



northern
beaches
council

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 26 APRIL 2022

Minutes of an Ordinary Council Meeting
held on Tuesday 26 April 2022
at the Civic Centre, Dee Why
Commencing at 6:01pm

ATTENDANCE:

Councillors

Michael Regan (Mayor)
Candy Bingham (Deputy Mayor)
Rory Amon (*arrived at 6:08pm*)
Bianca Crvelin
Vincent De Luca OAM
Michael Gencher
Kristyn Glanville
Sarah Grattan (*arrived at 6:04pm*)
Sue Heins
Miranda Korzy (*attended remotely*)
Jose Menano-Pires
Ruth Robins
Georgia Ryburn
Stuart Sprott
David Walton

Officers

| | |
|-------------------|--|
| Ray Brownlee PSM | Chief Executive Officer |
| Jeff Smith | Director Corporate and Legal |
| Kylie Walshe | Acting 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 |
| Caroline Foley | Executive Manager Financial Planning and Systems |
| Campbell Pfeiffer | Executive Manager Property |
| Craig Sawyer | Executive Manager Transport and Civil Infrastructure |
| Sarah Dunstan | Executive Manager Governance and Risk |
| Lesley Milbourne | Manager Governance |
| Katie Kirwan | Senior Advisor Governance |
| Ximena Von Oven | Governance Officer |
| Tamara Lukic | Governance Officer |
| Don Morales | Information Management Technology Officer |
| Chis Netting | Information Management Technology Officer |

Notes

The meeting commenced at 6:01pm, adjourned at 8:21pm, resumed at 8:33pm, adjourned at 8:41pm, and resumed at 8:51pm.

The meeting moved into closed session at 10:50pm, resumed in open session at 10:53pm, and concluded at 11:07pm.

Table of Contents

| | | |
|-------------|---|-----------|
| 1.0 | Acknowledgement of Country | 5 |
| 2.0 | Apologies and Applications for Leave Of Absence and Remote Attendance | 5 |
| 3.0 | Confirmation of Minutes | 5 |
| 4.0. | Disclosures of Interest | 6 |
| 5.0 | Public Forum and Public Address | 6 |
| 6.0 | Items Resolved by Exception | 8 |
| 9.1 | Monthly Investment Report - March 2022..... | 8 |
| 9.3 | Outcome of the Public Exhibition of the Draft Councillor Expenses and Facilities Policy | 9 |
| 9.4 | Council Ward Boundary Review | 9 |
| 9.5 | Reporting of Change, Annual or First Disclosures of Interests..... | 9 |
| 9.6 | Minutes of the Audit, Risk and Improvement Committee Meeting held on 14 December 2021 | 9 |
| 11.2 | Public Exhibition Draft Northern Beaches Resilience Strategy - Withstand. Adapt. Thrive.. | 10 |
| 11.5 | Minutes of the Northern Beaches Bush Fire Management Committee held 7 December 2021 | 10 |
| 12.1 | Public Exhibition of the Draft Planning Agreement Policy | 10 |
| 12.2 | Public Exhibition of the Draft Warriewood Valley Development Contributions Plan Amendment 16 Revision 4 2022..... | 11 |
| 12.4 | Outcome of Public Exhibition of the Planning Proposal PEX2020/0008 to Rezone the Rear of 88 Bower Street, Manly..... | 11 |
| 13.7 | Sportsgrounds Amenities Audit 2022..... | 12 |
| 18.1 | RFT 2021/220 - Little Manly Reserve Seawall..... | 12 |
| 18.2 | RFT 2021/233 - Construction Services for Marine Rescue Rowland Reserve Building Replacement..... | 12 |
| 18.3 | RFT 2021/238 - Taylors Point Reserve Bank Stabilisation | 13 |
| 18.5 | Proposed Sale of Council Land - Part of 43 Warriewood Road (Lot 2 DP 972209) and Part of 53 Warriewood Road (Lot 3 in DP 942319) Warriewood..... | 13 |
| 18.6 | Legal Negotiations..... | 14 |
| 7.0 | Mayoral Minutes | 14 |
| 7.1 | Mayoral Minute No 6/2022 - Recognition of Narrabeen Children's Centre | 14 |
| 7.2 | Mayoral Minute No 7/2022 - Recognition at the Institute of Public Works Engineering Australasia - Excellence Awards | 14 |
| 8.0 | Chief Executive Officer's Division Reports | 15 |
| 9.0 | Corporate and Legal Division Reports | 15 |
| 9.2 | Public Exhibition of the Draft Community Strategic Plan 2022-2032, Resourcing Strategy, Delivery Program 2022-2026, Operational Plan and Budget 2022/23 and Pricing Policy | 15 |
| 10.0 | Community and Belonging Division Reports | 16 |
| 10.1 | Funding Review - Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub..... | 16 |
| 10.2 | Public Exhibition of the Draft Disability Inclusion Action Plan 2022-2026..... | 17 |
| 11.0 | Environment and Sustainability Division Reports | 17 |
| 11.1 | Public Exhibition of the Draft Narrabeen Lagoon Entrance Management Strategy | 17 |

| | | |
|-------------|---|-----------|
| 11.3 | Eco Schools Grants 2022 Program - Allocation of Funding | 19 |
| 11.4 | Submission to IPART - Review of Domestic Waste Management Charges | 19 |
| 12.0 | Planning and Place Division Reports | 20 |
| 12.3 | Outcome of the Public Exhibition of the Draft Amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre..... | 20 |
| 12.5 | North District Plan Dwelling Targets | 21 |
| 12.6 | Variations to Development Standards Under Clause 4.6 of Local Environmental Plans | 21 |
| 13.0 | Transport and Assets Division Reports..... | 22 |
| 13.1 | Public Exhibition of the Proposal to Name the Enclosed Dog Off-Leash Area at the Forestville War Memorial Playing Fields the Purple Poppy Dog Park | 22 |
| 13.2 | Outcome of Public Exhibition of Naming Proposal, Eric Galloway Clubhouse, Lionel Watts Reserve, Frenchs Forest | 22 |
| 13.3 | Outcome of Public Exhibition of the Draft Property Management Framework..... | 23 |
| 13.4 | Outcome of Public Exhibition of Wyatt Avenue Bike Park Plan of Management | 24 |
| 13.5 | Outcome of the Public Exhibition of Proposed Road Reserve Closure and Sale of Council Land Adjoining 32 Watkins Road, Avalon Beach | 25 |
| 13.6 | The Strand Dee Why - Streets as Shared Spaces Trial Feedback | 26 |
| 13.8 | Council Representation on the Committee of the Friends of the Bible Garden Memorial Inc. | 26 |
| 13.9 | Alternative Procurement for Consideration of Request for Licence of Community Land Lot 2 DP 827733 (within Refuge Cove Reserve) adjoining 316 Hudson Parade, Clareville | 27 |
| 14.0 | Workforce and Technology Division Reports | 27 |
| 15.0 | Notices of Motion | 28 |
| 15.1 | Notice of Motion No 11/2022 - Miller Reserve, Manly Vale - Review of Environmental Issues..... | 28 |
| 15.2 | Notice of Motion No 12/2022 - Report on Environmental Protection and Development Application Processing in Pittwater Ward | 29 |
| 19.0 | Report of Confidential Resolutions..... | 32 |
| 18.4 | EOI 2021/049 - Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, North Manly..... | 32 |
| 18.1 | RFT 2021/220 - Little Manly Reserve Seawall | 32 |
| 18.2 | RFT 2021/233 - Construction Services for Marine Rescue Rowland Reserve Building Replacement..... | 33 |
| 18.3 | RFT 2021/238 - Taylors Point Reserve Bank Stabilisation | 33 |
| 18.5 | Proposed Sale of Council Land - Part of 43 Warriewood Road (Lot 2 DP 972209) and Part of 53 Warriewood Road (Lot 3 in DP 942319) Warriewood | 34 |
| 18.6 | Legal Negotiations..... | 34 |
| 15.3 | Notice of Motion No 13/2022 - Acknowledgement of Rainbow Beach Events..... | 35 |
| 15.4 | Notice of Motion No 14/2022 - Vale Tom Kirsop, AM/OAM..... | 35 |

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

PROCEDURAL MOTION - REQUEST FOR REMOTE ATTENDANCE

083/22 **RESOLVED**

Cr Robins / Cr Heins

That in accordance with the Guide for Remote Attendance at Council Meetings by a Councillor, Councillor Korzy be granted permission to attend the meeting remotely as required on the grounds of illness.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Heins, Cr Gencher, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Ryburn

ABSENT: Cr Korzy, Cr Amon and Cr Grattan

CARRIED

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 22 MARCH 2022

NOTE 1: Councillor Korzy joined the meeting at 6:03pm

NOTE 2: Councillor Grattan joined the meeting at 6:04pm

084/22 **RESOLVED**

Cr Robins / Cr Heins

That the minutes of the Ordinary Council Meeting held 22 March 2022, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

VOTING

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

ABSENT: Cr Amon

CARRIED

4.0 DISCLOSURES OF INTEREST

- Councillor Heins declared a not significant non-pecuniary interest in relation to Item 10.1 and will remain in the meeting for the discussion and voting on this item. The reason provided was:

"I am a board member of a similar organisation which could be perceived as a conflict"

- Councillor Korzy declared a not significant non-pecuniary interest in relation to Item 15.2 and will remain in the meeting for the discussion and voting on this item. The reason provided was:

"I am a member of Clareville and Bilgola Plateau Residents Association (CABPRA)"

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 1: Councillor Amon joined the meeting at 6:08pm

NOTE 2: Councillor Grattan left the chamber at 6:26pm and returned at 6:31pm

NOTE 3: Councillor Glanville left the chamber at 6:33pm and returned at 6:34pm

NOTE 4: Councillor Ryburn left the chamber at 6:50pm and returned at 6:52pm

5.1 PUBLIC FORUM

- Deborah Watson addressed Council about a proposed water polo pool.

PROCEDURAL MOTION - EXTENSION OF PUBLIC FORUM SPEAKER

085/22 **RESOLVED**

Cr De Luca / Cr Walton

That Deborah Watson be granted an extension of two minutes to address the meeting.

VOTING

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

AGAINST: Cr Heins, Cr Regan, Cr Menano-Pires, Cr Amon and Cr Grattan

CARRIED

- Robert Steffan addressed Council about 28 Abernethy Street, Seaforth - complaint and DA 2021/2495.
- Mark Horton addressed Council about road access through the Wakehurst Parkway as discussed at the last Council meeting.

- Bruce Kitson addressed Council on cost efficiencies and benefits, versus cost cutting in isolation.
- David Murray addressed Council on the level of representation of Pittwater residents.
- David Parsons addressed Council on Manly Oval.
- Conny Harris addressed Council on the proposed re-development of Lizard Rock by the State Government.

5.2 PUBLIC ADDRESS

Item 10.1 Funding Review – Community Northern Beaches, Northern Beaches Women’s Shelter and Avalon Youth Hub

- Craig Locke on behalf of Community Northern Beaches addressed Council in support of this item.
- Narelle Hand on behalf of Northern Beaches Women’s Shelter addressed Council in support of this item.
- Lily Davis on behalf Burdekin Association and Avalon Youth Hub addressed Council against the item.

Item 13.5 Outcome of the Public Exhibition of Proposed Road Reserve Closure and Sale of Council Land Adjoining 32 Watkins Road, Avalon Beach

- Ivan Byak addressed Council against the item.

Item 13.6 The Strand, Dee Why – Streets as Shared Spaces Trial Feedback

- Wolfgang Kraft addressed Council in support of this item.

Item 15.2 Notice of Motion 12/2022 – Report on Environmental Protection and Development Application Processing in Pittwater Ward

- Virginia Christiansen on behalf of Palm Beach Whale Beach Association addressed Council in support of this item.
- Catherine Kerr on behalf of Clareville and Bilgola Plateau Residents Association addressed Council in support of this item.

Item 15.3 Notice of Motion 13/2022 – Acknowledgement of Rainbow Beach Events

- Emily Buckle addressed Council in support of this item.

Item 15.7 Notice of Motion 17/2022 – Draft Precinct Plan, Elanora Heights Community Centre and Precinct.

- Linda Benny addressed Council in support of this item.
- Edwina Symonds addressed Council in support of this item.

6.0 ITEMS RESOLVED BY EXCEPTION

NOTE: Councillor Sprott left the chamber at 7:02pm

086/22 **RESOLVED**

Cr Grattan / Cr Robins

That

1. Items 9.1, 9.3, 9.4, 9.5, 9.6, 11.2, 11.5, 12.1, 12.2, 12.4, 13.7, 18.1, 18.2, 18.3, 18.5 and 18.6 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.
2. The reports for items 18.1, 18.2, 18.3, 18.5 and 18.6 are to be treated as confidential in accordance with section 11 (3) of the *Local Government Act 1993*, as they relate to matters specified in section 10A (2) of the *Local Government Act 1993*.

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

9.1 MONTHLY INVESTMENT REPORT - MARCH 2022

087/22 **RESOLVED**

Cr Grattan / Cr Robins

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

RESOLVED BY EXCEPTION

9.3 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY

088/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Note the outcomes of the public exhibition of the draft Councillor Expenses and Facilities Policy 2022.
2. Adopt the draft Councillor Expenses and Facilities Policy 2022 provided at Attachment 1.
3. Revoke the Councillor Expenses and Facilities Policy 2018.

RESOLVED BY EXCEPTION

9.4 COUNCIL WARD BOUNDARY REVIEW

089/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council note that no action is necessary to alter existing ward boundaries, however ward boundary elector numbers will be kept under review as required under section 211 of the *Local Government Act 1993*.

RESOLVED BY EXCEPTION

9.5 REPORTING OF CHANGE, ANNUAL OR FIRST DISCLOSURES OF INTERESTS

090/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council note the change, annual and first returns received since the October 2022 Council Meeting, as tabled in accordance with clause 4.25 of Council's Code of Conduct.

RESOLVED BY EXCEPTION

9.6 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 14 DECEMBER 2021

091/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 14 December 2021.

RESOLVED BY EXCEPTION

11.2 PUBLIC EXHIBITION DRAFT NORTHERN BEACHES RESILIENCE STRATEGY - WITHSTAND. ADAPT. THRIVE

092/22 **RESOLVED**

Cr Grattan / Cr Robins

That:

1. Council place the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive. on public exhibition for a minimum of 28 days.
2. The outcomes of the public exhibition of the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive. be reported to Council.

RESOLVED BY EXCEPTION

11.5 MINUTES OF THE NORTHERN BEACHES BUSH FIRE MANAGEMENT COMMITTEE HELD 7 DECEMBER 2021

093/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council notes the Minutes of the Northern Beaches Bush Fire Management Committee Meeting held on 7 December 2021.

RESOLVED BY EXCEPTION

12.1 PUBLIC EXHIBITION OF THE DRAFT PLANNING AGREEMENT POLICY

094/22 **RESOLVED**

Cr Grattan / Cr Robins

That:

1. Council place the draft Planning Agreement Policy on public exhibition for 28 days in accordance with Council's Community Participation Plan.
2. The outcome of the public exhibition of the draft Planning Agreement Policy be reported to Council.

RESOLVED BY EXCEPTION

12.2 PUBLIC EXHIBITION OF THE DRAFT WARRIEWOOD VALLEY DEVELOPMENT CONTRIBUTIONS PLAN AMENDMENT 16 REVISION 4 2022

095/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Place the draft Warriewood Valley Contributions Plan Amendment 16, Revision 4, 2022 on public exhibition for 28 days in accordance with Council's Community Participation Plan.
2. The outcome of the public exhibition of the draft Warriewood Valley Contributions Plan Amendment 16, Revision 4, 2022 be reported to Council.

RESOLVED BY EXCEPTION

12.4 OUTCOME OF PUBLIC EXHIBITION OF THE PLANNING PROPOSAL PEX2020/0008 TO REZONE THE REAR OF 88 BOWER STREET, MANLY

096/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Endorse the Planning Proposal for the land as exhibited (subject to amendments to change references from E4 Environmental Living zone to a C4 Environmental Living zone) and submit it to the Department of Planning and Environment for finalisation to amend the Manly Local Environment Plan 2013 to:
 - A. Amend the land zoning map (LZN_006) from RE1 Public Recreation to C4 Environmental Living.
 - B. Amend the lot size map (LSZ_006) to apply a minimum lot size of 500m².
 - C. Amend the height of building map (HOB_006) to apply a maximum height of 8.5m.
 - D. Amend the floor space ratio map (FSR_006) to apply a maximum floor space ratio of 0.45:1.
 - E. Write to all persons who made a submission during the public exhibition period advising them of Council's decision.

RESOLVED BY EXCEPTION

13.7 SPORTSGROUNDS AMENITIES AUDIT 2022

097/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Note the audit of sportsgrounds amenities.
2. Continue with its financial commitment to ensure the community needs are reflected in sportsgrounds amenity upgrades particularly in regard to inclusivity and female and family friendly facilities.
3. Continue to seek external funding to accelerate the improvement of its sportsgrounds amenities.

RESOLVED BY EXCEPTION

18.1 RFT 2021/220 - LITTLE MANLY RESERVE SEAWALL

098/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of Lloyd Drilling Constructions Pty Ltd for RFT 2021/220 – Little Manly Reserve Seawall for the sum of \$361,000.00 excluding GST.
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.

RESOLVED BY EXCEPTION

18.2 RFT 2021/233 - CONSTRUCTION SERVICES FOR MARINE RESCUE ROWLAND RESERVE BUILDING REPLACEMENT

099/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of Grindley Interiors Pty Ltd for RFT 2021/233 – Construction Services for Marine Rescue Rowland Reserve Building Replacement for the sum of \$988,563.43 excluding GST.
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.

RESOLVED BY EXCEPTION

18.3 RFT 2021/238 - TAYLORS POINT RESERVE BANK STABILISATION

100/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of RARE Environmental Pty Ltd for RFT 2021/238 – Taylors Point Reserve Bank Stabilisation for the sum of \$1,090,740.16 excluding GST.
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.

RESOLVED BY EXCEPTION

18.5 PROPOSED SALE OF COUNCIL LAND - PART OF 43 WARRIEWOOD ROAD (LOT 2 DP 972209) AND PART OF 53 WARRIEWOOD ROAD (LOT 3 IN DP 942319) WARRIEWOOD

101/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council:

1. Authorise the disposal of the subject drainage reserve land at 43 and 53 Warriewood Road, Warriewood as follows:
 - A. Sale of part of 43 Warriewood Road, Warriewood (Lot 2 DP 972209) to the adjoining owner subject to the land sold being consolidated with the adjoining land at 45-49 Warriewood Road.
 - B. Sale of part of 53 Warriewood Road, Warriewood (Lot 3 DP 942319) to adjoining owner subject to the land being consolidated with the adjoining land at 53B Warriewood Road.
 - C. Sale price for each lot to be subject to independent qualified valuation advice, plus GST.
 - D. Easements to drain water to be retained by Council over the subject land.
2. Authorise owner's consent for the lodgement of any applications to subdivide the subject land prior to its sale.
3. Delegate authority to Chief Executive Officer to carry out of all things necessary to give effect to this resolution including the execution of any required documentation under delegated authority.
4. Authorise all costs associated with the proposals referred to in this resolution, including but not limited to, Council's legal costs, valuation, subdivision, registration and GST (if applicable), be funded by the respective applicants.

RESOLVED BY EXCEPTION

18.6 LEGAL NEGOTIATIONS

102/22 **RESOLVED**

Cr Grattan / Cr Robins

That Council proceed with Option 1 in the confidential report for this item.

RESOLVED BY EXCEPTION

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 6/2022 - RECOGNITION OF NARRABEEN CHILDREN'S CENTRE

103/22 **RESOLVED**

Cr Regan

That Council acknowledge and thank staff at the Narrabeen Children's Centre with regards to receiving the Environmental Program Excellence Award at the 2021 Australian Childcare Alliance NSW - Excellence in Early Childhood Awards.

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

7.2 MAYORAL MINUTE NO 7/2022 - RECOGNITION AT THE INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA - EXCELLENCE AWARDS

104/22 **RESOLVED**

Cr Regan

That Council:

1. Formally acknowledge the outstanding achievement in receiving an Excellence Award for the Richard Road reconstruction project on Scotland Island at the recent 2022 Institute of Public Works Engineering Australasia (IPWEA) NSW and ACT Division Excellence Awards.
2. Acknowledge the efforts of staff within the Transport and Civil Infrastructure team and all staff involved with delivering this project to the community on Scotland Island.

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**8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS**

Nil

9.0 CORPORATE AND LEGAL DIVISION REPORTS**9.2 PUBLIC EXHIBITION OF THE DRAFT COMMUNITY STRATEGIC PLAN 2022-2032, RESOURCING STRATEGY, DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN AND BUDGET 2022/23 AND PRICING POLICY**

NOTE 1: Councillor Sprott returned to the chamber at 7:06pm

NOTE 2: Councillor Amon left the chamber at 7:28pm and returned at 7:32pm

105/22 RESOLVED**Cr Grattan / Cr Menano-Pires**

That:

1. In accordance with essential elements 1.6, 3.10, 4.10 and 4.25 of the *Integrated Planning and Reporting Guidelines for Local Government in NSW 2021*, the following draft documents be exhibited for a minimum of 28 days:
 - A. Community Strategic Plan 2040
 - B. Resourcing Strategy 2022-2032
 - C. Delivery Program 2022-2026 and Operational Plan 2022/23 (including Fees and Charges 2022/23)
 - D. Pricing Policy.
2. The outcomes of the public exhibition be reported back to Council.
3. Council make an application to the Minister for Local Government through the Independent Pricing and Regulatory Tribunal (IPART), under Section 508(2) of the *Local Government Act 1993*, for a permanent single year special variation to general (rates) income of 2.4% (including the rate peg of 0.7%) for the 2022/23 financial year, noting the following:
 - A. Council will receive approximately \$3,013,413 in additional income in the 2022/23 financial year if the special variation is approved (on top of the forecast \$1,240,817 million provided through the IPART rate peg of 0.7%), which maintains rates income at the level expected in the 2022/23 financial year.
 - B. The special variation is required to deliver the programs anticipated in the Council's 2021-2025 Delivery Program for the 2022/23 financial year. A permanent increase is essential to maintain financial sustainability in balance with responsible expenditure on the renewal of infrastructure assets.
 - C. Council has considered the impact on ratepayers and the community in the 2022/23 financial year and in future years if the special variation is approved and considers that it is reasonable.
4. Council delegate authority to the Chief Executive Officer to do all things necessary in order to

give effect to this resolution.

VOTING

FOR: Cr Glanville, Cr Heins, Cr Korzy, Cr Regan, Cr Bingham, Cr Sprott, Cr Robins, Cr Menano-Pires and Cr Grattan

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

CARRIED

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

10.1 FUNDING REVIEW - COMMUNITY NORTHERN BEACHES, NORTHERN BEACHES WOMEN'S SHELTER AND AVALON YOUTH HUB

NOTE: Councillor Sprott left the chamber at 7:42pm and returned at 7:43pm

106/22 RESOLVED

Cr Robins / Cr Bingham

That Council:

1. Allocate \$97,000 (ex GST) in the 2022/23 financial year as financial assistance to Community Northern Beaches, in accordance with section 356 of the *Local Government Act 1993*.
2. Allocate \$65,500 (ex GST) in the 2022/23 financial year as financial assistance to Northern Beaches Women's Shelter, in accordance with section 356 of the *Local Government Act 1993*.
3. Allocate \$90,000 (ex GST) in the 2022/23 financial year as financial assistance to Avalon Youth Hub through the auspice organisation The Burdekin Association, in accordance with section 356 of the *Local Government Act 1993*.
4. Delegate authority to the Chief Executive Officer to negotiate service contracts with Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub through the Burdekin Association, including reporting on KPIs and service outcomes set by Council, and financial acquittals.
5. Provide staff support to Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub, through The Burdekin Association, to address financial sustainability and reliance on Council funding in the long term.
6. Review the future allocation of financial and in-kind assistance to social service organisations and schedule a Councillor workshop on this matter within the next 6 months.
7. Thank these three organisations for their ongoing support for our community's most vulnerable, over the last three years.

VOTING

FOR: Unanimous

CARRIED

10.2 PUBLIC EXHIBITION OF THE DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2026

107/22 **RESOLVED**

Cr De Luca / Cr Heins

That:

1. Council place on exhibition the draft Disability Inclusion Action Plan 2022-2026 for a minimum of 28 days.
2. The outcome of the public exhibition of the draft Disability Inclusion Action Plan 2022–2026 be reported to Council.

VOTING

FOR: Unanimous

CARRIED

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

11.1 PUBLIC EXHIBITION OF THE DRAFT NARRABEEN LAGOON ENTRANCE MANAGEMENT STRATEGY

NOTE: Councillor Bingham left the chamber at 8:12pm and returned at 8:14pm

Cr Robins / Cr Amon

That:

1. Council place the draft Narrabeen Lagoon Entrance Management Strategy on public exhibition for a period of at least 42 days.
2. The outcome of the public exhibition of the draft Narrabeen Lagoon Entrance Management Strategy be reported to Council.

AMENDMENT

Cr De Luca / Cr Sprott

That:

3. Council place the draft Narrabeen Lagoon Entrance Management Strategy on public exhibition for a period of at least 28 days.
4. The outcome of the public exhibition of the draft Narrabeen Lagoon Entrance Management Strategy be reported to Council.
5. Council formally write to all properties adjoining the lagoon advising them of the draft strategy and invite comment.

VOTING

FOR: Cr Walton, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Ryburn

AGAINST: Cr Glanville, Cr Heins, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Robins,

Cr Menano-Pires and Cr Grattan

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

108/22 **RESOLVED**

Cr Robins / Cr Amon

That:

1. Council place the draft Narrabeen Lagoon Entrance Management Strategy on public exhibition for a period of at least 42 days.
2. The outcome of the public exhibition of the draft Narrabeen Lagoon Entrance Management Strategy be reported to Council.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION - ADJOURN THE MEETING

109/22 **RESOLVED**

Cr Regan / Cr Bingham

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

VOTING

FOR: Unanimous

CARRIED

11.3 ECO SCHOOLS GRANTS 2022 PROGRAM - ALLOCATION OF FUNDING

110/22 **RESOLVED**

Cr Ryburn / Cr Regan

That:

1. Funding under the 2022 Eco Schools Grants Program be awarded as shown in Table 1 of this report.
2. Council consider ways to promote each awarded program and communicate this to the community.

VOTING

FOR: Unanimous

CARRIED

11.4 SUBMISSION TO IPART - REVIEW OF DOMESTIC WASTE MANAGEMENT CHARGES

111/22 **RESOLVED**

Cr Korzy / Cr Regan

That Council endorse the submission to IPART on the review of Domestic Waste Management Charges at Attachment 1.

VOTING

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

AGAINST: Cr Amon, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Ryburn

CARRIED

NOTE: Due to a technical issue the meeting adjourned for 10 minutes at 8:41pm and resumed at 8:51pm

12.0 PLANNING AND PLACE DIVISION REPORTS

12.3 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT AMENDMENT TO WARRINGAH DEVELOPMENT CONTROL PLAN 2011 – PART G9 FRENCHS FOREST TOWN CENTRE

112/22 **RESOLVED**

Cr Regan / Cr Sprott

That Council:

1. Note the outcome of the Community and Stakeholder Engagement Report - Frenchs Forest Precinct.
2. Adopt the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre.
3. Publish the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre in accordance with legislative requirements, to come into effect on 1 June 2022.
4. Notify all persons who made a submission on the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre of Council's decision.

VOTING

FOR: Unanimous

CARRIED

12.5 NORTH DISTRICT PLAN DWELLING TARGETS

113/22 **RESOLVED**

Cr Amon / Cr Regan

That Council write to the Minister for Infrastructure, Cities, and Active Transport and the Minister for Planning and Homes:

1. Expressing concerns about recent amendments to the *Environmental Planning and Assessment Act 1979*, mandating five, ten and twenty year housing supply targets in the North District Plan apparently outside of the existing Local Housing Strategy Process, particularly given Council has a recently approved a local housing strategy based on a robust evidence base and extensive consultation with the community.
2. Requesting that any dwelling targets stipulated within the North District Plan are to be subject to Council endorsement and/or are consistent with Council's approved Local Housing Strategy.

VOTING

FOR: Unanimous

CARRIED

12.6 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS

114/22 **RESOLVED**

Cr Korzy / Cr Heins

That Council note the Development Applications approved with variations to development standards during the period 1 January 2022 to 31 March 2022, including an additional determination under Warringah Local Environmental Plan 2000 in December 2021.

VOTING

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

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

CARRIED

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

13.1 PUBLIC EXHIBITION OF THE PROPOSAL TO NAME THE ENCLOSED DOG OFF-LEASH AREA AT THE FORESTVILLE WAR MEMORIAL PLAYING FIELDS THE PURPLE POPPY DOG PARK

115/22 RESOLVED

Cr Menano-Pires / Cr Regan

That:

1. Council place the proposal to rename the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields the Purple Poppy Dog Park on public exhibition for a minimum of 28 days.
2. The outcome of the public exhibition of the proposal to rename the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields the Purple Poppy Dog Park be reported to Council.

VOTING

FOR: Unanimous

CARRIED

13.2 OUTCOME OF PUBLIC EXHIBITION OF NAMING PROPOSAL, ERIC GALLOWAY CLUBHOUSE, LIONEL WATTS RESERVE, FRENCHS FOREST

116/22 RESOLVED

Cr Regan / Cr Sprott

That Council:

1. Note the outcome of public exhibition of the proposal to name the clubhouse building at the eastern end of Lionel Watts Reserve, Frenchs Forest as the Eric Galloway Clubhouse.
2. Adopt the proposal to name the clubhouse building at the eastern end of Lionel Watts Reserve, Frenchs Forest as the Eric Galloway Clubhouse.
3. Staff liaise with Eric Galloway and the Belrose Rugby League Football Club regarding the design of signage and arrange installation this financial year.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Heins, Cr Gencher, 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 Korzy

CARRIED

13.3 OUTCOME OF PUBLIC EXHIBITION OF THE DRAFT PROPERTY MANAGEMENT FRAMEWORK

NOTE: Councillor Sprott left the chamber at 9:24pm and returned at 9:26pm

Cr Regan / Cr Walton

That Council:

1. Note the outcome of the public exhibition of the draft Property Management Framework.
2. Adopt the Northern Beaches Property Management Framework.
3. Adopt the draft Property Steering Committee Terms of Reference, April 2022.
4. Appoint Councillors Robins and Walton on the Property Steering Committee as per the draft Terms of Reference.
5. Establish a new internally restricted reserve named 'Property Improvement Reserve' for the purpose of the delivery of community infrastructure, environmental land acquisitions and commercial development.

AMENDMENT

Cr Korzy / Cr De Luca

That Council:

1. Note the outcome of the public exhibition of the draft Property Management Framework.
2. Adopt the Northern Beaches Property Management Framework.
3. Adopt the draft Property Steering Committee Terms of Reference, April 2022.
4. Appoint Councillors Robins and Walton on the Property Steering Committee as per the draft Terms of Reference.
5. Establish a new internally restricted reserve named 'Property Improvement Reserve' for the purpose of the delivery of community infrastructure, environmental land acquisitions and commercial development.
6. Determine that the property specialist be an independent valuer and additionally, ecologist and a specialist in heritage significance, be appointed to the panel.

VOTING

FOR: Cr Korzy and Cr De Luca

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

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

117/22 **RESOLVED**

Cr Regan / Cr Walton

That Council:

1. Note the outcome of the public exhibition of the draft Property Management Framework.
2. Adopt the Northern Beaches Property Management Framework.
3. Adopt the draft Property Steering Committee Terms of Reference, April 2022.
4. Appoint Councillors Robins and Walton on the Property Steering Committee as per the draft Terms of Reference.
5. Establish a new internally restricted reserve named 'Property Improvement Reserve' for the purpose of the delivery of community infrastructure, environmental land acquisitions and commercial development.

VOTING

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

AGAINST: Cr Korzy and Cr De Luca

CARRIED

13.4 OUTCOME OF PUBLIC EXHIBITION OF WYATT AVENUE BIKE PARK PLAN OF MANAGEMENT

118/22 **RESOLVED**

Cr Regan / Cr Menano-Pires

That Council:

1. Note its consideration of the submissions received in respect of the draft Wyatt Avenue Bike Park Plan of Management.
2. Note its consideration of the report on the public hearing into the categorisation of Wyatt Avenue Bike Park, Belrose, which is comprised of Lot 102 DP1244381 and Lot 2620 DP752038 as Park.
3. In relation to the requirements of Part 5 of the *Environmental Planning and Assessment Act 1979*:
 - A. Note its consideration of the Review of Environmental Factors at Attachment 2 of the report for this item in relation to the activity contemplated in the amended Draft Plan of Management, being landscaping works for recreational purposes at Wyatt Avenue Bike Park, Belrose as set out in and incorporating the mitigation measures and conditions in Attachment 2 (Activity).
 - B. Note that it has taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the Activity.
 - C. Determine that the Activity will not significantly affect the environment.
4. Adopt the Draft Wyatt Avenue Bike Park Plan of Management at Attachment 3 as the plan of management for the land to which it applies, being Wyatt Avenue Bike Park, Belrose which is

comprised of Lot 102 DP1244381 and Lot 2620 DP752038.

5. Categorise Wyatt Avenue Bike Park, Belrose as Park, as shown in the Draft Wyatt Avenue Bike Park Plan of Management at Attachment 3, in accordance with section 36 of the *Local Government Act 1993*.
6. Note its opinion that the amendments to the concept plan as per Attachment 5 are not substantial.

VOTING

FOR: Unanimous

CARRIED

13.5 OUTCOME OF THE PUBLIC EXHIBITION OF PROPOSED ROAD RESERVE CLOSURE AND SALE OF COUNCIL LAND ADJOINING 32 WATKINS ROAD, AVALON BEACH

119/22 **RESOLVED**

Cr Amon / Cr Regan

That Council defer the item to the July 2022 ordinary Council meeting.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Heins, Cr Gencher, 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 Korzy

CARRIED

13.6 THE STRAND DEE WHY - STREETS AS SHARED SPACES TRIAL FEEDBACK

120/22 **RESOLVED**

Cr Heins / Cr Glanville

That Council:

1. Note the feedback provided during the trial from the community, business, and visitors to the area.
2. Note the additional pedestrian safety works recently approved by the Northern Beaches Council Local Traffic Committee, to be implemented in May 2022.
3. Extend the implementation of the current arrangement for an additional 12 months to show traffic and pedestrian data.
4. Provide a report to Council following a further 12-month extension of the Streets as Shared Spaces trial at The Strand Dee Why.
5. Staff commence the design and consultation on parking and access improvements to address the issues that have been raised during the trial to benefit residents and visitors to Dee Why Beach.

VOTING

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

AGAINST: Cr Gencher, Cr Amon, Cr De Luca, Cr Crvelin and Cr Ryburn

CARRIED

13.8 COUNCIL REPRESENTATION ON THE COMMITTEE OF THE FRIENDS OF THE BIBLE GARDEN MEMORIAL INC.

121/22 **RESOLVED**

Cr Sprott / Cr Regan

That Council endorse the nomination of Councillor Amon as Council's representative on the Committee of the Friends of the Bible Garden Memorial Inc.

VOTING

FOR: Unanimous

CARRIED

13.9 ALTERNATIVE PROCUREMENT FOR CONSIDERATION OF REQUEST FOR LICENCE OF COMMUNITY LAND LOT 2 DP 827733 (WITHIN REFUGE COVE RESERVE) ADJOINING 316 HUDSON PARADE, CLAREVILLE

122/22 **RESOLVED**

Cr Korzy / Cr Heins

That:

1. Further to Council's resolution dated 26 October 2021 regarding this matter and in accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council enter into a direct arrangement with the owner of 316 Hudson Parade, Clareville for the licence of Council Community Land Lot 2 DP 827733 adjoining 316 Hudson Parade, Clareville, as a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances given:
 - A. It would be inappropriate to licence the subject land to anyone other than the adjoining owner at 316 Hudson Parade, Clareville as access by land can only be easily obtained from 316 Hudson Parade.
 - B. The property has an existing licence for the waterfront facilities below the Mean High Water Mark from NSW Department of Planning & Environment – Crown Lands which form part of these facilities.
2. Council delegate authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.

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

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

Nil

15.0 NOTICES OF MOTION

15.1 NOTICE OF MOTION NO 11/2022 - MILLER RESERVE, MANLY VALE - REVIEW OF ENVIRONMENTAL ISSUES

NOTE: Councillor De Luca left the chamber at 10:11pm and returned at 10:20pm

Cr Glanville / Cr Bingham

1. That Council notes that the NSW Government 'Synthetic Turf Study in Public Open Space Report' identified a number of management approaches and best practice solutions that should be implemented by the NSW Government and Local Councils in relation to development of synthetic playing fields.
2. That Council put on hold approving the construction of any additional synthetic sports fields until the NSW Minister for Planning and NSW Chief Scientist and Engineer have completed preparation of guidelines on the use of synthetic surfaces in public open space.
3. That staff, prior to making a decision regarding the installation of synthetic surfaces at Miller Reserve, provide a report to Council on the above NSW Government guidelines and any environmental assessments undertaken by Council regarding synthetic playing fields at this location.

VOTING

FOR: Cr Glanville, Cr Korzy, Cr Bingham, Cr Sprott, Cr Grattan and Cr Ryburn

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

LOST

PROCEDURAL MOTION - MOTION BE PUT

123/22 **RESOLVED**

Cr De Luca / Cr Walton

That the motion be now put.

VOTING

FOR: Cr Walton, Cr Heins, Cr Gencher, 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 Glanville and Cr Korzy

CARRIED

15.2 NOTICE OF MOTION NO 12/2022 - REPORT ON ENVIRONMENTAL PROTECTION AND DEVELOPMENT APPLICATION PROCESSING IN PITTWATER WARD

NOTE 1: Councillor Walton left the chamber at 10:34pm

NOTE 2: Councillor Amon left the chamber at 10:34pm and did not return to the meeting

NOTE 3: Councillors Grattan and Ryburn left the chamber at 10:35pm

NOTE 4: Councillor Regan left the chamber at 10:36pm

NOTE 5: In the absence of Councillor Regan, Councillor Bingham assumed the Chair

NOTE 6: Councillor Walton returned to the chamber at 10:36pm

NOTE 7: Councillor Ryburn returned to the chamber at 10:38pm

NOTE 8: Councillor Grattan returned to the chamber at 10:40pm

NOTE 9: Councillor Sprott left the chamber at 10:45pm

124/22 RESOLVED

Cr Korzy / Cr Glanville

That Councillors be provided with a special interest briefing, with a written report within 2 months on:

1. The process Council uses for assessing development applications and applying conditions of consent on sites with environmental/conservation (E4/C4) zonings in the former Pittwater LGA, including reference to excavation, tree removal/retention, protection of endangered ecological communities, hard surface to landscape ratios, and other relevant matters.
2. How compliance with conditions of consent and relevant legislation is assessed and enforced in these zones.
3. Options for protecting the environment in E4/C4 zones as part of the new LEP and DCP for the Northern Beaches.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Korzy, Cr Gencher, Cr Bingham, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Ryburn

AGAINST: Cr Grattan and Cr Heins

ABSENT: Cr Amon, Cr Regan, Cr Sprott

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

NOTE 1: Councillor Regan returned to the chamber and resumed the Chair at 10:48pm

NOTE 2: Councillor Sprott returned to the chamber at 10:50pm

125/22 **RESOLVED**

Cr Menano-Pires / Cr Regan

That the order of business be changed so items 18.4 be brought forward and dealt with immediately.

VOTING

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

ABSENT: Cr Amon

CARRIED

126/22 **RESOLVED**

Cr Regan / Cr Menano-Pires

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 18.4 EOI 2021/049 - Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, 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.

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 Gencher, Cr Regan, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

ABSENT: Cr Amon

CARRIED

NOTE: The meeting moved into closed session at 10:50pm

PROCEDURAL MOTION – RESUME IN OPEN SESSION

128/22 **RESOLVED**

Cr Bingham / Cr De Luca

That Council resume in open session.

VOTING

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

ABSENT: Cr Amon

CARRIED

NOTE: The meeting resumed in open session at 10:53pm

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

18.4 EOI 2021/049 - RECREATIONAL SITE RE-DEVELOPMENT VACANT CLUBHOUSE AND RECREATION SPACE, NOLAN RESERVE, NORTH MANLY

127/22RESOLVED

Cr Heins / Cr Regan

That Council:

1. Endorse the appointment of the entity identified in the confidential report for this Item as the 'Preferred Partner' for the Public Private Partnership proposed in respect of *EOI 2021/049 – Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, North Manly*.
2. Negotiate with the Preferred Partner the terms of the Project Development Agreement, the Ground Lease and any other documents required to enter into the Public Private Partnership.
3. Following the negotiation of Public Private Partnership documents resulting in agreed terms which in the opinion of the Chief Executive Officer are satisfactory, prepare a 'Pre-Contract Phase' submission to the Office of Local Government seeking approval to enter into the Public Private Partnership and report back to Council on these negotiated agreements.
4. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including negotiating all necessary documents including contracts.

VOTING

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

AGAINST: Cr Walton, Cr De Luca, Cr Sprott and Cr Ryburn

ABSENT: Cr Amon

CARRIED

18.1 RFT 2021/220 - LITTLE MANLY RESERVE SEAWALL

098/22RESOLVED

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of Lloyd Drilling Constructions Pty Ltd for RFT 2021/220 – Little Manly Reserve Seawall for the sum of \$361,000.00 excluding GST.
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.

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 12.

18.2 RFT 2021/233 - CONSTRUCTION SERVICES FOR MARINE RESCUE ROWLAND RESERVE BUILDING REPLACEMENT

099/22RESOLVED

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of Grindley Interiors Pty Ltd for RFT 2021/233 – Construction Services for Marine Rescue Rowland Reserve Building Replacement for the sum of \$988,563.43 excluding GST.
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.

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 12.

18.3 RFT 2021/238 - TAYLORS POINT RESERVE BANK STABILISATION

100/22RESOLVED

Cr Grattan / Cr Robins

That Council:

1. Accept the tender of RARE Environmental Pty Ltd for RFT 2021/238 – Taylors Point Reserve Bank Stabilisation for the sum of \$1,090,740.16 excluding GST.
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.

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 13.

18.5 PROPOSED SALE OF COUNCIL LAND - PART OF 43 WARRIEWOOD ROAD (LOT 2 DP 972209) AND PART OF 53 WARRIEWOOD ROAD (LOT 3 IN DP 942319) WARRIEWOOD

101/22RESOLVED

Cr Grattan / Cr Robins

That Council:

1. Authorise the disposal of the subject drainage reserve land at 43 and 53 Warriewood Road, Warriewood as follows:
 - A. Sale of part of 43 Warriewood Road, Warriewood (Lot 2 DP 972209) to the adjoining owner subject to the land sold being consolidated with the adjoining land at 45-49 Warriewood Road.
 - B. Sale of part of 53 Warriewood Road, Warriewood (Lot 3 DP 942319) to adjoining owner subject to the land being consolidated with the adjoining land at 53B Warriewood Road.
 - C. Sale price for each lot to be subject to independent qualified valuation advice, plus GST.
 - D. Easements to drain water to be retained by Council over the subject land.
2. Authorise owner's consent for the lodgement of any applications to subdivide the subject land prior to its sale.
3. Delegate authority to Chief Executive Officer to carry out of all things necessary to give effect to this resolution including the execution of any required documentation under delegated authority.
4. Authorise all costs associated with the proposals referred to in this resolution, including but not limited to, Council's legal costs, valuation, subdivision, registration and GST (if applicable), be funded by the respective applicants.

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 13.

18.6 LEGAL NEGOTIATIONS

102/22RESOLVED

Cr Grattan / Cr Robins

That Council proceed with Option 1 in the confidential report for this item.

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 14.

15.3 NOTICE OF MOTION NO 13/2022 - ACKNOWLEDGEMENT OF RAINBOW BEACH EVENTS

NOTE: Councillor Bingham left the chamber at 10:57pm and returned at 10:59pm

129/22 **RESOLVED**

Cr Glanville / Cr Regan

That Council formally acknowledge and extend thanks to Lifesavers with Pride and local Surf Life Saving Clubs for running “Rainbow Beach” activities on 27 February 2022.

VOTING

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

ABSENT: Cr Amon

CARRIED

15.4 NOTICE OF MOTION NO 14/2022 - VALE TOM KIRSOP, AM/OAM

130/22 **RESOLVED**

Cr Korzy / Cr Regan

That Council:

1. Acknowledge the enormous contribution the late Tom Kirsop made to the environment and surfing community.
2. Send our condolences to Mr Kirsop’s family, friends and the Surfrider Foundation Australia of which he was a founder.

VOTING

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

ABSENT: Cr Amon

CARRIED

NOTE 1: In accordance with clause 19.4 of the Code of Meeting Practice the meeting concluded at 11:07pm

NOTE 2: The following items were deferred to the ordinary Council meeting of 24 May 2022 in accordance with clause 19.4(a) of the Code of Meeting Practice:

- *15.5 Notice of Motion No 15/2022 - Dangers of Children Running Across Roads, and Graffiti at Warringah Road and Hilmer Street and Forestway*
- *15.6 Notice of Motion No 16/2022 - Review of Fees and Charges*
- *15.7 Notice of Motion No 17/2022 - Draft Precinct Plan Elanora Heights Community Centre and Precinct*
- *15.8 Notice of Motion No 18/2022 - Local Village and Neighbourhood Place Plan Framework*

The meeting concluded at 11:07pm

This is the final page of the minutes comprising 36 pages numbered 1 to 36 of the Ordinary Council Meeting held on Tuesday 26 April 2022 and confirmed on Tuesday 24 May 2022

Mayor

Chief Executive Officer