



northern
beaches
council

MINUTES

NORTHERN BEACHES COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 12 NOVEMBER 2024

Minutes of the Northern Beaches Council Meeting
held on Tuesday 12 November 2024
at the Civic Centre, Dee Why
Commencing at 6.00pm

ATTENDANCE:

Councillors

Sue Heins (Mayor)
Ruth Robins (Deputy Mayor)
Jody Williams
Ethan Hrnjak
Joeline Hackman
Nicholas Beaugeard
Kristyn Glanville
Bonnie Harvey
Sarah Grattan – *left the meeting at 9:59pm*
Candy Bingham
Bob Giltinan OAM JP
Vincent De Luca OAM
Mandeep Singh JP– *left the meeting at 11:10pm*
Rowie Dillon
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
Caroline Foley	Chief Financial Officer
Eskil Julliard	General Counsel
Mal McDonald	Executive Manager Strategic & Place Planning
Azmeena Kelly	Executive Manager Environmental Compliance
Russell Peake	Acting Executive Manager Community, Arts & Culture
Eva Havenstein	Executive Manager Capital Projects
Kristie Debney	Executive Manager Property, Buildings & Beach Services
Michael McDermid	Manager Corporate Strategy
Sarah Dunstan	Executive Manager Governance & Risk
Lesley Milbourne	Manager Governance
Lauren Reti	Senior Advisor - Governance
Dylan Buckley	Service Desk Analyst
Max Alexander	Service Delivery Analyst

Notes

The meeting commenced at 6:00pm, adjourned at 8:12pm, resumed at 8:22pm, moved into closed session at 10:45pm, resumed in open session at 11:32pm and concluded at 11:34pm

Table of Contents

1.0	Acknowledgement of Country	4
2.0	Apologies and Applications for Leave of Absence and Remote Attendance	4
3.0	Confirmation of Minutes	4
4.0	Disclosures of Interest	4
5.0	Public Forum and Public Address	4
6.0	Items Resolved by Exception	6
9.4	Monthly Investment Report - September 2024.....	6
9.6	Delegated authority to Mayor over Christmas and New Year Recess 2024-25.....	6
9.7	Submission to Office of Local Government on councillor conduct and meeting practices	6
9.8	Code of Conduct Complaint Statistics	7
9.9	Audit Risk and Improvement Committee Confirmed Minutes - 11 June 2024	7
14.1	Notice of Motion No 38/2024 - Restoration of Bushland	7
14.2	Notice of Motion No 39/2024 - Outdoor Balloon Ban	8
	<i>Change to order of business</i>	8
14.3	Notice of Motion No 40/2024 - Vale Pru Wawn.....	9
12.2	Planning Proposal for 29-31 Moore Road & 64 Undercliff Road, Freshwater (PEX2024/0005).....	9
13.1	Curl Curl to Freshwater Connectivity and Streetscape Upgrade Project	10
	<i>Return to order of business</i>	11
9.0	Corporate Services Division Reports	11
9.1	Annual Report and Financial Statements 2023/24.....	11
9.2	Quarterly Review - September 2024.....	11
9.3	Special Variation to rates - Community Engagement.....	12
9.5	Review and revocation of various policies	14
10.0	Community and Recreation Division Reports	15
10.1	Response to Notice of Motion No 8/2024 - Graffiti Taskforce/Working Group.....	15
12.0	Planning and Place Division Reports	16
12.1	Response to Notice of Motion No 23/2024 - boat and trailer parking in residential and industrial streets	16
18.0	Confidential Matters – Closed Session	17
19.0	Report of Confidential Resolutions	18
17.1	Direct Service Delivery	18
17.2	Audit, Risk and Improvement Committee - Recruitment	18
17.3	RFT 2024/088 - Design and Construct Newport Beach to Bilgola Beach Coast Walk.....	19
17.4	RFT 2024/061 - Lease of Bilgola Beach Cafe.....	19

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

Nil

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE ORDINARY NORTHERN BEACHES COUNCIL MEETING HELD ON 15 OCTOBER 2024

270/24 RESOLVED

Cr Hrnjak / Cr Giltinan

That the minutes of the Ordinary Northern Beaches Council Meeting held on 15 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 Singh declared a pecuniary interest in relation to item 17.4 RFT 2024/061 – Lease of Bilgola Beach Cafe and item 9.5 Review and revocation of various policies and will leave the meeting for the discussion and voting on the items. The reason provided was:

“The business I own tendered for the Bilgola Beach Cafe lease outlined in 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

- Rosemary Marshall addressed Council on Forest of the Fallen on the Northern Beaches.
- Anna Maria Monticelli addressed Council on the trial of dogs off leash at Barrenjoey Headland.
- Mark Horton addressed Council on the Mona Vale Place Plan.
- John Jenkins addressed Council on naming of a reserve at Careel Bay.
- Georgia Ryburn addressed Council on Council matters and key issues.
- Doug Price addressed Council on film production on the Northern Beaches.
- Douglas Rennie, on behalf of the Liberty Alliance Network, addressed Council on the serious health concerns related to synthetic DNA contamination.

- Juliette Moore addressed Council on the design and construction of the Newport Beach to Bilgola Coast Walk.
- Peter Middleton, on behalf of the Newport Residents Association, addressed Council on the design and construction of the Newport Beach to Bilgola Coast Walk.
- Ashton Davies addressed Council on the Manly Surf Life Saving Club.

5.2 PUBLIC ADDRESS

Item 10.1 Response to Notice of Motion No 8/2024 - Graffiti Taskforce/Working Group

- Mark Horton addressed Council against this item.
- Karina Page addressed Council against this item.

Item 12.1 Response to Notice of Motion No 23/2024 - Boat and Trailer Parking in Residential and Industrial Streets

- Karina Page addressed Council against this item.

Item 12.2 Planning Proposal for 29-31 Moore Road & 64 Undercliff Road, Freshwater (PEX2024/0005)

- Glenn Piper, on behalf of the Harbord Hotel, addressed Council in support of this item.
- Ashwin Field, on behalf of residents of Freshwater, addressed Council against this item.

PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME

271/24 RESOLVED

Cr Hrnjak / Cr De Luca

That Ashwin Field be granted an extension of one minute to address the meeting.

CARRIED

- Jordan Reizes addressed Council against this item.

Item 13.1 Curl Curl to Freshwater Connectivity and Streetscape Upgrade Project

- Susan Ealey addressed Council in support of this item.
- Paul Kelsey addressed Council against this item.

6.0 ITEMS RESOLVED BY EXCEPTION

272/24 RESOLVED

Cr Heins / Cr Robins

That items 9.4, 9.6, 9.7, 9.8, 9.9, 14.1 and 14.2 are dealt with by exception with the recommendations being adopted.

CARRIED

9.4 MONTHLY INVESTMENT REPORT - SEPTEMBER 2024

273/24 RESOLVED

Cr Heins / Cr Robins

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

RESOLVED BY EXCEPTION

9.6 DELEGATED AUTHORITY TO MAYOR OVER CHRISTMAS AND NEW YEAR RECESS 2024-25

274/24 RESOLVED

Cr Heins / Cr Robins

That:

1. Council, pursuant to section 377 of the *Local Government Act 1993*, delegate to the Mayor, the functions of Council during the 2024-25 Christmas and New Year recess (being 11 December 2024 to 26 January 2025 inclusive), subject to the limitation that the functions may only be exercised by the Mayor following consultation with the Chief Executive Officer.
2. A report be provided to the February 2025 Ordinary Council meeting outlining how the delegated authority was exercised.

RESOLVED BY EXCEPTION

9.7 SUBMISSION TO OFFICE OF LOCAL GOVERNMENT ON COUNCILLOR CONDUCT AND MEETING PRACTICES

275/24 RESOLVED

Cr Heins / Cr Robins

That Council endorse the submission provided at Attachment 1 for provision to the Office of Local Government by 15 November 2024.

RESOLVED BY EXCEPTION

9.8 CODE OF CONDUCT COMPLAINT STATISTICS

276/24 RESOLVED

Cr Heins / Cr Robins

That Council note the Code of Conduct complaint statistics for the period 1 September 2023 to 31 August 2024 in accordance with the Procedures for the Administration of the Northern Beaches Council Code of Conduct.

RESOLVED BY EXCEPTION

9.9 AUDIT RISK AND IMPROVEMENT COMMITTEE CONFIRMED MINUTES - 11 JUNE 2024

277/24 RESOLVED

Cr Heins / Cr Robins

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 11 June 2024.

RESOLVED BY EXCEPTION

14.1 NOTICE OF MOTION NO 38/2024 - RESTORATION OF BUSHLAND

278/24 RESOLVED

Cr Heins / Cr Robins

That Council:

1. Note the loss of 22ha of bushland as outlined in the State of our Region Report 2021-2024.
2. Reaffirm its commitment to protecting our tree canopy and bushland reserves.
3. Write to the relevant NSW Government Ministers requesting:
 - a. funding for the restoration or acquisition of at least 22ha of bushland on the Northern Beaches
 - b. that future infrastructure and development allows for the net retention of tree canopy and bushland on the Northern Beaches.
4. Request a further report to Council with the NSW Government response including alternative options if necessary to achieve the 22ha of restoration.

RESOLVED BY EXCEPTION

14.2 NOTICE OF MOTION NO 39/2024 - OUTDOOR BALLOON BAN

279/24 RESOLVED

Cr Heins / Cr Robins

That Council:

1. Note that Council's Waste Minimisation for Functions and Events Policy prohibits the sale and/or distribution of balloons at all public events and functions held on Council property and public open space.
2. Write to the Federal and NSW Environment Ministers:
 - a. outlining Northern Beaches' existing restrictions on balloons
 - b. requesting that State and Federal governments 'review the regulations on the sale and use of helium, especially relating to balloons; for them to educate the community on the harm of helium balloon releases; and ban the use of gas filled balloons on government-controlled land'.

RESOLVED BY EXCEPTION

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

280/24 RESOLVED

Cr Heins / Cr Hackman

That the order of business be changed so items 14.3, 12.2 and 13.1 be brought forward and dealt with immediately.

CARRIED

PROCEDURAL MOTION - MOTION

281/24 RESOLVED

Cr Glanville / Cr Hrnjak

That:

1. Council consider a motion of urgency in relation to the environmental value of land after item 17.4 in the closed session of the Council meeting.
2. In accordance with the requirements of section 10A(2)(c) of the *Local Government Act 1993* the motion is to be heard in closed session because the information would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 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 put Council at a competitive disadvantage preventing it from achieving the best outcome for the community.

CARRIED

14.3 NOTICE OF MOTION NO 40/2024 - VALE PRU WAWN

282/24 **RESOLVED**

Cr Korzy / Cr Glanville

That Council:

1. Acknowledge the significant contributions made by the late Pru Wawn to the Pittwater area and wider community through her work as a teacher, environmentalist and activist.
2. Express its condolences to Pru's family and friends, including her daughter Ruby and partner Scott, and the many groups of which she was a member.
3. Plant and maintain either a Spotted Gum Tree (*Corymbia maculata*) at Paradise Beach or a Swamp Mahogany (*Eucalyptus robusta*) at Clareville Beach, in Pru's honour.

VOTING

FOR: Unanimous

CARRIED

283/24 **RESOLVED - CR - EXTENSION OF TIME**

Cr De Luca / Cr Glanville

That Cr Korzy be granted an extension of 2 minutes to address the meeting.

CARRIED

12.2 PLANNING PROPOSAL FOR 29-31 MOORE ROAD & 64 UNDERCLIFF ROAD, FRESHWATER (PEX2024/0005)

Cr Williams / Cr Beugeard

That Council:

1. Endorse the planning proposal for 29-31 Moore Road (Harbord Hotel) and 64 Undercliff Road, Freshwater at Attachment 1 to this Report (Planning Proposal), and accompanying memo dated 12 November 2024 for forwarding to the Department of Planning, Housing and Infrastructure for a Gateway Determination under section 3.34 of the *Environmental Planning and Assessment Act 1979*.
2. Develop a site-specific development control plan for 29-31 Moore Road (Harbord Hotel) and 64 Undercliff Road, Freshwater (DCP).
3. Publicly exhibit the Planning Proposal in accordance with any Gateway Determination.
4. Publicly exhibit the draft DCP with the Planning Proposal.
5. Submitters to the consultation of the Planning Proposal be advised of Council's decision.

284/24 **RESOLVED - MOTION BE PUT**

Cr Robins

That the motion be now put.

CARRIED

Cr Williams / Cr Beugeard

That Council:

1. Endorse the planning proposal for 29-31 Moore Road (Harbord Hotel) and 64 Undercliff Road, Freshwater at Attachment 1 to this Report (Planning Proposal), and accompanying memo dated 12 November 2024 for forwarding to the Department of Planning, Housing and Infrastructure for a Gateway Determination under section 3.34 of the *Environmental Planning and Assessment Act 1979*.
2. Develop a site-specific development control plan for 29-31 Moore Road (Harbord Hotel) and 64 Undercliff Road, Freshwater (DCP).
3. Publicly exhibit the Planning Proposal in accordance with any Gateway Determination.
4. Publicly exhibit the draft DCP with the Planning Proposal.
5. Submitters to the consultation of the Planning Proposal be advised of Council's decision.

VOTING

FOR: Cr Robins, Cr Williams, Cr Beugeard, Cr Grattan, Cr Bingham, Cr Dillon and Cr Heins

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

LOST

PROCEDURAL MOTION - ADJOURN THE MEETING

285/24 **RESOLVED**

Cr Bingham / Cr Grattan

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

CARRIED

NOTE: The meeting was adjourned at 8:12pm and resumed at 8:22pm

13.1 CURL CURL TO FRESHWATER CONNECTIVITY AND STREETScape UPGRADE PROJECT

286/24 **RESOLVED**

Cr Beugeard / Cr Grattan

That Council:

1. Note the outcomes of consultation with Transport for NSW and independent technical reviews undertaken by Urbis and Arcadis.
2. Endorse the revised design (Attachment 1) for the Curl Curl to Freshwater Connectivity and Streetscape Upgrade Project to proceed to delivery phase with the staging of works being subject to appropriate grant funding being available. The approved design is to include:
 - a. signage to promote safe rider and pedestrian behaviour at locations where the separated cycleway joins the pedestrian footpath, becoming a Shared User Path section

- b. pavement markings at bus stops as advanced warning of pedestrians at these locations
 - c. pavement markings to indicate areas of increased pedestrian activity.
3. Continue to progress the current project, in partnership with Transport for NSW through the Safer Neighbourhoods program, investigating the ability to reduce traffic speeds in the local area, with next steps being preparing a design for community consultation, subject to appropriate funding and relevant approvals.
 4. Consider introduction of 'no parking, motor vehicles excepted' along the length of the cycleway to compensate for loss of on-street parking for residents.

VOTING

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

AGAINST: Cr De Luca

CARRIED

9.0 CORPORATE SERVICES DIVISION REPORTS

9.1 ANNUAL REPORT AND FINANCIAL STATEMENTS 2023/24

287/24 **RESOLVED**

Cr Robins / Cr Bingham

That:

1. The Annual Report 2023/24 including the audited Financial Statements and the auditor's reports be noted and posted on Council's website and provided to the Minister for Local Government.
2. The audited Financial Statements and the auditor's reports for the 2023/24 financial year are hereby received.

VOTING

FOR: Unanimous

CARRIED

9.2 QUARTERLY REVIEW - SEPTEMBER 2024

288/24 **RESOLVED**

Cr Korzy / Cr Grattan

That Council:

1. Note the Quarterly Report on Service Performance for the period ended September 2024.
2. Note the September 2024 Quarterly Budget Review Statement.
3. Approve the changes to the Current Forecast in the September 2024 Quarterly Budget Review Statement, including:
 - a. an increase in the forecast surplus from continuing operations, which includes capital grants and contributions, of \$6.661 million to \$34.317 million

- b. an increase in Capital Expenditure of \$6.030 million to \$113.788 million.
- 4. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended September 2024.

VOTING

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

AGAINST: Cr Glanville

CARRIED

9.3 SPECIAL VARIATION TO RATES - COMMUNITY ENGAGEMENT

Cr De Luca / Cr Giltinan

That Council:

1. Approve community engagement to be undertaken between mid-November 2024 and mid-January 2025 on proposed options for a Special Variation to rates.
2. Endorse community engagement on the below options for a Special Variation to rates:
 - a. Option 1 Reduce service - Rate peg only (current path)
 - b. Option 2 Maintain service - Rate peg + 6% pa over 3 years
 - c. Option 3 Improve service - Rate peg + 8.3% pa over 2 years and 8.4% in year 3
 - d. Option 4 Increase service - Rate peg + 10% pa over 3 years.
3. Endorse the Community Engagement Plan.
4. Endorse the Delivery Program 2024-2028 and Operational Plan 2024/25 draft Addendums for options of a Special Variation to rates and revised Long-Term Financial Plan 2024-2034 for public exhibition during the community engagement period.
5. Note that the outcomes of the community engagement process will be reported to Council at an extraordinary meeting to be held in January 2025, with Council to determine whether an application should be submitted to IPART to apply for a Special Variation to rates to support Council's financial sustainability.
6. Note:
 - a. that the community consultation prior to Council's adoption of the last Budget and Delivery Plan revealed that the highest number of (public) submissions, 31, received opposed the proposed 4.9% rate increase and most suggested ways of balancing the budget included Council reducing its own expenditure by cutting projects, looking at the organisation structure and focusing on core business
 - b. the 2024/25 Events budget (excluding staff costs, general equipment, insurance and music licences) is \$1,657,837
 - c. the 2024/25 Arts & Culture budget is \$1,157,020
 - d. the 2024/25 Community Grants budget is \$1,909,276, which includes \$310,000 in grants under the Arts & Creativity and Events budgets
 - e. the 2024/25 Marketing & Communications budget is \$1,552,091
 - f. the budget for the 110.6 management FTE positions is \$25.2 million and 39% of the

2024/25 Operating Expenditure budget is for all employee benefits and oncosts (excluding Kimbriki's staff costs)

- g. the budget for vehicles allocated to staff in 2024/25 is \$3.3 million
 - h. that in 2023/24 Council collected: \$2.2 million in Stormwater Charges but expended \$11.6 million and \$1.1 million was collected in Sporting User Fees, but \$13.2 million was expended for the maintenance of sports fields, excluding capital renewal and upgrades.
7. In view of the matters raised in 6 above, the Chief Executive Officer be requested to furnish a report to the Extraordinary Meeting in January 2025 addressing:
- a. Council's current management and staff structure, staff salaries and oncosts and any possible reforms and savings that could be implemented.
 - b. Council's Vehicle Pool, and whether novated leases for staff vehicles can be introduced instead of Council expending rate-payers' money on such vehicles for cost saving purposes.
 - c. what Council assets/land can be either repurposed, leased or sold for public benefit or public/private partnerships entered into to deliver new infrastructure and services to the Northern Beaches community.
 - d. Council's Budgets for Fees, Events, Grants, Marketing & Communications and other expenditure and possible savings.

VOTING

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

AGAINST: Cr Robins, Cr Williams, Cr Hackman, Cr Beugeard, Cr Grattan, Cr Bingham, Cr Dillon and Cr Heins

LOST

THE MOTION WAS LOST AND DEBATE RESUMED ON THE FORESHADOWED MOTION

FORESHADOWED MOTION

Cr Bingham / Cr Grattan

That Council:

1. Approve community engagement to be undertaken between mid-November 2024 and mid January 2025 on proposed options for a Special Variation to rates.
2. Endorse community engagement on the below options for a Special Variation to rates:
 - a. Option 1 Reduce service - Rate peg only (current path)
 - b. Option 2 Maintain service - Rate peg + 6% pa over 3 years
 - c. Option 3 Improve service - Rate peg + 8.3% pa over 2 years and 8.4% in year 3
 - d. Option 4 Increase service - Rate peg + 10% pa over 3 years.
3. Endorse the Community Engagement Plan.
4. Endorse the Delivery Program 2024-2028 and Operational Plan 2024/25 draft Addendums for options of a Special Variation to rates and revised Long-Term Financial Plan 2024-2034 for public exhibition during the community engagement period.
5. Note that the outcomes of the community engagement process will be reported to Council at an extraordinary meeting to be held in January 2025, with Council to determine whether an application should be submitted to IPART to apply for a Special Variation to rates to support Council's financial sustainability.

MOTION BE PUT

Cr Robins

That the motion be now put.

LOST

289/24 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Approve community engagement to be undertaken between mid-November 2024 and mid January 2025 on proposed options for a Special Variation to rates.
2. Endorse community engagement on the below options for a Special Variation to rates:
 - a. Option 1 Reduce service - Rate peg only (current path)
 - b. Option 2 Maintain service - Rate peg + 6% pa over 3 years
 - c. Option 3 Improve service - Rate peg + 8.3% pa over 2 years and 8.4% in year 3
 - d. Option 4 Increase service - Rate peg + 10% pa over 3 years.
3. Endorse the Community Engagement Plan.
4. Endorse the Delivery Program 2024-2028 and Operational Plan 2024/25 draft Addendums for options of a Special Variation to rates and revised Long-Term Financial Plan 2024-2034 for public exhibition during the community engagement period.
5. Note that the outcomes of the community engagement process will be reported to Council at an extraordinary meeting to be held in January 2025, with Council to determine whether an application should be submitted to IPART to apply for a Special Variation to rates to support Council's financial sustainability.

VOTING

FOR: Cr Robins, Cr Williams, Cr Hackman, Cr Beugeard, Cr Grattan, Cr Bingham, Cr Dillon, Cr Korzy and Cr Heins

AGAINST: Cr Hrnjak, Cr Glanville, Cr Harvey, Cr Giltinan, Cr De Luca and Cr Singh

CARRIED

9.5 REVIEW AND REVOCATION OF VARIOUS POLICIES

NOTE: Councillor Singh left the chamber for this item due to a disclosure of interest

NOTE: Councillor Grattan left the meeting at 9.59pm

290/24 **RESOLVED**

Cr Korzy / Cr Williams

That Council:

1. Adopt the draft Complaints Resolution Policy.
2. Adopt the draft Internal Audit Charter.
3. Adopt the Outdoor Dining and Footpath Merchandise Policy.
4. Revoke the:

- a. Development / Construction Security Deposit Policy
 - b. Placing of Hoardings and Scaffolding at Construction or Demolition Sites Policy
 - c. Beach and Rockpool Management Policy (former Pittwater)
 - d. Commercial use of Beaches, Reserves and Buildings/Facilities in Warringah Policy (former Warringah)
5. Defer the Moveable Heritage Policy to a future briefing.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan and Cr Singh

CARRIED

10.0 COMMUNITY AND RECREATION DIVISION REPORTS

10.1 RESPONSE TO NOTICE OF MOTION NO 8/2024 - GRAFFITI TASKFORCE/WORKING GROUP

NOTE: Councillor Singh returned to the chamber at 10.17pm

291/24 **RESOLVED**

Cr Glanville / Cr Hrnjak

That Council:

1. Note the report.
2. Request that the Community Safety Committee include graffiti related issues as a standing item.
3. Request the Community Safety Committee to consider establishing a sub committee for graffiti related matters.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan

CARRIED

12.0 PLANNING AND PLACE DIVISION REPORTS

12.1 RESPONSE TO NOTICE OF MOTION NO 23/2024 - BOAT AND TRAILER PARKING IN RESIDENTIAL AND INDUSTRIAL STREETS

292/24 RESOLVED

Cr De Luca / Cr Giltinan

That Council:

1. Take immediate action to address the parking of boats, trailers and caravans
 - a. Request Council's Chief Executive Officer to develop a targeted action plan within 6 months to address the long-term parking of boats, caravans, trailers and other large vehicles on residential and industrial streets. This plan should include:
 - i. a detailed strategy for enforcing existing parking restrictions and the *Public Spaces (Unattended Property) Act 2021*, with increased monitoring and patrols in known hotspot areas
 - ii. the identification of specific streets or zones where designated parking areas for boats, caravans and trailers can be introduced, in consultation with local residents and businesses, with a priority given to high-demand areas such as Bayview and North Manly
 - iii. development of a targeted education campaign focused on raising awareness about appropriate storage for boats, caravans and trailers, as well as responsible parking, particularly in hotspot areas.
2. Investigate funding and resources for a comprehensive solution
 - a. Request Council's Chief Executive Officer to prepare a budget proposal for the necessary funding and resources to support the implementation of the above action plan, including additional ranger patrols, public signage and community outreach programs. This proposal should be presented to Council for approval within the next 6 months.
 - b. Investigate the feasibility of introducing a paid parking permit system for the storage of boats, caravans and trailers in identified areas, with revenue to support the ongoing management and maintenance of parking solutions.
3. Advocate for legislative change
 - a. Following the completion of the action plan, Council write to all State Members of Parliament representing the Northern Beaches, lobbying for legislative changes that would enable Council to develop and enforce more robust rules for managing the parking of boats, caravans, trailers and large vehicles in residential and industrial areas, ensuring these rules align with the needs of our residents and businesses.

VOTING

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

AGAINST: Cr Beaugeard

ABSENT: Cr Grattan

CARRIED

PROCEDURAL MOTION - EXTENSION OF MEETING

293/24 RESOLVED

Cr Robins / Cr Bingham

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

CARRIED

17.0 CONFIDENTIAL MATTERS – CLOSED SESSION

294/24 RESOLVED

Cr Robins / Cr Giltinan

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 Direct Service Delivery 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*].
 - B. Item 17.2 Audit, Risk and Improvement Committee - Recruitment 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 personnel matters.
 - C. Item 17.3 RFT 2024/088 - Design and Construct Newport Beach to Bilgola Beach Coast Walk on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].
This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - D. Item 17.4 RFT 2024/061 - Lease of Bilgola Beach Cafe on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].
This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
2. The resolutions passed by Council in closed session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

NOTE: The meeting moved into closed session at 10:45pm

CARRIED

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 DIRECT SERVICE DELIVERY

295/24 RESOLVED

Cr Bingham / Cr Robins

That Council:

1. Endorse negotiations to commence as detailed in the report.
2. Delegate to the Chief Executive Officer the authority to do all things necessary to give effect to this resolution.

VOTING

FOR: Cr Robins, Cr Williams, Cr Beugeard, Cr Bingham, Cr Giltinan, Cr Singh, Cr Dillon and Cr Heins

AGAINST: Cr Hrnjak, Cr Hackman, Cr Glanville, Cr Harvey, Cr De Luca and Cr Korzy

ABSENT: Cr Grattan

CARRIED

17.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE - RECRUITMENT

296/24 RESOLVED

Cr Robins / Cr De Luca

That:

1. Council endorse a recruitment panel to assess and evaluate the expressions of interest for independent membership of the Audit, Risk and Improvement Committee, and provide recommendations to Council.
2. The recruitment panel is to comprise the Chief Executive Officer (or delegate), the Chair of the Audit, Risk and Improvement Committee and Councillor Robins.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan

CARRIED

17.3 RFT 2024/088 - DESIGN AND CONSTRUCT NEWPORT BEACH TO BILGOLA BEACH COAST WALK

297/24 **RESOLVED**

Cr Korzy / Cr Dillon

That Council:

1. Accept the tender of Bedrule Pty Ltd T/A Tobco for RFT 2024/088 – Design and Construct Newport Beach to Bilgola Beach Coast Walk for the sum of \$2,489,406 excluding GST.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan

CARRIED

17.4 RFT 2024/061 - LEASE OF BILGOLA BEACH CAFE

NOTE: Councillor Singh left the chamber for this item due to a disclosure of interest

298/24 **RESOLVED**

Cr Korzy / Cr Giltinan

That Council:

1. Accept the tender received for RFT2024/061 – Lease of Bilgola Beach Cafe at 400 Barrenjoey Road, Bilgola Beach from Zubi 3 Pty Ltd trading as Zubi at Billy’s (ABN 60 615 307 689), at \$60,000 per annum (excl. GST), subject to annual CPI rent adjustments and 1% of turnover above \$500,000, for an initial 5-year term, with a 5-year extension option at the lessee’s discretion.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan and Cr Singh

CARRIED

PROCEDURAL MOTION - 1 MOTION OF URGENCY

001/24 **RESOLVED**

Cr Glanville / Cr Hrnjak

That as a matter of urgency Council consider a motion in relation to the environmental value of land in Brookvale.

VOTING

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

AGAINST: Nil

ABSENT: Cr Grattan and Cr Singh

CARRIED

PROCEDURAL MOTION – RESUME IN OPEN SESSION

300/24 **RESOLVED**

Cr Robins / Cr Bingham

That Council resume in open session.

CARRIED

NOTE: The meeting resumed in open session at 11:32pm

The meeting concluded at 11:34pm

This is the final page of the minutes comprising 20 pages numbered 1 to 20 of the Northern Beaches Council Meeting held on Tuesday 12 November 2024 and confirmed on Tuesday 10 December 2024

Mayor

Chief Executive Officer