to 'open' views of Reserve

PROPOSED SANDSTONE WALL with Signage "KARLOU BEACH"

PROPOSED SANDSTONE WALL

PROPOSED FOOTPATH

MASS PLANTING in embankment

Barrenjoey Road

Avalon Parade

Appendix 1. Alcohol Free Zones in Avalon Beach Reserve and Surrounds



Outdoor Dining and Footpath Merchandise Policy

This policy aims to support a vibrant streetscape that is safe and welcoming, attracting tourists and locals to visit, enjoy and return. The appropriate placement and regulation of outdoor dining furniture and display of footpath merchandise that ensures safe and equitable access to the footpath can be achieved whilst supporting local businesses.

Principles

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

Approvals

In order for a premises to have outdoor dining or merchandise displays on the footpath, NSW Government legislation sets out that the following approvals are required:

- All outdoor dining on the footpath requires approval under the Roads Act 1993.
- All footpath merchandise displays on the footpath requires approval under the Local Government Act 1993.
- Outdoor dining on community lands such as a park or reserve, or Crown Land for which Council manages, requires approval under the Local Government Act 1993

Any new operator will be required to apply for a transfer of the Approval.

If you are not sure which approvals you need, please talk to Council at one of our customer service centres, or call customer services on 1300 434 434.

Scope and application

This policy applies to all employees, agents, officers, councillors and committee members of Northern Beaches Council. This policy is executed through the Outdoor Dining and Footpath Merchandise Guide.

References and related documents

Laws and Standards	Roads Act 1993
	Local government Act 1993
	Environmental Planning & Assessment Act 2017 (as amended)
	State Environmental Planning Policy (Exempt & Complying Development Codes) 2008
	Building Code of Australia Crown Lands Act
	Food Act 2003
	Australia New Zealand Food Standards Code
Policies, procedures and guidelines	Outdoor Dining and Footpath Merchandise Guide

Definitions

Clear path of travel	The area of the footpath maintained for safe and equitable pedestrian circulation which is free from obstructions and assists in wayfinding and navigation.
Outdoor dining	Dining on the public footpath which is associated with an approved restaurant, cafe or similar.
Footpath merchandise	The display of goods on the public footpath associated with an adjacent business premises.
Public footpath	The part of a road as is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic).
Street furniture	Removable tables and chairs or other approved furniture owned by restaurants, cafes or similar for use in the outdoor dining area.
Display stands, racks and containers	Removable items owned by the business premises used in the footpath merchandise display area.

Responsible Officer
Executive Manager Property
Review Date
March 2023

Revision History

Revision	Date	Status	TRIM Ref
1		First draft Outdoor Dining and Footpath Merchandise policy	2018/692377
2			

Outdoor Dining and Footpath Merchandise Guide



Outdoor Dining and Footpath Merchandise Guide

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Introduction

The Outdoor Dining and Footpath Merchandise Guide supports and provides information for applicants seeking outdoor dining and merchandising approvals under the Outdoor Dining and Footpath Merchandise Policy. The guide aims to support a vibrant streetscape that is safe and welcoming, attracting tourists and locals to visit, enjoy and return. The appropriate placement and regulation of outdoor dining furniture and footpath merchandise displays ensures safe and equitable access to the footpath can be achieved whilst supporting local businesses.

This document applies to all land within the Northern Beaches Council local government area with the definition of 'public road' under the Roads Act 1993. It also applies to designated pedestrian streets.

Principles

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

Approvals

In order for a premises to have outdoor dining or merchandise displays on the footpath, NSW Government legislation sets out that the following approvals are required:

- All outdoor dining on the footpath requires approval under the Roads Act 1993.
- All footpath merchandise displays on the footpath requires approval under the Local Government Act 1993.
- Outdoor dining on community land such as a park or reserve, or Crown Land for which Council manages, requires approval under the Local Government Act 1993
- Outdoor dining that is not exempt development under the provisions of SEPP (Exempt & Complying Development) 2008 or Warringah LEP 2011 (Schedule 2) will require development consent under the EPA Act 1979 (as amended)

Any new operator will be required to apply for a transfer of the Approval.

If you are not sure which approvals you need, please talk to Council at one of our customer service centres, or call customer services on 1300 434 434.

Section 2 – Outdoor Dining

2.1 Application Requirements

Eligibility Criteria

In order for a restaurant or café to have outdoor dining on the footpath, the following criteria must be met:

- Must be a lawfully existing food and drink premises (café or restaurant).
- Must be an extension of 'indoor' seating, a business cannot solely rely on outdoor seating on a public footpath.
- Must be temporary and only used during the approved operating hours.
- Must be mindful of other users of the shared space and public infrastructure.
- Must have food preparation, storage and garbage disposal areas that comply with the Food Act 2003, Australian New Zealand Food Standards Code and Australian Standard AS4674.
- Must notify Council by submitting a Food Business Owner Details form with up to date business details.
- Must provide evidence that the food business has sufficient toilets/sanitary facilities that can be accessed by food handlers and patrons.
- Must provide table service or provision for cleaning and servicing.
- Should serve food and drinks in non-disposable crockery and glassware.

Preparing the Application

The applicant should provide supporting information along with the application form to allow Council officers to assess the outdoor dining application efficiently and effectively. The required information is as follows:

- A scaled (1:50 or 1:100) detailed plan containing the width of the pavement, the location and layout of the proposed outdoor dining area, including dimensions, the number and location of items such as chairs, tables, umbrellas heaters and the like and the location of any fixed items on the footpath, i.e. electricity meters, bus stops, garbage bins, post office boxes or similar. See example of a detailed plan in Appendix One.
- Details of the all the proposed furniture such as colour photographs, brochures and dimension specifications.
- Proof of a Certificate of Currency (Public Liability Insurance) for a minimum of \$20 million dollars.
- Ensure that the application form is fully completed (available from Council's website) and includes contact details and signatures. An initial application fee (non-refundable) is also required.



Outdoor Dining Area Location and Size

Outdoor dining areas are to provide a safe and enjoyable dining experience for customers, while keeping footways safe and accessible for all pedestrians.

Outdoor dining is generally considered suitable in the following locations:

- Streets that meet minimum width requirements – see below.
- Pedestrianised streets and laneways closed to vehicular traffic.
- Public squares and plazas.
- Before outdoor dining is approved, Council will assess the location and position of the proposed area according to the following:
 - Maintaining safety and circulation on public footpaths by allowing a minimum width of at least 2 metres of unobstructed footpath. And a minimum of 2.5 metres on a Roads and Maritime Services (RMS) classified road or clearway, subject to RMS approval
 - Allowing enough room for furniture and customers by keeping a minimum area width of 0.6m.
 - Whether the location of the proposed outdoor dining maintains a consistent, clear and predictable path of travel for all pedestrians. A predictable path of travel is one that can be easily identified based on local knowledge or environmental cues.
 - Whether unobstructed access to adjoining businesses is maintained.
 - Provision of clear circulation space across the footpath for people accessing parked cars, loading zones, public transport and road crossing points.
 - The need to provide clear views and sightlines near driveways and intersections (as shown in the example plan in Appendix One).
 - The need to provide a clear visual pathway in areas where this is of designated importance.
 - The closeness of the proposed outdoor dining to bus stops and taxi stands. All outdoor furniture must be a minimum of three (3) metres from bus stops and taxi stands to allow for pedestrian circulation and queueing.
 - Whether there is a clear view to the outdoor dining area from inside the restaurant or café to ensure effective monitoring of the space.
 - Maintaining a two (2) metre clearance from trees, bus stops and service items such as fire hydrants, drains and the like.
 - Consent will generally not be given to kerbside dining due to the potential for conflict between cars and pedestrians. However, where it can be shown that conflict is unlikely due to low traffic speeds or the presence of permanent bollards or similar, assessment on merit may be considered. Consent will not be given for kerbside dining on arterial roads or roads where there is a clearway in force or in areas with nose/tail to kerb or angle parking, unless there are bollards or wheel stops immediately in front of each car space.
 - See Appendix two for an example of a site location.

Outdoor Dining in Adjoining Areas

Outdoor dining areas for a restaurant or café will generally be located immediately outside the premises.

Outdoor dining in front of adjoining premises will only be supported where the landlord and proprietor of the adjoining premises have given written consent, which must be submitted to Council with your application. This approval can be withdrawn by the adjoining landlord or proprietor if they wish to use that area for their own business at a later stage. Any fees charged for additional outdoor dining where the landlord/ proprietor has withdrawn their consent may be eligible for a refund.

Furniture and Equipment

Outdoor dining areas are to make a positive contribution to the character of the streetscapes. They are to appear as temporary uses of the public domain, not permanent fixtures.

The essential elements of an outdoor dining area are temporary chairs, tables, small barricades (where supported) and umbrellas. Care needs to be taken that streets do not become cluttered and obstructed by the placement of furniture and other items.

Streets that are physically and visually cluttered can make business identification and general way finding more difficult and can detract from the street attractions. Signage, branding and advertising can all add to visual clutter and take away from the positive characteristics of the street.

Outdoor dining areas should relate to and be sympathetic towards and enhance the existing urban character, cultural significance, heritage and street quality. See Appendix three for furniture examples.

Barriers or structures around the area give the appearance that the public space has privatised and become an obstacle to access and movement will generally not be supported. Privatisation of the public space results in reduced accessibility, visibility and safety to the public.

Each restaurant/café is responsible for ensuring customers keep furniture within the boundaries of the approved area. The proprietor must ensure that staff are aware of the conditions and responsibilities of the approval and are not to trade outside their approved area.

All outdoor dining furniture is the responsibility of the restaurant/café owner and must be removed from the footpath outside approved hours of operation.

To ensure best use of the public space Council will stipulate the maximum number of tables and chairs and other furniture during the assessment stage, allowing for access by all users, including wheelchair users and users of mobility frames.

Tables and chairs

- Should be of a high structural and aesthetic quality, uniform in design and be weatherproof and designed for outdoor use.
- Outdoor dining furniture shall be safe for users, with no sharp edges or hinges that could cause a hazard to users.
- The use of synthetic wicker look, polished aluminium, brushed or stainless steel or sustainable timber from eco-friendly management practices are preferred.
- Should not damage the footpath or Council property

Umbrellas

Will not be supported in an area has shelter from an awning. Where umbrellas are permitted they should:

- Be a single style (i.e. 1 per table).
- Be square, to take up the least amount of space and not extend outside of the approved area.
- Have a height of at least two (2) metres above ground for pedestrian movement and safety.
- Be of a single solid colour and not white or other light shades, as this discolours too easily.
- Be fabric or matte-finish.
- Be securely anchored.
- Plastic blinds, transparent or rolled down screens from umbrellas are not supported.

Gas heaters

May be temporarily located within the outdoor dining area and must:

- Be industry approved high- quality gas heaters that meet Australian standards and occupational health and safety requirements.
- Table- top heaters are not supported.
- Be self-contained and free standing.
- Be securely fixed and stable.
- Not be placed where they may pose a safety of fire hazard.
- Have an integrated compliant gas bottle with a safety shut off valve (in case of tipping over) and checked daily.
- Be serviced yearly with service records kept to be produced on demand.
- Must not exceed the maximum of one (1) per table.

Blinds

Encourage privatisation of the public space by enclosing the area and obstruct the view of the building façade or view pathway and are therefore not supported.

Barriers

Which enclose the outdoor dining area will only be supported where there is a licence under the Liquor Act 2007 to serve alcohol in the outdoor dining area and the café/restaurant is in a designated Alcohol Free Zone.

Temporary barriers between adjoining areas may be approved on a case by case basis and should:

- Be free standing and removable.
- Have a maximum gap of 150mm between the pavement and the underside of the barrier.
- Not exceed 0.9 metres in height.
- Be a single colour.
- Be compatible with the design of adjacent building frontages and streetscapes.
- No rope or chain barriers are supported.
- The use of weather protection screens is not supported by Council.

Plants and planter boxes

Are generally not supported but may be considered on a case by case basis.

Menu Boards

Must be kept to a minimum, must be transportable, and must be kept within the occupied areas at all times during use.

Advertising

Outdoor furniture, including umbrellas, screens and similar should not display advertisements for third parties. All signage on furniture should be restricted to the business name only and not exceed 30 percent of the total surface area. The Exempt Development provisions of Manly LEP 2013 relating to third party signage are not applicable to movable signage but only signage affixed to the building.

Dogs

Proprietors should adhere to the NSW Government Office of Local Government guidelines for dogs in outdoor dining areas which state:

- The outdoor dining area must not be enclosed and must be accessible without the requirement to pass through an enclosed area.
- The dog must be on a leash at all times.
- The dog may be provided with drink, but not food.
- The dog must be on the ground at all times.

2.2 Operation and Management

Health and Safety

The outdoor dining area, furniture and other items are to be kept clean, in good order and free from litter and rubbish during the hours of operation.

The proprietor is responsible for the orderly conduct of the business and must ensure that the requirements of the Food Act 2003 and any other applicable legislation are maintained in the serving or display of food at outdoor tables.

The proprietor must ensure that the requirements of the Occupational Health and Safety Act 2000 and subordinate regulations, codes of practice and the like are fully met.

Storage and handling of flammable and combustible liquids will not be permitted within the approved Outdoor Dining Area.

Environmental Impact

The proprietor will be held responsible for the good conduct of customers and for ensuring that the premises do not give rise to offensive noise as defined in the Protection of the Environment Operations Act 1997. Entertainment and amplified music are not permitted in the outdoor dining area.

Development Consent will be required for the installation of any external lighting. Lighting must be designed and located so that it does not cause a nuisance to neighbouring premises and should comply with the requirements of AS 4282-1997: Control of the obtrusive effects of outdoor lighting.

The proprietor of the restaurant is responsible for maintaining outdoor furniture and ensuring that the furniture is kept neat and tidy whilst in use. All furniture must be removed from the footpath outside the approved hours of operation.

To minimise waste, crockery and glassware should be provided. Disposable items such as plastic, paper or polystyrene cups, containers and straws are not supported as these create litter and have an adverse environmental effect.

The proprietor and staff must keep the outdoor dining area clean and ensure litter is removed promptly from in and around the area and disposed of properly.

Table Service

Proprietors must supply table service to the outdoor dining area to promote cleanliness and prevent littering.

Smoking

Smoking is not permitted in outdoor dining areas.

Alcohol

Approval for outdoor dining areas only authorises the consumption of food and non-alcoholic beverages.

No alcohol can be consumed in the outdoor dining area without a prior liquor licence from Liquor and Gaming NSW. Council will not support an application for Primary Service Authorisation.

The consumption of alcohol in outdoor dining areas will only be supported if licensed and can only be served in conjunction with a meal.

No outdoor dining approval will be granted for the consumption of alcohol only.

2.3 General Conditions

Hours of Operation

The hours of operation of the Outdoor Dining Area shall generally be restricted to the hours of 7am to 10pm Monday to Sunday. If hours of operation have been granted to the premises under a Development Application, they should not exceed the hours of operation stated in the Development Consent for the restaurant.

If no hours are stipulated in the Development Consent the operation of the outdoor dining area shall be in accordance with those set out in SEPP (Exempt & Complying Development Codes) 2008, Schedule 8, part 4, Clause 21 ('the procedure hours').

Where the hours of operation of the restaurant exceed the procedure hours then the hours defined in the SEPP apply to the Outdoor Dining Area.

In specific areas where residents are impacted by the operations of late night activities, Council will determine the hours of operation for the area, taking into account environmental and amenity considerations as well as the merits of each particular application for approval.

Patron Numbers

As the approval may increase the total patronage of a premises, the total internal and external patron numbers must not exceed that stated in the Development Consent for the restaurant.

Sanitary provisions must also comply with The Building Code of Australia (BCA) Table F2.3 and Table F2.4.

Limitations

Approvals in respect of premises situated in Sydney Road Plaza and Market Lane may have a restricted use clause which does not allow the use or operation of any otherwise approved Outdoor Dining Area on weekends and public holidays, when the Manly Arts & Craft Market is operating.

Insurances

The proprietor of the restaurant are to maintain a minimum cover of \$20 million (or such higher amount as the Council/RMS may require from time to time) in respect of any one claim for public and product liability insurance which is extended to cover utilisation of the footpath area, and are required to provide evidence of that cover with their application, and whenever requested by Council. The policy of insurance is to list Council as an interested party under the policy.



The proprietor must keep current throughout the term of any approval granted in respect of an Outdoor Dining Area, a Workers' Compensation Policy in the name of the Proprietor in compliance with the requirements of the New South Wales Workers Compensation Act 1987. The proprietor must provide evidence of that cover whenever requested by Council.

Term of Approval

In general, the maximum term of an approval in respect of an Outdoor Dining Area shall be three (3) years. Council may approve a shorter period of time where the use of the footpath may have negative impacts on the amenity of the area. Council will consider a longer term in exceptional circumstances. The term of any approval period will be specified by a Condition of Approval.

Any initial approval granted in respect of an Outdoor Dining Area shall be subject to a 6 month trial period. The proprietor might report to Council if any complaints are received during the trial period. A set start and finish date will apply to all approvals.

Change of Ownership

The approval issued is separate to the ownership of a business conducted on the private property and has no legal attachment to the sale or transfer of ownership of a business. The approval will not automatically be transferred to the new owner. The new owner must submit an application form noting the change of ownership. It is the responsibility of the existing proprietor to include the balance of the remaining approval fee in the sale of the business.

2.4 Fees and Bonds

Application Fee

The Application Fee payable shall be in accordance with the Council's Schedule of Fees and Charges.

Rental Fees

There is a fee for the use of the public road as an outdoor dining area charged per square metre per annum and is incorporated within the Council's Schedule of Fees and Charges.

Security Bond

The applicant shall pay a Security Bond prior to the commencement of use of the Outdoor Dining Area. This will be equal to three (3) month's rent or a minimum amount as set out in Council's Schedule of Fees and Charges, whichever is the greater amount. The Security Bond is intended to provide insurance for Council where damage to Council property has occurred, rent for outdoor dining area has not been paid and similar issues.

The Security Bond will be refunded to the proprietor when the Outdoor Dining Approval expires or the proprietor has stated that they wish to cancel it.

Compliance

Proprietors must supply table service to the outdoor dining area to promote cleanliness and prevent littering.

Pavement Markers

Pavement markers are stainless steel circular markers that delineate the extent of the permitted outdoor dining area for individual premises.

Pavement markers will be installed when there has been a proven need and shall be purchased from, and installed by Northern Beaches Council at each outer corner of the approved outdoor dining area.

Section 3 - Footpath Merchandise

3.1 Application Requirements

Eligibility and Guiding Principles

The display of goods on the footpath is supported in most areas zoned for business usage in order to encourage customers to enter the premises, but not to carry out business or financial transactions. Exclusions may apply, see Appendix 4.

Footpath merchandise displays should enhance local amenity. Display stands must be high- quality, well-maintained and designed to improve street vitality.

The granting of footpath trading approvals, and applications for those approvals, is controlled by the approvals provisions of the Local Government Act 1993 and should adhere to the following:

- The application for approval is to be accompanied by a location plan. The application must clearly explain the proposal proposed use, how any structures or stands are to be built, the type of materials, accurate dimensions and means of securing fixtures.
- Goods shall only project a maximum width of one metre from the front property alignment subject to a minimum footpath width of two (2) metres being maintained for public access.
- Goods shall not extend beyond the side of property alignment.
- Goods shall not obstruct access to the shop or any other premises. Goods shall not create litter or any form of staining or rubbish on the footpath. A security deposit is to be lodged with Council upon application.
- Goods such as liquor, drugs, pharmaceuticals or tobacco shall not be displayed.
- Goods shall be displayed in such a manner that supervision from the shop premises is available.
- Display stands shall be constructed in a workman-like manner, well finished and secure. Materials and finish will be such that it does not deteriorate with sunlight or rain. All edges and corners shall be finished so as not to cause any injury to a passer-by or catch clothing.
- All display stands be custom made for the goods being displayed, (i.e. no packing materials, cardboard boxes, crates or improvised stands permitted).
- All goods shall be displayed on stands, racks or in containers above the level of the footpath. The only goods to be displayed on the ground shall be specifically designed for that purpose. For example large plant containers, outdoor furniture such as table and chairs.
- An essential condition of the approval that goods are to be displayed within in the approved area. If this does not occur then the approval will be cancelled administratively.
- Display stands, racks or containers will be removed from the footpath when the business is closed.
- The façade of a building is not to be altered without approval of a Development Application.
- Proposed display stands should not detract from the amenity of the immediate area, having regard to the stand itself, the nature of the goods displayed or the number of stands in the immediate area.
- That the proprietors of news agencies be permitted to place tables on the footpath outside their premises to allow for the completion of forms subject to no financial transactions taking place.

- The applicant must provide a certificate of currency (minimum level of indemnity for \$10 million) from their respective public liability insurer with Council's interest noted on the policy and indemnifying Northern Beaches Council, not in respect of the granting of the approval (which would be impermissible), but in respect of any damage, injury, or loss occurring on or in relation to the use pursuant to the approval (should one issue) of the approved area of Council's footpath before an approval is issued. Proof of ongoing insurance must also be made available on demand.
- The approval or a true copy of the approval must be produced on demand to Council Officers when requested.
- Any associated advertising must be consistent with relevant planning instruments

3.2 Fees and Bonds

Application Fee

The Application Fee payable shall be in accordance with the Council's Schedule of Fees and Charges.

Application fees currently charged are based on the number of square metres used in the footpath Merchandise display area for the period of the term.

Security Bond

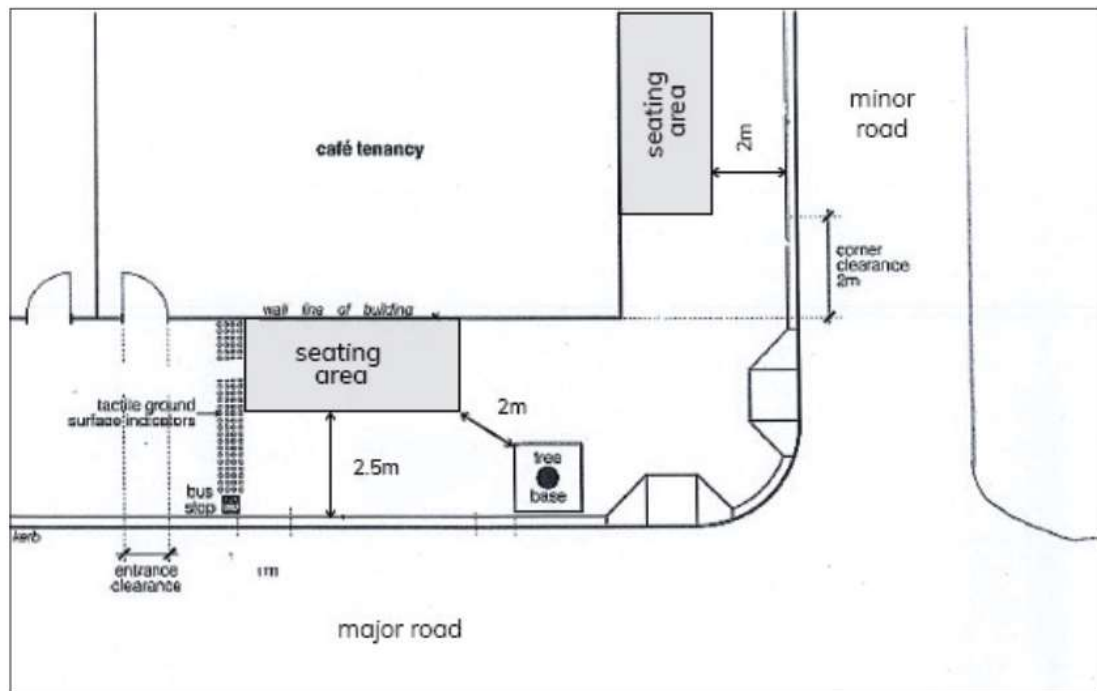
The applicant shall pay a Security Bond on application to use of the Footpath Merchandise area. This amount shall be in accordance with the Council's Schedule of Fees and Charges. The Security Bond is intended to provide insurance for Council where damage to Council property has occurred, rent for the footpath merchandise area has not been paid and similar issues.

The Security Bond will be refunded to the proprietor when the Footpath Merchandise Approval expires or the proprietor has stated that they wish to cancel it.



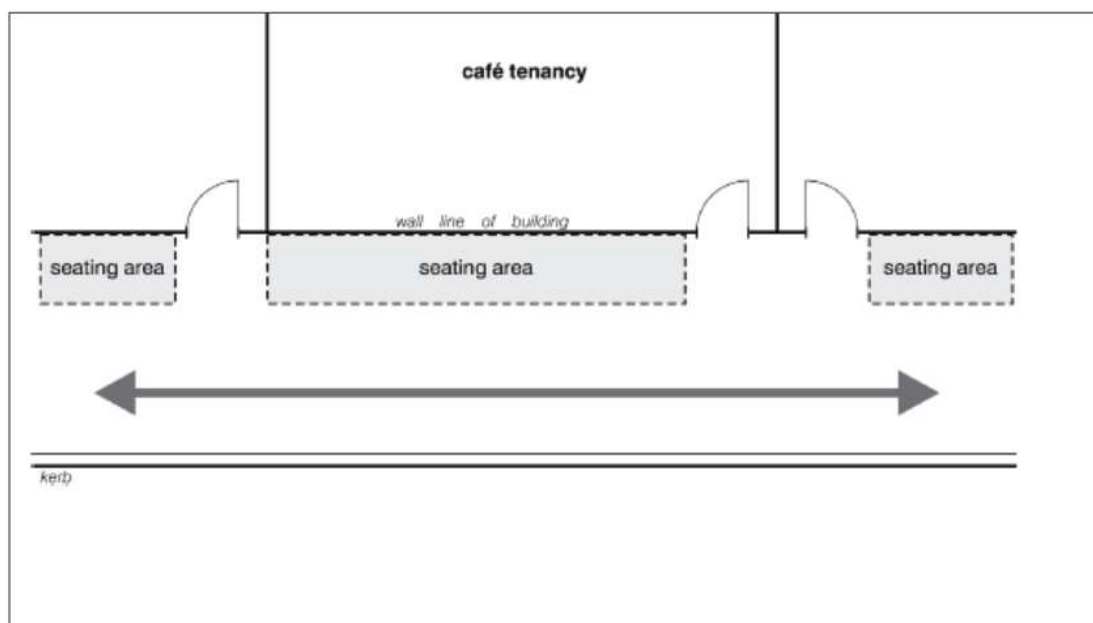
Appendix

1.



Appendix

2.



Appendix

3.





Appendix

4.

Current Footpath Merchandise Exclusion Zones

- The Corso, Manly