



northern  
beaches  
council

# MINUTES

## ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

**TUESDAY 23 AUGUST 2022**

**Minutes of an Ordinary Council Meeting**  
**held on Tuesday 23 August 2022**  
**at the Civic Centre, Dee Why**  
**Commencing at 6:00pm**

**ATTENDANCE:**

**Councillors**

Michael Regan (Mayor)  
Candy Bingham (Deputy Mayor)  
Rory Amon  
Bianca Crvelin (*via remote attendance*)  
Vincent De Luca OAM  
Michael Gencher  
Kristyn Glanville  
Sarah Grattan  
Sue Heins  
Miranda Korzy  
Jose Menano-Pires  
Ruth Robins  
Georgia Ryburn  
Stuart Sprott  
David Walton

**Officers**

Ray Brownlee PSM	Chief Executive Officer
Sarah Dunstan	Acting Director Corporate and Legal
David Kerr	Director Community and Belonging
Todd Dickinson	Director Environment and Sustainability
Louise Kerr	Director Planning and Place
Jorde Frangoples	Director Transport and Assets
Campbell Pfeiffer	Executive Manager Property
Lesley Milbourne	Acting Executive Manager Governance and Risk
Katie Kirwan	Acting Governance Manager
Ximena Von Oven	Acting Senior Advisor Governance
Mat Maish	Acting Governance Officer
Greg Karageuzian	Information Management Technology Officer
Chris Netting	Information Management Technology Officer

**Notes**

*The meeting commenced at 6:00pm, adjourned at 8:03pm, resumed at 8:14pm, moved into closed session at 10:09pm, resumed in open session at 11:20pm and concluded at 11:21pm.*

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## 1.0 ACKNOWLEDGEMENT OF COUNTRY

*NOTE: The Mayor acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past and present*

## 2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

### REQUEST FOR REMOTE ATTENDANCE

239/22 RESOLVED

***Cr Ryburn / Cr Bingham***

That in accordance with 6.26 of the Code of Meeting Practice, Councillor Bianca Crvelin be granted remote attendance to the 23 August 2022 meeting.

### VOTING

FOR: Unanimous

**CARRIED**

## 3.0 CONFIRMATION OF MINUTES

### 3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 JULY 2022

240/22 RESOLVED

***Cr Ryburn / Cr Heins***

That the minutes of the Ordinary Council Meeting held 26 July 2022, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

### VOTING

FOR: Unanimous

**CARRIED**

## 4.0 DISCLOSURES OF INTEREST

Designated persons returns were tabled in accordance with sections 4.25 and 4.26 of the Code of Conduct.

- Councillor Gencher declared a pecuniary interest in relation to Item 15.3 Notice of Motion No 29/2022 – Endorsement of Nuclear Ban and Divest from Nuclear Weapons Manufacturers and will leave the meeting for the discussion and voting on the item. The reason provided was:

*“A number of organisations listed in the Notice of Motion are clients.”*

- Councillor Ryburn declared a not significant non-pecuniary interest in relation to Item 14.1 Outcome of Public Exhibition of Additional Fees 2022/23 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

*“My grandfather is a long term client of Meals on Wheels.”*

## 5.0 PUBLIC FORUM AND PUBLIC ADDRESS

*NOTE 1: The Mayor requested that each speaker acknowledge that they had been informed that the meeting was to be webcast live and that Council accepts no responsibility for any defamatory comments made*

*NOTE 2: Councillor Regan left the chamber at 6:26pm*

*NOTE 3: In the absence of Councillor Regan, Councillor Bingham assumed the Chair*

*NOTE 4: Councillor Regan returned to the chamber at 6:29pm and resumed the Chair*

### 5.1 PUBLIC FORUM

- Gregory Hogan addressed Council about old plastic synthetic waste turf stored at Cromer Park.
- David Murray addressed Council about a community garden at Mona Vale Police Station.
- Mark Horton addressed Council about crown land at Mona Vale.
- Paul Cunningham addressed Council about Council matter BLD2021/02502 – retaining wall.

### 5.2 PUBLIC ADDRESS

#### **Item 12.1 Public Exhibition - Draft Conservation Zone Review and Studies to Inform the Northern Beaches Local Environmental Plan**

- John Holman addressed Council against this item.

#### **Item 13.2 Response to Notice of Motion No 42/2021 - Church Point Parking Demand Management Strategy Review**

- Bill Gye representing the Scotland Island Residents Association, addressed Council in support of this item.
- Jennifer Knox representing the Scotland Island Residents Association, addressed Council in support of this item.

**Item 13.3 Public Exhibition of the Church Point Commuter Wharf Feasibility Study**

- Jennifer Knox representing the Scotland Island Residents Association addressed Council in support of this item.

**Item 13.4 Outcome of the Public Exhibition of Proposed Changes to the Water Skiing Times at Manly Dam**

- Paul Fletcher addressed Council in support of this item.
- Ferdinand Puchner addressed Council in support of this item.
- David Beharrell addressed Council against this item.

**Item 15.1 Notice of Motion No 27/2022 - Council Support for Sydney WorldPride 2023 Activities**

- Sean Moran addressed Council in support of this item.

**Item 15.3 Notice of Motion No 29/2022 - Endorsement of Nuclear Ban and Divest from Nuclear Weapons Manufacturers**

- Mignon Bonwick addressed Council in support of this item.

**6.0 ITEMS RESOLVED BY EXCEPTION**

241/22 RESOLVED

***Cr Robins / Cr Heins***

That

1. Items 13.3, 14.2 and 18.1 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.
2. The report for item 18.1 is to be treated as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to matters specified in section 10A(2) of the *Local Government Act 1993*.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**13.3 PUBLIC EXHIBITION OF THE CHURCH POINT COMMUTER WHARF FEASIBILITY STUDY**

242/22 RESOLVED

***Cr Robins / Cr Heins***

That:

1. Council place the draft Church Point Commuter Wharf Feasibility Study on public exhibition for a minimum of 28 days.
2. The outcome of the public exhibition of the draft Church Point Commuter Wharf Feasibility Study be reported to Council.

**RESOLVED BY EXCEPTION**

## 14.2 STRONGER COMMUNITIES FUND - QUARTERLY REPORT

243/22 **RESOLVED**

**Cr Robins / Cr Heins**

That Council note the Stronger Communities Fund Report for the quarter ending 30 June 2022.

**RESOLVED BY EXCEPTION**

## 18.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE INDEPENDENT MEMBERSHIP

244/22 **RESOLVED**

**Cr Robins / Cr Heins**

That Council adopt Option 1 identified in the report.

**RESOLVED BY EXCEPTION**

## 7.0 MAYORAL MINUTES

### 7.1 MAYORAL MINUTE NO 16/2022 - CONGRATULATIONS - 60TH ANNIVERSARY OF THE FORESTVILLE WAR MEMORIAL PLAYING FIELDS COMMITTEE

*NOTE 1: Councillor Glanville left the chamber at 6:54pm and returned at 6:56pm*

*NOTE 2: Councillor Amon left the chamber at 6:55pm and returned at 6:56pm*

245/22 **RESOLVED**

**Cr Regan**

That Council write to the President of the Forestville War Memorial Playing Fields Committee and congratulate them on the occasion of their 60<sup>th</sup> Anniversary on behalf of the Northern Beaches Community.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**



**7.2 MAYORAL MINUTE NO 17/2022- CONGRATULATIONS TO STONY RANGE BOTANICAL GARDENS - CELEBRATING 61ST ANNIVERSARY**

246/22 **RESOLVED**

**Cr Regan**

That Council write to the Stony Range Botanical Garden committee and volunteers congratulating them on their upcoming 61st Anniversary and thank them on behalf of the Northern Beaches Community.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**7.3 MAYORAL MINUTE NO 18/2022 - RECOGNITION OF ACHIEVEMENT AT THE 2022 PARKS AND LEISURE AUSTRALIA EXCELLENCE AWARDS**

*NOTE 1: Councillor Ryburn left the chamber at 7:02pm*

*NOTE 2: Councillor Glanville left the chamber at 7:03pm*

247/22 **RESOLVED**

**Cr Regan**

That Council acknowledge and congratulate all staff involved in delivering the Lionel Watts Reserve and Frenchs Forest Showground projects as part of the Glen Street Open Space Masterplan and being awarded NSW regional winners at the Parks and Leisure Australia Excellence Awards.

**VOTING**

**FOR:** Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Grattan

**ABSENT:** Cr Glanville and Cr Ryburn

**CARRIED**

**7.4 MAYORAL MINUTE NO 19/2022 - RECOGNITION OF ACHIEVEMENT – VOICE PROJECT - CHANGE CHAMPION AWARD**

*NOTE 1: Councillor Glanville returned to the chamber at 7:05pm*

*NOTE 2: Councillor Sprott left the chamber at 7:05pm and returned at 7:07pm*

*NOTE 3: Councillor Ryburn returned to the chamber at 7:09pm*

**248/22 RESOLVED**

***Cr Regan***

That Council:

1. Formally acknowledge the outstanding achievement in receiving the Voice Project's 2022 Change Champion Award for significant improvement in work practices and employee engagement.
2. Congratulate the executive, management team and all staff on this achievement and thank them for their commitment and dedication to serving our community.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr De Luca

**CARRIED**

**7.5 MAYORAL MINUTE NO 21/2022 - VALE EILEEN GORDON**

**249/22 RESOLVED**

***Cr Regan***

That Council:

1. Acknowledge the enormous contribution made by the late Eileen Gordon.
2. Send our condolences to the family of the late Eileen Gordon on behalf of the Northern Beaches community.

**VOTING**

**FOR:** Unanimous

**CARRIED**

## 9.0 CORPORATE AND LEGAL DIVISION REPORTS

### 9.1 FUNDING ROLLOVER FROM 2021/22 BUDGET

250/22 **RESOLVED**

***Cr Sprott / Cr Grattan***

That Council:

1. Roll over \$3,116,842 in operational project expenditure and associated funding from 2021/22 to the 2022/23 budget.
2. Roll over \$20,582,386 in capital project expenditure and associated funding from 2021/22 to the 2022/23 budget.
3. Reduce the 2022/23 budget for \$188,924 in capital projects expenditure and associated funding for works undertaken in 2021/22 and budgeted in 2022/23.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

### 9.2 MONTHLY INVESTMENT REPORT - JULY 2022

251/22 **RESOLVED**

***Cr Crvelin / Cr Grattan***

That Council note the Investment Report as at 31 July 2022, including the certification by the Responsible Accounting Officer.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

### 9.3 REVIEW OF DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER

252/22 RESOLVED

**Cr Bingham / Cr Heins**

That Council:

1. Revoke the delegations of authority conferred to the role of Chief Executive Officer (as statutory general manager) of 28 August 2018 at Attachment 1.
2. Adopt the delegations of authority to the role of the Chief Executive Officer (as statutory general manager) at Attachment 2 in order to fulfil its obligations under section 380 of the *Local Government Act, 1993*.
3. Note the Power of Attorney at Attachment 3 remains in effect.

#### VOTING

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr De Luca

**CARRIED**

## 10.0 COMMUNITY AND BELONGING DIVISION REPORTS

### 10.1 COMMUNITY LIBRARY FUNDING

253/22 RESOLVED

**Cr Korzy / Cr Regan**

That Council:

1. Continue to support the community libraries with an annual funding allowance for 2022/23.
2. Provide financial assistance to the community libraries to the value of:
  - A. \$65,000 (ex GST) per annum to Avalon Community Library for 2022/23.
  - B. \$24,000 (ex GST) per annum to Balgowlah Seaforth Community Library for 2022/23.
  - C. \$2,000 (ex GST) per annum to Booklovers' Club Northern Beaches Incorporated for 2022/23.
  - D. \$26,000 (ex GST) per annum to Terrey Hills Community Library for 2022/23.
3. Provide the funding as detailed above to community libraries once the previous year's grant acquittals are received and reviewed in line with acquittal processes.

#### VOTING

**FOR:** Unanimous

**CARRIED**

## 12.0 PLANNING AND PLACE DIVISION REPORTS

### 12.1 PUBLIC EXHIBITION - DRAFT CONSERVATION ZONE REVIEW AND STUDIES TO INFORM THE NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN

#### ***Cr Amon / Cr Ryburn***

That Council:

1. Publicly exhibit the Conservation Zones Review, and associated technical studies and maps, including:
  - A. Draft Deferred Lands Strategic Bush Fire Assessment
  - B. Draft Deferred Lands Biodiversity Assessment
  - C. Draft Watercourse, Wetlands and Riparian Lands Study
  - D. Draft Biodiversity Planning Review
2. Note that the outcome of the public exhibition will inform the development of a draft Northern Beaches Local Environmental Plan and Development Control Plan and be reported back to Council together with the draft Local Environmental Plan and Development Control Plan prior to the statutory public exhibition.
3. Note that before any lands are re-zoned following the Review, where a dispute exists between a resident and any staff recommendation following community consultation, that any proposal in respect of parcels of land subject to that dispute will be considered by an independent review, including site inspection.

#### **AMENDMENT**

#### ***Cr Sprott / Cr Bingham***

That Council:

1. Publicly exhibit the Conservation Zones Review, and associated technical studies and maps, including:
  - A. Draft Deferred Lands Strategic Bush Fire Assessment
  - B. Draft Deferred Lands Biodiversity Assessment
  - C. Draft Watercourse, Wetlands and Riparian Lands Study
  - D. Draft Biodiversity Planning Review
2. Note that the outcome of the public exhibition will inform the development of a draft Northern Beaches Local Environmental Plan and Development Control Plan and be reported back to Council together with the draft Local Environmental Plan and Development Control Plan prior to the statutory public exhibition.

#### **VOTING**

**FOR:** Cr Glanville, Cr Heins, Cr Korzy, Cr Bingham and Cr Sprott

**AGAINST:** Cr Walton, Cr Gencher, Cr Amon, Cr Regan, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

#### **LOST**

***THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION***

**254/22 RESOLVED**

***Cr Amon / Cr Ryburn***

That Council:

1. Publicly exhibit the Conservation Zones Review, and associated technical studies and maps, including:
  - A. Draft Deferred Lands Strategic Bush Fire Assessment
  - B. Draft Deferred Lands Biodiversity Assessment
  - C. Draft Watercourse, Wetlands and Riparian Lands Study
  - D. Draft Biodiversity Planning Review
2. Note that the outcome of the public exhibition will inform the development of a draft Northern Beaches Local Environmental Plan and Development Control Plan and be reported back to Council together with the draft Local Environmental Plan and Development Control Plan prior to the statutory public exhibition.
3. Note that before any lands are re-zoned following the Review, where a dispute exists between a resident and any staff recommendation following community consultation, that any proposal in respect of parcels of land subject to that dispute will be considered by an independent review, including site inspection.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**PROCEDURAL MOTION - ADJOURN THE MEETING**

**255/22 RESOLVED**

***Cr Regan / Cr Grattan***

That in accordance with clause 19.1 of the Code of Meeting Practice the meeting be adjourned for 10 minutes.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Regan

**CARRIED**

## 12.2 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS

*NOTE: Councillor Menano-Pires returned to the chamber at 8:14pm*

### **Cr Robins / Cr Heins**

That:

1. Council note the Development Applications approved with variations to development standards during the period 1 April 2022 to 30 June 2022, and outside this period as noted above.
2. In future where a variation is in excess of 20% a brief summary of the reasons for why that was granted be outlined in the report.

### **PROCEDURAL MOTION – THE MOTION BE PUT**

256/22 **RESOLVED**

### **Cr Heins / Cr Ryburn**

That the motion be now put.

### **VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Gencher

**CARRIED**

257/22 **RESOLVED**

### **Cr Robins / Cr Heins**

That:

1. Council note the Development Applications approved with variations to development standards during the period 1 April 2022 to 30 June 2022, and outside this period as noted above.
2. In future where a variation is in excess of 20% a brief summary of the reasons for why that was granted be outlined in the report.

### **VOTING**

**FOR:** Cr Glanville, Cr Heins, Cr Korzy, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Walton, Cr Gencher, Cr Amon and Cr Menano-Pires

**CARRIED**

## 13.0 TRANSPORT AND ASSETS DIVISION REPORTS

### 13.1 PROPOSED ROAD RESERVE CLOSURE AND SALE OF COUNCIL LAND ADJOINING 58 HERBERT AVENUE, NEWPORT

258/22 **RESOLVED**

**Cr Korzy / Cr Robins**

That Council:

1. Authorise closure under the provisions of the *Roads Act 1993* for the road reserve identified in this report being part Herbert Avenue, Newport adjacent to 58 Herbert Avenue, Newport.
2. Authorise disposal of the subject land in accordance with Council's Property Management Policy No. 200, to the owners of 58 Herbert Avenue, Newport for an amount in line with formal valuation advice undertaken by an independent qualified valuer and subject to the land being consolidated with the adjoining land at 58 Herbert Avenue, Newport.
3. Delegate authority to the Chief Executive Officer to execute the necessary documentation in order to give effect to this resolution.
4. Authorise all costs associated with the proposal referred to in this resolution, including but not limited to, Council's legal costs and GST if applicable, be funded by the applicant.

#### **VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Spratt

**CARRIED**



**13.2 RESPONSE TO NOTICE OF MOTION NO 42/2021 - CHURCH POINT PARKING DEMAND MANAGEMENT STRATEGY REVIEW**

*NOTE: Councillor Sprott left the chamber at 8:37pm*

**259/22 RESOLVED**

**Cr Gencher / Cr Amon**

That Council note:

1. The scope of the proposed review of the Church Point Parking Demand Strategy and the broader area that is required to ensure that the review covers all points raised in the original Resolution 322/21 from the Notice of Motion No 42/2021 - Church Point Parking Demand Management Strategy Review.
2. That local stakeholders are invited to participate in the development of the Terms of Reference for the review.
3. That the proposed review would require funding of approximately \$200,000. A budget bid for the funds will be prepared for the 2023/24 Financial Year.
4. That the review process would likely take approximately 12 months to allow a thorough review of the parking occupancy and peak demand requirements given the various seasonal variations in demand.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**ABSENT:** Cr Sprott

**CARRIED**

### 13.4 OUTCOME OF THE PUBLIC EXHIBITION OF PROPOSED CHANGES TO THE WATER SKIING TIMES AT MANLY DAM

*NOTE: Councillor Sprott returned to the chamber at 8:45pm*

#### 260/22 RESOLVED

#### **Cr Glanville / Cr Korzy**

That Council staff:

1. Note the Community Engagement Report at Attachment 3 of the report for this item.
2. Prohibit water skiing on the Manly Warringah War Memorial State Park (Manly Dam) lake on ANZAC Day (all day) and Remembrance Day (all day).
3. Endorse the continuation of all other approved times for water skiing as described in the Manly Warringah War Memorial Park Plan of Management, 2014.
4. Liaises with the Manly Warringah Water Ski Club Executive to implement an effective way to communicate to the public when the ski area is booked for water skiing, for example, public on-line system or a link to current booking system.
5. Install water skiing information signs at relevant points in the Manly Dam War Memorial Parks to complement the existing one at the boat ramp.
6. Review administratively the overall usage of the Dam by the various users, including relevant fees as applicable, and a report be provided to Council only if alterations are proposed due to significant material changes.
7. Consult with the Manly Warringah Water Ski Club and report back to Councillors in two months regarding:
  - A. Any single off-peak timeslot during the week or off-peak timeslots during winter where other users might make use of the water-skiing area, when water-skiing has low utilisation.
  - B. The viability of creating a full length channel alongside the water-skiing zone, so that other users might utilise the edge of the water-skiing area.

#### **VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Gencher

**CARRIED**

## 14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

### 14.1 OUTCOME OF PUBLIC EXHIBITION OF ADDITIONAL FEES 2022/23

*NOTE 1: Councillor Walton left the chamber at 9:21pm*

*NOTE 2: Councillor Sprott left the chamber at 9:22pm*

#### 261/22 RESOLVED

#### **Cr Korzy / Cr Amon**

That Council adopt the additional and revised fees for 2022/23 at Attachment 2 for Meals on Wheels Home Care Package clients and for Glen Street Theatre Security Fee.

#### **VOTING**

**FOR:** Cr Glanville, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**ABSENT:** Cr Walton and Cr Sprott

#### **CARRIED**

## 15.0 NOTICES OF MOTION

### 15.1 NOTICE OF MOTION NO 27/2022 - COUNCIL SUPPORT FOR SYDNEY WORLDPRIDE 2023 ACTIVITIES

*NOTE 1: Councillor Sprott returned to the chamber at 9:23pm*

*NOTE 2: Councillor Walton returned to the chamber at 9:24pm*

#### 262/22 RESOLVED

#### **Cr Glanville / Cr Sprott**

That Council:

1. Note that the Sydney WorldPride 2023 festival is taking place between 17 February to 5 March 2023 and provides local cultural and tourism opportunities both on the Northern Beaches and for greater Sydney.
2. Request that staff liaise with relevant stakeholders regarding local Sydney WorldPride themed events and activations, including Fusion Pride, Lifesavers with Pride, and local Chambers of Commerce.
3. Write to the State Government and local public transport operators, suggesting that they explore having the B1 Buses and Manly Ferries dressed up during WorldPride.
4. The Chief Executive Officer report back to Council within one month regarding actions which Council could take to be involved in Sydney WorldPride, for example:
  - A. Providing assistance to local businesses and organisations that wish to organise events, activations, and other activities.
  - B. Updating the Council website.
  - C. Temporary public space activations during Sydney WorldPride, such as rainbow crossings, flags, and use of the "MANLY" sign rainbow livery.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

## 15.2 NOTICE OF MOTION NO 28/2022 - 60TH ANNIVERSARY OF THE MELWOOD PLAYING FIELDS - MANAGEMENT COMMITTEE

*NOTE 1: Councillor Robins left the chamber at 9:32pm and returned at 9:38pm*

*NOTE 2: Councillor Regan left the chamber at 9:32pm*

*NOTE 3: In the absence of Councillor Regan, Councillor Bingham assumed the Chair*

*NOTE 4: Councillor Menano-Pires left the chamber at 9:33pm*

*NOTE 5: Councillor Heins left the chamber at 9:33pm and returned at 9:34pm*

### **Cr Sprott / Cr De Luca**

1. That this Council note:

- A. Early in 1962, the then R.S.L. Club received a request from Warringah Shire Council to form a section 530A Committee to control 19 acres left of the public recreation area, however the Club declined in favour of the sub-branch and committed the club to their full support and financial assistance in the development of the playing fields.
- B. On 23 July 1962, a Sub-Committee of the Forestville sub-branch was appointed being: D.Pecover, J.Percy, J.Howard, B .King, R.Linton and K.Payne to negotiate with Warringah Shire Council and to suggest that land be divided into two sections.
- C. It was proposed that the area to the south (approx. 9 acres) to be known as area "B" be under the control of a 530A Committee made up from various interested organisations within the community and the area north and adjoining the sub-branch Leasehold, to be called area "A" be under the control of a 530A committee comprising of nine sub-branch members, with an ex officio liaison person acting between the committees.
- D. This was agreed to by Waringah Shire Council and on 5 September 1962 the sub-branch elected the first Forestville R.S.L. sub-branch 530A Management Committee, including the previous sub-committee members, plus P.Barkley, R.Cooper, C.Buridge and J.Doyle, with K.Payne being the liaison member ex officio and this committee became a sub-committee of the sub-branch together with Warringah Shire Council.
- E. In 1966, Warringah Shire Council suggested both Areas be called Memorial 1 and 2 - this was opposed by the Sub-Branch through the 530A Committee. The Sub-Branch proposed that Area "A" Playing Fields be named "Forestville R.S.L. War Memorial Playing Fields" and the Management Committee be called Management Committee 530A Area "A". Area "B" will be known as Melwood Oval.
- F. On completion of the Playing Fields it had always been the Committees intention to hold a dedication service, to dedicate the Playing Fields as a War Memorial -  
  
the 530A Committee, through Warringah Shire Council, has trusteeship of the Memorial Playing Fields for the development, care, control and management of area "A".
- G. In 1972 lighting was added to the Playing Fields for night training, seating was placed around the Oval and extensive drainage work carried out.
- H. On Saturday 18 February 1984 a dedication service was held at the War Memorial Playing Fields, with the official opening of the amenities block. This Dedication of the Playing Fields as a War Memorial was carried out by the Reverend Len Straw (representative of the Forest Minister's Fraternal) and after the Dedication, the President of Warringah Shire Council, Darren Jones, officially opened the new change

rooms and amenities block.

- I. Over the years the sub-branch 530A Management Committee has ensured improvements:- change rooms with storage and kitchen, construction of netball courts and lighting for night training use by the Forest Netball Club and surrounding schools.
- J. The Committee also assisted in the development of a Rugby Club Rooms within area "A" and supplying a childproof children's play area with play equipment.
- K. On 29 August 1988, Foundation President Jim Percy stood down after 29 years and Rod McDonald was elected President and Margaret Cliff also elected to the committee and serving to the present day.
- L. The Rugby Club House was finished and officially opened in 1993.
- M. In 2004 the Management Committee was re-appointed as a s355 Committee of Council.
- N. In 2020 the netball courts were renamed in honour of Margaret Cliff OAM, Life Member Forest Netball Club and Manly Warringah Netball Association.
- O. Over the 60 years only three people have served as President of the Committee: Foundation President, Jim Percy 1962- 1988, Rod McDonald 1988-2009 and Richard Gordon 2009 - current.
- P. Those that have served on the committee:

In first 50 years:

- o G. Allan, C. Buiridqe P. Barkley,  
B. Chisnall, R. Cooper M. Cliff, D. Dickerson, J. Doyle, J. Falinski, R. Gordon , H. Herbert, J Howard, R Hough, R Hunt, B. King, T. Kirkpatrick, T. Lindsay, R. Linton, D. McAndrew, A.Callum, R. McDonald, R. McDougall, J. Percy, D. Pecover, K. Pavne
- o M Regan, C. Roger, K. Sullivan; J. Thorpe, C. Tomkins and M Wharrie.

2012-2022:

- o Greg Allen, Gordon Brown, Pip Cameron, Bruce Chisnall, Margaret Cliff OAM, Robert Connors, Paul Davidson, David Dickerson, Cr Jason Falinski, Christine Ferguson, John Finlay, Laurel Fisher, Giuseppe Guerrera, Richard Gordon, Duncan Kerr, Ted Lindsay, Peter McAskill, David McAndrew, Andrew McCallum, Brian Malligan OAM; Cr Jose Menano-Pires, Warren Meppem, Craig Nicol, David Nimmo; Janine O'Sullivan, Dennis Pecover OAM, Debbie Phillipson, Mayor Michael Regan; Cr Stuart Sprott, Greg Taylor, Craig Tomkins, Alastair Turnbull, Mal Wharrie and Mervyn Whiting OAM.
2. That this Council congratulates the Management Committee on its 60th anniversary and acknowledges and commends all committee members past and present for their service and dedication to our community.
  3. Council supports and funds a small commemorative function on site inviting all committee members past and present and sporting and user club representatives to mark this milestone with celebration.

**AMENDMENT**

***Cr Grattan / Cr Heins***

That:

1. This Council congratulate the Management Committee on its 60th anniversary and

acknowledges and commends all committee members past and present for their service and dedication to our community.

2. Council support and fund a small commemorative function on site inviting all committee members past and present and sporting and user club representatives to mark this milestone with celebration.
3. Acknowledge the long and proud history of the Committee and its contributions to the local community.

#### **VOTING**

**FOR:** Cr Glanville, Cr Heins, Cr Korzy, Cr Bingham, Cr Robins and Cr Grattan

**AGAINST:** Cr Walton, Cr Gencher, Cr Amon, Cr De Luca, Cr Sprott, Cr Crvelin, and Cr Ryburn

**ABSENT:** Cr Regan, Cr Menano-Pires

#### **LOST**

**THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION**

#### **263/22 RESOLVED**

##### ***Cr Sprott / Cr De Luca***

1. That this Council note:
  - A. Early in 1962, the then R.S.L. Club received a request from Warringah Shire Council to form a section 530A Committee to control 19 acres left of the public recreation area, however the Club declined in favour of the sub-branch and committed the club to their full support and financial assistance in the development of the playing fields.
  - B. On 23 July 1962, a Sub-Committee of the Forestville sub-branch was appointed being: D.Pecover, J.Percy, J.Howard, B .King, R.Linton and K.Payne to negotiate with Warringah Shire Council and to suggest that land be divided into two sections.
  - C. It was proposed that the area to the south (approx. 9 acres) to be known as area "B" be under the control of a 530A Committee made up from various interested organisations within the community and the area north and adjoining the sub-branch Leasehold, to be called area "A" be under the control of a 530A committee comprising of nine sub-branch members, with an ex officio liaison person acting between the committees.
  - D. This was agreed to by Waringah Shire Council and on 5 September 1962 the sub-branch elected the first Forestville R.S.L. sub-branch 530A Management Committee, including the previous sub-committee members, plus P.Barkley, R.Cooper, C.Buridge and J.Doyle, with K.Payne being the liaison member ex officio and this committee became a sub-committee of the sub-branch together with Warringah Shire Council.
  - E. In 1966, Warringah Shire Council suggested both Areas be called Memorial 1 and 2 - this was opposed by the Sub-Branch through the 530A Committee. The Sub-Branch proposed that Area "A" Playing Fields be named "Forestville R.S.L. War Memorial Playing Fields" and the Management Committee be called Management Committee 530A Area "A". Area "B" will be known as Melwood Oval.
  - F. On completion of the Playing Fields it had always been the Committees intention to hold a dedication service, to dedicate the Playing Fields as a War Memorial - the 530A Committee, through Warringah Shire Council, has trusteeship of the Memorial Playing Fields for the development, care, control and management of area "A".
  - G. In 1972 lighting was added to the Playing Fields for night training, seating was placed



around the Oval and extensive drainage work carried out.

- H. On Saturday 18 February 1984 a dedication service was held at the War Memorial Playing Fields, with the official opening of the amenities block. This Dedication of the Playing Fields as a War Memorial was carried out by the Reverend Len Straw (representative of the Forest Minister's Fraternal) and after the Dedication, the President of Warringah Shire Council, Darren Jones, officially opened the new change rooms and amenities block.
- I. Over the years the sub-branch 530A Management Committee has ensured improvements:- change rooms with storage and kitchen, construction of netball courts and lighting for night training use by the Forest Netball Club and surrounding schools.
- J. The Committee also assisted in the development of a Rugby Club Rooms within area "A" and supplying a childproof children's play area with play equipment.
- K. On 29 August 1988, Foundation President Jim Percy stood down after 29 years and Rod McDonald was elected President and Margaret Cliff also elected to the committee and serving to the present day.
- L. The Rugby Club House was finished and officially opened in 1993.
- M. In 2004 the Management Committee was re-appointed as a s355 Committee of Council.
- N. In 2020 the netball courts were renamed in honour of Margaret Cliff OAM, Life Member Forest Netball Club and Manly Warringah Netball Association.
- O. Over the 60 years only three people have served as President of the Committee: Foundation President, Jim Percy 1962- 1988, Rod McDonald 1988-2009 and Richard Gordon 2009 - current.
- P. Those that have served on the committee:

In first 50 years:

- o G. Allan, C. Buiridge P. Barkley,  
B. Chisnall, R. Cooper M. Cliff, D. Dickerson, J. Doyle, J. Falinski, R. Gordon , H. Herbert, J Howard, R Hough, R Hunt, B. King, T. Kirkpatrick, T. Lindsay, R. Linton, D. McAndrew, A.Callum, R. McDonald, R. McDougall, J. Percy, D. Pecover, K. Pavne
- o M Regan, C. Roger, K. Sullivan; J. Thorpe, C. Tomkins and M Wharrie.

2012-2022:

- o Greg Allen, Gordon Brown, Pip Cameron, Bruce Chisnall, Margaret Cliff OAM, Robert Connors, Paul Davidson, David Dickerson, Cr Jason Falinski, Christine Ferguson, John Finlay, Laurel Fisher, Giuseppe Guerrera, Richard Gordon, Duncan Kerr, Ted Lindsay, Peter McAskill, David McAndrew, Andrew McCallum, Brian Malligan OAM; Cr Jose Menano-Pires, Warren Meppem, Craig Nicol, David Nimmo; Janine O'Sullivan, Dennis Pecover OAM, Debbie Phillipson, Mayor Michael Regan; Cr Stuart Sprott, Greg Taylor, Craig Tomkins, Alastair Turnbull, Mal Wharrie and Mervyn Whiting OAM.
- 2. That this Council congratulates the Management Committee on its 60th anniversary and acknowledges and commends all committee members past and present for their service and dedication to our community.
- 3. Council supports and funds a small commemorative function on site inviting all committee members past and present and sporting and user club representatives to mark this milestone with celebration.



**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Grattan and Cr Ryburn

**ABSENT:** Cr Regan and Cr Menano-Pires

**CARRIED**

**15.3 NOTICE OF MOTION NO 29/2022 - ENDORSEMENT OF NUCLEAR BAN AND DIVEST FROM NUCLEAR WEAPONS MANUFACTURERS**

*NOTE 1: Councillor Regan returned to the chamber at 9:44pm and resumed the Chair*

*NOTE 2: Councillor Menano-Pires returned to the chamber at 9:44pm*

*NOTE 3: Councillor Gencher left the chamber at 9:45pm due to a disclosure of interest*

*NOTE 4: Councillor Crvelin left the meeting at 10:07pm*

**Cr Korzy / Cr Glanville**

That Council:

1. Note the 77th Anniversary of the detonation of atomic bombs over the Japanese cities of Hiroshima and Nagasaki on August 6 and 9, 1945, respectively.
2. Acknowledge the devastation caused as a result of the detonations of those bombs, expresses its sadness about the loss of life, and extends its sympathy to the survivors who lived with permanent damage and injury following the detonations.
3. Endorse the Cities Appeal, a project of the Nobel Peace Prize-winning International Campaign to Abolish Nuclear Weapons (ICAN).
4. Endorse the following statement: *“Our local government area is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay.”*
5. Request that the Chief Executive Officer write to our local Federal Members Sophie Scamps MP and Zali Steggall OAM MP, and the Minister for Foreign Affairs, Senator the Hon. Penny Wong, to advise them of this motion.
6. Revise its investment policy to exclude all companies involved in the production of nuclear weapons, exclude those companies from eligibility to apply for Council tenders and disallow procurement from them.

**AMENDMENT****Cr Regan / Cr Heins**

That Council defer the matter to the Audit, Risk and Improvement Committee and following this, to a Councillor briefing.

**VOTING**

**FOR:** Cr Regan, Cr Grattan, Cr Sprott

**AGAINST:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Amon, Cr Bingham, Cr De Luca, Cr Robins, Cr Menano-Pires and Cr Ryburn

**ABSENT:** Cr Gencher and Cr Crvelin

**LOST**

**THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION**

**MOTION****Cr Korzy / Cr Glanville**

That Council:

1. Note the 77th Anniversary of the detonation of atomic bombs over the Japanese cities of Hiroshima and Nagasaki on August 6 and 9, 1945, respectively.
2. Acknowledge the devastation caused as a result of the detonations of those bombs, expresses its sadness about the loss of life, and extends its sympathy to the survivors who lived with permanent damage and injury following the detonations.
3. Endorse the Cities Appeal, a project of the Nobel Peace Prize-winning International Campaign to Abolish Nuclear Weapons (ICAN).
4. Endorse the following statement: *“Our local government area is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay.”*
5. Request that the Chief Executive Officer write to our local Federal Members Sophie Scamps MP and Zali Steggall OAM MP, and the Minister for Foreign Affairs, Senator The Hon. Penny Wong, to advise them of this motion.
6. Revise its investment policy to exclude all companies involved in the production of nuclear weapons, exclude those companies from eligibility to apply for Council tenders and disallow procurement from them.

**VOTING**

**FOR:** Cr Glanville and Cr Korzy

**AGAINST:** Cr Walton, Cr Heins, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**ABSENT:** Cr Gencher and Cr Crvelin

**LOST**

## 18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

*NOTE: Councillor Gencher returned to the chamber at 10:10pm*

264/22 **RESOLVED**

**Cr Regan / Cr Bingham**

That:

1. In accordance with the requirements of section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
  - A. Item 18.2 Public Private Partnership North Manly on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
  - B. Item 18.3 RFT 2021/130 - Manly Life Saving Club & Associated Community Facilities - Design Consultancy Services on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
  - C. Item 18.4 RFT 2022/065 - Provision of Hygiene Services to Council Buildings on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
  - D. Item 18.5 Mayoral Minute No 20/2022 - Annual Performance Review of the Chief Executive Officer July 2021 - June 2022 on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993].

This report discusses/provides advice concerning the Chief Executive Officer's Performance Review.
  - E. Item 18.6 Organisation Structure on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993].

This report discusses a personnel matter and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making.

2. The resolutions made by the Council in Closed Session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn, Cr Gencher

**ABSENT:** Cr Crvelin

**CARRIED**

## 19.0 REPORT OF CONFIDENTIAL RESOLUTIONS

*In accordance with Council's Code of Meeting Practice clause 15.22 the resolutions of confidential reports resolved by exception earlier in the meeting and resolutions passed in closed session were displayed on the public screens and livestream of the meeting webcast*

### 18.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE INDEPENDENT MEMBERSHIP

244/22 RESOLVED

**Cr Robins / Cr Heins**

That Council adopt Option 1 identified in the report.

**RESOLVED BY EXCEPTION**

**Note:** This is a copy of the resolution that was resolved by exception in open session in section 6.0-Items Resolved by Exception on page 8.

### 18.2 PUBLIC PRIVATE PARTNERSHIP NORTH MANLY

265/22 RESOLVED

**Cr Regan / Cr Amon**

That Council:

1. Endorse proceeding as a Public Private Partnership (PPP) and the appointment of Manly Warringah Gymnastics Club (ABN 149 1555 260 343) (MWGC) as the preferred counterparty for the PPP arising from EOI 2021/049 – Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, North.
2. Note that under the PPP MWGC is required to meet the following key outcomes and deliverables:
  - A. Outcomes:
    - i. Revitalisation/replacement of the existing assets and the delivery of improved recreation outcomes for the community
    - ii. Development of a high use recreation facility by the external party under a Council lease
    - iii. The proposal is to be capital cost neutral to Council
    - iv. The recreation facility will provide recreation activities that have limited alternate supply / sites
    - v. It will deliver broad community benefits
  - B. Deliverables
    - i. A fully funded indoor gymnastics and high-performance centre for national level competition of approximately 3,000sqm
    - ii. Operations to provide a range of gymnastics programmes for juniors, adults and seniors from recreational to completion and supporting programs for other aerial sports and dance/dance acrobatics.
3. Note the Guiding Principles in s8A of the Local Government Act (1993) (Act) as set out in the Report.

4. Note that the outcomes and deliverables of the PPP are consistent with the Guiding Principles and that undertaking the PPP is appropriate having regard to and within Council's functions and obligations under the Act.
5. Acknowledge that the PPP shall be evidenced by the following contractual documents (PPP Documents):
  - A. A project deed
  - B. Lease
  - C. Ancillary documents
6. Acknowledge the negotiated key terms between Council and MWGC for the PPP documents are in the opinion of the Chief Executive Officer satisfactory.
7. Authorise the CEO to finalise the negotiation and drafting of the PPP documents consistent with those key terms.
8. Make all necessary applications and submissions for the purposes of Part 6 of the *Local Government Act 1993 (Act)* including:
  - A. Authorise the Chief Executive Officer to prepare and provide to the Departmental Chief Executive an assessment of the PPP for the purposes of s400F of the Act
  - B. Authorise the Chief Executive Officer to prepare and submit to to the Office of Local Government (OLG) and any project review committee appointed for the PPP a full assessment as required by the Public Private Partnership (PPP) Guidelines published by the OLG.
9. Apply to the Minister for Local Government in accordance with Sections 47(5)(b) and 47(6) of the *Local Government Act 1993* for consent to grant the Lease to the MWGC for a term of thirty years.
10. Following:
  - A. Notification that the Minister has given that consent as required by s47(5)(b) of the Act; and
  - B. Notification from the OLG to the effect that the OLG is satisfied that the requirements of the Act and the Guidelines have been complied with or that the OLG requires no further actions to comply with the Act or the Guidelines, that the Project Documents be finalised and executed
11. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including making all necessary applications and submissions and finalising and executing all necessary documents including the PPP documents.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr De Luca

**CARRIED**

**18.3 RFT 2021/130 - MANLY LIFE SAVING CLUB & ASSOCIATED COMMUNITY FACILITIES - DESIGN CONSULTANCY SERVICES**

266/22 **RESOLVED**

***Cr Bingham / Cr Grattan***

That Council:

1. Accept the tender of TERROIR Pty Ltd for RFT 2021/130 – Manly Life Saving Club & Associated Community Facilities - Design Consultancy Services for:
  - A. The lump sum of \$325,474 excluding GST for phases 1-3 (agreed concept design); and
  - B. On completion of phases 1 to 3 approval to proceed with phases 4 to 8 as described in the evaluation report be sought from Council:
    - i. \$414,000 excluding GST for phase 4 – DA documentation & approval
    - ii. \$704,625 excluding GST for phase 5 – Detailed design & tender
    - iii. \$276,000 excluding GST for phase 6 – Construction Certificate, Contract and ‘for Construction’ documentation
    - iv. \$544,800 excluding GST for phase 7 – Services during construction
    - v. \$101,250 excluding GST for phase 8 – Post completion and defects liability period.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution (including phases 1-3) and to approve contract payments up to the amount specified in the confidential evaluation report.

**VOTING**

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Amon and Cr De Luca

**CARRIED**

#### 18.4 RFT 2022/065 - PROVISION OF HYGIENE SERVICES TO COUNCIL BUILDINGS

267/22 **RESOLVED**

**Cr Glanville / Cr Regan**

That Council:

1. Accept the tender of Enviro LCS Pty Limited for RFT 2022/065 – Hygiene Services for Council Buildings, for the initial annual amount of \$86,854.49 (ex GST) and schedule of rates, subject to cost adjustment as per the Fee Review clause C4 for each year thereafter, for the period 1 October 2022 to 30 September 2025 with two optional extensions of one year each at Council's discretion.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.
3. Delegate authority to the Chief Executive Officer to exercise Council's options to extend the contract term.

#### VOTING

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr Sprott

**CARRIED**

#### 18.5 MAYORAL MINUTE NO 20/2022 - ANNUAL PERFORMANCE REVIEW OF THE CHIEF EXECUTIVE OFFICER JULY 2021 - JUNE 2022

268/22 **RESOLVED**

**Cr Regan**

That:

1. The report and outcomes in the Performance Review of the Chief Executive Officer July 2021 to June 2022 be adopted.
2. In accordance with Section 7 of the Chief Executive Officer's employment contract, Council to send a written report setting out its conclusions to the Chief Executive Officer advising him of his performance.

#### VOTING

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr De Luca

**CARRIED**



## 18.6 ORGANISATION STRUCTURE

270/22 **RESOLVED**

**Cr Grattan / Cr Gencher**

That Council:

1. Continue with the current organisation structure of six Directors (Level 2) as the senior staff positions reporting to the Chief Executive Officer:
  - A. Director Community and Belonging
  - B. Director Planning and Place
  - C. Director Environment and Sustainability
  - D. Director Corporate and Legal
  - E. Director Workforce and Technology
  - F. Director Transport and Assets.
2. Endorse the transfer of the Community Engagement and Communications business unit from the Office of the Chief Executive to the Corporate and Legal Directorate.
3. Endorse the establishment of a Customer Experience Unit reporting to the Chief Executive Officer to uplift cross council customer experience through assisted and unassisted channels (digital).
4. Note that funding associated with the above changes will be provided through the existing budget.

### VOTING

**FOR:** Cr Glanville, Cr Walton, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Bingham, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

**AGAINST:** Cr De Luca

**CARRIED**

*NOTE: The meeting resumed in open session at 11.20pm*

*The meeting concluded at 11.21pm*

This is the final page of the minutes comprising 33 pages numbered 1 to 33 of the Ordinary Council Meeting held on Tuesday 23 August 2022 and confirmed on Tuesday 27 September 2022

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Mayor

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Chief Executive Officer