



northern
beaches
council

MINUTES

EXTRAORDINARY NORTHERN BEACHES COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 8 OCTOBER 2024

**Minutes of the Extraordinary Northern Beaches Council Meeting
held on Tuesday 8 October 2024
at the Civic Centre, Dee Why
Commencing at 6.01 pm**

ATTENDANCE:

Councillors

Candy Bingham
Sarah Grattan
Bonnie Harvey
Kristyn Glanville
Joeline Hackman
Nicholas Beauguard
Sue Heins
Jody Williams
Ethan Hrnjak
Ruth Robins
Vincent De Luca OAM
Bob Giltinan OAM JP
Mandeep Singh JP
Rowie Dillon
Miranda Korzy

Officers

Scott Phillips	Chief Executive Officer
Kelly Loveridge	Chief Operating Officer
David Kerr	Director Community & Recreation
Louise Kerr	Director Planning & Place
Campbell Pfeiffer	Director Transport & Assets
Eskil Julliard	General Counsel
Sarah Dunstan	Executive Manager Governance & Risk
Lesley Milbourne	Manager Governance
Lauren Reti	Senior Advisor - Governance
Dane Hennessy	Service Delivery Analyst
Vicky Cheng	Service Desk Analyst

Notes

The meeting commenced at 6:01 pm, adjourned at 6:23 pm, resumed at 6:43 pm, and concluded at 8:29 pm

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 OATH / AFFIRMATION OF OFFICE

NOTE: Councillor Heins took an Affirmation of Office

NOTE: Councillor Williams took an Affirmation of Office

NOTE: Councillor Hrnjak took an Affirmation of Office

NOTE: Councillor Hackman took an Affirmation of Office

NOTE: Councillor Beaugeard took an Affirmation of Office

NOTE: Councillor Glanville took an Affirmation of Office

NOTE: Councillor Harvey took an Affirmation of Office

NOTE: Councillor Grattan took an Affirmation of Office

NOTE: Councillor Bingham took an Affirmation of Office

NOTE: Councillor De Luca took an Oath of Office

NOTE: Councillor Giltinan took an Affirmation of Office

NOTE: Councillor Robins took an Affirmation of Office

NOTE: Councillor Dillon took an Affirmation of Office

NOTE: Councillor Singh took an Oath of Office

NOTE: Councillor Korzy took an Oath of Office

3.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

3.1 ELECTION OF MAYOR

NOTE: The Chief Executive Officer, as Returning Officer advised that one valid nomination was received and accepted for Cr Heins (nominated by Cr Beauguard and Cr Williams). As there were no additional nominations received Cr Heins was declared Mayor for the Mayoral term ending September 2026.

3.2 ELECTION OF DEPUTY MAYOR

225/24 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Determine to elect a Deputy Mayor in accordance with section 231 of the *Local Government Act 1993* for a term ending September 2025.
2. Determine the method of election for the Deputy Mayor be conducted by open voting.
3. Conduct any election of the Deputy Mayor in accordance with the provisions of the Local Government (General) Regulation 2021.

CARRIED

NOTE: The Chief Executive Officer, as Returning Officer, conducted the election and advised he had received valid nominations for Cr Hrnjak (nominated by Cr Glanville and Cr Harvey) and Cr Robins (nominated by Cr Heins and Cr Bingham). Voting occurred in the order of nominations received:

- *Cr Hrnjak – Crs Hrnjak, Glanville, Harvey, De Luca, Korzy (5)*
- *Cr Robins – Crs Robins, Heins, Williams, Hackman, Beauguard, Grattan, Bingham, Giltinan, Dillon, Singh (10)*

NOTE: The Returning Officer declared Councillor Robins elected as Deputy Mayor

PROCEDURAL MOTION - ADJOURN THE MEETING

226/24 **RESOLVED**

Cr Heins / Cr Robins

That in accordance with clause 19.1 of the Code of Meeting Practice the meeting be adjourned for 15 minutes.

CARRIED

NOTE: The meeting was adjourned at 6:23 pm and resumed at 6:43 pm

4.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

Nil

5.0 DISCLOSURES OF INTEREST

Nil

7.0 ITEMS RESOLVED BY EXCEPTION

227/24 RESOLVED

Cr Grattan / Cr Hrnjak

That items 8.4, 8.5, 8.6, 8.7 and 8.11 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.

CARRIED

8.4 METHOD TO FILL CASUAL VACANCIES - COUNCILLORS

228/24 RESOLVED

Cr Grattan / Cr Hrnjak

That pursuant to section 291A(1)(b) of the *Local Government Act 1993* Northern Beaches Council declare that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and direct the Chief Executive Officer to notify the NSW Electoral Commission of the Council's decision within 7 days of the decision.

RESOLVED BY EXCEPTION

8.5 COUNCILLOR FEES

229/24 RESOLVED

Cr Grattan / Cr Hrnjak

That Council:

1. Pursuant to Division 5 of Part 2 of Chapter 9 of the *Local Government Act 1993*, fix the annual fee for financial year 1 July 2024 to 30 June 2025 as follows:
 - a. Councillors at \$33,810
 - b. Mayoral additional fee at \$98,510.
2. Pursuant to Division 5 of Part 2 of Chapter 9 of the *Local Government Act 1993*, fix the annual fees payable to the Mayor and Councillors at the relevant maximum amounts determined by the Local Government Remuneration Tribunal.

3. Note that pursuant to section 250 of the *Local Government Act 1993*, the fees payable to the Mayor and Councillors are payable monthly in arrears for each month (or part of a month) for which the Councillor holds office.
4. Note that superannuation contribution payments will be made to Councillors pursuant and subject to section 254B of the *Local Government Act 1993*.

RESOLVED BY EXCEPTION

8.6 PUBLIC EXHIBITION - COUNCILLOR EXPENSES AND FACILITIES POLICY

230/24 RESOLVED

Cr Grattan / Cr Hrnjak

That Council place the draft Councillor Expenses and Facilities Policy on public exhibition for a period of 28 days with the outcome of the public exhibition to be reported to Council.

RESOLVED BY EXCEPTION

8.7 COUNCIL WARD BOUNDARY REVIEW

231/24 RESOLVED

Cr Grattan / Cr Hrnjak

That Council note no action is necessary to alter existing ward boundaries.

RESOLVED BY EXCEPTION

8.11 TABLING OF DESIGNATED PERSONS RETURNS 2023/24

232/24 RESOLVED

Cr Grattan / Cr Hrnjak

That Council:

1. Note the designated persons disclosure of interest returns for the period 1 July 2023 to 30 June 2024, as tabled in accordance with clause 4.25 of Council's Code of Conduct.
2. Adopt the list of positions for designated persons for the period 1 July 2024 to 30 June 2025 in accordance with clause 4.8 of Council's Code of Conduct.

RESOLVED BY EXCEPTION

8.0 CORPORATE SERVICES DIVISION REPORTS

8.1 2025 ORDINARY COUNCIL MEETING SCHEDULE

233/24 RESOLVED

Cr Korzy / Cr Bingham

That Council adopt the following 2025 Council meeting schedule:

Date 2025	Day	Time	Location
18 February	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
18 March	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
15 April	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
20 May	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
17 June	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
15 July	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
19 August	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
16 September	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
21 October	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
18 November	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why
16 December	Tuesday	6.00 pm	Council Chambers, Civic Centre, Dee Why

VOTING

FOR: Cr Heins, Cr Williams, Cr Hrnjak, Cr Hackman, Cr Beaugeard, Cr Glanville, Cr Grattan, Cr Bingham, Cr De Luca, Cr Giltinan, Cr Robins, Cr Dillon and Cr Singh

AGAINST: Cr Harvey and Cr Korzy

CARRIED

8.2 REVIEW OF DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER

234/24 RESOLVED

Cr Korzy / Cr Grattan

That Council:

1. Revoke the delegations conferred to the office of Chief Executive Officer (as statutory general manager) of 23 August 2022 at Attachment 1 of the report for this item.
2. Delegate to the office of Chief Executive Officer (as statutory general manager) the functions set out in Attachment 3 of the report for this item.
3. Authorise the Mayor to sign the instrument at Attachment 3 of the report for this item.

VOTING

FOR: Unanimous

CARRIED

8.3 ESTABLISHMENT OF THE PERFORMANCE REVIEW PANEL - CHIEF EXECUTIVE OFFICER

235/24 RESOLVED

Cr Glanville / Cr Hackman

That for the remainder of the Council term, Council:

1. Undertake performance management of the Chief Executive Officer having regard to the *Guidelines for the Appointment & Oversight of General Managers 2022* issued by the Office of Local Government, Department of Planning and Environment.
2. Establish a performance review panel to undertake performance management of the Chief Executive Officer.
3. Resolve the composition of the Chief Executive Officer's performance review panel to consist of the Mayor, Deputy Mayor, Councillor Glanville and Councillor Bingham through to July 2025.
4. Delegate to the panel responsibility for performance management of the Chief Executive Officer, including discussions about performance and performance reviews, any actions that should be taken, the determination of each new performance agreement, the reporting of performance findings and recommendations to Council, and the selection of a qualified external facilitator to assist with the performance review process, and the development of each new performance agreement.
5. Agree to the involvement of an external facilitator to assist with the performance review process and the development of each new performance agreement.

VOTING

FOR: Unanimous

CARRIED

8.8 APPOINTMENT OF COMMITTEE MEMBERS

Cr Robins / Cr Hrnjak

That Council:

- Determine Councillor representation for the following committees and memberships effective from 9 October 2024 for the remainder of the current Council term (scheduled for September 2028) as follows:

Committee or membership	Representation
Audit, Risk and Improvement Committee	Cr Grattan until October 2025 Cr Beugeard until the conclusion of the Council term
Traffic Committee	Cr Beugeard Cr Hrnjak as observer
Rural Fire Service Bush Fire Management Committee	Cr Hackman (Co Chair) Cr Williams (Co Chair) Cr Korzy as observer
Currawong State Park Advisory Committee	Cr Korzy Cr Dillon as observer
Manly Warringah War Memorial State Park Advisory Committee	Cr Glanville (Co Chair) Cr Giltinan (Co Chair)
Narrabeen Lagoon State Advisory Park Committee	Cr Hrnjak
PCYC Club Advisory Committee	Cr Robins Cr Harvey as observer
Committee of the Friends of the Bible Garden Memorial Inc.	Cr Dillon
Community Safety Advisory Committee	Mayor Cr Dillon (Pittwater) Cr Robins and Cr De Luca alternate members (Narrabeen) Cr Bingham (Manly) Cr Beugeard (Curl Curl)
Business and Industry Stakeholder Committee	Mayor Cr Dillon Cr Grattan Cr Hrnjak Cr Singh
NSW Metro Public Library Association	Cr Williams
Sydney Coastal Council Group	Cr Korzy (member)
Nature for Northern Beaches Trust	Mayor Cr Glanville Cr Harvey
Event Grants and Sponsorship Panel	Cr Bingham Cr Harvey Cr Giltinan

** When PCYC confirms establishment of committee*

- Adopt the Community Safety Committee Terms of Reference provided at Attachment 2.
- Adopt the Business and Industry Stakeholder Committee Terms of Reference provided at Attachment 3.

AMENDMENT

Cr Korzy / Cr Glanville

That Council:

1. Determine Councillor representation for the following committees and memberships effective from 9 October 2024 for the remainder of the current Council term (scheduled for September 2028) as follows:

Committee or membership	Representation
Audit, Risk and Improvement Committee	Cr Grattan until October 2025 Cr Beugeard until the conclusion of the Council term
Traffic Committee	Cr Beugeard Cr Hrnjak as observer
Rural Fire Service Bush Fire Management Committee	Cr Hackman (Co Chair) Cr Williams (Co Chair) Cr Korzy as observer
Currawong State Park Advisory Committee	Cr Korzy Cr Dillon as observer
Manly Warringah War Memorial State Park Advisory Committee	Cr Glanville (Co Chair) Cr Giltinan (Co Chair)
Narrabeen Lagoon State Advisory Park Committee	Cr Hrnjak
PCYC Club Advisory Committee	Cr Robins Cr Harvey as observer
Committee of the Friends of the Bible Garden Memorial Inc.	Cr Dillon
Community Safety Advisory Committee	Mayor Cr Dillon (Pittwater) Cr Robins and Cr De Luca alternate members (Narrabeen) Cr Bingham (Manly) Cr Beugeard (Curl Curl)
Business and Industry Stakeholder Committee	Mayor Cr Dillon Cr Grattan Cr Hrnjak Cr Singh
NSW Metro Public Library Association	Cr Williams
Sydney Coastal Council Group	Cr Korzy (member)
Nature for Northern Beaches Trust	Mayor Cr Glanville Cr Harvey
Event Grants and Sponsorship Panel	Cr Bingham Cr Harvey Cr Giltinan

** When PCYC confirms establishment of committee*

2. Adopt the Community Safety Committee Terms of Reference provided at Attachment 2 without the changes to the reporting of the minutes.
3. Adopt the Business and Industry Stakeholder Committee Terms of Reference provided at Attachment 3 without the changes to the reporting of the minutes.

VOTING

FOR: Unanimous

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

236/24 **RESOLVED**

Cr Korzy / Cr Glanville

That Council:

1. Determine Councillor representation for the following committees and memberships effective from 9 October 2024 for the remainder of the current Council term (scheduled for September 2028) as follows:

Committee or membership	Representation
Audit, Risk and Improvement Committee	Cr Grattan until October 2025 Cr Beugeard until the conclusion of the Council term
Traffic Committee	Cr Beugeard Cr Hrnjak as observer
Rural Fire Service Bush Fire Management Committee	Cr Hackman (Co Chair) Cr Williams (Co Chair) Cr Korzy as observer
Currawong State Park Advisory Committee	Cr Korzy Cr Dillon as observer
Manly Warringah War Memorial State Park Advisory Committee	Cr Glanville (Co Chair) Cr Giltinan (Co Chair)
Narrabeen Lagoon State Advisory Park Committee	Cr Hrnjak
PCYC Club Advisory Committee	Cr Robins Cr Harvey as observer
Committee of the Friends of the Bible Garden Memorial Inc.	Cr Dillon
Community Safety Advisory Committee	Mayor Cr Dillon (Pittwater) Cr Robins and Cr De Luca alternate members (Narrabeen) Cr Bingham (Manly) Cr Beugeard (Curl Curl)
Business and Industry Stakeholder Committee	Mayor Cr Dillon Cr Grattan Cr Hrnjak Cr Singh
NSW Metro Public Library Association	Cr Williams
Sydney Coastal Council Group	Cr Korzy (member)
Nature for Northern Beaches Trust	Mayor Cr Glanville Cr Harvey
Event Grants and Sponsorship Panel	Cr Bingham Cr Harvey Cr Giltinan

** When PCYC confirms establishment of committee*

2. Adopt the Community Safety Committee Terms of Reference provided at Attachment 2 without the changes to the reporting of the minutes.
3. Adopt the Business and Industry Stakeholder Committee Terms of Reference provided at Attachment 3 without the changes to the reporting of the minutes.

VOTING

FOR: Unanimous

CARRIED

8.9 VOTING DELEGATES FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2024

237/24 **RESOLVED**

Cr Heins / Cr Robins

That Council:

1. Nominate Councillors Williams, Hrnjak, Hackman, Beugeard, Harvey, De Luca, Korzy and Heins as voting delegates to attend the Local Government NSW Annual Conference from Sunday 17 to Tuesday 19 November 2024.
2. Delegate authority to the Mayor to authorise any further voting delegates in circumstances where a voting delegate is no longer able to participate or attend.

VOTING

FOR: Unanimous

CARRIED

8.10 OUTCOME OF PUBLIC EXHIBITION - CODE OF MEETING PRACTICE

Cr Bingham / Cr Grattan

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1.

AMENDMENT

Cr Korzy / Cr Hrnjak

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1, subject to the following amendments:
 - a. 16.23 – amend to read as follows “A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording or photograph one hour before, during, or one hour after the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee whilst in the council chamber or a council committee room.

Note: Clause 16.23 does not apply to circumstances where the chief executive officer arranges for photographs of councillors and/or the chambers or committee rooms for record keeping purposes.”
 - b. 19.1 – amend to read as follows “A short break of not less than 10 minutes is to be taken within the first 2 hours and then a second break within the following two hours at each ordinary and extraordinary meeting of the council and committees of the council.”

AMENDMENT DEALT WITH IN SERIATIM

Cr Hrnjak / Cr Korzy

That item 8.10 be dealt with in seriatim.

VOTING

FOR: Cr Hrnjak, Cr Hackman, Cr Glanville, Cr Harvey, Cr De Luca, Cr Giltinan and Cr Korzy

AGAINST: Cr Heins, Cr Williams, Cr Beaugeard, Cr Grattan, Cr Bingham, Cr Robins, Cr Dillon and Cr Singh

LOST

THE PROCEDURAL MOTION WAS LOST AND DEBATE RESUMED ON THE AMENDMENT

AMENDMENT

Cr Korzy / Cr Hrnjak

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1, subject to the following amendments:
 - a. 16.23 – amend to read as follows “A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording or photograph one hour before, during, or one hour after the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee whilst in the council chamber or a council committee room.

Note: Clause 16.23 does not apply to circumstances where the chief executive officer arranges for photographs of councillors and/or the chambers or committee rooms for record keeping purposes.”
 - b. 19.1 – amend to read as follows “A short break of not less than 10 minutes is to be taken within the first 2 hours and then a second break within the following two hours at each ordinary and extraordinary meeting of the council and committees of the council.”

VOTING

FOR: Cr Hrnjak, Cr Glanville, Cr Harvey and Cr Korzy

AGAINST: Cr Heins, Cr Williams, Cr Hackman, Cr Beaugeard, Cr Grattan, Cr Bingham, Cr De Luca, Cr Giltinan, Cr Robins, Cr Dillon and Cr Singh

LOST

THE AMENDMENT WAS LOST AND DEBATED RESUMED ON THE ORIGINAL MOTION

Cr Bingham / Cr Grattan

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1.

AMENDMENT

Cr Hrnjak / Cr Robins

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1, subject to the following:

- a. Amend clause 16.23 to read:

“A person must not live stream or use an audio recorder, video camera, mobile phone or other device to make a recording or photograph within the council chambers, immediately before, during or after the proceedings of a meeting of the council or a committee of the council, without the prior authorisation of the council or the committee. Authorisation requires a resolution of the council or the committee on the request, and the council or committee shall consider the implications for the privacy of any residents or other individuals who may be recorded when considering whether to pass such a resolution.

Note: Clause 16.23 does not apply to circumstances where the Chief Executive Officer or delegate arranges for photographs of councillors and/or the chambers for record keeping purposes.

Note: Clause 16.23 does not apply to media organisations where prior approval from the Chief Executive Officer or delegate is granted.”

- b. Add to Section 3 Definitions:

Council chamber - the room in which the proceedings of the council take place.

VOTING

FOR: Cr Heins, Cr Williams, Cr Hrnjak, Cr Hackman, Cr Beaugeard, Cr Glanville, Cr Harvey, Cr De Luca, Cr Giltinan, Cr Robins, Cr Dillon and Cr Singh

AGAINST: Cr Grattan, Cr Bingham and Cr Korzy

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

238/24 RESOLVED

Cr Hrnjak / Cr Robins

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Meeting Practice.
2. Adopt the draft Northern Beaches Council Code of Meeting Practice 2024 provided at Attachment 1, subject to the following:

- a. Amend clause 16.23 to read:

“A person must not live stream or use an audio recorder, video camera, mobile phone or other device to make a recording or photograph within the council chambers, immediately before, during or after the proceedings of a meeting of the council or a committee of the council, without the prior authorisation of the council or the committee. Authorisation requires a resolution of the council or the committee on the request, and the council or committee shall consider the implications for the privacy of any residents or other individuals who may be recorded when considering whether to pass such a resolution.

Note: Clause 16.23 does not apply to circumstances where the Chief Executive Officer or delegate arranges for photographs of councillors and/or the chambers for record keeping purposes.

Note: Clause 16.23 does not apply to media organisations where prior approval from the Chief Executive Officer or delegate is granted.”

- b. Add to Section 3 Definitions:

Council chamber - the room in which the proceedings of the council take place.

VOTING

FOR: Cr Heins, Cr Williams, Cr Hrnjak, Cr Hackman, Cr Beugeard, Cr Glanville, Cr Harvey, Cr Grattan, Cr Bingham, Cr De Luca, Cr Giltinan, Cr Robins, Cr Dillon and Cr Singh

AGAINST: Cr Korzy

CARRIED

The meeting concluded at 8:29pm

This is the final page of the minutes comprising 16 pages numbered 1 to 16 of the Extraordinary Northern Beaches Council Meeting held on Tuesday 8 October 2024 and confirmed on Tuesday 15 October 2024

Mayor

Chief Executive Officer