



northern  
beaches  
council

# **MINUTES**

## **NORTHERN BEACHES COUNCIL MEETING**

held at the Civic Centre, Dee Why on

**TUESDAY 13 AUGUST 2024**

**Minutes of the Northern Beaches Council Meeting**  
**held on Tuesday 13 August 2024**  
**at the Civic Centre, Dee Why**  
**Commencing at 6.00 pm**

**ATTENDANCE:**

**Councillors**

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

**Officers**

Scott Phillips	Chief Executive Officer
Kelly Loveridge	Chief Operating Officer
David Kerr	Director Community & Recreation
Todd Dickinson	Director Environment & Open Space
Louise Kerr	Director Planning & Place
Campbell Pfeiffer	Director Transport & Assets
Sarah Dunstan	Executive Manager Governance & Risk
Kristie Debney	Executive Manager Property, Buildings & Beach Services
Azmeena Kelly	Executive Manager Environmental Compliance
Craig Sawyer	Executive Manager Transport & Civil Infrastructure
Lesley Milbourne	Manager Governance
Mat Maish	Senior Advisor Governance
Rorie Brooks	Service Desk Analyst
Brendan Shaw	Service Delivery Analyst

**Notes**

*The meeting commenced at 6.00 pm, adjourned at 8.04 pm, resumed at 8.18 pm, moved into closed session at 10.29 pm, resumed in open session at 11.29 pm and concluded at 11.31 pm*

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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, present and emerging*

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

### PROCEDURAL MOTION - REQUEST FOR REMOTE ATTENDANCE

195/24 RESOLVED

**Cr Bingham / Cr Robins**

That in accordance with clause 6.26 of the Code of Meeting Practice, Councillor Regan be granted remote attendance to the August Ordinary Council meeting due to work commitments.

#### VOTING

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

**AGAINST:** Cr De Luca, Cr Crvelin, Cr Gencher and Cr Page

**CARRIED**

## 3.0 CONFIRMATION OF MINUTES

### 3.1 MINUTES OF THE ORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 30 JULY 2024

196/24 RESOLVED

**Cr Crvelin / Cr Robins**

That the minutes of the Ordinary Northern Beaches Council Meeting held on 30 July 2024, 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

*NOTE: Councillor Grattan during debate on the item updated her disclosure and left the meeting for that item*

- Councillor Grattan declared a not significant non-pecuniary interest in relation to Item 14.3, Notice of Motion No 26/2024 - Youth mental health facilities and services on the Northern Beaches and will remain in the meeting for the discussion and voting on the item. The reason provided was:

*"I am the CEO of Lifeline Northern Beaches and work in the mental health sector."*

- Councillor Crvelin declared a not significant non-pecuniary interest in relation to Item 14.3, Notice of Motion No 26/2024 - Youth mental health facilities and services on the Northern Beaches and will remain in the meeting for the discussion and voting on the item. The reason provided was:

*“I am the general manager of the Westmead Hospital Foundation.”*

- Councillor Glanville declared a not significant non-pecuniary interest in relation to Item 14.3, Notice of Motion No 26/2024 - Youth mental health facilities and services on the Northern Beaches and will remain in the meeting for the discussion and voting on the item. The reason provided was:

*“My husband is employed by Lifeline.”*

## 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 Regan left the meeting at 6.10 pm*

*NOTE: Councillor Sprott left the chamber at 6.31 pm and returned at 6.34 pm*

### PROCEDURAL MOTION - PERMISSION TO ADDRESS COUNCIL

197/24 **RESOLVED**

**Cr Glanville / Cr Bingham**

That Neil Evers be granted permission to address Council in the Public Address.

#### VOTING

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

**AGAINST:** Cr Walton, Cr Regan, Cr Menano-Pires, Cr Sprott, Cr De Luca, Cr Crvelin, Cr Gencher and Cr Page

**LOST**

## 5.1 PUBLIC FORUM

- Pam Naylor, on behalf of South Steyne Heritage Action Group, addressed Council on a petition for alternative design of Manly Life Saving Club.
- Rodin Genoff addressed Council on Manly Life Saving redevelopment community feedback.
- Peter Matthews addressed Council on the redevelopment of the Manly Life Saving Club.
- Doug Price addressed Council on the 2024/25 budget.
- Hilary Ingle addressed Council on the Manly Life Saving Club redevelopment.

**PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME**

198/24 **RESOLVED**

***Cr Ryburn / Cr Crvelin***

That Hilary Ingle be granted an extension of one minute to address the meeting.

**VOTING**

**FOR:** Cr Bingham, Cr Grattan, Cr Walton, Cr Sprott, Cr Crvelin, Cr Gencher, Cr Page, Cr Korzy and Cr Ryburn

**AGAINST:** Cr Glanville, Cr Menano-Pires, Cr Robins, Cr De Luca and Cr Heins

**ABSENT:** Cr Regan

***CARRIED***

**PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME**

199/24 **RESOLVED**

***Cr De Luca / Cr Walton***

That Peter Matthews be granted an extension of one minute to address the meeting.

**VOTING**

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

**AGAINST:** Cr Glanville, Cr Menano-Pires and Cr Heins

**ABSENT:** Cr Regan

***CARRIED***

- Peter Matthews continued his address to Council on the redevelopment of the Manly Life Saving Club.

**5.2 PUBLIC ADDRESS**

**Item 14.6 Notice of Motion No 36/2024 - The Outdoor Dining and Footpath Merchandise Guide**

- Kristy Rempt addressed Council in support of this item.

**PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME**

200/24 **RESOLVED**

***Cr Gencher / Cr Sprott***

That Kristy Rempt be granted an extension of one minute to address the meeting.

**VOTING**

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

**AGAINST:** Cr Bingham, Cr Menano-Pires and Cr Heins

**ABSENT:** Cr Regan

**CARRIED**

**Item 15.1 Notice of Rescission No 1/2024 - Item 10.2 - Response to Mayoral Minute 7/2024 - Engaging with the Northern Beaches Aboriginal Community**

- Doug Price addressed Council against this item.
- Susan Moylan-Coombs addressed Council against this item.

**PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS**

*NOTE: Councillor Regan returned to the meeting at 6.45 pm*

201/24 **RESOLVED**

**Cr De Luca / Cr Page**

That the order of business be changed so items 14.6, 15.1 and 14.3 be brought forward and dealt with immediately.

**VOTING**

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

**AGAINST:** Cr Grattan, Cr Regan and Cr Heins

**CARRIED**

**14.6 NOTICE OF MOTION NO 36/2024 - THE OUTDOOR DINING AND FOOTPATH MERCHANDISE GUIDE**

202/24 **RESOLVED**

**Cr Gencher / Cr Page**

That:

1. Noting the established and longstanding outdoor dining hours operation at 2KF Café in Mona Vale, the authorised outdoor dining hours of operation be set at 4.40 am to 6.00 pm daily for a 12 month trial period.
2. Unless otherwise specified in a development consent, or the premises is within a residential zone, the hours of operation for all other premises offering outdoor dining shall be expanded to 7.00 am to 10.00 pm daily for a 12 month trial period.
3. Council receives a report no later than September 2025 setting out the outcomes of the trial, including but not limited to the number of premises known to have participated in the extended outdoor dining hours trial, any known amenity impacts, any complaints received, and whether Council should permanently amend the Outdoor Dining and Footpath Merchandise Guide in any way.
4. Despite the above, should Council receive significant and substantiated complaints about the impact of extended trial outdoor operating hours, authorised Council officers may suspend

extended operating hours for the duration of the trial.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**15.1 NOTICE OF RESCISSION NO 1/2024 - ITEM 10.2 - RESPONSE TO MAYORAL MINUTE 7/2024 - ENGAGING WITH THE NORTHERN BEACHES ABORIGINAL COMMUNITY**

***Cr Page / Cr Crvelin***

That Council rescind Resolution 174/24 – Item 10.2 Response to Mayoral Minute 7/2024 – Engaging with the Northern Beaches Aboriginal Community, being:

That Council:

1. Receive a report identifying projects that can be delayed or deferred and approve the reallocation of ongoing funding and resources, including establishing an Aboriginal-identified staff position.
2. Await the results of our financials at quarter 1 and/or quarter 2 to see what funds are available and report back to a briefing on financial options.
3. Subject to funding, establish an Aboriginal and Torres Strait Islander Advisory Group, in consultation with Aboriginal and Torres Strait Islander stakeholders including the Metropolitan Local Aboriginal Land Council.

**203/24 RESOLVED - MOTION OF DISSENT**

***Cr De Luca / Cr Walton***

That Council dissent from the ruling of the Chair on a point of order.

**VOTING**

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

**AGAINST:** Cr Bingham, Cr Grattan, Cr Regan, Cr Robins and Cr Heins

**CARRIED**

***Cr Page / Cr Crvelin***

That Council rescind Resolution 174/24 – Item 10.2 Response to Mayoral Minute 7/2024 – Engaging with the Northern Beaches Aboriginal Community, being:

That Council:

1. Receive a report identifying projects that can be delayed or deferred and approve the reallocation of ongoing funding and resources, including establishing an Aboriginal-identified staff position.
2. Await the results of our financials at quarter 1 and/or quarter 2 to see what funds are available and report back to a briefing on financial options.
3. Subject to funding, establish an Aboriginal and Torres Strait Islander Advisory Group, in consultation with Aboriginal and Torres Strait Islander stakeholders including the Metropolitan Local Aboriginal Land Council.



**MOTION BE PUT**

***Cr Crvelin / Cr Menano-Pires***

That the motion be now put.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**204/24 RESOLVED**

***Cr Page / Cr Crvelin***

That Council rescind Resolution 174/24 – Item 10.2 Response to Mayoral Minute 7/2024 – Engaging with the Northern Beaches Aboriginal Community, being:

That Council:

1. Receive a report identifying projects that can be delayed or deferred and approve the reallocation of ongoing funding and resources, including establishing an Aboriginal-identified staff position.
2. Await the results of our financials at quarter 1 and/or quarter 2 to see what funds are available and report back to a briefing on financial options.
3. Subject to funding, establish an Aboriginal and Torres Strait Islander Advisory Group, in consultation with Aboriginal and Torres Strait Islander stakeholders including the Metropolitan Local Aboriginal Land Council.

**VOTING**

**FOR:** Cr Walton, Cr Menano-Pires, Cr Sprott, Cr De Luca, Cr Crvelin, Cr Gencher, Cr Page and Cr Ryburn

**AGAINST:** Cr Bingham, Cr Grattan, Cr Glanville, Cr Regan, Cr Robins, Cr Korzy and Cr Heins

**CARRIED**

***THE RESCISSION MOTION WAS CARRIED AND DEBATE RESUMED ON THE ALTERNATIVE MOTION***

***Cr Page / Cr Crvelin***

That Council:

1. Note the report.
2. Adopt option 1 the status quo.
3. Staff put a process in place to work closely with the Metropolitan Local Aboriginal Land Council to further the strategic outcomes of local aboriginal people.

**AMENDMENT**

***Cr Regan / Cr Grattan***

That Council defer this matter to the next Ordinary Council meeting.

**AMENDMENT BE PUT**

***Cr Ryburn / Cr Sprott***

That the amendment be now put.

**VOTING**

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

**AGAINST:** Cr Regan

**CARRIED**

**AMENDMENT**

***Cr Grattan / Cr Regan***

That Council defer this matter to the next Ordinary Council meeting

**VOTING**

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

**AGAINST:** Cr Walton, Cr Menano-Pires, Cr Sprott, Cr Robins, Cr De Luca, Cr Crvelin, Cr Gencher, Cr Page and Cr Ryburn

**LOST**

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

205/24 **RESOLVED**

***Cr Page / Cr Crvelin***

That Council:

1. Note the report.
2. Adopt option 1 the status quo.
3. Staff put a process in place to work closely with the Metropolitan Local Aboriginal Land Council to further the strategic outcomes of local aboriginal people.

**VOTING**

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

**AGAINST:** Cr Grattan, Cr Glanville, Cr Regan, Cr Robins, Cr Korzy and Cr Heins

**CARRIED**

**PROCEDURAL MOTION - ADJOURN THE MEETING**

206/24 **RESOLVED**

***Cr Heins / Cr Ryburn***

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

**VOTING**

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

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

**CARRIED**

## PROCEDURAL MOTION – SUSPEND STANDING ORDERS

*NOTE: Councillor Regan returned to the meeting at 8:43pm and left the meeting at 8:46pm*

207/24 **RESOLVED**

**Cr De Luca / Cr Walton**

That Council suspend standing orders for up to 15 minutes to allow the 3 retiring councillors to speak.

### VOTING

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

**AGAINST:** Cr Heins

**ABSENT:** Cr Regan

**CARRIED**

## 14.3 NOTICE OF MOTION NO 26/2024 - YOUTH MENTAL HEALTH FACILITIES AND SERVICES ON THE NORTHERN BEACHES

*NOTE: Councillor Grattan left the chamber at 8.50 pm due to a declared disclosure of interest*

*NOTE: Councillor Crvelin disclosed an interest at the item and remained in the meeting*

*NOTE: Councillor Regan returned to the meeting at 8.55 pm and left the meeting at 9.25 pm*

*NOTE: Councillor Glanville disclosed an interest at the item and remained in the meeting*

*NOTE: Councillor Ryburn left the chamber at 9.08 pm and returned at 9.16 pm*

**Cr De Luca / Cr Page**

That Council:

1. Note that on 23 June 2022, then Minister for Health, The Hon Brad Hazzard MP announced “\$11.4 million to boost Northern Beaches youth mental health services” and that “Children and young people in the Northern Beaches will benefit from significantly enhanced mental health services with a \$11.4 million investment under the 2022-23 NSW Budget ... the funding will be used to expand hospital and community services, including establishing acute paediatric specialist mental health beds at Northern Beaches Hospital and supporting local community mental health and drug and alcohol treatment services” and particularly:

“The \$11.4 million for child and youth mental health services in the Northern Beaches includes:

- \$7.5 million to establish four dedicated acute paediatric specialist mental health beds at Northern Beaches Hospital, which will provide for the establishment and operation of the beds.
- \$1.4 million to employ additional staff, including senior multi-disciplinary clinicians, to

support Northern Beaches Child Youth Mental Health Service in the Brookvale Community Health Centre.

- \$1.1 million to recruit additional staff, including peer workers and clinicians, to support and operate the Northern Beaches Youth Response Team service out of Mona Vale Community Health Centre seven days a week.
  - \$1 million to develop a new youth drug and alcohol community treatment service in Northern Sydney Local Health District, including employing senior medical, nursing and allied health clinicians to operate the service.
  - \$365,000 to provide a full-time child and youth psychiatrist at Northern Beaches Hospital.”
2. Note that on Thursday 22 February 2024 NSW Minister for Homelessness, Mental Health and Youth, The Hon Rose Jackson MLC announced “that the previously announced commitment to four mental health beds at Northern Beaches Hospital was ‘not feasible’”.
  3. Note that on 22 February 2024, the Federal Member for Mackellar Dr Sophie Scamps MP was publicly quoted as previously stating, “At a time when we have a youth mental health crisis on the Northern Beaches, it’s simply not good enough that the management at the Northern Beaches Hospital haven’t even committed to a timeline for these beds” and she reiterated on 22 February 2024 “it is disappointing that more than two years after the former NSW Government announced funding for a four-bed youth mental health unit, the Northern Beaches Hospital management has refused to provide the services.”
  4. Notes that on 28 February 2024 in the NSW Legislative Council’s Budget Estimates Committee Inquiry into Health, in the transcript on pages 74 and 75, The Hon Natasha Maclaren Jones MLC, asked the following questions of NSW Health Official, Ms Deb Willcox:

“The Hon. NATASHA MACLAREN-JONES:

In relation to mental health, the Minister recently announced \$7.5 million, I think it was, for mental health support for young people on the northern beaches. Previously it was budgeted for \$11.4 million. What’s happening to the \$4.5 million that had been originally marked for adolescent mental health in that area?

DEB WILLCOX:

The Northern Beaches Hospital has four beds available for admission for young people who require admission, but we have enhanced significantly our community-based mental health services at Brookvale in their child and adolescent mental health service there.

The Hon. NATASHA MACLAREN-JONES:

Those four beds are currently interim beds. Will they become permanent?

DEB WILLCOX:

No, they’re permanent.

The Hon. NATASHA MACLAREN-JONES: They’re permanent?

DEB WILLCOX: Yes, they are permanent. The initial announcement looked for a capital solution to create a pod. That wasn’t possible just within the designs of the hospital itself, but they have allocated four available beds for young people who may require admission. Any young person that is extremely unwell and would require beyond a couple of days, they would probably be transferred to the Brolga unit, which is the child and adolescent mental health unit at Hornsby.”

5. Note that on 11 April 2024 in the Sydney Morning Herald, “Maternity, mental health staff cut as unrest swirls at Northern Beaches Hospital” and it was revealed “Northern Beaches

Hospital is cutting staff from its mental health and maternity units” ... “The changes to staffing levels come two months after the state government abandoned plans to invest \$7.5 million in mental health services at the hospital, saying the previous government had promised the funding without guaranteeing the hospital could deliver the promised youth mental health beds.”

6. Note the Royal Australian and New Zealand College of Psychiatrists concerns: “Access to child and adolescent psychiatrist care remains a persistent problem in Australia and New Zealand. There is a shortage of child and adolescent psychiatrists as well as a shortage of child and adolescent psychiatry training posts. Coverage is particularly poor in rural and remote areas” and “9 in 10 psychiatrists say workforce shortages are risking patient care in Australia” ... “Australia has a critical and chronic shortage of psychiatrists. Not only are there not enough, but they are also unevenly distributed across the country” said Dr Moore.
7. Note that while Council acknowledges the reallocation of \$6.9 million of funds into the Brookvale Safe Haven, the Perrottet Government’s \$28.5 million pledge to Lifeline while in Government and The Hon Rose Jackson’s announcement last year that Lifeline will receive \$8.2 million over 5 years to expand its text and webchat services in NSW, that Council’s main aim is for the State Government to return funds for youth mental health beds at Northern Beaches Hospital because existing facilities are inappropriate for the safety of youth and if at capacity, young people must travel to Hornsby or Westmead.
8. Write to the Premier, Leader of the Opposition, Minister for Health, Minister for Mental Health and respective Shadow Minister’s and Party Spokespersons:
  - a. regarding allegations about the management practices at the Northern Beaches Hospital
  - b. condemns the decision of the NSW Government to abandon previous promised funding for four permanent children/adolescent mental health beds at Northern Beaches Hospital and calls on the NSW Government to urgently return funding for these beds.
  - c. condemns the staffing cuts to the maternity and mental health units at Northern Beaches and calls on the NSW Government to urgently intervene and ensure those positions are reinstated
  - d. calls on the NSW Government to respond to the continuing need on the Northern Beaches for investment in youth mental health, particularly:
    - i. provision of dedicated and separate youth mental health inpatient beds
    - ii. need for a non-clinical step-up / step-down facility for youth suffering from mental health issues
    - iii. improved communication and case management for families and young people navigating the complexity of mental health services.
  - e. calls for a Legislative Council inquiry into the efficacy and management of the Northern Beaches Hospital and explore mechanisms to return the Hospital back into public hands.
9. Write to the Federal Minister for Education, The Hon Jason Clare MP, the Federal Minister for Health, The Hon Mark Butler MP, Federal Assistant Minister for Mental Health and Suicide Prevention, The Hon Emma McBride MP and respective Shadow Ministers, and calling on the Federal Government to:
  - a. introduce incentives for people to study psychiatry, psychology, counselling and mental health services by way of reducing University and TAFE fees and HECS debt relief
  - b. introduce rental support for those that graduate in these disciplines and practice in

these public health areas

- c. explore ways to expand the number of child and adolescent psychiatry training posts
- d. promote training and posts for child and adolescent academic careers.

## AMENDMENT

### *Cr Bingham / Cr Korzy*

That Council:

1. Write to the Premier, Minister for Mental Health, Minister for Health and respective Shadow Ministers:
  - a. expressing disappointment that \$7.5 million (of the \$11.4 million allocated to youth mental health) originally earmarked for 4 dedicated acute paediatric specialist mental health beds at the Northern Beaches Hospital has been abandoned
  - b. expressing concern at the staff cuts from mental health and maternity units at the Northern Beaches hospital
  - c. acknowledging the reallocation of \$6.9 million of these funds into the Brookvale Safe Haven
  - d. acknowledging the opportunity for local representatives, agencies, and health sector professionals to provide direct feedback on youth mental health issues facing our community at the Youth Mental Health Roundtable on 22 May 2024, hosted by the NSW Minister for Mental Health; also noting that at least \$4.5 million in capital funding is still dedicated towards youth mental health support services on the Northern Beaches
  - e. acknowledge with support the commencement of a performance audit by the NSW Auditor General into the Northern Beaches Hospital and concerns raised by our local community into under-funding
  - f. noting the continuing need on the Northern Beaches for investment in youth mental health with key priorities being:
    - iv. provision of dedicated and separate youth mental health inpatient beds
    - v. need for a non-clinical step-up / step-down facility for youth suffering from mental health issues
    - vi. improved communication and case management for families and young people navigating the complexity of mental health services.
2. Promote the opening and services to be provided in the new youth mental health Safe Haven at Brookvale to the community, in relevant Northern Beaches Council EDM/newsletters.
3. Write to the Federal Minister for Education, The Hon Jason Clare MP, the Federal Minister for Health, The Hon Mark Butler MP, Federal Assistant Minister for Mental Health and Suicide Prevention, The Hon Emma McBride MP and respective Shadow Ministers calling on the Federal Government to:
  - a. introduce incentives for people to study psychiatry, psychology, counselling and mental health services by way of reducing University and TAFE fees and HECS debt relief
  - b. introduce rental support for those that graduate in these disciplines and practice in these public health areas
  - c. explore ways to expand the number of child and adolescent psychiatry training posts

- d. promote training and posts for child and adolescent academic careers.

**VOTING**

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

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

**ABSENT:** Cr Grattan and Cr Ryburn

**LOST**

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

208/24 **RESOLVED**

**Cr De Luca / Cr Page**

That Council:

1. Note that on 23 June 2022, then Minister for Health, The Hon Brad Hazzard MP announced “\$11.4 million to boost Northern Beaches youth mental health services” and that “Children and young people in the Northern Beaches will benefit from significantly enhanced mental health services with a \$11.4 million investment under the 2022-23 NSW Budget ... the funding will be used to expand hospital and community services, including establishing acute pediatric specialist mental health beds at Northern Beaches Hospital and supporting local community mental health and drug and alcohol treatment services” and particularly:
 

“The \$11.4 million for child and youth mental health services in the Northern Beaches includes:

  - \$7.5 million to establish four dedicated acute pediatric specialist mental health beds at Northern Beaches Hospital, which will provide for the establishment and operation of the beds.
  - \$1.4 million to employ additional staff, including senior multi-disciplinary clinicians, to support Northern Beaches Child Youth Mental Health Service in the Brookvale Community Health Centre.
  - \$1.1 million to recruit additional staff, including peer workers and clinicians, to support and operate the Northern Beaches Youth Response Team service out of Mona Vale Community Health Centre seven days a week.
  - \$1 million to develop a new youth drug and alcohol community treatment service in Northern Sydney Local Health District, including employing senior medical, nursing and allied health clinicians to operate the service.
  - \$365,000 to provide a full-time child and youth psychiatrist at Northern Beaches Hospital.”
2. Note that on Thursday 22 February 2024 NSW Minister for Homelessness, Mental Health and Youth, The Hon Rose Jackson MLC announced “that the previously announced commitment to four mental health beds at Northern Beaches Hospital was ‘not feasible’”.
3. Note that on 22 February 2024, the Federal Member for Mackellar Dr Sophie Scamps MP was publicly quoted as previously stating, “At a time when we have a youth mental health crisis on the Northern Beaches, it’s simply not good enough that the management at the Northern Beaches Hospital haven’t even committed to a timeline for these beds” and she reiterated on 22 February 2024 “it is disappointing that more than two years after the former NSW Government announced funding for a four-bed youth mental health unit, the Northern Beaches Hospital management has refused to provide the services.”
4. Notes that on 28 February 2024 in the NSW Legislative Council’s Budget Estimates

Committee Inquiry into Health, in the transcript on pages 74 and 75, The Hon Natasha Maclaren Jones MLC, asked the following questions of NSW Health Official, Ms Deb Willcox:

“The Hon. NATASHA MACLAREN-JONES:

In relation to mental health, the Minister recently announced \$7.5 million, I think it was, for mental health support for young people on the northern beaches. Previously it was budgeted for \$11.4 million. What's happening to the \$4.5 million that had been originally marked for adolescent mental health in that area?

DEB WILLCOX:

The Northern Beaches Hospital has four beds available for admission for young people who require admission, but we have enhanced significantly our community-based mental health services at Brookvale in their child and adolescent mental health service there.

The Hon. NATASHA MACLAREN-JONES:

Those four beds are currently interim beds. Will they become permanent?

DEB WILLCOX:

No, they're permanent.

The Hon. NATASHA MACLAREN-JONES: They're permanent?

DEB WILLCOX: Yes, they are permanent. The initial announcement looked for a capital solution to create a pod. That wasn't possible just within the designs of the hospital itself, but they have allocated four available beds for young people who may require admission. Any young person that is extremely unwell and would require beyond a couple of days, they would probably be transferred to the Brolga unit, which is the child and adolescent mental health unit at Hornsby.”

5. Note that on 11 April 2024 in the Sydney Morning Herald, “Maternity, mental health staff cut as unrest swirls at Northern Beaches Hospital” and it was revealed “Northern Beaches Hospital is cutting staff from its mental health and maternity units” ... “The changes to staffing levels come two months after the state government abandoned plans to invest \$7.5 million in mental health services at the hospital, saying the previous government had promised the funding without guaranteeing the hospital could deliver the promised youth mental health beds.”
6. Note the Royal Australian and New Zealand College of Psychiatrists concerns: “Access to child and adolescent psychiatrist care remains a persistent problem in Australia and New Zealand. There is a shortage of child and adolescent psychiatrists as well as a shortage of child and adolescent psychiatry training posts. Coverage is particularly poor in rural and remote areas” and “9 in 10 psychiatrists say workforce shortages are risking patient care in Australia” ... “Australia has a critical and chronic shortage of psychiatrists. Not only are there not enough, but they are also unevenly distributed across the country” said Dr Moore.
7. Note that while Council acknowledges the reallocation of \$6.9 million of funds into the Brookvale Safe Haven, the Perrottet Government’s \$28.5 million pledge to Lifeline while in Government and The Hon Rose Jackson’s announcement last year that Lifeline will receive \$8.2 million over 5 years to expand its text and webchat services in NSW, that Council’s main aim is for the State Government to return funds for youth mental health beds at Northern Beaches Hospital because existing facilities are inappropriate for the safety of youth and if at capacity, young people must travel to Hornsby or Westmead.
8. Write to the Premier, Leader of the Opposition, Minister for Health, Minister for Mental Health and respective Shadow Minister’s and Party Spokespersons:
  - a. regarding allegations about the management practices at the Northern Beaches Hospital



- b. condemns the decision of the NSW Government to abandon previous promised funding for four permanent children/adolescent mental health beds at Northern Beaches Hospital and calls on the NSW Government to urgently return funding for these beds.
  - c. condemns the staffing cuts to the maternity and mental health units at Northern Beaches and calls on the NSW Government to urgently intervene and ensure those positions are reinstated
  - d. calls on the NSW Government to respond to the continuing need on the Northern Beaches for investment in youth mental health, particularly:
    - i. provision of dedicated and separate youth mental health inpatient beds
    - ii. need for a non-clinical step-up / step-down facility for youth suffering from mental health issues
    - iii. improved communication and case management for families and young people navigating the complexity of mental health services.
  - e. calls for a Legislative Council inquiry into the efficacy and management of the Northern Beaches Hospital and explore mechanisms to return the Hospital back into public hands.
9. Write to the Federal Minister for Education, The Hon Jason Clare MP, the Federal Minister for Health, The Hon Mark Butler MP, Federal Assistant Minister for Mental Health and Suicide Prevention, The Hon Emma McBride MP and respective Shadow Ministers, and calling on the Federal Government to:
- a. introduce incentives for people to study psychiatry, psychology, counselling and mental health services by way of reducing University and TAFE fees and HECS debt relief
  - b. introduce rental support for those that graduate in these disciplines and practice in these public health areas
  - c. explore ways to expand the number of child and adolescent psychiatry training posts
  - d. promote training and posts for child and adolescent academic careers.

**VOTING**

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

**AGAINST:** Nil

**ABSENT:** Cr Grattan and Cr Regan

**CARRIED**

**PROCEDURAL MOTION - 1 MOTION OF URGENCY**

*NOTE: Councillor Grattan returned to the chamber at 9.26 pm*

209/24 **RESOLVED**

**Cr Sprott / Cr Glanville**

That as a matter of urgency Council considers a motion in relation to the Patyegarang Planning Proposal.

**VOTING**

**FOR:** Cr Bingham, Cr Glanville, Cr Walton, Cr Sprott, Cr Crvelin, Cr Page, Cr Korzy and Cr Ryburn

**AGAINST:** Cr Grattan, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Gencher and Cr Heins

**ABSENT:** Cr Regan

**CARRIED**

## 6.0 ITEMS RESOLVED BY EXCEPTION

*NOTE: Councillor Regan returned to the meeting at 9.27 pm*

210/24 **RESOLVED**

**Cr Heins / Cr Ryburn**

That

1. Items 9.1, 9.2, 13.2, 13.4 and 18.2 are dealt with by exception with the recommendations being adopted.
2. The report for item 18.2 is to be treated as confidential in accordance with section 11 (3) of the *Local Government Act 1993*, as it relates to matters specified in section 10A (2) of the *Local Government Act 1993*.

### VOTING

**FOR:** Unanimous

**CARRIED**

## 9.1 AUDIT RISK AND IMPROVEMENT COMMITTEE CONFIRMED MINUTES - 13 MARCH 2024 AND ANNUAL REPORT 2023

211/24 **RESOLVED**

**Cr Heins / Cr Ryburn**

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 13 March 2024 and the ARIC Annual Report for 2023.

**RESOLVED BY EXCEPTION**

## 9.2 MONTHLY INVESTMENT REPORT - JUNE 2024

212/24 **RESOLVED**

**Cr Heins / Cr Ryburn**

That Council note the Investment Report as at 30 June 2024, including the certification by the Responsible Accounting Officer.

**RESOLVED BY EXCEPTION**

**13.2 OUTCOME OF PUBLIC EXHIBITION - PROPOSED NAMES FOR FOUR COUNCIL ROADS**

213/24 **RESOLVED**

***Cr Heins / Cr Ryburn***

That Council:

1. Adopt the proposal to name the unnamed laneway adjacent to Kempbridge Avenue, Seaforth, 'Fig Tree Lane'.
2. Adopt the proposal to name the unnamed laneway adjacent to Alexander Street, Collaroy, 'Hibiscus Lane'.
3. Adopt the proposal to name the unnamed laneway adjacent to Bellevue Avenue, Avalon, 'Spotted Gum Lane'.
4. Not change the name for Walworth Court, Newport.

**RESOLVED BY EXCEPTION**

**13.4 RESPONSE TO NOTICE OF MOTION NO 18/2023 - TRAFFIC CALMING MEASURES OXFORD FALLS**

214/24 **RESOLVED**

***Cr Heins / Cr Ryburn***

That Council note the findings of the report.

**RESOLVED BY EXCEPTION**

**18.2 RFT 2023/139 - DEE WHY BEACH GROSS POLLUTANT TRAP (GPT)**

215/24 **RESOLVED**

***Cr Heins / Cr Ryburn***

That Council:

1. In accordance with section 178(1)(b) of the Local Government (General) Regulation 2021, decline to accept any of the tenders received for Restricted RFT2023/139 – Dee Why Gross Beach Pollutant Trap (GPT).
2. In accordance with section 178(3)(e) of the Local Government (General) Regulation 2021, enter into negotiations with Optimal Stormwater 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. Following feedback from tenderers and the design consultant an alternate specification for a smaller Gross Pollutant Trap (GPT) is proposed to be utilised.
  - b. Given Council has already undertaken a comprehensive two stage tender process via an EOI and then a restricted RFT, 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 Optimal Stormwater Pty Ltd are:
  - a. Optimal Stormwater Pty Ltd was the highest ranked tenderer.
  - b. Optimal Stormwater Pty Ltd demonstrated an understanding of the key project risks and provided a sound methodology.
  - c. Optimal Stormwater Pty Ltd displayed through its tender submission that it has the capability to perform the work to the level required and it has previously delivered successful projects for Council.
5. Delegate authority to the Chief Executive Officer to enter into negotiations with Optimal Stormwater Pty Ltd, and subject to the Chief Executive Officer being satisfied with the outcome of those negotiations, enter into a contract with Optimal Stormwater Pty Ltd in relation to the subject matter of the tender and to execute all necessary documentation to give effect to this resolution.

**RESOLVED BY EXCEPTION**

## 9.0 CORPORATE SERVICES DIVISION REPORTS

### 9.3 MOTIONS FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2024

*NOTE: Councillor Regan left the meeting at 9.39 pm*

216/24 **RESOLVED**

**Cr Sprott / Cr Page**

That Council endorse the draft motions contained in this report seeking their inclusion in the business paper of the LGNSW 2024 Annual Conference subject to the following changes:

1. Animal management :
  - a. Point 3, change the word 'for mandatory' to 'to recommended'
  - b. Point 4, change 'on serious circumstances' to 'when a serious offence has been committed'
2. Built environment response to climate change:
  - a. Remove point 1
3. Submit an additional motion on candidate safety as per Resolution 194/24

#### VOTING

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

**AGAINST:** Nil

**ABSENT:** Cr Regan

**CARRIED**

## 12.0 PLANNING AND PLACE DIVISION REPORTS

### 12.1 RESPONSE TO NOTICE OF MOTION 12/2024 - RESPONSIBLE DOG AND CAT OWNERSHIP

217/24 RESOLVED

**Cr Sprott / Cr Crvelin**

That Council note the report outlining Council's administration of the *Companion Animals Act 1998*

#### VOTING

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

**AGAINST:** Cr Heins

**ABSENT:** Cr Regan

**CARRIED**

## 13.0 TRANSPORT AND ASSETS DIVISION REPORTS

### 13.1 RESPONSE TO NOTICE OF MOTION NO 24/2023 - KILLARNEY HEIGHTS SHOPS PUBLIC TOILETS

*NOTE: Councillor Regan returned to the meeting at 9.48 pm and left the meeting at 9.49 pm*

218/24 RESOLVED

**Cr Sprott / Cr Ryburn**

That Council note the report.

#### VOTING

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

**AGAINST:** Nil

**ABSENT:** Cr Regan

**CARRIED**

### 13.3 REVIEW OF COMMUNITY FEEDBACK ON THE AVALON STREETS AS SHARED SPACES PROJECT

*NOTE: Councillor Glanville left the chamber at 9.51 pm and returned at 9.52 pm*

*NOTE: Councillor Walton left the chamber at 9.51 pm and returned at 9.55 pm*

*NOTE: Councillor Page left the chamber at 9.53 pm and returned at 9.55 pm, left the chamber at 10.18 pm and returned at 10.21 pm*

*NOTE: Councillor Sprott left the chamber at 9.58 pm and returned at 10.02 pm*

*NOTE: Councillor Ryburn left the chamber at 9.58 pm*

*NOTE: Councillor Robins left the chamber at 10.01 pm and returned at 10.04 pm*

*NOTE: Councillor Regan returned to the chamber at 10.21 pm*

**Cr Gencher / Cr Korzy**

That Council:

1. Note the engagement report and community feedback.
2. Seek grant funding to enable the upgrading of the level of finish of the infrastructure.

**AMENDMENT**

**Cr Gencher / Cr Page**

That Council:

1. Note with concern, the outcomes of the recent report, particularly the representation of a high level of support for the project. This support appears to have been gauged without providing the community with the relevant information necessary for it to form informed decisions.
2. Acknowledge the lack of detailed funding information and the absence of comprehensive data regarding the anticipated project costs, which are crucial for a transparent and informed consultation process.
3. Request the Chief Executive Officer, through the appropriate channels, to ensure that accurate and detailed information, including data and analysis on traffic flow and improved safety measures, is made available. Further, that the community be consulted once this information is available to enable informed and meaningful participation in the decision-making process.
4. Report back to Council by December 2024 with an update on the proposal of further community consultation and the provision of detailed information and data.

**VOTING**

**FOR:** Cr Walton, Cr Menano-Pires, Cr Sprott, Cr De Luca, Cr Crvelin, Cr Gencher and Cr Page

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

**ABSENT:** Cr Regan and Cr Ryburn

**CARRIED**

**THE AMENDMENT WAS CARRIED AND BECAME THE MOTION**

**Cr Gencher / Cr Page**

That Council:

1. Note with concern, the outcomes of the recent report, particularly the representation of a high level of support for the project. This support appears to have been gauged without providing the community with the relevant information necessary for it to form informed decisions.
2. Acknowledge the lack of detailed funding information and the absence of comprehensive data regarding the anticipated project costs, which are crucial for a transparent and informed consultation process.
3. Request the Chief Executive Officer, through the appropriate channels, to ensure that accurate and detailed information, including data and analysis on traffic flow and improved safety measures, is made available. Further, that the community be consulted once this information is available to enable informed and meaningful participation in the decision-making process.

4. Report back to Council by December 2024 with an update on the proposal of further community consultation and the provision of detailed information and data.

**AMENDMENT**

***Cr Korzy / Cr Glanville***

That Council:

1. Note the engagement report and community feedback.
2. Give high priority to seeking grant funding to enable upgrading of the seating, other infrastructure and plantings in the Avalon Shared Space to a high quality.
3. Subject to grant funding, carry out a design study for completion of the project to a high quality, and in keeping with the character of Avalon Beach, then place this on public exhibition within 12 months.
4. Review the implementation of the Avalon Streets as Shared Spaces Project, with particular reference to: design and execution of traffic, parking, pedestrian, and stormwater elements; timelines; communication with the community; and budgeting.

**VOTING**

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

**AGAINST:** Cr Walton, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Crvelin and Cr Gencher

**ABSENT:** Cr Page and Cr Ryburn

***CARRIED***

***THE AMENDMENT WAS CARRIED AND BECAME THE MOTION***

**219/24 RESOLVED - MOTION**

***Cr Korzy / Cr Glanville***

That Council:

1. Note the engagement report and community feedback.
2. Give high priority to seeking grant funding to enable upgrading of the seating, other infrastructure and plantings in the Avalon Shared Space to a high quality.
3. Subject to grant funding, carry out a design study for completion of the project to a high quality, and in keeping with the character of Avalon Beach, then place this on public exhibition within 12 months.
4. Review the implementation of the Avalon Streets as Shared Spaces Project, with particular reference to: design and execution of traffic, parking, pedestrian, and stormwater elements; timelines; communication with the community; and budgeting.

**VOTING**

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

**AGAINST:** Cr Walton, Cr Menano-Pires, Cr De Luca, Cr Crvelin, Cr Gencher and Cr Page

**ABSENT:** Cr Ryburn

***CARRIED***

## 18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

### PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

220/24 RESOLVED

**Cr Menano-Pires / Cr Walton**

That:

1. The order of business be changed so item 18.1 and 18.3 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 RFT 2024/072 - Stuart and Ramsay Street Road End Seawall Works on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
  - B. Item 18.3 Mayoral Minute No 14/2024 - Annual Performance Review of the Chief Executive Officer July 2023 - June 2024 on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) *Local Government Act 1993*].

This report discusses/provides advice concerning the annual performance review of the Chief Executive Officer.
3. 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 Bingham, Cr Grattan, Cr Glanville, Cr Walton, Cr Regan, Cr Menano-Pires, Cr Sprott, Cr Robins, Cr De Luca, Cr Crvelin, Cr Gencher, Cr Page, Cr Korzy and Cr Heins

**AGAINST:** Nil

**ABSENT:** Cr Ryburn

**CARRIED**

*NOTE: The meeting moved into closed session at 10.29 pm*

### PROCEDURAL MOTION - EXTENSION OF MEETING

221/24 RESOLVED



**Cr Sprott / Cr Glanville**

That in accordance with clause 19.3 of the Code of Meeting Practice the meeting time be extended by 30 minutes.

**VOTING**

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

**AGAINST:** Cr Grattan, Cr Regan and Cr Crvelin

**ABSENT:** Cr Ryburn

**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 RFT 2024/072 - STUART AND RAMSAY STREET ROAD END SEAWALL WORKS**

222/24 **RESOLVED**

**Cr Crvelin / Cr Heins**

That:

1. Council accepts the tender of Coastwide Civil Pty Limited for RFT 2024/072 - Stuart and Ramsay Street Road End Seawall Works for the sum of \$1,563,729.55 excluding GST.
2. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.

**VOTING**

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

**AGAINST:** Cr Sprott, Cr De Luca, Cr Gencher and Cr Page

**ABSENT:** Cr Ryburn

**CARRIED**

**18.2 RFT 2023/139 - DEE WHY BEACH GROSS POLLUTANT TRAP (GPT)**

215/24 **RESOLVED**

**Cr Heins / Cr Ryburn**

That Council:

1. In accordance with section 178(1)(b) of the Local Government (General) Regulation 2021, decline to accept any of the tenders received for Restricted RFT2023/139 – Dee Why Gross

Beach Pollutant Trap (GPT).

2. In accordance with section 178(3)(e) of the Local Government (General) Regulation 2021, enter into negotiations with Optimal Stormwater 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. Following feedback from tenderers and the design consultant an alternate specification for a smaller Gross Pollutant Trap (GPT) is proposed to be utilised.
  - b. Given Council has already undertaken a comprehensive two stage tender process via an EOI and then a restricted RFT, 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 Optimal Stormwater Pty Ltd are:
  - a. Optimal Stormwater Pty Ltd was the highest ranked tenderer.
  - b. Optimal Stormwater Pty Ltd demonstrated an understanding of the key project risks and provided a sound methodology.
  - c. Optimal Stormwater Pty Ltd displayed through its tender submission that it has 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 Optimal Stormwater Pty Ltd, and subject to the Chief Executive Officer being satisfied with the outcome of those negotiations, enter into a contract with Optimal Stormwater Pty Ltd in relation to the subject matter of the tender and 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 19.

**18.3 MAYORAL MINUTE NO 14/2024 - ANNUAL PERFORMANCE REVIEW OF THE CHIEF EXECUTIVE OFFICER JULY 2023 - JUNE 2024**

**223/24 RESOLVED - MOTION**

**Cr Heins**

That:

1. The report and outcomes in the Performance Review of the Chief Executive Officer, July 2023 to June 2024, be adopted.
2. In accordance with the Chief Executive Officer's employment contract, Council to send a written report setting out its conclusions to the Chief Executive Officer advising him of his performance.

**VOTING**

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

**AGAINST:** Cr Menano-Pires and Cr Gencher

**ABSENT:** Cr Ryburn

**CARRIED**

## PROCEDURAL MOTION – RESUME IN OPEN SESSION

224/24 **RESOLVED**

**Cr Spratt / Cr Robins**

That Council resume in open session.

### VOTING

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

**AGAINST:** Nil

**ABSENT:** Cr Ryburn

**CARRIED**

*NOTE: The meeting resumed in open session at 11.29 pm*

*NOTE: In accordance with clause 19.3 of the Code of Meeting Practice the meeting concluded at 11.31 pm*

*NOTE: The following items were deferred to the ordinary Council meeting of 15 October 2024 in accordance with clause 19.4(a) of the Code of Meeting Practice:*

*14.1 Notice of Motion No 24/2024 - Cats and Dogs*

*14.2 Notice of Motion No 25/2024 - Truck Exhaust Brake Restrictions at Frenchs Forest*

*14.4 Notice of Motion No 29/2024 - Urban Greening of the Northern Beaches*

*14.5 Notice of Motion No 34/2024 - Smart Street Tree Management*

*14.7 Notice of Motion No 37/2024 - Northern Beaches Indoor Sports Centre (NBISC)*

*Matter of Urgency – Patyegarang Planning Proposal*

*The meeting concluded at 11:31pm*

This is the final page of the minutes comprising 27 pages numbered 1 to 27 of the Northern Beaches Council Meeting held on Tuesday 13 August 2024 and confirmed on Tuesday 15 October 2024

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Mayor

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Chief Executive Officer