



northern  
beaches  
council

# MINUTES

## ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

**TUESDAY 23 MARCH 2021**

**Minutes of an Ordinary Council Meeting**  
**held on Tuesday 23 March 2021**  
**at the Civic Centre, Dee Why**  
**Commencing at 6:01pm**

**ATTENDANCE:**

**Councillors**

Michael Regan (Mayor)  
Candy Bingham (Deputy Mayor)  
Pat Daley OAM  
Vincent De Luca OAM  
Kylie Ferguson  
Sarah Grattan  
Roslyn Harrison  
Sue Heins  
Alex McTaggart  
Penny Philpott  
Stuart Sprott  
David Walton  
Ian White

**Officers**

Ray Brownlee PSM	Chief Executive Officer
Jeff Smith	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
Karen Twitchett	Director Workforce and Technology
Eskil Julliard	General Counsel
Yianni Mentis	Executive Manager Environment and Climate Change
David Walsh	Chief Financial Officer
Caroline Foley	Executive Manager Financial Planning and Systems
Andrew Pigott	Executive Manager Strategic and Place Planning
Steve Lawler	Executive Manager Parks and Recreation
Phillip Devon	Manager Transport Network
Kath McKenzie	Executive Manager Community Engagement and Communications
Josephine Bennett	Manager, Arts & Culture
Lesley Milbourne	Acting Manager Governance
Katie Kirwan	Acting Senior Advisor Governance
Jasmine Evans	Governance Officer
Sylwia Stafford	Service Delivery Officer
Greg Karageuzian	IT Network Support Officer

**Notes**

The meeting commenced at 6:01pm, adjourned at 8:08pm, resumed at 8:20pm, moved into closed session at 10:05pm, resumed in open session at 10:22pm and concluded at 10:23pm.

## Table of Contents

<b>1.0</b>	<b>Acknowledgement of Country</b> .....	<b>5</b>
<b>2.0</b>	<b>Apologies and Applications for Leave Of Absence</b> .....	<b>5</b>
<b>3.0</b>	<b>Confirmation of Minutes</b> .....	<b>5</b>
3.1	Minutes of Extraordinary Council Meeting held 12 January 2021 and concluded on 23 February 2021 .....	5
3.2	Minutes of Extraordinary Council Meeting held 23 February 2021 .....	6
<b>4.0.</b>	<b>Disclosures of Interest</b> .....	<b>6</b>
<b>5.0</b>	<b>Public Forum And Public Address</b> .....	<b>6</b>
<b>6.0</b>	<b>Items Resolved by Exception</b> .....	<b>8</b>
9.2	Approval to Write Off Bad Debts.....	8
9.3	Monthly Investment Report - February 2021.....	8
9.4	Funding for Extension of Outdoor Dining Fee Waiver to 30 June 2021.....	8
10.1	Outcome of Public Exhibition of the Draft Community Centres Policy and Community Centres Strategy .....	9
10.2	Minutes of the Community Safety Committee Meeting Held 26 November 2020 .....	9
10.3	Minutes of the Public Art Working Group Meetings 3 September and 19 November 2020... 9	
11.1	Public Exhibition of the Draft Policy for Financial Assistance for Charitable or Not-For-Profit Community Organisations Disposing Waste at Kimbriki .....	10
11.2	Outcome of the Public Exhibition of the Draft Placing of Hoardings and Scaffolding at Construction or Demolition Sites Policy .....	10
11.4	Outcome of the Public Exhibition of the Draft Development Construction Security Deposit Policy .....	10
<b>7.0</b>	<b>Mayoral Minutes</b> .....	<b>11</b>
7.1	Mayoral Minute No 02/2021 - Newport Surf Life Saving Club - Congratulations .....	11
7.2	Mayoral Minute No 03/2021 - Community Battery Trial Project.....	11
7.3	Mayoral Minute No 04/2021 - Newport Village Commercial Centre .....	12
<b>8.0</b>	<b>Chief Executive Officer's Division Reports</b> .....	<b>12</b>
8.1	NSW Surf Life Saving Championships .....	12
<b>9.0</b>	<b>Corporate and Legal Division Reports</b> .....	<b>13</b>
9.1	Outcome of the Public Exhibition of the Draft Rates Harmonisation.....	13
<b>11.0</b>	<b>Environment and Sustainability Division Reports</b> .....	<b>16</b>
11.3	Response to Notice of Motion - 56/2021 - Cabbage Tree Bay Aquatic Reserve .....	16
11.5	Public Exhibition of the Wakehurst Parkway Flood Mitigation Feasibility Study .....	17
	<i>Change to Order of Business</i> .....	18
12.2	Outcome of the Public Exhibition of the Draft Planning Agreement for 723, 725 and 727 Warringah Road, Forestville .....	18
15.8	Notice of Motion No 19/2021 - Synthetic Sports Fields.....	19
13.1	Outcome of the Public Exhibition for the Proposed Naming of the Reserve at Fern Creek, Warriewood after Lynne Czinner .....	19

<b>12.0</b>	<b>Planning and Place Division Reports .....</b>	<b>20</b>
12.1	Outcome of the Public Exhibition of the Draft Public Space Vision and Design Guidelines	20
<b>13.0</b>	<b>Transport and Assets Division Reports.....</b>	<b>20</b>
13.2	Endorsement of the Northern Beaches Electric Vehicle Charging Infrastructure Plan for Public Exhibition .....	20
<b>15.0</b>	<b>Notices of Motion .....</b>	<b>21</b>
15.1	Notice of Motion No 12/2021 - Public Safety Briefing .....	21
15.2	Notice of Motion No 13/2021 - Outdoor Dining Fees .....	21
15.3	Notice of Motion No 14/2021 - Bare Creek Self-Funding Maintenance Report .....	21
15.4	Notice of Motion No 15/2021 - COVID-19 Summer Lockdown - Impact on Council Finances.....	22
15.5	Notice of Motion No 16/2021 - Electric Vehicle Age.....	22
15.6	Notice of Motion No 17/2021 - URM.....	22
15.7	Notice of Motion No 18/2021 - Forestville Food Truck Festival .....	22
15.9	Notice of Motion No 20/2021 - Community Safety Committee Membership.....	23
<b>16.0</b>	<b>Notices of Rescission .....</b>	<b>23</b>
16.1	Notice of Rescission No 01/2021 - Item 8.2 Outcome of Public Exhibition of Councillor Use of Social Media Policy .....	23
<b>19.0</b>	<b>Confidential Matters – Closed Session.....</b>	<b>24</b>
<b>20.0</b>	<b>Confidential Items Resolved by Exception.....</b>	<b>24</b>
19.1	Update on Support for Private Coastal Protection Works at Collaroy Narrabeen Beach ....	24
19.2	RFT 2020/220 – Construction Services for the Redevelopment of Mona Vale SLSC and Mona Vale Beach Amenities.....	25
19.3	RFT 2021/010 – Aboriginal Art & Storytelling Project.....	25
<b>21.0</b>	<b>Report of Confidential Resolutions.....</b>	<b>25</b>
19.4	Coast Walk Public Art – Robert Dunn Reserve (South Mona Vale Headland .....	25

## 1.0 ACKNOWLEDGEMENT OF COUNTRY

*NOTE 1: The Mayor acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past and present.*

*NOTE 2: The Mayor expressed his gratitude to the staff and SES volunteers who worked over the weekend during the recent storm event.*

*NOTE 3: Councillor De Luca left the chamber at 6:05pm.*

## 2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

047/21 RESOLVED

***Cr Ferguson / Cr Grattan***

That:

1. Councillor Warren be granted a leave of absence for the Council meetings of 23 March 2021 and 27 April 2021.
2. An apology be received from Councillor Amon.

### VOTING

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott and Cr Regan

**ABSENT:** Cr De Luca and Cr Harrison

**CARRIED**

## 3.0 CONFIRMATION OF MINUTES

### 3.1 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 12 JANUARY 2021 AND CONCLUDED ON 23 FEBRUARY 2021

048/21 RESOLVED

***Cr Bingham / Cr Grattan***

That the Minutes of the Ordinary Council meeting held on 12 January 2021 and concluded on 23 February 2021, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

### VOTING

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott and Cr Regan

**ABSENT:** Cr De Luca and Cr Harrison

**CARRIED**

### 3.2 MINUTES OF ORDINARY COUNCIL MEETING HELD 23 FEBRUARY 2021

049/21 **RESOLVED**

**Cr Ferguson / Cr Heins**

That the Minutes of the Ordinary Council meeting held 23 February 2021, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

#### **VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott and Cr Regan

**ABSENT:** Cr De Luca and Cr Harrison

**CARRIED**

### 4.0 DISCLOSURES OF INTEREST

- Councillor Regan declared a significant non-pecuniary interest in relation to items 13.2 Endorsement of the Northern Beaches Electric Vehicle Charging Infrastructure Plan for Exhibition and 15.5 Notice of Motion 16/2021 Electric Vehicle Age. He chose to take no part in the discussion or voting on these items. The reason provided was:

*“My wife and I (and the bank) own electric vehicles and the appropriate infrastructure to charge at home.”*

### 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 Harrison joined the meeting at 6:07pm*

*NOTE 3: Councillor Daley left the chamber at 6:07pm and returned at 6:12pm*

#### 5.1 PUBLIC FORUM

- Simon Barlow addressed Council about Robertson Road, Newport - Newport Masterplan
- Gavin Butler addressed Council about Robertson Road, Newport - Newport Masterplan
- Mike Sprange addressed Council about footpaths for people in wheelchairs in North Manly
- Chiang Lim addressed Council about the impact on childcare development applications of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- Sophie Stack addressed Council about telecommunications infrastructure

## PROCEDURAL MOTION - EXTENSION OF TIME

### *Cr Walton / Cr Daley*

That Sophie Stack be granted an extension of 2 minutes to address the meeting.

## VOTING

**FOR:** Cr Daley, Cr McTaggart and Cr Walton

**AGAINST:** Cr White, Cr Philpott, Cr Grattan, Cr Heins, Cr Bingham, Cr Ferguson, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

## LOST

- Christopher Moorman addressed Council about rightsizing Council expenditure
- David Murray addressed Council about the B-Line Bus Service

## 5.2 PUBLIC ADDRESS

- **Item 9.1 – Outcome of Public Exhibition of the Draft Rates Harmonisation**

Robert Bruce and Timothy Irwin addressed Council against this item.

- **Item 10.1 – Outcome of Public Exhibition of the Draft Community Centres Policy and Community Centres Strategy**

Geri Moorman addressed Council supporting this item.

- **Item 12. 2 – Outcome of Public Exhibition of the Draft Planning Agreement for 723, 725 and 727 Warringah Road, Forestville**

Steven Schlederer addressed Council supporting this item.

- **Item 13.1 - Outcome of Public Exhibition for the Proposed Naming of the Reserve at Fern Creek, Warriewood after Lynne Czinner**

Angus Gordon addressed Council supporting this item.

- **Item 13.2 – Endorsement of the Northern Beaches Electric Vehicle Charging Infrastructure Plan for Public Exhibition**

Gregory Hogan addressed Council against this item.

- **Item 15.1 – Notice of Motion No 12/2021 - Public Safety Briefing**

Gregory Hogan addressed Council against this item.

- **Item 15.8 – Notice of Motion No 19/2021 - Synthetic Sports Fields Amendments**

David Mason addressed Council against this item and Julia Walsh addressed Council supporting this item.

## 6.0 ITEMS RESOLVED BY EXCEPTION

050/21 RESOLVED

***Cr Daley / Cr Grattan***

That items 9.2, 9.3, 9.4, 10.1, 10.2, 10.3, 11.1, 11.2, 11.4, 19.1, 19.2 and 19.3 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.

### VOTING

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

**CARRIED**

## 9.2 APPROVAL TO WRITE OFF BAD DEBTS

051/21 RESOLVED

***Cr Daley / Cr Grattan***

That Council write off:

1. The outstanding debt for African Pacific Pty Ltd of \$37,252.77 as detailed in this report.
2. The outstanding debt for Mr Jake Henley of \$48,070.00 as detailed in this report.
3. The outstanding debt for Volhan Pty Ltd of \$26,698.36 as detailed in this report.

**RESOLVED BY EXCEPTION**

## 9.3 MONTHLY INVESTMENT REPORT - FEBRUARY 2021

052/21 RESOLVED

***Cr Daley / Cr Grattan***

That Council receives and notes the Investment Report as at 28 February 2021, including the certification by the Responsible Accounting Officer.

**RESOLVED BY EXCEPTION**

## 9.4 FUNDING FOR EXTENSION OF OUTDOOR DINING FEE WAIVER TO 30 JUNE 2021

053/21 RESOLVED

***Cr Daley / Cr Grattan***

That the operating and capital expenditure budget changes for the 2020/21 financial year outlined in Table 1 of this report are endorsed for inclusion in the March 2021 Quarterly Budget Review.

**RESOLVED BY EXCEPTION**



**10.1 OUTCOME OF PUBLIC EXHIBITION OF THE DRAFT COMMUNITY CENTRES POLICY AND COMMUNITY CENTRES STRATEGY**

054/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council:

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

**RESOLVED BY EXCEPTION**

**10.2 MINUTES OF THE COMMUNITY SAFETY COMMITTEE MEETING HELD 26 NOVEMBER 2020**

055/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council note the minutes of the Community Safety Committee meeting held on 26 November 2020.

**RESOLVED BY EXCEPTION**

**10.3 MINUTES OF THE PUBLIC ART WORKING GROUP MEETINGS 3 SEPTEMBER AND 19 NOVEMBER 2020**

056/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council notes the Public Art Working Group Meeting Minutes of 3 September and 19 November 2020.

**RESOLVED BY EXCEPTION**

**11.1 PUBLIC EXHIBITION OF THE DRAFT POLICY FOR FINANCIAL ASSISTANCE FOR CHARITABLE OR NOT-FOR-PROFIT COMMUNITY ORGANISATIONS DISPOSING WASTE AT KIMBRIKI**

057/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council:

1. Place the draft Financial Assistance for Charitable or Not for Profit Community Organisations for Waste Disposal at Kimbriki Policy on public exhibition for a minimum of 28 days.
2. Receives a report back on the outcome of the public exhibition.

**RESOLVED BY EXCEPTION**

**11.2 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT PLACING OF HOARDINGS AND SCAFFOLDING AT CONSTRUCTION OR DEMOLITION SITES POLICY**

058/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council:

1. Note the submission received during the public exhibition process.
2. Adopt the Placing of Hoarding and Scaffolding at Construction and Demolition Sites Policy.
3. Rescind the Former Manly Council Policy: H20. Hoardings - Placing of Hoardings at Construction or Demolition Sites.

**RESOLVED BY EXCEPTION**

**11.4 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT DEVELOPMENT CONSTRUCTION SECURITY DEPOSIT POLICY**

059/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That Council:

1. Note the submissions received during the public exhibition of the draft Development/Construction Security Deposit Policy.
2. Adopt the Development/Construction Security Deposit Policy.
3. Rescind the Former Warringah Council Policy: LAP-PL 210 - Builders' Security Deposits.

**RESOLVED BY EXCEPTION**

## 7.0 MAYORAL MINUTES

### 7.1 MAYORAL MINUTE NO 02/2021 - NEWPORT SURF LIFE SAVING CLUB - CONGRATULATIONS

060/21 **RESOLVED**

***Cr Regan / Cr Ferguson***

That Council:

1. Write and formally acknowledge the outstanding achievement by the Newport Surf Lifesaving Club for its recent success at the NSW State Championships.
2. Acknowledge the efforts of all our surf lifesaving volunteers across the Northern Beaches for their commitment to their clubs and our community.

#### **VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

***CARRIED***

### 7.2 MAYORAL MINUTE NO 03/2021 - COMMUNITY BATTERY TRIAL PROJECT

061/21 **RESOLVED**

***Cr Regan***

That:

1. The Chief Executive Officer write to Ausgrid to thank them for partnering with Council on the community battery trial and request that Council be involved in other opportunities for community batteries should the trial prove successful.
2. Council congratulate the Environment and Climate Change team for their contribution to the project.

#### **VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

***CARRIED***

### 7.3 MAYORAL MINUTE NO 04/2021 - NEWPORT VILLAGE COMMERCIAL CENTRE

062/21 **RESOLVED**

**Cr Regan**

That Council write to land owners in the Newport Village Commercial Centre and local community groups inviting them to participate in a meeting/workshop with Council representatives to discuss the realisation of the vision to revitalise the Newport Village Commercial Centre as documented in the Masterplan prepared by Pittwater Council (and which forms part of Pittwater 21 Development Control Plan (21DCP) - including opportunities for site amalgamations.

#### **VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

**CARRIED**

## 8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

### 8.1 NSW SURF LIFE SAVING CHAMPIONSHIPS

063/21 **RESOLVED**

**Cr Regan / Cr Harrison**

That Council:

1. Endorses the submission of an Expression of Interest to host the NSW Surf Life Saving Championships for three years in 2022, 2023 and 2024 with an option to host the event for a further two years (one + one) in 2025 and 2026.
2. Grants the Chief Executive Officer delegation to make decisions as required for the NSW Surf Life Saving Championships to proceed in 2022, 2023 and 2024, including the possibility of a further two years (one + one) in 2025 and 2026.

#### **VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

**CARRIED**

## 9.0 CORPORATE AND LEGAL DIVISION REPORTS

### 9.1 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT RATES HARMONISATION

*NOTE: Councillor Daley left the chamber at 7:35pm and returned at 7:36pm*

#### **Cr McTaggart / Cr Heins**

That Council:

1. Acknowledges that the rates harmonisation process is to be implemented by 1 July 2021 in order to comply with the Local Government Act 1993.
2. Adopts the methodology for the harmonisation of:
  - A. ordinary residential rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - B. ordinary business rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - C. the Farmland Category, Manly Central Business District (CBD), Warringah Mall, Warriewood Square and Strata Storage Units business sub-categories as outlined in this report.
3. Notes that in response to council advocacy, the NSW State Government is introducing a Bill to Parliament that will allow amalgamated Councils to harmonise rates gradually over four years. If any significant amendments are made to the Bill which make Council's approach non-compliant with the legislation a report will be brought back to Council.
4. Adopts the following options for the timing of harmonisation of ordinary business and residential rates:
  - A. Residential:
    - i. Option 1 – No gradual harmonisation, minimum and ad valorem Ordinary Residential Rates full harmonisation from 1 July 2021 as detailed in this report
  - B. Business:
    - i. Option 1 – No gradual harmonisation, minimum and ad valorem rates Ordinary Business Rates full harmonisation from 1 July 2021 as detailed in this report.
5. Applies to the Minister for Local Government to set minimum rates in the council area for 2021-22 as follows:
  - A. Ordinary Residential Category - \$987.30
  - B. Farmland Category - \$950.55
  - C. Ordinary Business Category - \$1,285.51
  - D. Manly CBD Sub-category - \$1,285.51
  - E. Strata Storage Units Sub-category - \$614.41.
6. Adopts the implementation of a Northern Beaches Stormwater Management Services Charge with the charge applying to all eligible properties in the former Warringah LGA on the date that rates harmonisation commences for the residential and business categories.
7. Adopts the draft Pensioner Rates & Charges Concession Policy and rescinds the Rebate of

Pensioners' Rates and Charges Policy No. PL 511 (former Warringah Council).

8. Adopts the revised Rates and Annual Charges Hardship Policy as outlined in this report.

## **AMENDMENT**

### ***Cr Grattan / Cr Bingham***

That Council:

1. Acknowledges that the rates harmonisation process is to be implemented by 1 July 2021 in order to comply with the Local Government Act 1993.
2. Adopts the methodology for the harmonisation of:
  - A. ordinary residential rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - B. ordinary business rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - C. the Farmland Category, Manly Central Business District (CBD), Warringah Mall, Warriewood Square and Strata Storage Units business sub-categories as outlined in this report.
3. Notes that in response to council advocacy, the NSW State Government is introducing a Bill to Parliament that will allow amalgamated Councils to harmonise rates gradually over four years. If any significant amendments are made to the Bill which make Council's approach non-compliant with the legislation a report will be brought back to Council.
4. Adopts the following timing of harmonisation of ordinary business and residential rates:
  - A. Residential:
    - i. Option 2 – Minimum Ordinary Residential Rates fully harmonised from 1 July 2021 and ad valorem rates harmonised over four years commencing 1 July 2021 as detailed in this report.
  - B. Business:
    - i. Option 2 – Minimum Ordinary Business Rates fully harmonised from 1 July 2021 and ad valorem rates harmonised over four years commencing 1 July 2021 as detailed in this report.
5. Applies to the Minister for Local Government to set minimum rates in the council area for 2021-22 as follows:
  - A. Ordinary Residential Category - \$987.30
  - B. Farmland Category - \$950.55
  - C. Ordinary Business Category - \$1,285.51
  - D. Manly CBD Sub-category - \$1,285.51
  - E. Strata Storage Units Sub-category - \$614.41.
6. Seeks to identify additional savings in operational costs, through the budget and service review processes, in order to minimise increases in the ad-valorem rate for 2021/22
7. Adopts the implementation of a Northern Beaches Stormwater Management Services Charge with the charge applying to all eligible properties in the former Warringah LGA on the

date that rates harmonisation commences for the residential and business categories.

8. Adopts the draft Pensioner Rates & Charges Concession Policy and rescinds the Rebate of Pensioners' Rates and Charges Policy No. PL 511 (former Warringah Council).
9. Adopts the revised Rates and Annual Charges Hardship Policy as outlined in this report.

#### **VOTING**

**FOR:** Cr Daley, Cr Grattan and Cr Bingham

**AGAINST:** Cr White, Cr Philpott, Cr Heins, Cr McTaggart, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

#### **LOST**

#### **064/21 RESOLVED**

##### ***Cr McTaggart / Cr Heins***

That Council:

1. Acknowledges that the rates harmonisation process is to be implemented by 1 July 2021 in order to comply with the Local Government Act 1993.
2. Adopts the methodology for the harmonisation of:
  - A. ordinary residential rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - B. ordinary business rates utilising Scenario 4 (weighted average minimum rate) as outlined in this report
  - C. the Farmland Category, Manly Central Business District (CBD), Warringah Mall, Warriewood Square and Strata Storage Units business sub-categories as outlined in this report.
3. Notes that in response to council advocacy, the NSW State Government is introducing a Bill to Parliament that will allow amalgamated Councils to harmonise rates gradually over four years. If any significant amendments are made to the Bill which make Council's approach non-compliant with the legislation a report will be brought back to Council.
4. Adopts the following options for the timing of harmonisation of ordinary business and residential rates:
  - A. Residential:
    - i. Option 1 – No gradual harmonisation, minimum and ad valorem Ordinary Residential Rates full harmonisation from 1 July 2021 as detailed in this report.
  - B. Business:
    - i. Option 1 – No gradual harmonisation, minimum and ad valorem rates Ordinary Business Rates full harmonisation from 1 July 2021 as detailed in this report.
5. Applies to the Minister for Local Government to set minimum rates in the council area for 2021-22 as follows:
  - A. Ordinary Residential Category - \$987.30

- B. Farmland Category - \$950.55
  - C. Ordinary Business Category - \$1,285.51
  - D. Manly CBD Sub-category - \$1,285.51
  - E. Strata Storage Units Sub-category - \$614.41.
6. Adopts the implementation of a Northern Beaches Stormwater Management Services Charge with the charge applying to all eligible properties in the former Warringah LGA on the date that rates harmonisation commences for the residential and business categories.
7. Adopts the draft Pensioner Rates & Charges Concession Policy and rescinds the Rebate of Pensioners' Rates and Charges Policy No. PL 511 (former Warringah Council).
8. Adopts the revised Rates and Annual Charges Hardship Policy as outlined in this report.

**VOTING**

**FOR:** Cr White, Cr Philpott, Cr Heins, Cr McTaggart, Cr Ferguson, Cr Sprott, Cr Harrison and Cr Regan

**AGAINST:** Cr Daley, Cr Grattan, Cr Bingham and Cr Walton

**ABSENT:** Cr De Luca

**CARRIED**

## 11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

### 11.3 RESPONSE TO NOTICE OF MOTION - 56/2021 - CABBAGE TREE BAY AQUATIC RESERVE

065/21 **RESOLVED**

**Cr Daley / Cr Bingham**

That Council:

1. Note the information provided in this report.
2. Continue to work with stakeholders to manage Cabbage Tree Bay Aquatic Reserve and surrounds.

**VOTING**

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

**ABSENT:** Cr De Luca

**CARRIED**



## 11.5 PUBLIC EXHIBITION OF THE WAKEHURST PARKWAY FLOOD MITIGATION FEASIBILITY STUDY

*NOTE: Councillor De Luca returned to the chamber at 7:59pm*

066/21 **RESOLVED**

***Cr Heins / Cr Regan***

That:

1. The draft Wakehurst Parkway Flood Mitigation Feasibility Study – document reference number 2021/188438 - be placed on public exhibition for a period of at least 28 days.
2. The results of the public exhibition of the Wakehurst Parkway Mitigation Feasibility Study be reported back to Council.
3. Council accept the funding offered by Transport for NSW for the Wakehurst Parkway Flood Mitigation project subject to these conditions:
  - A. The funding is subject to an amended delivery timeframe to reflect the 14 months between the request being made and the formal notification of funding being received. This would see works being completed by the end of the first quarter in the 2023/2024 financial year.
  - B. The elected Council resolves to proceed with works following a community engagement process.
  - C. The community being generally supportive of the proposed works.

### **VOTING**

**FOR:** Unanimous

***CARRIED***

## PROCEDURAL MOTION - ADJOURN THE MEETING

067/21 **RESOLVED**

***Cr Regan***

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

### **VOTING**

**FOR:** Unanimous

***CARRIED***

## PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

068/21 **RESOLVED**

**Cr Regan / Cr Sprott**

That the order of business be changed so items 12.2, 15.8 and 13.1 be brought forward and dealt with immediately.

### VOTING

**FOR:** Unanimous

**CARRIED**

## 12.2 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT PLANNING AGREEMENT FOR 723, 725 AND 727 WARRINGAH ROAD, FORESTVILLE

*NOTE: Councillor Heins left the chamber at 8:22pm and returned at 8:23pm*

069/21 **RESOLVED**

**Cr Sprott / Cr Harrison**

That Council:

1. Note the outcome of the public exhibition of the draft Planning Agreement for 723, 725 and 727 Warringah Road, Forestville.
2. Enter into the Planning Agreement for 723, 725 and 727 Warringah Road, Forestville.
3. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.
4. Notify those who made a submission advising of Council's decision in respect of the Planning Agreement for 723, 725 and 727 Warringah Road, Forestville.

### VOTING

**FOR:** Unanimous

**CARRIED**

## 15.8 NOTICE OF MOTION NO 19/2021 - SYNTHETIC SPORTS FIELDS

### ***Cr Sprott / Cr Harrison***

That Council:

1. Immediately pause the roll out of any future installation of new synthetic sports fields until after the NSW State Government releases its recently commissioned environment report on their impacts.
2. Continue with the installation and renewal of the synthetic sports fields that have already been constructed and are currently in the planning phase.
3. Continue with the program of community consultation of future sports fields so if approved work can commence immediately.

### **VOTING**

**FOR:** Cr Sprott and Cr Harrison

**AGAINST:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton and Cr Regan

### **LOST**

## 13.1 OUTCOME OF THE PUBLIC EXHIBITION FOR THE PROPOSED NAMING OF THE RESERVE AT FERN CREEK, WARRIEWOOD AFTER LYNNE CZINNER

070/21 RESOLVED

### ***Cr McTaggart / Cr Ferguson***

That Council:

1. Name the reserve at Fern Creek, Warriewood, Lynne Czinner Park in recognition of Lynne Czinner's contributions to the community and environment. Land parcels included are 2-50 Callistemon Way (Lot 8 DP 1092802), 100 Dove Lane (Lot 3 DP 1251955), 110 Dove Lane (Lot 2 DP 1251955), 120 Dove Lane (Lot 1 DP 1251955), and 13 Fern Creek Road (Lot 13 DP 1092788).
2. Apply to the Geographical Names Board to name the reserve at Fern Creek 'Lynne Czinner Park'.
3. Authorise the Chief Executive Officer or delegate to respond to the Geographical Names Board if the application receives any objections.

### **VOTING**

**FOR:** Unanimous

### **CARRIED**

## 12.0 PLANNING AND PLACE DIVISION REPORTS

### 12.1 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT PUBLIC SPACE VISION AND DESIGN GUIDELINES

071/21 **RESOLVED**

**Cr Heins / Cr Bingham**

That Council defer the adoption of the Northern Beaches Public Space Vision & Design Guidelines to incorporate the following changes:

1. Add a design element to differentiate between major centres and villages. This could include a local icon closely affiliated with the particular area such as flora, fauna or an historical element which can be incorporated into seats, bin enclosures, etc.
2. Add trees that are known food sources for our local bird life in appropriate areas, eg Allocasuarina (also known as Sheoak) which is a food source for our Black Glossy Cockatoos.
3. That bike racks be more than just bike hoops in areas that are transport hubs and transport connection areas to provide more compact bike parking.
4. To reflect the location of the Manly CBD that this Centre be classified as "Beach" not "Urban" in the guidelines.

#### VOTING

**FOR:** Unanimous

**CARRIED**

## 13.0 TRANSPORT AND ASSETS DIVISION REPORTS

### 13.2 ENDORSEMENT OF THE NORTHERN BEACHES ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PLAN FOR PUBLIC EXHIBITION

*NOTE: Councillor Regan left the chamber at 9:10pm due a disclosed interest in the item and Councillor Bingham assumed the Chair.*

072/21 **RESOLVED**

**Cr Sprott / Cr Grattan**

That:

1. Council endorse the Electric Vehicle Charging Infrastructure Plan to be placed on Public Exhibition for a period of at least 28 days.
2. Council receive a further report after the public exhibition period including a summary of feedback on the draft plan and options to implement the delivery actions across the Northern Beaches.
3. A report be provided to Council within three months on:
  - A. The status of the electric and hybrid vehicle uptake in our passenger vehicle pool fleet and options and costs for transitioning the remaining passenger vehicle pool fleet to electric by the end of 2023.

- B. Emerging technologies (such as hydrogen electric) for converting both our light / passenger fleet and heavy fleets and the opportunities and risks associated with being an early adopter.

### VOTING

**FOR:** Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Sprott and Cr Harrison

**ABSENT:** Cr Regan

**CARRIED**

## 15.0 NOTICES OF MOTION

### 15.1 NOTICE OF MOTION NO 12/2021 - PUBLIC SAFETY BRIEFING

*NOTE 1: Councillor Regan returned to the chamber at 9:26pm and resumed the Chair.*

*NOTE 2: In accordance with clause 11.4 (b) of the Code of Meeting Practice the Chair deferred this item to the ordinary Council meeting of 27 April 2021.*

### 15.2 NOTICE OF MOTION NO 13/2021 - OUTDOOR DINING FEES

*NOTE: With the agreement of Council the motion was withdrawn by Councillor Amon.*

### 15.3 NOTICE OF MOTION NO 14/2021 - BARE CREEK SELF-FUNDING MAINTENANCE REPORT

073/21 **RESOLVED**

**Cr Sprott / Cr Regan**

That:

1. Council recognise the great gift from the New South Wales (NSW) Government of world class mountain biking facilities at Bare Creek, Belrose.
2. Council acknowledge the \$1.5 million one-off funding Council has received from the NSW Government to assist in the ongoing maintenance of the facility.
3. Council note staff are currently working on potential opportunities to enhance the site amenity and to further offset potential future maintenance costs.
4. Staff provide a status report back within 3-6 months to a councillor briefing on the site and actions taken to date.
5. Staff provide a report back to a councillor briefing in February 2022 outlining estimated maintenance costs and challenges/opportunities based on the first 12 months of operational data.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**15.4 NOTICE OF MOTION NO 15/2021 - COVID-19 SUMMER LOCKDOWN - IMPACT ON COUNCIL FINANCES**

*NOTE: With the agreement of Council the motion was withdrawn by Councillor Grattan.*

**15.5 NOTICE OF MOTION NO 16/2021 - ELECTRIC VEHICLE AGE**

*NOTE: With the agreement of Council the motion was withdrawn by Councillor Sprott.*

**15.6 NOTICE OF MOTION NO 17/2021 - URM**

*NOTE: Councillor Grattan left the chamber at 9:36pm and returned at 9:39pm.*

**074/21 RESOLVED**

***Cr Daley / Cr Walton***

That:

1. Councillors receive a full briefing from senior management of our waste management contractors URM regarding all aspects of their operations.
2. Staff arrange this briefing within one month.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**15.7 NOTICE OF MOTION NO 18/2021 - FORESTVILLE FOOD TRUCK FESTIVAL**

**075/21 RESOLVED**

***Cr Sprott / Cr Regan***

That staff investigate a plan to run a food truck festival program in all wards across the LGA and report back to Council within four months.

**VOTING**

**FOR:** Unanimous

**CARRIED**

## 15.9 NOTICE OF MOTION NO 20/2021 - COMMUNITY SAFETY COMMITTEE MEMBERSHIP

076/21 RESOLVED

**Cr Ferguson / Cr De Luca**

That the Community Safety Committee Charter (Attachment 1 of the Terms of Reference) be amended to provide that all State and Federal MPs with electorates located in the Northern Beaches LGA are listed as members.

### VOTING

**FOR:** Unanimous

**CARRIED**

## 16.0 NOTICES OF RESCISSION

### 16.1 NOTICE OF RESCISSION NO 01/2021 - ITEM 8.2 OUTCOME OF PUBLIC EXHIBITION OF COUNCILLOR USE OF SOCIAL MEDIA POLICY

**Cr De Luca / Cr Sprott**

That Council rescind resolution 021/21 – item 8.2 Outcome of Public Exhibition of Councillor use of Social Media Policy, being:

*That Council:*

1. *Note the outcomes of the public exhibition of the draft Councillor use of Social Media Policy.*
2. *Amend the Social Media policy by:*
  - *In the “Councillor use of social media” section deleting words shown in ‘strikethrough’ below:*

*“Councillors should behave in a way at all times that ~~upholds the values, behaviours and reputation of the Council~~ and is consistent with the Code of Conduct and other Council policies.”*
  - *Under scope and application where ever words “personal” and professional” appear delete and insert “local government capacity”.*
  - *Under “principles” delete the paragraph that reads “respects the democratic process acknowledging council resolutions represent the majority view”.*
3. *Adopt the amended Councillor use of Social Media Policy.*

### VOTING

**FOR:** Cr Daley, Cr McTaggart, Cr De Luca, Cr Walton and Cr Sprott

**AGAINST:** Cr White, Cr Philpott, Cr Grattan, Cr Heins, Cr Bingham, Cr Ferguson, Cr Harrison and Cr Regan

**LOST**

## 19.0 CONFIDENTIAL MATTERS – CLOSED SESSION

077/21 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 19.4 Coast Walk Public Art - Robert Dunn Reserve (South Mona Vale Headland) 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 information. 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 prejudice the commercial position of the person who supplied it.
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:** Unanimous

**CARRIED**

## 20.0 CONFIDENTIAL ITEMS RESOLVED BY EXCEPTION

Confidential items 19.1, 19.2 and 19.3 were dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.

### 19.1 UPDATE ON SUPPORT FOR PRIVATE COASTAL PROTECTION WORKS AT COLLAROY-NARRABEEN BEACH

078/21 RESOLVED

**Cr Daley / Cr Grattan**

That Council:

1. Note it has not received any responses in respect of Action 3.1.
2. Note the response from the NSW Government and progress with Action 4.3 and Action 4.4 on its own.
3. In accordance with Section 610E of the Local Government Act 1993, and Council's Fees and Charges applicable at the time, delegate authority to the Chief Executive Officer to determine whether to waive charges associated with work zone permits in connection with private coastal protection works at Collaroy-Narrabeen Beach.

**RESOLVED BY EXCEPTION**



## **19.2 RFT 2020/220 - CONSTRUCTION SERVICES FOR THE REDEVELOPMENT OF MONA VALE SLSC AND MONA VALE BEACH AMENITIES**

079/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That:

1. Council accept the Tender of Kane Constructions Pty Ltd for RFT2020/220 –Construction Services for the Redevelopment of Mona Vale SLSC and Beach Amenities for the sum of \$9,077,787 excluding GST.
2. Authority be delegated 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.

**RESOLVED BY EXCEPTION**

## **19.3 RFT 2021/010 - ABORIGINAL ART & STORYTELLING PROJECT**

080/21 **RESOLVED**

**Cr Daley / Cr Grattan**

That in accordance with cl178(3)(b) of the Local Government (General) Regulation 2005, Council decline to accept the tender received for RFT2021/010 – Aboriginal Art and Storytelling Project and invite, in accordance with clause 168, fresh tenders from the 5 applicants as referred to in the conclusion of the Confidential Evaluation Report.

**RESOLVED BY EXCEPTION**

## **21.0 REPORT OF CONFIDENTIAL RESOLUTIONS**

### **19.4 COAST WALK PUBLIC ART - ROBERT DUNN RESERVE (SOUTH MONA VALE HEADLAND)**

081/21 **RESOLVED**

**Cr Ferguson / Cr Regan**

That:

1. Council endorse the recommendation of the Northern Beaches Council Public Art Selection Panel to commission Stella Stories to deliver a public artwork at Robert Dunn Reserve (South Mona Vale Headland) as part of the implementation of the Coast Walk Public Art Strategy.
2. The suggested location is the top of Robert Dunn Reserve and the artist, with Parks and Recreation staff, is consulted on the final location for the artwork.

**VOTING**

**FOR:** Unanimous

**CARRIED**

*The meeting concluded at 10:23pm*

This is the final page of the minutes comprising 26 pages  
numbered 1 to 26 of the Ordinary Council Meeting  
held on Tuesday 23 March 2021 and confirmed on Tuesday 27 April 2021

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Mayor

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Chief Executive Officer