



northern
beaches
council

MINUTES

ORDINARY COUNCIL MEETING

held via audio-visual link on

TUESDAY 26 OCTOBER 2021

Minutes of an Ordinary Council Meeting

held on Tuesday 26 October 2021

via audio-visual link

Commencing at 6.04 PM

ATTENDANCE:

Councillors

Michael Regan (Mayor)
Candy Bingham (Deputy Mayor)
Rory Amon
Pat Daley OAM
Vincent De Luca OAM
Kylie Ferguson
Sarah Grattan
Roslyn Harrison
Sue Heins
Alex McTaggart
Penny Philpott
Stuart Sprott
David Walton
Natalie Warren
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
Sarah Dunstan	Executive Manager Governance and Risk
Lisa Dowsett	Acting Executive Manager Community Engagement and Communications
David Walsh	Chief Financial Officer
Caroline Foley	Executive Manager Financial Planning and Systems
Yianni Mentis	Executive Manager Environment and Sustainability
Andrew Ward-Hervey	Executive Manager Waste Management and Cleansing
Campbell Pfeiffer	Executive Manager Property
Lesley Milbourne	Manager Governance
Katie Kirwan	Senior Advisor Governance
Claudia Brodtke	Governance Officer
Sylwia Stafford	Information Management Technology Officer
Dinesh Mishra	Information Management Technology Officer

Notes

The meeting commenced at 6:04pm, adjourned at 8:04pm, resumed at 8:14pm, moved into closed session at 10:20pm, resumed in open session at 10:44pm and concluded at 10:48pm

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Nil

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 SEPTEMBER 2021

283/21 **RESOLVED**

Cr Bingham / Cr White

That the Minutes of the Ordinary Council Meeting held 28 September 2021, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

VOTING

FOR: Unanimous

CARRIED

4.0 DISCLOSURES OF INTEREST

- Councillor White declared a not significant non-pecuniary interest in relation to Item 13.3 - Public Exhibition of Amendments to Fees and Charges 2021/22 Parks and Recreation - Wharf Usage and Waterfront Storage and chose to take no part in the discussion and voting on this item. The reason provided was:

'I have applied for one of the proposed new leases on Carol's Wharf.'

- Councillor Ferguson declared a declared a not significant non-pecuniary interest in relation to item 10.1 – 2021/2022 Community Grants Program – Funding Recommendations and chose to remain in the meeting for the discussion and the voting on this item. The reason provided was:

"I am a Director of Easy Link who are often an applicant for this program."

- Councillor Heins declared a significant non-pecuniary interest in relation to item 10.1 – 2021/2022 Community Grants Program and chose to take no part in the discussion and voting on this item. The reason provided was:

"I often use the services of one of the applicants."

- Councillor Sprott declared a significant non-pecuniary interest in relation to item 11.4 – Response to Notice of Motion 39/2021 – Recycle Takeaway Coffee Cups and chose to take no part in the discussion and voting on the item. The reason provided was:

“I own a café that uses takeaway coffee cups.”

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

NOTE: Due to social distancing measures, public speakers have submitted written addresses for tonight’s proceedings. Addresses were read by the Director of Workforce and Technology, Karen Twitchett.

5.1 PUBLIC FORUM

- Paul Maddock representing Surfrider Foundation, addressed Council about Collaroy Sea Wall.
- John Holman addressed Council about 13 Bungendore Street, Ingleside – DA Assessment.
- Miranda Korzy addressed Council about parking problems for Pittwater residents.

5.2 PUBLIC ADDRESS

Item 10.3 Outcome of Public Exhibition of Proposal to Re-establish Alcohol Free Zones.

- Monique Atab addressed Council in support of this item.

Item 12.3 - Planning Proposal - 5 Bowling Green Lane, Avalon PEX2020/002 - Post Gateway Exhibition Report

- Warren Moss addressed Council against this item.

Item 12.4 Response to Notice of Motion No 35/2021 Development Application Lodged on Private Land at 521 Barrenjoey Road, Bilgola

- Miranda Korzy addressed Council in support of this item.

Item 12.5 Planning Proposal (PEX2021/0001) 159-167 Darley Street, Mona Vale

- Daniela Vujic from Macroplan Management Consulting representing Intrec Management, addressed Council against this item.
- Andrew Thurlow representing Intrec Management, addressed Council against this item.

Item 13.5 Outcome of the Public Notice for the Proposed 20 Year Lease to Mona Vale Golf Course

- Ross Fleming, President of the Mona Vale Golf Club, addressed Council in support of this item.

Item 13.8 Response to Notice of Motion No 29/2021 – Review of Curl Curl Beach Reserve Masterplan

- David Harvey addressed Council in support of this item.

6.0 ITEMS RESOLVED BY EXCEPTION

NOTE: Councillor White left the meeting due a disclosure of interest in item 13.3

NOTE: Councillor Grattan congratulated staff on the clean audit: 'This is an excellent achievement'

284/21 RESOLVED

Cr Grattan / Cr Ferguson

That

1. Items 8.1, 9.2, 9.3, 9.5, 9.6, 10.3, 12.2, 12.3, 12.4, 12.5, 13.2, 13.3, 13.7, 14.1, 18.2 and 18.6 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.
2. The reports for items 18.2 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 Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr White

CARRIED

8.1 GUIDE TO EVENTS ON THE NORTHERN BEACHES

285/21 RESOLVED

Cr Grattan / Cr Ferguson

That Council:

1. Note the Guide to Events on the Northern Beaches.
2. Delegate authority to the Chief Executive Officer to update the Guide to Events on the Northern Beaches as required.

RESOLVED BY EXCEPTION

9.2 REMOTE ATTENDANCE AT COUNCIL MEETINGS BY COUNCILLORS

286/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council:

1. Adopt the Guidelines at Attachment 1 for the remote attendance at Council meetings by councillors.
2. Note there will be an opportunity to reconsider these requirements as part of the review of the Code of Meeting Practice.

RESOLVED BY EXCEPTION

9.3 TABLING OF DESIGNATED PERSONS RETURNS 2020/21

287/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council:

1. Note the designated persons disclosure of interest returns for the period 1 July 2020 to 30 June 2021, as tabled in accordance with clause 4.25 of Council's Code of Conduct.
2. Adopt the list of positions for designated persons for the period 1 July 2021 to 30 June 2022 in accordance with clause 4.8 of the Code of Conduct.

RESOLVED BY EXCEPTION

9.5 2020/21 FINANCIAL STATEMENTS

288/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That, in accordance with section 419(1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for the 2020/21 financial year are hereby received.

RESOLVED BY EXCEPTION

9.6 MONTHLY INVESTMENT REPORT - SEPTEMBER 2021

289/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council note the Investment Report as at 30 September 2021, including the certification by the Responsible Accounting Officer.

RESOLVED BY EXCEPTION

10.3 OUTCOME OF PUBLIC EXHIBITION OF PROPOSAL TO RE-ESTABLISH ALCOHOL FREE ZONES

290/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council:

1. Note the outcome of the public exhibition of the proposal to re-establish Alcohol Free Zones.
2. Re-establish the Alcohol Free Zones in Avalon, Church Point, Dee Why, Freshwater, Mona Vale, Newport, Newport Residential and Palm Beach as shown in Attachment 1, for a period of up to 4 years, from 1 December 2021 to 30 November 2025.

RESOLVED BY EXCEPTION

12.2 PUBLIC EXHIBITION OF NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2021 (AMENDMENT)

291/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council place on public exhibition the amendments to the Northern Beaches Section 7.12 Development Contributions Plan 2021 for a minimum of 28 days.
2. The amended Northern Beaches Section 7.12 Development Contributions Plan 2021 is publicly exhibited at the same time as the draft Frenchs Forest Section 7.11 Development Contributions Plan.
3. The outcome of the public exhibition of the amended Northern Beaches Section 7.12 Development Contributions Plan 2021 and draft Frenchs Forest Section 7.11 Development Contributions Plan be reported to Council.

RESOLVED BY EXCEPTION

12.3 PLANNING PROPOSAL - 5 BOWLING GREEN LANE, AVALON PEX2020/002 - POST-GATEWAY EXHIBITION REPORT

292/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council:

1. Adopt the Planning Proposal PEX2020/0002 'Green 3' at the Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach.
2. Submit it to the NSW Department of Planning, Industry and Environment for finalisation to amend the Pittwater Local Environment Plan 2014 to rezone Lot 7 in DP 12404000 from R2 Low Density Residential to RE1 Public Recreation.

RESOLVED BY EXCEPTION

12.4 RESPONSE TO NOTICE OF MOTION NO 35/2021 - DEVELOPMENT APPLICATION LODGED ON PRIVATE LAND AT 521 BARRENJOEY ROAD, BILGOLA

293/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council note the information contained in the report.
2. Council write to the Hon. Rob Stokes, Minister for Planning and Public Spaces and Minister for Transport and Roads seeking Transport NSW agreement to transfer ownership of No's 513, 515 and 519 Barrenjoey Road, Bilgola to Northern Beaches Council to be added to public reserve.
3. Updates be provided to Council on any response received from Transport for NSW or Minister for Planning and Public Spaces and Minister for Transport and Roads.

RESOLVED BY EXCEPTION

12.5 PLANNING PROPOSAL (PEX2021/0001) - 159-167 DARLEY STREET, MONA VALE

294/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That Council:

1. Reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not forward it to the NSW Department of Planning, Industry and Environment seeking a Gateway determination for the following reasons:
 - A. The Planning Proposal is inconsistent with the provisions of the North District Plan.
 - B. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
 - C. The Planning Proposal does not demonstrate strategic merit or site specific merit when assessed against the NSW Planning & Environment's: A guide to preparing planning proposals.
 - D. The Planning Proposal may establish an unwanted precedent.
 - E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.
2. As part of the Mona Vale Place Planning Process, include 159-167 Darley Street West, Mona Vale for consideration within the Centre Investigation Area (as identified within the draft Local Housing Strategy) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Place Planning process.

RESOLVED BY EXCEPTION

13.2 PUBLIC EXHIBITION OF PROPOSAL TO NAME TWO CURRENTLY UNNAMED LANEWAYS IN AVALON AND SEAFORTH

295/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council support the proposed naming of the unnamed lanes as Dyarrhi Lane, Seaforth and Murradjulbi Lane, Avalon.
2. Council publish a notice of the proposed names on YourSay.
3. The results of the proposal be reported back to Council.

RESOLVED BY EXCEPTION

13.3 PUBLIC EXHIBITION OF AMENDMENTS TO FEES AND CHARGES 2021/22 PARKS & RECREATION - WHARF USAGE AND WATERCRAFT STORAGE

296/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council place the two new draft Fees and Charges 2021/2022 for Parks & Recreation - Wharf usage and watercraft storage fees on public exhibition for a minimum of 28 days.
2. The outcomes of the public exhibition be reported to Council.

RESOLVED BY EXCEPTION

13.7 OUTCOMES OF PUBLIC EXHIBITION OF GENERIC PARKS PLAN OF MANAGEMENT (WARRINGAH) AND PUBLIC EXHIBITION OF DRAFT WYATT BIKE PARK PLAN OF MANAGEMENT

297/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council note that it has considered the submissions received in relation to the public exhibition of the Generic Parks Plan of Management (Warringah).
2. Council note that it has considered the report on the public hearing into the proposed categorisation of Lot 2 DP 536909, Lot 102 DP 1244381 and Lot 2620 DP 752038 as park for the purpose of section 36 of the *Local Government Act 1993*.
3. Council amend the draft Generic Parks Plan of Management (Warringah), by removing Lot 102 DP 1244381 and Lot 2620 DP 752038.
4. Council note its opinion that the amendments to the draft Generic Parks Plan of Management (Warringah) referred to at 3 above are not substantial.
5. Council adopt the Generic Parks Plan of Management (Warringah) in respect of Lot 2 DP 536909, known as 180 Forestway, Belrose and categorise it as Park in accordance with Attachment 4.
6. Council give public notice of the adoption of the Generic Parks Plan of Management (Warringah) and the terms of the amended Generic Parks Plan of Management (Warringah) as soon as practicable.
7. Lot 2 DP 536909 be categorised as Park because the Park category provides the most flexibility for the future use of this land by ensuring it is maintained as public land and managed to provide suitable recreational experience as required by the community in the future.
8. Council publicly exhibit the draft Wyatt Bike Park Plan of Management in relation to Lots 102 DP 1244381 and 2620 DP 752038, being 4-6 Wyatt Avenue Belrose, for 42 days.
9. Council hold a public hearing in respect of the proposed categorisation of Lots 102 DP

1244381 and 2620 DP 752038 as Park in the draft Wyatt Bike Park Plan of Management.

10. The outcomes of the public exhibition of the draft Wyatt Bike Park Plan of Management and the public hearing be reported to Council.

RESOLVED BY EXCEPTION

14.1 ANNUAL REPORT 2020/21

298/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council note the Annual Report 2020/21.
2. A copy of the Annual Report 2020/21 be posted on Council's website and provided to the Minister for Local Government.

RESOLVED BY EXCEPTION

18.2 EXEMPTION FROM TENDERING FOR LEADERSHIP TRAINING

299/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Engages Bendelta Pty Ltd (Bendelta) to deliver the final component of the Catalyst Towards 2023 Leadership Development program.
2. Resolves pursuant to section 55(3)(i) of the Local Government Act 1993 that a satisfactory result would not be achieved by inviting tenders for the contract referred to in 1 because of extenuating circumstances by reason of the following:
 - A. Bendelta has successfully delivered the program to over 100 Council people leaders;
 - B. Council has an immediate need to secure the services as the program is proposed to soon be delivered to the final group of leaders;
 - C. inviting tenders will result in time delays in delivering the program;
 - D. the unique and specific nature of the services would limit the utility and competitiveness of a tender process;
 - E. there is significant benefit in having the program delivered by the same organisation to ensure consistency; and
 - F. the proposed contractor has demonstrated experience and expertise to satisfy Council's requirements.
3. Authorises the Chief Executive Officer to do all things necessary to give effect to this resolution including the execution of any required documentation.

RESOLVED BY EXCEPTION

18.6 RFT 2021/160 - PROVISION OF SWIMMING SQUAD COACHING SERVICES AT THE WARRINGAH AQUATIC CENTRE

300/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council accepts the tender of NS Swim School Pty Ltd for RFT 2021/160 – Provision of Swimming Squad Coaching Services at The Warringah Aquatic Centre for the initial sum of \$84,488 (minimum lane hire income) and with potential of \$224,640 per annum (maximum lane hire income) excluding GST subject to fee adjustment of CPI for a period of three (3) years with a two (2) year option at Council's discretion.
2. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.

RESOLVED BY EXCEPTION

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 20/2021 - FUTURE NEW YEAR'S EVE EVENTS ON THE NORTHERN BEACHES

NOTE: Councillor Warren left the meeting at 6:55pm

301/21 **RESOLVED**

Cr Regan

That Council:

1. Investigate the options of using drones for laser light displays and any other alternatives for future New Year's Eve events and other civic events on the Northern Beaches including comparative budget costs with traditional fireworks displays
2. Bring back a report for the consideration of the newly elected Council in March 2022.

VOTING

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

AGAINST: Cr Amon and Cr Walton

ABSENT: Cr Warren

CARRIED

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

8.2 SERVICE NSW AND NORTHERN BEACHES COUNCIL PARTNERSHIP AGREEMENT

NOTE: Councillor Warren returned to the meeting at 7:02pm

302/21 **RESOLVED**

Cr Sprott / Cr Walton

That Council enter into a partnership agreement with Service NSW.

VOTING

FOR: Unanimous

CARRIED

8.3 PUBLIC EXHIBITION OF THE DRAFT COMMUNITY ENGAGEMENT POLICY AND COMMUNITY ENGAGEMENT STRATEGY

NOTE: Councillor Warren left the meeting at 7:12pm

303/21 **RESOLVED**

Cr Regan / Cr Heins

That:

1. Council place on public exhibition the draft Community Engagement Policy and draft Community Engagement Strategy for a period of no less than 42 days from 1 November 2021.
2. The outcome of the public exhibition of the draft Community Engagement Policy and draft Community Engagement Strategy be reported to Council.

VOTING

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

ABSENT: Cr Warren

CARRIED

9.0 CORPORATE AND LEGAL DIVISION REPORTS

9.1 2021-24 STRATEGIC INTERNAL AUDIT PLAN

NOTE: Councillor Sprott left the meeting at 7:13pm

304/21 RESOLVED

Cr Grattan / Cr Harrison

That Council note the Strategic Internal Audit Plan, endorsed by the Audit, Risk and Improvement Committee at its meetings of 8 June 2021 and 14 September 2021.

VOTING

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

ABSENT: Cr Sprott and Cr Warren

CARRIED

9.4 QUARTERLY REVIEW - SEPTEMBER 2021

NOTE: Councillor Warren returned to the meeting at 7:22pm

305/21 **RESOLVED**

Cr Grattan / Cr Harrison

That Council:

1. Note the Budget Review Statement for the three months ended 30 September 2021.
2. Approve the following changes to the Current Forecast in the September 2021 Budget Review Statement:
 - A. A decrease in the forecast surplus from Continuing Operations, which includes Capital Grants and Contributions, of \$12.419 million to \$49.292 million.
 - B. A decrease in capital expenditure by \$11.418 million to \$124.940 million.
3. Approve the re-allocation of \$300,000 from the internally restricted reserve 'Merger Savings Fund' from 'PCYC Activities' to part-fund the replacement of the PCYC building aluminum composite panel.
4. Note the Quarterly Report on Service Performance for the period ended 30 September 2021.
5. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended 30 September 2021.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr Sprott

CARRIED

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

10.1 2021/22 COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS

NOTE: Councillor Heins left the meeting at 7:36pm due to a disclosure of interest

306/21 **RESOLVED**

Cr Amon / Cr Regan

That pursuant to Section 356 of the Local Government Act, 1993, Council approve the allocation of \$240,000 under the 2021/22 Community Grants Program, as recommended by the Assessment Panels, including:

1. \$96,700 towards the Arts and Creativity grants stream as detailed in Attachment 1

2. \$96,364 towards the Community Development grants stream as detailed in Attachment 2.
3. \$46,936 towards the third year of multi-year funding as recommended in the 2019/20 Community Grants Program as detailed in Attachment 3.

VOTING

FOR: Cr White, Cr Daley, Cr Ferguson, Cr Philpott, Cr Grattan, Cr Amon, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr Heins and Cr Sprott

CARRIED

10.2 COMMUNITY LIBRARY FUNDING

NOTE: Councillor Heins returned to the meeting at 7:35pm

307/21 RESOLVED

Cr Amon / Cr Regan

That Council:

1. Continue to support the community libraries with an annual funding allowance for the financial year 2021/22.
2. Provide financial assistance to the community libraries on a pro rata basis as a result of the COVID lockdown in quarter one of this financial year to the value of:
 - A. \$48,750 (ex GST) per annum to Avalon Community Library for the 2021/22 financial year
 - B. \$18,000 (ex GST) per annum to Balgowlah Seaforth Community Library for the 2021/22 financial year
 - C. \$1,500 (ex GST) per annum to Booklovers Club Northern Beaches Incorporated for the 2021/22 financial year
 - D. \$19,500 (ex GST) per annum to Terrey Hills Community Library for the 2021/22 financial year.
3. Provide the funding as detailed above to community libraries once the previous year's grant acquittals are received and reviewed in line with their funding request.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr Sprott

CARRIED

10.4 COMMUNITY HIRE OF MANLY TOWN HALL MEETING ROOMS (RESPONSE TO NOTICE OF MOTION 16/2019)

NOTE: Councillor Sprott returned to the meeting at 7:36pm

308/21 **RESOLVED**

Cr Bingham / Cr Philpott

That Council extend the review of the community usage of the Manly Town Hall meeting rooms for a further twelve months, to be reported back to Council in November 2022.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

AGAINST: Cr Sprott

CARRIED

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

11.1 PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES ENVIRONMENT STUDY

309/21 **RESOLVED**

Cr Warren / Cr McTaggart

That:

1. Council exhibit the draft Northern Beaches Environment Study for a minimum of 42 days to at least the end of January 2022.
2. The outcome from the public exhibition of the draft Northern Beaches Environment Study be used to assist with the preparation of the Northern Beaches Local Environmental Plan and Development Control Plan.
3. Present this document to new councillors in their induction packages and bring to a councillor briefing in February.

VOTING

FOR: Unanimous

CARRIED

11.2 2021/22 ENVIRONMENTAL GRANTS PROGRAM - FUNDING RECOMMENDATIONS

310/21 **RESOLVED**

Cr Amon / Cr Regan

That Council, in accordance with Section 356 of the Local Government Act (1993), award Environmental Grants totalling \$40,000 (ex GST) to the successful applicants as outlined in Attachment 1.

VOTING

FOR: Unanimous

CARRIED

11.3 ANNUAL ELECTRICITY CHARGES

311/21 **RESOLVED**

Cr Amon / Cr Regan

That Council note the information contained in this report.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION - ADJOURN THE MEETING

312/21 **RESOLVED**

Cr Ferguson / 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

11.4 RESPONSE TO NOTICE OF MOTION NO 39/2021 - RECYCLE TAKEAWAY COFFEE CUPS

NOTE: Councillor Sprott left the meeting at 8:04pm due to a disclosure of interest

313/21 **RESOLVED**

Cr Bingham / Cr Warren

That Council:

1. Note the information in the report.
2. Undertake a review of public litter bin contents from a small number of key locations on the Northern Beaches to obtain more detailed information on the amount of takeaway coffee cups and other waste streams present in these areas.
3. Report the findings of this review to a future Council meeting.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr Sprott

CARRIED

12.0 PLANNING AND PLACE DIVISION REPORTS

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

NOTE: Councillor Sprott returned to the meeting at 8:32pm

314/21 **RESOLVED**

Cr Heins / Cr Bingham

That Council note the Development Applications approved with variations to development standards during the period 1 July 2021 to 30 September 2021.

VOTING

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

AGAINST: Cr Amon, Cr Ferguson, Cr Harrison and Cr Regan

CARRIED

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

13.4 PUBLIC EXHIBITION OF LYNNE CZINNER PARK CONCEPT DESIGN AND DRAFT PLAN OF MANAGEMENT

315/21 **RESOLVED**

Cr De Luca / Cr Ferguson

That Council:

1. Place the draft concept plan and draft Plan of Management for Lynne Czinner Park on exhibition for 42 days.
2. Hold an independent public hearing on the proposed categorisation as park, natural area (watercourse) and natural area (bushland), as shown in the land categorisation map in the draft Plan of Management (Attachment 1), of Lot 1 DP 1251955, Lot 2 DP 1251955, Lot 3 DP 1251955, Lot 13 DP 1092788, Lot 8 DP 1092802 and Lot 102 DP 1191152 in accordance with clause 40A of the *Local Government Act 1993*.
3. Report the outcomes back to Council for determination.

VOTING

FOR: Unanimous

CARRIED

13.1 CONSIDERATION OF LICENCE REQUEST FOR COUNCIL COMMUNITY LAND LOT 2 DP 827733 (WITHIN REFUGE COVE RESERVE) AND ADJOINING 316 HUDSON PARADE, CLAREVILLE

316/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council note that it has considered all submissions in respect to the proposed licence referred to in Item 3 below (proposed licence).
2. Council apply to the Minister for Local Government in accordance with section 47 of the *Local Government Act 1993* for consent to grant the proposed licence.
3. Subject to the consent of the Minister for Local Government to the grant of the proposed licence and subject to the grant of development consent in respect of DA2020/1762, Council grant a new licence to the owner of 316 Hudson Parade Clareville for approximately 58 sqm of community land adjoining 316 Hudson Parade, Clareville described as Lot 2 DP 827733 for the purpose of boatshed and access structures for an amount in accordance with Council's adopted Fees and Charges and for a term of twenty (20) years.
4. The proposed licence be subject to such other terms and conditions as the Chief Executive Officer considers appropriate.
5. All costs associated with the granting of the proposed licence including but not limited to, Council's legal costs, document registration and GST, if applicable, be funded by the applicant.
6. Council delegate authority to the Chief Executive Officer to do all things necessary and to execute all required documentation in order to give effect to the above.

VOTING

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

AGAINST: Cr Amon, Cr De Luca, Cr Sprott, Cr Harrison and Cr Warren

CARRIED

13.5 OUTCOME OF THE PUBLIC NOTICE FOR THE PROPOSED 20 YEAR LEASE TO MONA VALE GOLF COURSE

317/21 **RESOLVED**

Cr McTaggart / Cr Regan

That:

1. Council note that it has considered all submissions in respect to the proposed lease referred to in item 3 below (lease).
2. Council apply to the Minister for Local Government in accordance with sections 47 of the *Local Government Act 1993* for consent to grant the lease.

3. Subject to the consent of the Minister for Local Government, Council grant a lease to Mona Vale Golf Club Limited ACN 000 024 224 (Club) for Mona Vale Golf Course being Lots 2 and 4 DP251053 and Lot 2 DP1275526 for a term of up to 20 years.
4. That the terms of the lease be negotiated and finalised with the Club.
5. The lease be provided to the Minister for Planning and Public Spaces for execution.
6. Council delegate authority to the Chief Executive Officer to do all things necessary including execution of the lease in order to give effect to the above and be reported back to Council.

VOTING

FOR: Unanimous

CARRIED

13.6 OUTCOMES OF THE PUBLIC EXHIBITION OF THE DRAFT IVANHOE PARK MASTERPLAN AND PLAN OF MANAGEMENT

318/21 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Note that it has considered submissions received in relation to the public exhibition of the Ivanhoe Park Plan of Management.
2. Adopt the Plan of Management (Lot 7379 DP 1164856 and Lot 2502 DP1143032) and Landscape Masterplan for Ivanhoe Park, Manly.
3. Recategorise the land within the dripline of the Scout Hall as General Community Use.
4. Submit the Conservation Management Plan to the Heritage Council of NSW for approval.
5. That the design of any new grandstand on the site that is sympathetic to the historic nature and heritage significance of Manly Oval as a traditional village green and sporting venue.

VOTING

FOR: Unanimous

CARRIED

13.8 RESPONSE TO NOTICE OF MOTION NO 29/2021 - REVIEW OF CURL CURL BEACH RESERVE MASTERPLAN

319/21 **RESOLVED**

Cr Walton / Cr Heins

That:

1. Subject to the matters in 1 – 6, Council endorse an amendment to the southern extent of the dog off-leash area at Flora and Ritchie Roberts Reserve at Curl Curl Beach to align with the southern end of the mid Curl Curl Beach car park, thereby extending the approved dog off-leash area by approximately 110 metres, as set out in Attachment 2 of the report for this item (Extended Off-Leash Area).
2. In relation to the requirements of Part 5 of the *Environmental Planning and Assessment Act 1979*, Council:
 - A. Note and adopt the environmental assessment at Attachment 1 of the report for this item in relation to the Extended Off-Leash Area, as set out in, and incorporating the mitigation measures and conditions in, Attachments 1 and 2 including:
 - i. the relocation of signage to enable dogs to be permitted off-leash as far south as the end of the mid Curl Curl Beach car park; and
 - ii. fencing in the vicinity of the area to deter dogs from entering the dunes.
 - 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 Extended Off-Leash Area Activity.
 - C. Determine that the Extended Off-Leash Area Activity is not likely to significantly affect the environment and that an environmental impact statement or species impact statement is not required.
3. Council by order declare pursuant to section 13(6) of the *Companion Animals Act 1998* that the Extended Off-Leash Area, being a public place, is an off-leash dog area.
4. Council implement the mitigation measures and conditions forming part of the Extended Off-Leash Area Activity.
5. Council adopt the proposed amendment to the Curl Curl Beach Landscape Masterplan as set out in Attachment 2 to the report for this item.
6. Council authorise the Chief Executive Officer to do all things necessary to give effect to this resolution including the erection and removal of signage and fencing.

VOTING

FOR: Unanimous

CARRIED

15.0 NOTICES OF MOTION

15.1 NOTICE OF MOTION NO 40/2021 - WALKING TRAIL FOR WAKEHURST PARKWAY

320/21 RESOLVED

Cr Sprott / Cr Philpott

That:

1. Staff review walking and cycling trails between Frenchs Forest and Narrabeen Lagoon to determine whether connections could be created between the new proposed town centre at Frenchs Forest and the very popular Narrabeen Lagoon trail.
2. A report be brought back to Council within six months on the above review including potential links with any Wakehurst Parkway flood mitigation works.

VOTING

FOR: Unanimous

CARRIED

15.2 NOTICE OF MOTION NO 41/2021 - TRANSPORT NEW SOUTH WALES ROAD MAINTENANCE CONTRACT

321/21 RESOLVED

Cr McTaggart / Cr Regan

That Council write to Transport for NSW:

1. Advising the concern of residents about the general state of disrepair on parts of Barrenjoey and Pittwater roads.
2. Requesting a copy of the delineation of responsibilities between Council, Transport for NSW and the maintenance contractor.
3. Requesting a copy of the Transport for NSW service contract for maintenance of roads in the Northern Beaches Local Government Area with the new contractor.
4. Requesting a copy of the hand over condition audit for Transport for NSW for roads in the Local Government Area July 2021.

VOTING

FOR: Unanimous

CARRIED

15.3 NOTICE OF MOTION NO 42/2021 - CHURCH POINT PARKING DEMAND MANAGEMENT STRATEGY

322/21 RESOLVED

Cr Amon / Cr Regan

That:

1. A report be brought to Council outlining the cost and the process for a review of the Church Point Parking Demand Management Strategy to determine what the available parking resources are in the overall precinct (including from Holmeport to Rowland Reserve), noting the seasonal demand and to include the period when both the Pasadena and Waterfront Café are operating normally.
2. The Review is to include at least the following matters:
 - A. Parking Occupancy.
 - B. Parking Turnover.
 - C. Demographic of the users of the parking.
 - D. Time restrictions and whether the restrictions meet the needs of all the communities that use this parking.
 - E. Feasibility of options for expanding parking and commuter boat berthing facilities at Rowland Reserve, Bayview Baths and Taylors Point, noting this has not been regarded as viable or safe in the past.
 - F. Options for Keoride or similar transport from Rowland Reserve to Church Point and Mona Vale, including to provide for visitors to the Church Point area .
 - G. Consideration of amenity for the local community and other users of Church Point facilities.
 - H. A consideration of an additional row of parking for church point permit holders from 6pm to 6am in the main carpark.
 - I. A consideration of increasing policing of the carpark and drop off zone off commuter wharf to ensure compliance.
 - J. Considering and recognising the contribution in both time and funding for the current parking infrastructure by the offshore community.
 - K. A consideration of how to best balance the needs of offshore residents, onshore residents, and businesses.

VOTING

FOR: Unanimous

CARRIED

15.4 NOTICE OF MOTION NO 43/2021 - INCREASE AND UPDATE OF THE SKATE PARK AT AQUATIC RESERVE

323/21 RESOLVED

Cr Sprott / Cr Amon

That the following matters be deferred to the Recreation Strategy:

1. To investigate the provision of additional skate parks including Aquatic Reserve.
2. Investigate the condition of all of the Aquatic Reserve Playing Fields.

VOTING

FOR: Cr White, Cr Daley, Cr Grattan, Cr Amon, Cr McTaggart, Cr De Luca, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison, Cr Warren and Cr Regan

AGAINST: Cr Philpott and Cr Bingham

ABSENT: Cr Heins

CARRIED

15.5 NOTICE OF MOTION NO 44/2021 - TOY LIBRARY

324/21 RESOLVED

Cr Warren / Cr Bingham

That Council:

1. Request staff to bring a report back to Council within 4 months detailing how a new Council run toy library could be set up over the 2022-23 financial year, including potential locations, and operating and funding options.
2. Conduct community engagement on the toy library concept within the same timeframe.

VOTING

FOR: Unanimous

CARRIED

15.6 NOTICE OF MOTION NO 45/2021 - CLONTARF MOORINGS AND BEACH SAFETY

325/21 **RESOLVED**

Cr Grattan / Cr Walton

That Council:

1. Advocate to improve the safety of swimmers and users of unpowered watercraft (e.g. kayaks, paddle boards, row boats) along Clontarf beach.
2. Write to RMS/Transport for NSW requesting a review and consideration of options to improve beach safety including:
 - A. To reduce the speed of boats through the passage.
 - B. Introduction of a boat-free 'safety zone' adjacent to the beach to protect children playing, swimmers, and launching of recreational watercraft.
 - C. The re-introduction of moorings for boats along Clontarf beach to provide protection.

VOTING

FOR: Unanimous

CARRIED

18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

326/21 **RESOLVED**

Cr Regan / Cr Ferguson

That:

1. In accordance with the requirements of section 10A of the Local Government Act 1993 as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- A. Item 18.1 Major Event 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 provides advice concerning commercial partnerships. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- B. Item 18.3 RFT 2021/105 - Coast Walk Public Art - McKillop Park, Freshwater on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- C. Item 18.4 RFT 2021/081 - Stormwater Works Panel on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- D. Item 18.5 RFT 2021/064 - Catering Services Panel (Addendum) 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: Unanimous

CARRIED

NOTE: The meeting moved into closed session at 10.20pm

19.0 REPORT OF CONFIDENTIAL RESOLUTIONS

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

18.1 MAJOR EVENT

327/21 RESOLVED

Cr Ferguson / Cr Regan

That Council endorse Option 1 as detailed within the body of the report.

VOTING

FOR: Unanimous

CARRIED

18.2 EXEMPTION FROM TENDERING FOR LEADERSHIP TRAINING

299/21 RESOLVED

Cr Grattan / Cr Ferguson

That:

1. Engages Bendelta Pty Ltd (Bendelta) to deliver the final component of the Catalyst Towards 2023 Leadership Development program.
2. Resolves pursuant to section 55(3)(i) of the Local Government Act 1993 that a satisfactory result would not be achieved by inviting tenders for the contract referred to in 1 because of extenuating circumstances by reason of the following:
 - A. Bendelta has successfully delivered the program to over 100 Council people leaders;
 - B. Council has an immediate need to secure the services as the program is proposed to soon be delivered to the final group of leaders;
 - C. inviting tenders will result in time delays in delivering the program;
 - D. the unique and specific nature of the services would limit the utility and competitiveness of a tender process;
 - E. there is significant benefit in having the program delivered by the same organisation to ensure consistency; and
 - F. the proposed contractor has demonstrated experience and expertise to satisfy Council's requirements.

3. Authorises the Chief Executive Officer to do all things necessary to give effect to this resolution including the execution of any required documentation.

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.

18.3 RFT 2021/105 - COAST WALK PUBLIC ART - MCKILLOP PARK, FRESHWATER

328/21 **RESOLVED**

Cr Ferguson / Cr Bingham

That Council:

1. Accept the tender of Mili Mili Pty Ltd (Nicole Monks and Colin Ryan) for RFT 2021/105 – Coast Walk Public Art – McKillop Park, Freshwater for the sum of \$430,000, 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.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Harrison, Cr Warren and Cr Regan

AGAINST: Cr Sprott

CARRIED

18.4 RFT 2021/081 - STORMWATER WORKS PANEL

329/21 **RESOLVED**

Cr Regan / Cr Grattan

That:

1. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2021 Council accept the tenders as detailed below for RFT 2021/081 - Stormwater Works Panel for an initial period of three years, with the option to extend for a further three consecutive terms of up to one year each, subject to satisfactory performance.

A. Sub-Panel 1 – Stormwater Drainage Inspections

Aqua-Assets Pty Limited T/As Asset Training

Downer Pipetech Pty Limited

Dynamic Hydro Excavations Pty Ltd

Interflow Pty Limited

Pipe Management Australia Pty Ltd

Pipeline Watertech Pty Ltd

Rangedale Drainage & Industrial Services Pty Ltd
Rapid Map Services Pty Ltd
Total Drain Cleaning Services Pty Ltd T/As Total Drain Cleaning
Utility Locating Pty Ltd T/As Suresearch

B. Sub-Panel 2 – Stormwater Conduit Cleaning

Aqua-Assets Pty Limited T/As Asset Training
Downer Pipetech Pty Limited
Interflow Pty Limited
Pipe Management Australia Pty Ltd
Pipeline Watertech Pty Ltd
Total Drain Cleaning Services Pty Ltd T/As Total Drain Cleaning
Utility Locating Pty Ltd T/As Suresearch

C. Sub-Panel 3 – Service Locating and Surveying

Byrne & Associates Pty. Limited
C.M.S. Surveyors Pty Limited
Durkin Construction Pty Ltd
Dynamic Hydro Excavations Pty Ltd
Rangedale Drainage & Industrial Services Pty Ltd
Rapid Map Services Pty Ltd
Total Drain Cleaning Services Pty Ltd T/As Total Drain Cleaning
Utility Locating Pty Ltd T/As Suresearch
Ward Utilities Pty Ltd

D. Sub-Panel 4 – Water Quality Device (WQD) Operations

Aqua-Assets Pty Limited T/As Asset Training
Dynamic Hydro Excavations Pty Ltd
Pipe Management Australia Pty Ltd
Total Drain Cleaning Services Pty Ltd T/As Total Drain Cleaning
Ward Utilities Pty Ltd

E. Sub-Panel 5 – Stormwater Maintenance and Modification

Aqua-Assets Pty Limited T/As Asset Training
Downer Pipetech Pty Limited
Insituform Pacific Pty Limited
Interflow Pty Limited
Pipe Management Australia Pty Ltd
Pipeline Watertech Pty Ltd
Total Drain Cleaning Services Pty Ltd T/As Total Drain Cleaning

F. Sub-Panel 6 – Pipeline Relining

Abergeldie Rehabilitation Pty Ltd

Downer Pipetech Pty Limited

Insituform Pacific Pty Limited

Interflow Pty Limited

Pipeline Watertech Pty Ltd

Rangedale Drainage & Industrial Services Pty Ltd

G. Sub-Panel 7 – Drainage Construction and Restoration

Ally Property Services Pty Ltd T/As Ally Civil

Civotek Pty Ltd

Ford Civil Contracting Pty Ltd

Infrastructure Renewal Services Pty Ltd

Kelbon Project Services Pty Limited

Pan Civil Pty Ltd

Performance Civil Holdings Pty Ltd T/As Performance Civil & Landscape

Planet Civil Pty Ltd T/As Planet Asphalt Pty Ltd

San Marino Concreting Pty Ltd T/As San Marino Constructions

Whittaker Civil Pty Ltd T/As Whittaker Civil Infrastructure

2. The Chief Executive Officer be delegated authority to execute the Deeds of Agreement with the tenderers as listed including cost adjustment by CPI for each year of the contract terms.
3. The Chief Executive Officer be delegated authority to exercise Council's option to extend the panel agreements for up to three further consecutive terms of up to one year each.

VOTING

FOR: Unanimous

CARRIED

18.5 RFT 2021/064 - CATERING SERVICES PANEL (ADDENDUM)

330/21 **RESOLVED**

Cr Harrison / Cr Grattan

That:

1. Council makes an addition to the Catering Services Panel adopted in July 2021 by accepting the tender from Matthew Sullivan Constructions Pty Limited, trading as Flavours Catering + Events, for RFT 2021/064 as part of the Catering Services (Panel) for the period 01/09/2021 to 31/08/2024 with two (2), one (1) year options to extend the term subject to satisfactory performance.
2. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.
3. The Chief Executive Officer be delegated authority to exercise Council's option to extend the Catering Services Panel agreements for up to two (2) additional twelve (12) month periods.

VOTING

FOR: Unanimous

CARRIED

18.6 RFT 2021/160 - PROVISION OF SWIMMING SQUAD COACHING SERVICES AT THE WARRINGAH AQUATIC CENTRE

300/21 **RESOLVED**

Cr Grattan / Cr Ferguson

That:

1. Council accepts the tender of NS Swim School Pty Ltd for RFT 2021/160 – Provision of Swimming Squad Coaching Services at The Warringah Aquatic Centre for the initial sum of \$84,488 (minimum lane hire income) and with potential of \$224,640 per annum (maximum lane hire income) excluding GST subject to fee adjustment of CPI for a period of three (3) years with a two (2) year option at Council's discretion.
2. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.

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.

PROCEDURAL MOTION – RESUME IN OPEN SESSION

331/21 **RESOLVED**

Cr Ferguson / Cr Regan

That Council resume in open session.

VOTING

FOR: Unanimous

CARRIED

NOTE: The meeting resumed in open session at 10:44pm

The meeting concluded at 10:48pm

This is the final page of the minutes comprising 36 pages numbered 1 to 36 of the Ordinary Council Meeting held on Tuesday 26 October 2021 and confirmed on Tuesday 23 November 2021

Mayor

Chief Executive Officer