



northern  
beaches  
council

# **MINUTES**

## **NORTHERN BEACHES COUNCIL MEETING**

held at the Civic Centre, Dee Why on

**TUESDAY 15 OCTOBER 2024**

**Minutes of the Northern Beaches Council Meeting**  
**held on Tuesday 15 October 2024**  
**at the Civic Centre, Dee Why**  
**Commencing at 6.03pm**

**ATTENDANCE:**

**Councillors**

Sue Heins (Mayor)  
Ruth Robins (Deputy Mayor)  
Jody Williams  
Ethan Hrnjak  
Joeline Hackman  
Nicholas Beaugeard  
Kristyn Glanville  
Bonnie Harvey  
Sarah Grattan  
Candy Bingham  
Bob Giltinan OAM JP  
Vincent De Luca OAM  
Mandeep Singh JP  
Rowie Dillon

**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
Caroline Foley	Chief Financial Officer
Jeremy Smith	Executive Manager Parks & Open Space
Mal McDonald	Executive Manager Strategic & Place Planning
Yianni Mentis	Executive Manager Environment & Climate Change
Kylie Walshe	Executive Manager Community, Arts & Culture
Eskil Julliard	General Counsel
Sarah Dunstan	Executive Manager Governance & Risk
Lesley Milbourne	Manager Governance
Mat Maish	Senior Advisor – Governance
Mehadi Hassan	Senior Service Desk Analyst
Corinne Lieberman	Senior Service Delivery Analyst

**Notes**

*The meeting commenced at 6.03pm, moved into closed session at 7.59pm, resumed in open session at 8.11pm and concluded at 8.12pm*

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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 - LEAVE OF ABSENCE

239/24 RESOLVED

***Cr Robins / Cr Glanville***

That Council accept the application for a leave of absence from Councillor Korzy for the October Ordinary Council meeting.

**CARRIED**

## 3.0 CONFIRMATION OF MINUTES

### 3.1 MINUTES OF THE ORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 13 AUGUST 2024

240/24 RESOLVED

***Cr Bingham / Cr Robins***

That the minutes of the Ordinary Northern Beaches Council Meeting held on 13 August 2024, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

**CARRIED**

### 3.2 MINUTES OF THE EXTRAORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 8 OCTOBER 2024

241/24 RESOLVED

***Cr De Luca / Cr Beugeard***

That the minutes of the Extraordinary Northern Beaches Council Meeting held on 8 October 2024, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

**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 Heins declared a not significant non-pecuniary interest in relation to Item 10.1, 2024/25 Community Grants Program – Funding Recommendations and will remain in the meeting for the discussion and voting on the item. The reason provided was:  
*“I was a chairperson of Women & Children First but stepped out of the organisation over 16 months ago. I am a co patron of LocalKind. I have no involvement with Women & Children First other than they have made me a life member which appears to be reviewed annually. As a patron of LocalKind I have no involvement in the operations of this organisation.”*
- Councillor Robins declared a significant non-pecuniary interest in relation to Item 12.1, 2024/25 Placemaking Grants Program – Funding Recommendations and will leave the meeting for the discussion and voting on the item. The reason provided was:  
*“I am related to a committee member of the Elanora Heights Christmas Markets Committee.”*
- Councillor Grattan declared a pecuniary interest in relation to Item 10.1, 2024/25 Community Grants Program – Funding Recommendations and will leave the meeting for the discussion and voting on the item. The reason provided was:  
*“I am the CEO of local charity, Lifeline Northern Beaches that is recommended to receive a Community Development Grant. I note I will gain no personal benefit, I am not a member or shareholder, and no distributions are made to employees.”*
- Councillor Glanville declared a not significant non-pecuniary interest in relation to Item 10.1, 2024/25 Community Grants Program – Funding Recommendations and will remain in the meeting for the discussion and voting on the item. The reason provided was:  
*“My husband is employed by Lifeline Northern Beaches which is recommended for the grant.”*
- Councillor Dillon declared a significant non-pecuniary interest in relation to Item 10.1 2024/25 Community Grants Program – Funding Recommendations and Item 12.1 2024/25 Placemaking Grants Program – Funding Recommendations and will leave the meeting for the discussion and voting on the item. The reason provided was:  
*“I am the President of the Newport Chamber of Commerce. The Chamber is a grant applicant. I will leave the chamber for discussion and voting 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*

### 5.1 PUBLIC FORUM

- Doug Price addressed Council on the way forward.
- Frances Rigg addressed Council on the new no parking restrictions outside 5 & 7 Cove Avenue Manly.

## PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME

242/24 RESOLVED

**Cr Robins / Cr Bingham**

That Frances Rigg be granted an extension of one minute to address the meeting.

**CARRIED**

## 5.2 PUBLIC ADDRESS

### Item 11.3 Outcome of Public Exhibition - Naming Proposal Jean Hay Lookout, Fairlight

- Karina Page addressed Council against this item.

## 6.0 ITEMS RESOLVED BY EXCEPTION

*NOTE: Councillor Grattan left the chamber for voting on item 10.1 due to a declared disclosure of interest*

*NOTE: Councillor Robins left the chamber for voting on item 12.1 due to a declared disclosure of interest*

*NOTE: Councillor Dillon left the chamber for voting on items 10.1 and 12.1 due to a declared disclosure of interest*

243/24 RESOLVED

**Cr Williams / Cr Hackman**

That items 8.1, 8.2, 9.1, 9.2, 10.1, 11.1, 12.1, 12.3, 12.4 and 14.5 are dealt with by exception with the recommendations being adopted.

**CARRIED**

## 8.1 NORTHERN BEACHES COUNCIL DISCRETIONARY FUND - QUARTERLY REPORT

244/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council note payments totalling \$4,300 have been allocated from the Northern Beaches Council Discretionary fund for the period 20 June 2024 to 9 October 2024.

**RESOLVED BY EXCEPTION**

## 8.2 COUNCILLOR EXPENSES 2023/24

245/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council note the expenditure tabled in accordance with the Councillor Expenses and Facilities Policy for the period 1 July 2023 to 30 June 2024.

**RESOLVED BY EXCEPTION**

**9.1 MONTHLY INVESTMENT REPORT - JULY 2024**

*NOTE: Councillor Grattan thanked staff for their work and requested the Economic Notes be added into future reports*

246/24 **RESOLVED**

**Cr Williams / Cr Hackman**

That Council note the Investment Report as at 31 July 2024, including the certification by the Responsible Accounting Officer.

**RESOLVED BY EXCEPTION**

**9.2 MONTHLY INVESTMENT REPORT - AUGUST 2024**

247/24 **RESOLVED**

**Cr Williams / Cr Hackman**

That Council note the Investment Report as at 31 August 2024, including the certification by the Responsible Accounting Officer.

**RESOLVED BY EXCEPTION**

**10.1 2024/25 COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS**

248/24 **RESOLVED**

**Cr Williams / Cr Hackman**

That Council, pursuant to section 356 of the *Local Government Act 1993*, approve the allocation of \$220,087 (excluding GST) under the 2024/25 Community Grants Program as outlined in Attachments 1 and 2, comprising:

1. \$100,087 in respect of the Arts and Creativity grants program (Attachment 1).
2. \$120,000 in respect of the Community Development grants program (Attachment 2).

**RESOLVED BY EXCEPTION**

**11.1 2024/25 SPORT AND RECREATION INFRASTRUCTURE GRANT PROGRAM - FUNDING RECOMMENDATIONS**

249/24 **RESOLVED**

**Cr Williams / Cr Hackman**

That pursuant to section 356 of the *Local Government Act 1993* Council approve provision of funding under the 2024/25 Sport and Recreation Infrastructure Grant Program, as follows:

1. Harbord United Junior Rugby League Football Club; to install a new drainage system on sports field 1 at Harbord Park, Freshwater - \$35,000 (excluding GST).

2. Bareena Park Tennis Club; to install new lighting on 3 unlit tennis courts at the Bareena Park Tennis Centre, Balgowlah Heights - \$30,000 (excluding GST).
3. Belrose Terrey Hills Raiders Soccer Club; to upgrade the kitchen and canteen in the clubhouse building at Terrey Hills Oval, Terrey Hills - \$12,864 (excluding GST).
4. Allambie Beacon Hill United Football Club: to install a new storage shed on the clubhouse building at Beacon Hill Reserve, Beacon Hill - \$12,000 (excluding GST).
5. Newport Bowling Club; to upgrade the female bathrooms in the Newport Bowling Club building, Newport - \$10,136 (excluding GST).

**RESOLVED BY EXCEPTION**

**12.1 2024/25 PLACEMAKING GRANTS PROGRAM - FUNDING RECOMMENDATIONS**

250/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council, pursuant to section 356 of *the Local Government Act 1993*, approve the allocation of \$17,000 (excluding GST) under the 2024/2025 Placemaking Grants Program as outlined in Attachment 1.

**RESOLVED BY EXCEPTION**

**12.3 FIRE & RESCUE NSW INSPECTION REPORT - EVANS STREET FRESHWATER**

251/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council:

1. Exercise its powers under the *Environmental Planning and Assessment Act 1979* and issue a Fire Safety Order No.1 to address fire safety deficiencies at the property.
2. Provide notice to Fire & Rescue NSW of this determination.

**RESOLVED BY EXCEPTION**

**12.4 FIRE & RESCUE NSW INSPECTION REPORT - PITTWATER ROAD NARRABEEN**

252/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council:

1. Exercise its powers under the *Environmental Planning and Assessment Act 1979* and issue a Fire Safety Order No.1 to address fire safety deficiencies at the property.
2. Provide notice to Fire & Rescue NSW of this determination.

**RESOLVED BY EXCEPTION**



## 14.5 NOTICE OF MOTION NO 37/2024 - NORTHERN BEACHES INDOOR SPORTS CENTRE (NBISC)

253/24 RESOLVED

**Cr Williams / Cr Hackman**

That Council:

1. Support in principle the construction of 2 additional basketball, netball and volleyball courts with associated meeting rooms and car parking spaces as an extension to the existing facility.
2. Will support Northern Beaches Indoor Sports Centre in obtaining Owners Consent as well as an extension to the lease from the Department of Education.

**RESOLVED BY EXCEPTION**

## 7.0 MAYORAL MINUTES

### 7.1 MAYORAL MINUTE NO 15/2024 - LOCAL GOVERNMENT CONFERENCE 2024 - PROPOSED ADDITIONAL MOTION - LOCAL GOVERNMENT REFORM DISCUSSION PAPER

254/24 RESOLVED

**Cr Heins**

That Council endorse the following motion for inclusion in the business paper of the Local Government NSW Annual Conference:

1. That Local Government NSW advocates against the planned banning of briefing sessions within the Office of Local Government's proposal for councillor conduct and meeting practice reforms.

#### VOTING

**FOR:** Cr Robins, Cr Williams, Cr Hackman, Cr Beauguard, Cr Harvey, Cr Grattan, Cr Bingham, Cr Giltinan, Cr De Luca, Cr Singh, Cr Dillon and Cr Heins

**AGAINST:** Cr Hrnjak and Cr Glanville

**CARRIED**

## 9.0 CORPORATE SERVICES DIVISION REPORTS

### 9.3 DRAFT 2023/24 FINANCIAL STATEMENTS AND BUDGET ROLLOVERS TO 2024/25

255/24 RESOLVED

**Cr Robins / Cr Grattan**

That:

1. Council resolve:
  - a. The Financial Statements for the year ended 30 June 2024 have been properly drawn up in accordance with the provisions of the *Local Government Act 1993* and the

regulations made thereunder, the Australian Accounting Standards and professional pronouncements and the Local Government Code of Accounting Practice and Financial Reporting.

- b. To the best of the Council's knowledge and belief, the Financial Statements present fairly Council's operating result and financial position for the year and accord with Council's accounting and other records.
  - c. Council is unaware of any matter that would render the Financial Statements false or misleading in anyway.
2. The Mayor, Councillor Grattan, Chief Executive Officer and Chief Financial Officer be authorised to sign the 'Statement by Councillors and Management' for the Financial Statements.
  3. The Financial Statements for the year ended 30 June 2024 be referred to Council's Auditor for audit.
  4. Council hereby delegate to the Chief Executive Officer authority, upon receipt of the Auditor's reports, to arrange for public notice to be given, in the required format on Council's website, of the Council Meeting for presentation of the audited 2023/24 Financial Statements.
  5. Roll over the following from the 2023/24 year to the 2024/25 budget for the items identified in the report:
    - a. \$1,865,855 in operational projects expenditure and associated funding
    - b. \$11,396,672 in capital projects expenditure and associated funding.
  6. Reduce the 2024/25 budget for works undertaken in 2023/24 and budgeted in 2024/25 for the items identified in the report:
    - a. \$2,901,679 in capital projects expenditure and associated funding.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

#### **9.4 STATE OF OUR REGION 2021-2024 REPORT**

256/24 **RESOLVED**

***Cr Glanville / Cr Hrnjak***

That:

1. Council endorse the State of Our Region 2021-2024.
2. A councillor briefing be held on the various reporting mechanisms within the Integrated Planning and Reporting framework, to consider any opportunities for improvements to future reporting to our community.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

## 9.5 REVIEW OF POLICIES

257/24 RESOLVED

**Cr Beaugeard / Cr Hrnjak**

That Council:

1. Adopt the Rates and Annual Charges Hardship Policy.
2. Adopt the Pensioners' Rates and Annual Charges Concession Policy.
3. Adopt the Code of Conduct Policy and draft Procedures for the Administration of the Code of Conduct.
4. Place the following on public exhibition for a period of 28 days with the outcome of the public exhibition to be reported to Council:
  - a. Draft Child Safe Policy and Child Safe Code of Conduct, subject to the following changes:
    - i. amend the first line of Responsibilities on page 2 of the Policy to read: "We require all staff and councillors who work with children to."
    - ii. amend the last dot point on page 2 of the Policy to read: "Notify and seek approval for any interaction with a child that is outside of the original service or event that they were involved in, unless that child is a close family member."
  - b. Draft Managing Unreasonable Conduct by a Complainant Policy
  - c. Draft Sponsorship Policy.

### VOTING

FOR: Unanimous

**CARRIED**

## 11.0 ENVIRONMENT AND OPEN SPACE DIVISION REPORTS

### 11.2 TEMPORARY CHANGES TO ALCOHOL PROHIBITED AREAS FOR COUNCIL'S CHRISTMAS CHORAL CONCERT 2024, NEW YEAR'S EVE 2024 AND AUSTRALIA DAY 2025

258/24 RESOLVED

**Cr Grattan / Cr Bingham**

That Council:

1. Note the request of the NSW Police Northern Beaches Police Area Command to declare temporary 24-hour Alcohol Prohibited Areas at Rowland Reserve, Bayview on New Year's Eve 2024 and at all reserves, parks and the sand areas of all beaches on Australia Day 2025.
2. Declare a temporary Alcohol Prohibited Area at Rowland Reserve, Bayview for New Year's Eve from 6.00am on 31 December 2024 for a period of 24 hours until 6.00am on 1 January 2025.
3. Declare temporary Alcohol Prohibited Areas at all reserves and parks within the Northern Beaches Local Government Area for Australia Day from 6.00 am on 26 January 2025 for a period of 24 hours until 6.00am on 27 January 2025.

4. Suspend the operation of the Alcohol Prohibited Area at Manly Oval on 5 December 2024 from 5.00pm until 8.30pm for Council's Christmas Choral Concert.
5. Publish notices of the above as required and pursuant to the relevant sections of the *Local Government Act 1993*.
6. Install temporary signage at Manly Oval, Rowland Reserve, and where required, beaches and high use reserves within the Northern Beaches Local Government Area.

**VOTING**

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

**AGAINST:** Cr Hrnjak, Cr Glanville and Cr Harvey

**CARRIED**

**11.3 OUTCOME OF PUBLIC EXHIBITION - NAMING PROPOSAL JEAN HAY LOOKOUT, FAIRLIGHT**

259/24 **RESOLVED**

**Cr De Luca / Cr Bingham**

That:

1. In view of the advice from the Geographical Names Board, regrettably Council not proceed with the proposal to name a lookout at Fairlight the 'Jean Hay AM Lookout'.
2. In recognition of Jean Hay AM's decades of service to the community, Council name the North Steyne Playground, the 'Jean Hay AM Playground' consistent with Council's Naming our Reserves, Facilities and Roads Policy.
3. Council agree no further consultation is deemed necessary as the general feelings of the community have already been noted in recognising Jean Hay's contribution to Manly.

**VOTING**

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

**AGAINST:** Cr Hrnjak and Cr Glanville

**CARRIED**

**11.4 2024/25 ENVIRONMENTAL GRANTS PROGRAM - FUNDING RECOMMENDATIONS**

260/24 **RESOLVED**

**Cr Glanville / Cr Harvey**

That Council:

1. Pursuant to section 356 of the *Local Government Act 1993*, approve the allocation of \$36,524 (ex GST) under the 2024/25 Environmental Grants Program as set out in Table 1 of Attachment 1 of this report.
2. Waive the limitation on awarding funding to one project per applicant in this instance.
3. Pursuant to section 356 of the *Local Government Act 1993*, approve the allocation of

\$10,000 (excluding GST) as set out in Table 2 of Attachment 1 of this report.

**VOTING**

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

**AGAINST:** Cr Robins, Cr Williams and Cr Grattan

**CARRIED**

## **12.0 PLANNING AND PLACE DIVISION REPORTS**

### **12.2 OUTCOME OF PUBLIC EXHIBITION - NORTHERN BEACHES SECTION 7.12 CONTRIBUTION PLAN 2024**

261/24 **RESOLVED**

**Cr Glanville / Cr Hrnjak**

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Section 7.12 Contributions Plan 2024.
2. Approve the final Northern Beaches Section 7.12 Contributions Plan 2024 (in Attachment 1) and provide a copy of the adopted plan to the Minister.
3. Publish a notice of this decision on Council's website.

**VOTING**

**FOR:** Unanimous

**CARRIED**

## **14.0 NOTICES OF MOTION**

### **14.1 NOTICE OF MOTION NO 24/2024 - CATS AND DOGS**

262/24 **RESOLVED**

**Cr Glanville / Cr Hrnjak**

That Council write to the NSW Minister for Local Government calling for amendments to the *Companion Animals Act 1998* ensuring that responsibilities for the control of cats are strengthened to more closely align with the responsibilities of dog owners, including to address the problem of roaming cats killing native wildlife.

**VOTING**

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

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

**CARRIED**

**14.2 NOTICE OF MOTION NO 25/2024 - TRUCK EXHAUST BRAKE RESTRICTIONS AT FRENCHS FOREST**

263/24 **RESOLVED**

***Cr Hrnjak / Cr De Luca***

That Council write to Transport for NSW bringing its attention to the acoustic impacts caused to residential amenity from heavy vehicle engine compression brake noise in the vicinity of the Warringah Road bypass at Frenchs Forest and request the installation of appropriate signage on the roadway to remind heavy vehicle drivers to reduce compression brake noise.

**VOTING**

**FOR:** Cr Robins, Cr Williams, Cr Hrnjak, Cr Glanville, Cr Harvey, Cr Bingham, Cr Giltinan, Cr De Luca, Cr Singh and Cr Dillon

**AGAINST:** Cr Hackman, Cr Beaugeard, Cr Grattan and Cr Heins

***CARRIED***

**14.3 NOTICE OF MOTION NO 29/2024 - URBAN GREENING OF THE NORTHERN BEACHES**

264/24 **RESOLVED**

***Cr Hrnjak / Cr De Luca***

That Council:

1. Note its previous Council Resolutions 220/21 and 062/24 regarding increasing planting on or adjacent to our main roads, and in particular Warringah Road.
2. Write to our local State Members of Parliament, and the Secretary of Transport for NSW attaching the 2 resolutions referred to in Item 1 and requesting their assistance in accelerating action on those matters.

**VOTING**

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

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

***CARRIED***

**14.4 NOTICE OF MOTION NO 34/2024 - SMART STREET TREE MANAGEMENT**

265/24 **RESOLVED**

***Cr Hrnjak / Cr De Luca***

That Council:

1. Review the potential costs and impacts associated with succession planting of endemic trees for replacement of non-endemic species that have high seed drop rates on public land on the Northern Beaches.

2. Provide a briefing to Councillors within 6 months.

**VOTING**

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

**AGAINST:** Cr Bingham

**CARRIED**

**14.6 MATTER OF URGENCY - PATYEGARANG PLANNING PROPOSAL**

266/24 **RESOLVED**

**Cr Glanville / Cr Hackman**

That Council:

1. Note the response to the Question with Notice from Matt Cross, MP provided on 12 September 2024 regarding the current status of the Lizard Rock or Patyegarang proposal.
2. Provide Councillors with a briefing note update on the current status of the proposal, and preparation for any public hearing.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**16.0 RESPONSES TO QUESTIONS**

**16.1 RESPONSE TO QUESTION WITH NOTICE NO 5/2024 - INCREASED TENNIS COACHING FEES**

*NOTE: Councillor Giltinan asked a question in relation to this item*

**17.0 CONFIDENTIAL MATTERS – CLOSED SESSION**

267/24 **RESOLVED**

**Cr Robins / Cr Williams**

That:

1. In accordance with the requirements of section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
  - A. Item 17.1 Proposed Acquisition of Land in Frenchs Forest for Open Space Purposes 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*];

and commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council [10A(2)(d(ii)) *Local Government Act 1993*].

This report discusses/provides advice concerning a proposed commercial transaction. 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 potentially provide a commercial advantage to another party who Council is conducting business with or one of its competitors.

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:** Unanimous

**CARRIED**

*NOTE: The meeting moved into closed session at 7.59pm*

## **18.0 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*

### **17.1 PROPOSED ACQUISITION OF LAND IN FRENCHS FOREST FOR OPEN SPACE PURPOSES**

268/24 **RESOLVED**

**Cr Grattan / Cr Hrnjak**

That Council:

1. Authorise the purchase of the property identified in this report for an approved price in accordance with Council's policies, for the purposes of providing open space under and in accordance with the Frenchs Forest Town Centre Section 7.11 Contributions Plan (s7.11 Plan).
2. Authorise the funding of the purchase of the property from the Northern Beaches Section 7.12 Development Contributions Plan (s7.12 Plan) Financial Reserve pursuant to the pooling provisions of both the s7.11 Plan and the s7.12 Plan, and the *Environmental Planning and Assessment (Local Infrastructure Contributions – Pooling of Contributions) Direction 2009*, to be repaid (with the applicable interest) following collection of sufficient contribution funds from the s7.11 Plan.
3. Following the proposed acquisition, give public notice in accordance with the *Local Government Act 1993* of the proposal that the land be classified as Operational Land under the *Local Government Act 1993* and report back to Council to determine the proposed classification following the public notification.
4. Delegate authority to the Chief Executive Officer to execute all necessary documentation and take all necessary actions to give effect to this resolution.



**VOTING**

**FOR:** Unanimous

**CARRIED**

**PROCEDURAL MOTION – RESUME IN OPEN SESSION**

269/24 **RESOLVED**

**Cr Robins / Cr Williams**

That Council resume in open session.

**VOTING**

**FOR:** Unanimous

**CARRIED**

*NOTE: The meeting resumed in open session at 8.11pm*

*The meeting concluded at 8.12pm*

This is the final page of the minutes comprising 17 pages numbered 1 to 17 of the Northern Beaches Council Meeting held on Tuesday 15 October 2024 and confirmed on Tuesday 12 November 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive Officer