

MINUTES

NORTHERN BEACHES COUNCIL

held at the Civic Centre, Dee Why on

TUESDAY 30 APRIL 2024 AND TUESDAY 14 MAY 2024

Minutes of the Northern Beaches Council Meeting
held on Tuesday 30 April 2024 and Tuesday 14 May 2024
at the Civic Centre, Dee Why
Commencing at 6:01pm on 30 April 2024

ATTENDANCE – 30 APRIL 2024 :

Councillors

Sue Heins (Mayor)
Georgia Ryburn (Deputy Mayor)
Kristyn Glanville
Sarah Grattan (remote) – *joined the meeting at 6:06pm*
Candy Bingham
Miranda Korzy
Michael Gencher
Karina Page
Vincent De Luca OAM (remote)
Stuart Sprott – *left the meeting at 8:53pm*
Bianca Crvelin
Ruth Robins
Jose Menano-Pires
Michael Regan – *joined the meeting at 6:51pm and left the meeting at 11:18pm*
David Walton

Officers

Scott Phillips	Chief Executive Officer
Eskil Julliard	Acting Director Corporate & Legal
David Kerr	Director Community & Belonging
Todd Dickinson	Director Environment & Sustainability
Louise Kerr	Director Planning & Place
Mark Jones	Acting Director Workforce & Technology
Campbell Pfeiffer	Director Transport & Assets
Sarah Dunstan	Executive Manager Governance & Risk
Emily Carson	Acting Executive Manager Transport & Civil Infrastructure
Azmeena Kelly	Executive Manager Environmental Compliance
Caroline Foley	Executive Manager Financial Planning & Systems
Michael McDermid	Acting Executive Manager Strategy & Performance
Kylie Walshe	Executive Manager Community, Arts & Culture
Jeremy Smith	Acting Executive Manager Parks & Recreation
Andrew Ward-Harvey	Executive Manager Waste Management & Cleansing
Chris Wilson	Manager Information Access & Privacy
Lesley Milbourne	Manager Governance
Lauren Reti	Senior Advisor - Governance
Vicky Cheng	Service Desk Analyst
Brendan Shaw	Service Delivery Analyst

Notes

The meeting commenced at 6:01pm, adjourned at 8:53pm, resumed at 9:07pm, moved into closed session at 10:33pm, resumed in open session at 11:16pm and adjourned at 11:31pm to be reconvened at 6pm on 14 May 2024 in the Council Chambers, Dee Why.

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	7
7.2	Mayoral Minute No 8/2024 - Vale Philip Dart	7
9.2	Submissions on the Emergency Services Levy and NSW Rural Fire Service	8
9.3	Changes to 2024 Council Meeting Schedule	8
9.6	Monthly Investment Report - February 2024.....	8
	<i>Change to order of business.....</i>	<i>9</i>
15.6	Notice of Motion No 17/2024 - Holding a Poll at the September 2024 Local Government Elections regarding Community Support for a Council De-Amalgamation.....	9
13.4	Outcome of Public Exhibition - Curl Curl - Freshwater Connectivity and Streetscape Upgrade Project	12
15.1	Notice of Motion No 12/2024 - Responsible Dog Ownership	14
7.0	Mayoral Minutes	16
7.1	Mayoral Minute No 7/2024 - Engaging with the Northern Beaches Aboriginal Community .	16
9.0	Corporate and Legal Division Reports	16
9.1	Public Exhibition - Draft Delivery Program 2024-2028, Operational Plan 2024/25, Long-Term Financial Plan 2024-2034 and Asset Management Plans 2024-2034.....	16
	<i>Change to order of business.....</i>	<i>17</i>
18.0	Confidential Matters – Closed Session.....	17
	<i>Resumption of order of business</i>	<i>19</i>
9.4	Review and revocation of policies - Privacy Policy	19
9.5	Audit, Risk and Improvement Committee Minutes, Terms of Reference and Councillor Membership	19
19.0	Report of Confidential Resolutions.....	20
18.1	Outcome of the Expression of Interest for use of the former Customer Contact Centre, Avalon Recreation Centre	20
18.2	RFT 2023/187 - Construction Services for Brick Pit Reserve.....	20
18.3	Review of Waste Collection Contract.....	21
18.4	Manly Town Hall Reimagined - Feasibility study proposed for multi-use performance and exhibition space at Manly Town Hall.....	21
18.5	RFT 2023/101 - Bus Shelter Advertising including Supply and Maintenance.....	22
	<i>Adjournment of meeting</i>	<i>23</i>
	<i>Commencement of reconvened meeting- 14 May 2024</i>	<i>24</i>
1.0	Acknowledgement of Country	25
4.0	Disclosures of Interest.....	25
7.3	Mayoral Minute No 9/2024 - Condolences.....	25
10.0	Community and Belonging Division Reports	26

**MINUTES OF 30 APRIL 2024 COUNCIL MEETING
HELD ON 30 APRIL AND 14 MAY 2024**

10.1	Outcome of Public Exhibition - Multicultural Inclusion Plan	26
12.0	Planning and Place Division Reports	26
12.1	Outcome of Public Exhibition - Compliance and Enforcement Policy	26
13.0	Transport and Assets Division Reports.....	27
13.1	Outcome of Community Engagement - Proposed Crown Reserve Land Categories	27
13.2	Outcome of Public Exhibition - Draft Plan of Management For Lot 2 DP 827733, 316 Hudson Parade, Clareville.....	28
13.3	Extension of Management Agreement for Currawong Beach Cottages	29
15.0	Notices of Motion	31
15.2	Notice of Motion No 13/2024 - Sediment Impacts on Manly Dam	31
15.3	Notice of Motion No 14/2024 - Forming a Working Group for Robertson Road on Matters and Review of Newport Masterplan	32
15.4	Notice of Motion No 15/2024 - Business Permit Review	32
15.5	Notice of Motion No 16/2024 - Review of Northern Beaches Council's Community Participation Plan - Development Assessment Notifications	33

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, present and emerging

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

PROCEDURAL MOTION - REQUEST FOR REMOTE ATTENDANCE

075/24 **RESOLVED**

Cr Page / Cr Bingham

That in accordance with clause 6.26 of the Code of Meeting Practice, Councillors Grattan and De Luca be granted remote attendance to the April Ordinary Council meeting due to their attendance at the National Suicide Prevention Conference.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan and Cr Regan

CARRIED

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF NORTHERN BEACHES COUNCIL HELD ON 26 MARCH 2024

076/24 **RESOLVED**

Cr Robins / Cr Crvelin

That the minutes of the Northern Beaches Council held on 26 March 2024, 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 Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Walton

AGAINST: Cr Sprott

ABSENT: Cr Grattan and Cr Regan

CARRIED

4.0 DISCLOSURES OF INTEREST

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

- Councillor Robins declared a significant non-pecuniary interest in relation to Item 18.1, Outcome of the Expression of Interest for use of the former Customer Contact Centre, Avalon Recreation Centre, and will leave the meeting for the discussion and voting on the item. The reason provided was:

“I am Chairperson of the Board of Directors of one of the community organisations that prepared a submission to use this space.”

- Councillor Korzy declared a not significant non-pecuniary interest in relation to Item 15.6, Notice of Motion 17/2024 – Holding a Poll at the September 2024 Local Government Elections regarding Community Support for a Council De-amalgamation, and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“I am a member of the Protect Pittwater Association.”

- Councillor Grattan declared a not significant non-pecuniary interest in relation to Item 18.1, Outcome of the Expression of Interest for use of the former Customer Contact Centre, Avalon Recreation Centre, and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“My employer is listed in the item as providing an expression of support to Avalon Youth Hub. Lifeline Northern Beaches volunteers provide counselling services across the Northern Beaches at many different venues. The youth hub, if successful, would be immaterial to our operations. The youth hub would be leasing this from Council, it is being provided at cost. It won't affect the way I vote on this item.”

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

NOTE: 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: Councillor Grattan joined the meeting at 6:06pm

5.1 PUBLIC FORUM

- Justene Gordon, on behalf of The Burdekin Association, addressed Council on the outcome of the expression of interest for use of the former customer contact centre, Avalon Recreation Centre.
- Izzy Schilling, on behalf of The Burdekin Association, addressed Council on building on the expression of interest made by The Burdekin Association.
- Mark Horton addressed Council on Public Forums.
- Sophie Stack addressed Council on Council's 4G/5G Online Community Forum proposed for 7 May.

5.2 PUBLIC ADDRESS

Items 13.2 Outcome of Public Exhibition – Draft Plan of Management for Lot 2 DP 827733, 316 Hudson Parade, Clareville

- Sam Wallrock addressed Council against this item (via a statement read by Council staff).
-

Item 13.4 Outcome of Public Exhibition - Curl Curl - Freshwater Connectivity and Streetscape Upgrade Project

- John Hawkins, on behalf of Bicycle NSW, addressed Council in support of this item.
- Emily Andrews addressed Council against this item.
- Gemma Glozier addressed Council against this item.

Item 15.1 Notice of Motion No 12/2024 – Responsible Dog Ownership

- Jessica Sandstrom, on behalf of Pet Professional Guild Australia / Howling Success Dog Training and Behaviour, addressed Council in support of this item.

Item 15.2 Notice of Motion No 13/2024 – Sediment Impacts on Manly Dam

- Ann Collins, on behalf of Save Manly Dam Catchment Committee, addressed Council in support of this item.

Item 15.6 Notice of Motion No 17/2024 - Holding a Poll at the September 2024 Local Government Elections regarding Community Support for a Council De-Amalgamation

- Anna Maria Monticelli addressed Council in support of this item.
- Simon Dunn, on behalf of Protect Pittwater, addressed Council in support of this item.

NOTE: Councillor Regan joined the meeting at 6:51pm

NOTE: Councillor Sprott left the chamber at 7:01pm and returned at 7:03pm

6.0 ITEMS RESOLVED BY EXCEPTION

077/24 **RESOLVED**

Cr Ryburn / Cr Page

That items 7.2, 9.2, 9.3 and 9.6 are dealt with by exception with the recommendations being adopted.

VOTING

FOR: Unanimous

CARRIED

7.2 MAYORAL MINUTE NO 8/2024 - VALE PHILIP DART

078/24 **RESOLVED**

Cr Ryburn / Cr Page

That Council:

1. Acknowledge the contribution made by the late Philip Dart to the Northern Beaches community.
2. Send its condolences to the Dart Family and the Manly Warringah & Pittwater Historical Society.

RESOLVED BY EXCEPTION

9.2 SUBMISSIONS ON THE EMERGENCY SERVICES LEVY AND NSW RURAL FIRE SERVICE

079/24 **RESOLVED**

Cr Ryburn / Cr Page

That Council:

1. Endorse the submissions to:
 - a. The NSW Legislative Assembly Public Accounts Committee on the 'Inquiry into the assets, premises and funding of the NSW Rural Fire Service'.
 - b. The NSW Government on the 'Reforming the emergency services funding system' consultation paper.
2. Authorise the Chief Executive Officer, or his delegate, to give evidence on either of these matters, if invited to do so.
3. Provide a copy of both submissions to Local Government NSW to assist in its advocacy.

RESOLVED BY EXCEPTION

9.3 CHANGES TO 2024 COUNCIL MEETING SCHEDULE

080/24 **RESOLVED**

Cr Ryburn / Cr Page

That:

1. An Extraordinary Council meeting be held at 6.00pm on Monday 17 June 2024 at Council Chambers, Civic Centre, Dee Why.
2. The date of the November 2024 Ordinary Council meeting be changed to 12 November 2024.
3. The date of the December 2024 Ordinary Council meeting be changed to 10 December 2024.

RESOLVED BY EXCEPTION

9.6 MONTHLY INVESTMENT REPORT - FEBRUARY 2024

081/24 **RESOLVED**

Cr Ryburn / Cr Page

That Council note the Investment Report as at 29 February 2024, including the certification by the Responsible Accounting Officer.

RESOLVED BY EXCEPTION

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

082/24 **RESOLVED**

Cr Bingham / Cr Menano-Pires

That the order of business be changed to bring forward the confidential items 18.1, 18.2, 18.3, 18.4 and 18.5 directly after item 13.4.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Gencher, Cr Page, Cr Heins, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins and Cr Menano-Pires

AGAINST: Cr Korzy, Cr Ryburn, Cr Regan and Cr Walton

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

083/24 **RESOLVED**

Cr Heins / Cr Korzy

That the order of business be changed so items 15.6, 13.4 and 15.1 be brought forward and dealt with immediately.

VOTING

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

AGAINST: Cr Grattan, Cr Regan and Cr Walton

CARRIED

15.6 NOTICE OF MOTION NO 17/2024 - HOLDING A POLL AT THE SEPTEMBER 2024 LOCAL GOVERNMENT ELECTIONS REGARDING COMMUNITY SUPPORT FOR A COUNCIL DE-AMALGAMATION

Cr Korzy / Cr Glanville

That Council:

1. Inform, at the first opportunity, the NSW Electoral Commission of Council's intention to conduct a poll at the September 2024 local government elections asking electors the question: *"Do you support the de-amalgamation of Northern Beaches Council (NBC) to reinstate Pittwater, Warringah and Manly Councils?"*.
2. Undertake an internal preliminary desktop analysis for a de-amalgamation of the 3 former council areas, addressing:
 - a. the financial advantages and disadvantages of a demerger
 - b. the community of interest and geographic cohesion of the existing local government area compared to the former council areas

- c. the impact of a demerger on democratic representation for residents in each of the former council areas.
3. Receive a report on the preliminary analysis no later than 30 July 2024 setting out the details of the analysis and the process by which it will be publicised for residents before the poll.

AMENDMENT

Cr Bingham / Cr Sprott

That Council:

1. Undertake an internal preliminary desktop analysis for a de-amalgamation of the three former council areas, addressing:
 - a. the financial advantages and disadvantages of a demerger
 - b. the community of interest and geographic cohesion of the existing LGA compared to the former council areas
 - c. the impact of a demerger on democratic representation for residents in each of the former council areas.
2. Receive a report on the preliminary analysis no later than 30 July 2024.

VOTING

FOR: Cr Bingham and Cr Heins

AGAINST: Cr Glanville, Cr Grattan, Cr Korzy, Cr Gencher, Cr Page, Cr Ryburn, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Regan and Cr Walton

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

AMENDMENT

Cr Gencher / Cr Page

That noting the very late tabling of this business at the April ordinary meeting without prior consultation, and the significant financial implications of conducting a poll, Council:

1. Receive an urgent briefing prior to the May ordinary meeting on the outcome of an internal preliminary desktop analysis of the financial implications of a demerger of the three former council areas of Pittwater, Warringah and Manly.
2. Receive an urgent report at the May ordinary meeting setting out:
 - a. The details of the analysis; and
 - b. A strategy for gathering community feedback on the analysis and the cost of conducting a Poll at the local government elections via 'Your Say', including to receive community or other professional analysis undertaken on the Council's analysis.
3. Receive a report, at the June ordinary meeting, summarising the outcome of the community feedback and implications of conducting a Poll.
4. Notes that, if it so chooses, it can resolve at its June meeting to hold a Poll regarding de-amalgamation or any other matter.

VOTING

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

AGAINST: Cr Glanville, Cr Grattan, Cr Korzy, Cr Heins, Cr Menano-Pires and Cr Regan

CARRIED

084/24 **RESOLVED - AMENDMENT BE PUT**

Cr Ryburn

That the amendment be now put.

VOTING

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

AGAINST: Cr Glanville, Cr Korzy, Cr Heins, Cr Sprott and Cr Regan

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

085/24 **RESOLVED**

Cr Gencher / Cr Page

That noting the very late tabling of this business at the April ordinary meeting without prior consultation, and the significant financial implications of conducting a poll, Council:

1. Receive an urgent briefing prior to the May ordinary meeting on the outcome of an internal preliminary desktop analysis of the financial implications of a demerger of the three former council areas of Pittwater, Warringah and Manly.
2. Receive an urgent report at the May ordinary meeting setting out:
 - a. The details of the analysis; and
 - b. A strategy for gathering community feedback on the analysis and the cost of conducting a Poll at the local government elections via 'Your Say', including to receive community or other professional analysis undertaken on the Council's analysis.
3. Receive a report, at the June ordinary meeting, summarising the outcome of the community feedback and implications of conducting a Poll.
4. Note that, if it so chooses, it can resolve at its June meeting to hold a Poll regarding de-amalgamation or any other matter.

VOTING

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

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

CARRIED

13.4 OUTCOME OF PUBLIC EXHIBITION - CURL CURL - FRESHWATER CONNECTIVITY AND STREETScape UPGRADE PROJECT

NOTE: Councillor De Luca left the meeting at 7:45pm and returned at 7:46pm

Cr Ryburn / Cr Crvelin

That Council:

1. Note its consideration of the outcomes of the public consultation for the Curl Curl to Freshwater Connectivity and Streetscape Upgrade project.
2. Progress the design of a shared pathway solution for the Curl Curl to Freshwater Connectivity and Streetscape Upgrade project through normal processes, including consideration by the Northern Beaches Local Traffic Committee.
3. Delegate authority to the Chief Executive Officer to implement all actions relating to this matter.

AMENDMENT

Cr Glanville / Cr Walton

That Council:

1. Defer the decision to enable additional information to be sought.
2. Work with Transport for NSW's Active Travel Team and experts in Road Space Reallocation with the view to refining the design option/s for a separated dedicated bike path in Oliver Street, with the goal of trying to:
 - a. address relevant safety issues identified in the safety audit
 - b. minimise the number of car spaces lost.

VOTING

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

AGAINST: Cr Gencher, Cr Page, Cr De Luca, Cr Sprott and Cr Menano-Pires

CARRIED

086/24 RESOLVED - AMENDMENT BE PUT

Cr Sprott

That the amendment be now put.

VOTING

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

AGAINST: Cr Grattan and Cr Regan

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

MOTION

Cr Glanville / Cr Walton

That Council:

1. Defer the decision to enable additional information to be sought.
2. Work with Transport for NSW's Active Travel Team and experts in Road Space Reallocation with the view to refining the design option/s for a separated dedicated bike path in Oliver Street, with the goal of trying to:
 - a. address relevant safety issues identified in the safety audit
 - b. minimise the number of car spaces lost.

AMENDMENT

Cr Sprott / Cr Gencher

That Council:

1. Note its consideration of the outcomes of the public consultation for the Curl Curl to Freshwater Connectivity and Streetscape Upgrade project.
2. Progress the design of a separated cycleway solution for the Curl Curl to Freshwater Connectivity and Streetscape Upgrade project through normal processes, including consideration by the Northern Beaches Local Traffic Committee.
3. Delegate authority to the Chief Executive Officer to implement all actions relating to this matter.

VOTING

FOR: Cr Glanville, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr De Luca and Cr Sprott

AGAINST: Cr Grattan, Cr Heins, Cr Ryburn, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Regan and Cr Walton

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE MOTION

087/24 **RESOLVED**

Cr Glanville / Cr Walton

That Council:

1. Defer the decision to enable additional information to be sought.
2. Work with Transport for NSW's Active Travel Team and experts in Road Space Reallocation with the view to refining the design option/s for a separated dedicated bike path in Oliver Street, with the goal of trying to:
 - a. Address relevant safety issues identified in the safety audit.
 - b. Minimise the number of car spaces lost.

VOTING

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

AGAINST: Cr Page and Cr De Luca

CARRIED

15.1 NOTICE OF MOTION NO 12/2024 - RESPONSIBLE DOG OWNERSHIP

Cr Glanville / Cr Ryburn

That:

1. Council note resourcing of the compliance team is currently being considered as part of an ongoing service review, which will consider the level of staff resourcing for rangers.
2. The Chief Executive Officer provide a report within 4 months on:
 - a. the activities undertaken by Council at present to encourage responsible dog ownership
 - b. options for further educational campaigns which could be developed to educate local residents on responsible dog ownership, and the potential cost of any such options
 - c. options for incentives which could be offered to local residents to encourage them to take their dog to training classes, and the potential cost of such options
 - d. any other opportunities to encourage responsible dog ownership
 - e. any representations which could be made to the State Government concerning the function of the *Companion Animals Act 1998* and its resourcing in this area.

AMENDMENT

Cr Sprott / Cr Page

That:

1. Council note resourcing of the compliance team is currently being considered as part of an ongoing service review, which will consider the level of staff resourcing for rangers.
2. The Chief Executive Officer provide a report within 4 months on:
 - a. the activities undertaken by Council at present to encourage responsible dog and cat ownership
 - b. options for further educational campaigns which could be developed to educate local residents on responsible dog and cat ownership, and the potential cost of any such options
 - c. options for incentives which could be offered to local residents to encourage them to take their dog to training classes, and the potential cost of such options
 - d. any other opportunities to encourage responsible dog and cat ownership
 - e. any representations which could be made to the State Government concerning the function of the *Companion Animals Act 1998* and its resourcing in this area.

VOTING

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

AGAINST: Cr Grattan and Cr Heins

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

088/24 **RESOLVED**

Cr Sprott / Cr Page

That:

1. Council note resourcing of the compliance team is currently being considered as part of an ongoing service review, which will consider the level of staff resourcing for rangers.
2. The Chief Executive Officer provide a report within 4 months on:
 - a. the activities undertaken by Council at present to encourage responsible dog and cat ownership
 - b. options for further educational campaigns which could be developed to educate local residents on responsible dog and cat ownership, and the potential cost of any such options
 - c. options for incentives which could be offered to local residents to encourage them to take their dog to training classes, and the potential cost of such options
 - d. any other opportunities to encourage responsible dog and cat ownership
 - e. any representations which could be made to the State Government concerning the function of the *Companion Animals Act 1998* and its resourcing in this area.

VOTING

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

AGAINST: Cr Grattan

CARRIED

PROCEDURAL MOTION - ADJOURN THE MEETING

089/24 **RESOLVED**

Cr Glanville / Cr Page

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

VOTING

FOR: Unanimous

CARRIED

NOTE: The meeting was adjourned at 8:53pm and resumed at 9:07pm

NOTE: Councillor Sprott left the meeting at 8:53pm

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 7/2024 - ENGAGING WITH THE NORTHERN BEACHES ABORIGINAL COMMUNITY

NOTE: Councillor Crvelin returned to the chamber at 9:08pm

103/24 **RESOLVED**

Cr Heins

That the Chief Executive Officer provide a report back to Council within 3 months on establishing an Aboriginal Community Advisory Group to review a range of indigenous issues including but not limited to:

1. A Reconciliation Action Plan
2. Culturally appropriate protocols /communications
3. Council projects and activities.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Heins, Cr De Luca, Cr Robins and Cr Regan

AGAINST: Cr Gencher, Cr Page, Cr Ryburn, Cr Crvelin, Cr Menano-Pires and Cr Walton

ABSENT: Cr Sprott

CARRIED

9.0 CORPORATE AND LEGAL DIVISION REPORTS

9.1 PUBLIC EXHIBITION - DRAFT DELIVERY PROGRAM 2024-2028, OPERATIONAL PLAN 2024/25, LONG-TERM FINANCIAL PLAN 2024-2034 AND ASSET MANAGEMENT PLANS 2024-2034

NOTE: Councillor Ryburn left the chamber at 10:13pm and returned at 10:15pm

090/24 **RESOLVED**

Cr Korzy / Cr Bingham

That the drafts of the Delivery Program 2024-2028, Operational Plan 2024/25, Long-Term Financial Plan 2024-2034 and Asset Management Plans 2024-2034 be placed on public exhibition for a minimum of 28 days with the outcome reported to Council.

VOTING

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

AGAINST: Cr Gencher, Cr Page, Cr Ryburn, Cr De Luca, Cr Crvelin, Cr Regan and Cr Walton

ABSENT: Cr Sprott

There being an equal number of votes the Mayor used her casting vote for the motion which was declared CARRIED.

18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

091/24 **RESOLVED**

Cr Regan / Cr Ryburn

That:

1. The order of business be changed so items 18.1, 18.2, 18.3, 18.4 and 18.5 be brought forward and dealt with immediately.
2. 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 Outcome of the Expression of Interest for use of the former Customer Contact Centre, Avalon Recreation Centre 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 operations of not-for-profit organisations. 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 disclose commercial in confidence information.
 - B. Item 18.2 RFT 2023/187 - Construction Services for Brick Pit Reserve 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 18.3 Review of Waste Collection Contract on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses/provides advice concerning Council's Waste Collection Contract. 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 could confer a commercial advantage on Council's Contractor in respect of significant matters.
 - D. Item 18.4 Manly Town Hall Reimagined - Feasibility study proposed for multi-use performance and exhibition space at Manly Town Hall on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].

This report discusses/provides advice concerning the future use of Manly Town Hall. 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 confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and affect Council's ability to achieve value for money.

- E. Item 18.5 RFT 2023/101 - Bus Shelter Advertising including Supply and Maintenance 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 passed by 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 Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Regan and Cr Walton

AGAINST: Nil

ABSENT: Cr Sprott

CARRIED

NOTE: The meeting moved into closed session at 10:33pm

PROCEDURAL MOTION – RESUME IN OPEN SESSION

099/24 **RESOLVED**

Cr Ryburn / Cr Glanville

That Council resume in open session.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott

CARRIED

NOTE: The meeting resumed in open session at 11:16pm

9.4 REVIEW AND REVOCATION OF POLICIES - PRIVACY POLICY

NOTE: Councillor Regan left the meeting at 11:18pm

100/24 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council:

1. Adopt the Privacy Policy.
2. Update its website to include a Privacy Statement which outlines Council's legislative requirements and practices associated with the management of personal information. The website should also include links to Council's Privacy Policy, Privacy Management Plan, Data Breach Determination and other appropriate privacy management information to ensure the community and stakeholders have clear visibility as to how Council manages personal information.
3. Provide plain language interpretations of the relevant privacy provisions for residents on its website.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott and Cr Regan

CARRIED

9.5 **AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES, TERMS OF REFERENCE AND COUNCILLOR MEMBERSHIP**

101/24 **RESOLVED**

Cr Robins / Cr Bingham

That Council:

1. Note the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 12 December 2023.
2. Adopt the ARIC Terms of Reference, with the inclusion of the confirmed minutes being reported to Council, which will commence on 1 July 2024 and replace the existing ARIC Charter.
3. Nominate Councillor Grattan to be an ARIC member effective from 1 July 2024.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott and Cr Regan

CARRIED

19.0 REPORT OF CONFIDENTIAL RESOLUTIONS

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

18.1 OUTCOME OF THE EXPRESSION OF INTEREST FOR USE OF THE FORMER CUSTOMER CONTACT CENTRE, AVALON RECREATION CENTRE

094/24 **RESOLVED**

Cr Regan / Cr Ryburn

That Council:

1. Delegate authority to the Chief Executive Officer to undertake negotiations for the proposed community licence agreement with Burdekin Association Inc, as the auspice for Avalon Youth Hub, including the fee and licence term for up to 5 years.
2. Give public notice of a proposed licence agreement to the Burdekin Association Inc, as the auspice for the Avalon Youth Hub, for the former Avalon Customer Contact Centre, subject to successful negotiations on the terms of the proposed licence.

VOTING

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

AGAINST: Cr De Luca and Cr Crvelin

ABSENT: Cr Sprott and Cr Robins

CARRIED

18.2 RFT 2023/187 - CONSTRUCTION SERVICES FOR BRICK PIT RESERVE

092/24 **RESOLVED**

Cr Menano-Pires / Cr Regan

That:

1. In accordance with section 178(1)(b) of the Local Government (General) Regulation 2021, Council decline to accept any of the tenders received for RFT 2023/187 – Construction Services for Brick Pit Reserve.
2. In accordance with section 178(3)(e) of the Local Government (General) Regulation 2021, Council enter into negotiations with Regal Innovations Pty Ltd and Landscape Solution Pty Ltd with a view to entering into a contract in relation to the subject matter of the tender.
3. In accordance with section 178(4)(a) of the Local Government (General) Regulation 2021, Council's reasons for declining to invite fresh tenders or applications as referred to in section 178(3)(b)–(d) of the Local Government (General) Regulation 2021 are that:
 - a. the preferred tenderers are capable of performing the works to a high standard
 - b. given the processes undertaken, inviting fresh tenders or applications would be unlikely

to result in a significantly different outcome or an improved result for Council.

4. In accordance with section 178(4)(b) of the Local Government (General) Regulation 2021, Council's reasons for determining to enter into negotiations with Regal Innovations Pty Ltd and Landscape Solutions Pty Ltd are:
 - a. Regal Innovations Pty Ltd and Landscape Solutions Pty Ltd were the highest ranked tenderers
 - b. Regal Innovations Pty Ltd and Landscape Solutions Pty Ltd have displayed through their tender submission that they have the capability to perform the work to the level required and both have previously delivered successful projects for Council.
5. Delegate authority to the Chief Executive Officer to enter into negotiations with Regal Innovations Pty Ltd and Landscape Solutions Pty Ltd and, subject to the Chief Executive Officer being satisfied with the outcome of those negotiations, enter into a contract with the preferred tenderer in relation to the subject matter of the tender and to execute all necessary documentation to give effect to this resolution.

VOTING

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

AGAINST: Nil

ABSENT: Cr Korzy and Cr Sprott

CARRIED

18.3 REVIEW OF WASTE COLLECTION CONTRACT

096/24 **RESOLVED**

Cr Regan / Cr Ryburn

That Council note the issues and risks outlined in this report and that negotiations have concluded.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott and Cr Robins

CARRIED

18.4 MANLY TOWN HALL REIMAGINED - FEASIBILITY STUDY PROPOSED FOR MULTI-USE PERFORMANCE AND EXHIBITION SPACE AT MANLY TOWN HALL

097/24 **RESOLVED - MOTION**

Cr Bingham / Cr Grattan

That Council:

1. Note the report.

2. Note the financial operating costs would likely exceed revenues, with little chance for commercial return on investment.
3. Note the demand for a venue of the type outlined in the Council brief has not been established from either a product acquisition (shows / performances) perspective or from the likelihood of accessing the audience.
4. Note limited opportunity exists to bring in programming that would not require a subsidy, raising concerns about on-going financial sustainability.
5. Redact any commercial in confidence information from the Feasibility Study and make the Study publicly available.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott

CARRIED

18.5 RFT 2023/101 - BUS SHELTER ADVERTISING INCLUDING SUPPLY AND MAINTENANCE

098/24 **RESOLVED**

Cr Ryburn / Cr Robins

That Council:

1. Accept the tender of oOh!Media Street Furniture Pty Ltd (ABN 77 000 081 872) for RFT 2023/101 – Bus Shelter Advertising Including Supply and Maintenance comprising:
 - (a) Cleaning and Maintenance of 292 bus shelters
 - (b) Display of advertising in Council bus sheltersfor a period of 8 years with an option to extend for a period of 2 years at Council's discretion, with revenue to Council being the greater of the annual Percentage Share of Advertising Sales revenue achieved and the Minimum Guarantee.
2. Include the option relating to the installation of free-standing advertising units within the contract for Council's future discretion.
3. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to exercise Council's options to extend the contract term.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott

CARRIED

PROCEDURAL MOTION - ADJOURNMENT OF MEETING

102/24 **RESOLVED**

Cr Heins / Cr De Luca

That:

1. In accordance with clause 19.4(b) of the Code of Meeting Practice the meeting be adjourned to 6pm on 14 May 2024 in the Council Chambers, Dee Why.
2. For the purpose of Council's Code of Meeting Practice including clause 18.5, Council's resolutions made today, 30 April 2024, may be implemented after 12 noon tomorrow, 1 May 2024 and do not need to await the resumption of the adjourned meeting.

VOTING

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

AGAINST: Nil

ABSENT: Cr Sprott and Cr Regan

CARRIED

NOTE: *The following items were not considered on 30 April 2024 and in accordance with clause 19.4(b) of the Code of Meeting Practice will be considered at the resumption of the meeting on 14 May 2024:*

10.1 Outcome of Public Exhibition - Multicultural Inclusion Plan

12.1 Outcome of Public Exhibition - Compliance and Enforcement Policy

13.1 Outcome of Community Engagement - Proposed Crown Reserve Land Categories

13.2 Outcome of Public Exhibition - Draft Plan of Management For Lot 2 DP 827733, 316 Hudson Parade, Clareville

13.3 Extension of Management Agreement for Currawong Beach Cottages

15.2 Notice of Motion No 13/2024 - Sediment Impacts on Manly Dam

15.3 Notice of Motion No 14/2024 - Forming a Working Group for Robertson Road on Matters and Review of Newport Masterplan

15.4 Notice of Motion No 15/2024 - Business Permit Review

15.5 Notice of Motion No 16/2024 - Review of Northern Beaches Council's Community Participation Plan - Development Assessment Notifications

The meeting was adjourned at 11:31pm to be resumed at 6:00pm on 14 May 2024

The meeting was reconvened at 6:00pm on 14 May 2024

ATTENDANCE – 14 MAY 2024:

Councillors

Sue Heins (Mayor)
Georgia Ryburn (Deputy Mayor)
Kristyn Glanville – *arrived at 6:03pm*
Sarah Grattan
Candy Bingham
Miranda Korzy
Michael Gencher
Karina Page
Vincent De Luca OAM
Stuart Sprott – *joined the meeting at 7:02pm*
Bianca Crvelin
Ruth Robins
Jose Menano-Pires – *apology*
Michael Regan – *apology*
David Walton – *apology*

Officers

Scott Phillips	Chief Executive Officer
Eskil Julliard	Acting Director Corporate & Legal
David Kerr	Director Community & Belonging
Todd Dickinson	Director Environment & Sustainability
Louise Kerr	Director Planning & Place
Mark Jones	Acting Director Workforce & Technology
Campbell Pfeiffer	Director Transport & Assets
Sarah Dunstan	Executive Manager Governance & Risk
Azmeena Kelly	Executive Manager Environmental Compliance
Kylie Walshe	Executive Manager Community, Arts & Culture
Jeremy Smith	Acting Executive Manager Parks & Recreation
Kristie Debney	Acting Executive Manager Property
Lesley Milbourne	Manager Governance
Lauren Reti	Senior Advisor - Governance
Rorie Brooks	Service Desk Analyst
Corinne Lieberman	Service Delivery Analyst

NOTE: On 14 May 2024 the meeting was reconvened at 6:00pm and concluded at 7:53pm.

NOTE: Given the passage of time since the meeting was adjourned, the Mayor dealt with the following matters:

1.0 ACKNOWLEDGEMENT OF COUNTRY – 14 MAY 2024

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

4.0 DISCLOSURES OF INTEREST

NOTE: No further disclosures of interest were made on 14 May 2024

7.0 MAYORAL MINUTES

7.3 MAYORAL MINUTE NO 9/2024 - CONDOLENCES

104/24 **RESOLVED**

Cr Heins

That Council:

1. Acknowledge the contribution made by the late Dr Michael Cousins AO, Mr Kevin Martin OAM and Mayor Tony Bleasdale OAM.
2. Send its condolences to the families of Dr Michael Cousins AO and Mr Kevin Martin OAM.
3. Send its condolences to Blacktown City Council following the passing of Mayor Bleasdale OAM.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Nil

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

10.1 OUTCOME OF PUBLIC EXHIBITION - MULTICULTURAL INCLUSION PLAN

NOTE: Councillor Ryburn left the chamber at 6:23pm and returned at 6:24pm

105/24 **RESOLVED**

Cr Robins / Cr Bingham

That Council adopt the Championing Diversity – Multicultural Inclusion Plan 2029, including investigating the cost and feasibility of having the plan translated into the most commonly spoken and prevalent languages on the Northern Beaches.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Nil

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

12.0 PLANNING AND PLACE DIVISION REPORTS

12.1 OUTCOME OF PUBLIC EXHIBITION - COMPLIANCE AND ENFORCEMENT POLICY

106/24 **RESOLVED**

Cr Grattan / Cr Crvelin

That Council adopt the Compliance and Enforcement Policy.

VOTING

FOR: Cr Grattan, Cr Bingham, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Cr Glanville and Cr Korzy

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

13.1 OUTCOME OF COMMUNITY ENGAGEMENT - PROPOSED CROWN RESERVE LAND CATEGORIES

107/24 **RESOLVED**

Cr Korzy / Cr Bingham

That Council:

1. Assign land categories to the 35 Crown land reserves (at 33 locations) for which Council is Crown Land Manager as outlined in the report for this item.
2. Notify the Minister administering the *Crown Land Management Act 2016* of the categories which Council has assigned to the land reserves as referred to at 1 above.
3. Authorise the Chief Executive Officer to do all things necessary to give effect to the above, including providing any documentation required to support Council's proposed land categories.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Nil

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

**13.2 OUTCOME OF PUBLIC EXHIBITION - DRAFT PLAN OF MANAGEMENT FOR LOT 2
DP 827733, 316 HUDSON PARADE, CLAREVILLE**

108/24 **RESOLVED**

Cr Korzy / Cr Page

That Council:

1. Note its consideration of all submissions received concerning the draft Plan of Management for Lot 2 DP 827733, being part of 316 Hudson Parade, Clareville (Land).
2. Note its opinion that the proposed amendments to the Draft Plan of Management for the Land as per Attachment 2 are not substantial.
3. Adopt the Plan of Management.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Nil

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

109/24 **RESOLVED**

Cr Korzy / Cr Page

That Council:

1. Note the prior resolutions of Council on 26 October 2021 and 26 April 2022 related to consideration of a licence over Lot 2 DP 827733, being part of 316 Hudson Parade, Clareville (Land).
2. Noting the submissions received objecting to the proposed licence over the Land, apply to the Minister for Local Government in accordance with section 47(5) 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, grant a licence to the owner of Lot 1 DP 827733, being part of 316 Hudson Parade Clareville, for the purpose of a boatshed and access structures on the Land for a fee in accordance with Council's adopted Fees and Charges and for a term of 20 years.
4. Delegate authority to the Chief Executive Officer to do all things necessary to negotiate the terms of the licence and to execute all required documentation in order to give effect to the licence and the Plan of Management.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Korzy, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Crvelin and Cr Robins

AGAINST: Nil

ABSENT: Cr Sprott, Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

13.3 EXTENSION OF MANAGEMENT AGREEMENT FOR CURRAWONG BEACH COTTAGES

NOTE: Councillor Sprott returned to the chamber at 7:03pm

Cr Page / Cr Crvelin

That Council:

1. Resolve, pursuant to section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result will not be achieved by inviting tenders for the Management Agreement of Currawong Beach Cottages because of extenuating circumstances for the following reasons:
 - a. Additional time is required to collect updated occupancy and financial data for a full year post-cottage refurbishment and increased marketing, crucial for informing tender and contract specifications for a long term management agreement.
 - b. The updated information will allow Council to structure an incentivised longer-term management agreement based on current occupancy and financial data through the tender process.
 - c. In light of (a) and (b), a short term management agreement is required.
2. Enter into a 12-month extension of the existing management agreement for Currawong Beach Cottages, to the current managers, A.M Oliver & C.M Oliver (ABN 76 969 874 667), under the same terms, with the exception of a fee increase by CPI.
3. Delegate authority to the Chief Executive Officer to do all things necessary and execute all relevant documentation to give effect to this resolution.

AMENDMENT

Cr Korzy / Cr Glanville

That Council:

1. Resolve, pursuant to section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result will not be achieved by inviting tenders for the Management Agreement of Currawong Beach Cottages because of extenuating circumstances for the following reasons:
 - a. Additional time is required to collect updated occupancy and financial data for a full year post-cottage refurbishment and increased marketing, crucial for informing tender and contract specifications for a long term management agreement.
 - b. The updated information will allow Council to structure an incentivised longer-term management agreement based on current occupancy and financial data through the tender process.
 - c. In light of (a) and (b), a short term management agreement is required.
2. Enter into a 12-month extension of the existing management agreement for Currawong Beach Cottages, to the current managers, A.M Oliver & C.M Oliver (ABN 76 969 874 667), under the same terms, with the exception of a fee increase by CPI.
3. Commence work immediately towards a 3-year management agreement for caretakers of the Currawong Beach Cottages.
4. Delegate authority to the Chief Executive Officer to do all things necessary and execute all relevant documentation to give effect to this resolution.

VOTING

FOR: Cr Korzy

AGAINST: Cr Glanville, Cr Grattan, Cr Bingham, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Robins

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

110/24 RESOLVED

Cr Page / Cr Crvelin

That Council:

1. Resolve, pursuant to section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result will not be achieved by inviting tenders for the Management Agreement of Currawong Beach Cottages because of extenuating circumstances for the following reasons:
 - a. Additional time is required to collect updated occupancy and financial data for a full year post-cottage refurbishment and increased marketing, crucial for informing tender and contract specifications for a long term management agreement.
 - b. The updated information will allow Council to structure an incentivised longer-term management agreement based on current occupancy and financial data through the tender process.
 - c. In light of (a) and (b), a short term management agreement is required.
2. Enter into a 12-month extension of the existing management agreement for Currawong Beach Cottages, to the current managers, A.M Oliver & C.M Oliver (ABN 76 969 874 667), under the same terms, with the exception of a fee increase by CPI.
3. Delegate authority to the Chief Executive Officer to do all things necessary and execute all relevant documentation to give effect to this resolution.

VOTING

FOR: Cr Glanville, Cr Grattan, Cr Bingham, Cr Gencher, Cr Page, Cr Heins, Cr Ryburn, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Robins

AGAINST: Cr Korzy

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

15.0 NOTICES OF MOTION

15.2 NOTICE OF MOTION NO 13/2024 - SEDIMENT IMPACTS ON MANLY DAM

111/24 **RESOLVED**

Cr Glanville / Cr Bingham

That Council urgently write to:

1. The NSW Environment Protection Authority, NSW Department of Education, NSW Department of Planning, Housing and Infrastructure, and NSW Department of Climate Change, Energy, the Environment and Water regarding its concerns that sediment-laden stormwater appears to have discharged from the construction site of the new Forest High School at Allambie Heights, and its concerns for the potential impacts of this stormwater on the health of aquatic species within the Manly Warringah War Memorial State Park (Manly Dam) catchment, particularly the Climbing Galaxias.
2. The NSW Department of Primary Industries requesting a further study be undertaken as to the current condition and survival of the Climbing Galaxias population at Manly Dam and request that it develop short, medium and long term plans for the recovery of the species.

VOTING

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

AGAINST: Nil

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

15.3 NOTICE OF MOTION NO 14/2024 - FORMING A WORKING GROUP FOR ROBERTSON ROAD ON MATTERS AND REVIEW OF NEWPORT MASTERPLAN

112/24 **RESOLVED**

Cr Gencher / Cr Page

That Council:

1. Form a working group dedicated to addressing the matters concerning Robertson Road, Newport with the objective of facilitating constructive discussions and progressing solutions. The working group shall be composed of representatives from Council, relevant government agencies, local community organisations, and other key stakeholders.
2. Review the Newport Masterplan, with a specific focus on Robertson Road, and invite key stakeholders associated with 'Save Robertson Road' and the Newport community, to actively participate in the review process to adequately address the needs and concerns of all stakeholders involved.

VOTING

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

AGAINST: Cr Grattan

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

15.4 NOTICE OF MOTION NO 15/2024 - BUSINESS PERMIT REVIEW

113/24 **RESOLVED**

Cr Ryburn / Cr Page

That Council:

1. Note that:
 - a. the Annual Open Space Business Permits are currently assessed on a case-by-case basis
 - b. the current fee structure ranges between \$600 and \$9,500 per annum depending on scale and impact
 - c. no more than 80 businesses have a permit on the Northern Beaches.
2. Provide a review of its Open Space Permits process, customer service satisfaction levels, and criteria for assessment, to a Councillor briefing. This review should include, but not be limited to: environmental impacts, social impacts, business model and operational considerations (i.e. seasonal business, gig economy business, geographically dependent business, not-for-profit etc), business maturity, as well as benefit to the community.
3. Identify opportunities to simplify and improve its Open Space Permit application processes, reduce fees where possible, and incentivise permit holders with easier renewal processes and possible reduced year-on-year fee structures. As part of the review, a comparison of other councils is undertaken.

VOTING

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

AGAINST: Nil

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

15.5 NOTICE OF MOTION NO 16/2024 - REVIEW OF NORTHERN BEACHES COUNCIL'S COMMUNITY PARTICIPATION PLAN - DEVELOPMENT ASSESSMENT NOTIFICATIONS

114/24 **RESOLVED**

Cr Korzy / Cr Robins

That Council:

1. Review its Community Participation Plan, particularly how notifications to residents of new Development Applications can be improved considering:
 - a. increased geographic distribution of mail notifications including a radius analysis
 - b. improved website visibility
 - c. resident/community group notifications
 - d. other.
2. Review its notification data for previous planning document exhibitions to assess how effective the system is.
3. Provide a briefing to Councillors within 2 months on these issues.

VOTING

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

AGAINST: Nil

ABSENT: Cr Menano-Pires, Cr Regan and Cr Walton

CARRIED

The meeting concluded at 7:53pm on 14 May 2024.

This is the final page of the minutes comprising 33 pages numbered 1 to 33 of the Northern Beaches Council held on Tuesday 30 April 2024 and Tuesday 14 May 2024 to be confirmed on Tuesday 28 May 2024.

Mayor

Chief Executive Officer