



northern
beaches
council

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 22 NOVEMBER 2022

Minutes of an Ordinary Council Meeting
held on Tuesday 22 November 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm

ATTENDANCE:

Councillors

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

Ray Brownlee PSM	Chief Executive Officer
Jeff Smith	Director Corporate and Legal
David Kerr	Director Community and Belonging
Todd Dickinson	Director Environment and Sustainability
Jorde Frangoples	Director Transport and Assets
Karen Twitchett	Director Workforce and Technology
Louise Kerr	Director Planning and Place (<i>except for Item 12.2</i>)
Andrew Pigott	Executive Manager, Strategic and Place Planning
Kylie Walshe	Executive Manager, Community, Arts and Culture
Andrew Ward Harvey	Executive Manager, Waste Management and Cleansing
Steve Lawler	Executive Manager, Parks and Recreation
Campbell Pfeiffer	Executive Manager, Property
Sarah Dunstan	Executive Manager Governance and Risk
Lesley Milbourne	Manager Governance
Claudia Brodtke	Senior Advisor Governance
Chris Netting	Information Management Technology Officer
Brendan Shaw	Information Management Technology Officer

Notes

The meeting commenced at 6:00pm, adjourned at 8:05pm, resumed at 8:15pm, moved into closed session at 9:57pm, resumed in open session at 10:14pm and concluded at 11:35pm

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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 and present

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

Nil

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 18 OCTOBER 2022

334/22 **RESOLVED**

Cr Crvelin / Cr Bingham

That the minutes of the Ordinary Council Meeting held 18 October 2022, 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

- Councillor Sprott declared a not significant non-pecuniary interest in relation to Item 11.1 and will leave the meeting for the discussion and voting on the item. The reason provided was:

'I am in the coffee business and use takeaway coffee cups in my business.'

- Councillor De Luca declared a not significant non-pecuniary interest in relation to Item 12.2 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

'I know Cr Yvonne Weldon (member of the Metropolitan Local Aboriginal Lands Council) through her capacity as a Councillor of the City of Sydney Council and board member of Domestic Violence NSW. My impartiality is not affected.'

- Councillor De Luca declared a not significant non-pecuniary interest in relation to Item 13.1 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

'I have known Mr Martin Green and the Green family through both local government and sporting organisations for several years. My impartiality is not adversely affected.'

- Councillor Walton declared a not significant non-pecuniary interest in relation to Item 13.1 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

'I have known Mr Brian Green for a number of years and through a number of organisations.'

- Councillor Bingham declared a not significant non-pecuniary interest in relation to Item 13.7 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

'I am patron of Manly Croquet Club.'

- Councillor Regan declared a not significant non-pecuniary interest in relation to Item 13.7 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

'I am patron of Manly Cricket Club and the Shires Cricket.'

- Councillor Sprott declared a not significant non-pecuniary interest in relation to Item 13.9 and will leave the meeting for the discussion and voting on the item. The reason provided was:

'I have a friend who may be interested in the lease of the café at Avalon Surf Club.'

- Councillor Sprott declared a not significant non-pecuniary interest in relation to Item 18.2 and will leave the meeting for the discussion and voting on the item. The reason provided was:

'I went to school with the owner of Plateau Tree Service.'

- Councillor Amon declared a not significant non-pecuniary interest in relation to Item 18.2 and will remain in the meeting for the discussion and voting on the item. The reason provided was:

*I have a friendship with a director of one the successful tenderers.
It does not impact my impartiality.*

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

- Tereza Mensdorff-Pouilly addressed Council about regulations to privately own frog ponds in residential areas of the Northern Beaches.
- Ziv Pinco addressed Council about recycling in schools.
- Richard Hewitt addressed Council about the Manly Environment Centre.
- David Murray addressed Council about the best outcome for the future use of land at Mona Vale Police Station.
- Jacqueline Marlow addressed Council about owls in the Northern Beaches.

5.2 PUBLIC ADDRESS

Item 12.1 Public exhibition of the revised draft Brookvale Structure Plan

- Rachael Jackson addressed Council against this item.

Item 12.2 Planning proposal submission to the Department of Planning and Environment re Morgan Road, Belrose (Lizard Rock)

- David Wear addressed Council in support of this item.

PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME

335/22 **RESOLVED**

Cr Korzy / Cr Gencher

That David Wear be granted an extension of one minute to address the meeting.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Korzy, Cr Gencher, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Robins

AGAINST: Cr Bingham, Cr Amon, Cr Regan, Cr Heins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

CARRIED

- Sue Wright addressed Council in support of this item.

Item 13.1 Outcome of public exhibition – naming proposal – Brian Green Lookout, Curl Curl

- Martin Green addressed Council in support of this item.

PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME

336/22 **RESOLVED**

Cr Walton / Cr De Luca

That Martin Green be granted an extension of one minute to address the meeting.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Korzy, Cr Amon, Cr Regan, Cr De Luca, Cr Sprott, Cr Crvelin and Cr Menano-Pires

AGAINST: Cr Bingham, Cr Gencher, Cr Heins, Cr Robins, Cr Grattan and Cr Ryburn

CARRIED

Item 13.8 Proposed road reserve closure and sale of Council land adjoining 32 Watkins Road, Avalon Beach

- Dianne Ramsay addressed Council against this item.
- Susan Martin addressed Council against this item.

Item 15.9 Notice of Motion No 44/2022 – Arts and culture events action plan and fundraising strategy

- Penelope Philpott addressed Council in support of this item.
- Sue Boaden addressed Council in support of this item.

6.0 ITEMS RESOLVED BY EXCEPTION

NOTE: Councillor Sprott left the chamber at 6:57pm

337/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That:

1. Items 9.1, 9.3, 13.7, 13.9, 13.10 and 18.2 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors 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: Cr Glanville, Cr Walton, Cr Bingham, Cr Korzy, Cr Gencher, Cr Amon, Cr Regan, Cr Heins, Cr De Luca, Cr Crvelin, Cr Robins, Cr Menano-Pires, Cr Grattan and Cr Ryburn

ABSENT: Cr Sprott

CARRIED

9.1 QUARTERLY REVIEW - SEPTEMBER 2022

338/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council:

1. Note the September 2022 Quarterly Budget Review Statement.
2. Approve the following changes to the Current Forecast in the September 2022 Quarterly Budget Review Statement:
 - A. A decrease in the forecast surplus from Continuing Operations, which includes Capital Grants and Contributions, of \$3.019 million to \$42.569 million.
 - B. A decrease in capital expenditure by \$14.373 million to \$106.075 million.
3. In recognition of the extreme delays in the supply of operational plant and fleet, approve capital expenditure of \$3 million from the anticipated 2023/24 budget allocation to enable orders to be placed.
4. Note the Quarterly Report on Service Performance for the period ended 30 September 2022.
5. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended 30 September 2022.

RESOLVED BY EXCEPTION

9.3 MONTHLY INVESTMENT REPORT - OCTOBER 2022

339/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council note the Investment Report as at 31 October 2022, including the certification by the Responsible Accounting Officer.

RESOLVED BY EXCEPTION

13.7 SPORT AND RECREATION INFRASTRUCTURE GRANTS PROGRAM 2022/2023

340/22 RESOLVED

Cr Grattan / Cr Ryburn

That pursuant to Section 356 of the *Local Government Act 1993* Council approve the funding of these projects through the 2022/2023 Sport and Recreation Infrastructure Grants Program:

1. Manly Warringah District Cricket Club; to remove the two existing junior cricket wickets and to install three new junior cricket wickets at Seaforth Oval - \$50,000.
2. Forest Hills Pony Club; to upgrade existing obstacles and install new obstacles at the cross country equestrian course at the JJ Melbourne Hills Memorial Reserve, Terrey Hills - \$16,315.
3. Manly Croquet Club; to install a new reverse cycle air conditioning system in the Manly Croquet Club building at Keirle Park, Manly - \$13,685.
4. Beacon Hill Youth Club (Beacon Hill Football Club); contribution towards the installation of a new awning and a kitchen upgrade for the club house building at Beacon Hill Reserve, Beacon Hill - \$10,000.
5. Bareena Park Tennis Club; contribution towards the resurfacing of tennis courts at the Bareena Park Tennis Complex, Balgowlah Heights - \$10,000.

RESOLVED BY EXCEPTION

13.9 OUTCOME OF THE PUBLIC NOTICE FOR THE PROPOSED LEASE AND LICENCE OF A CAFE AND RESTAURANT AT AVALON BEACH SURF LIFE SAVING CLUB

341/22 RESOLVED

Cr Grattan / Cr Ryburn

That Council:

1. Note that it has considered all submissions in respect of the proposal to grant lease and licence agreements to fit out and operate the café and restaurant at Avalon Beach Surf Life Saving Club (over part of Lot 202 in DP 1107408) and endorse the position in relation to the objection received as set out in the report for this item.
2. Apply to the Minister for Local Government in accordance with section 47 of the *Local Government Act 1993* for consent to grant the lease and licence agreements for the café and restaurant.
3. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including execute all necessary documentation.

RESOLVED BY EXCEPTION

13.10 OUTCOME OF THE PUBLIC NOTICE FOR THE PROPOSED LEASE AT NORTH MANLY RECREATION SITE, DISTRICT PARK

342/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council:

1. Note the Council resolution of 23 August 2022 endorsing proceeding as a Public Private Partnership (PPP) and the appointment of Manly Warringah Gymnastics Club (ABN 149 1555 260 343) (MWGC) as the preferred counterparty for the PPP arising from EOI 2021/049 – Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, North.
2. Consider the submissions received in respect of the proposed lease and endorse the position in response to the objections received set out in the report for this item.
3. Apply to the Minister for Local Government in accordance with section 47 of the Local Government Act 1993 for consent to grant the proposed lease referred to in paragraph 4.
4. Subject to the consent of the Minister for Local Government, and the actions required under Council resolution of 23 August 2022 regarding this matter, enter into a lease of part of District Park, Manly Vale, known as Lot 5 DP 829465 (being part of Lot 2743 DP752038), for a term of up to 30 years.
5. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including execute all necessary documentation.

RESOLVED BY EXCEPTION

18.2 RFT 2022/059 - TREE MAINTENANCE SERVICES PANEL TENDER OUTCOME

343/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council:

1. Accept the tenders from the companies listed below for RFT 2022/059 –Tree Maintenance Services, for the period 1 February 2023 to 31 January 2026 with two 12-month options to extend the term at Council's discretion and subject to satisfactory performance.
 - A. Active Tree Services Pty Ltd
 - B. Aura Tree Services Pty Ltd
 - C. Forest Tree Service Pty Ltd
 - D. Plateau Tree Service Pty Limited
 - E. Sydney Arbor Trees Pty Limited
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.
3. Delegate authority to the Chief Executive Officer to exercise Council's option to extend the master agreements for up to two additional twelve-month periods.

RESOLVED BY EXCEPTION

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

NOTE: Councillor Sprott returned to the chamber at 6:59pm

344/22 **RESOLVED**

Cr Glanville / Cr Regan

That the order of business be changed so item 12.2 be brought forward and dealt with immediately.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION - MOTION OF URGENCY

345/22 **RESOLVED**

Cr Amon / Cr Walton

That as a matter of urgency Council consider a motion in relation to Wakehurst Parkway.

VOTING

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

AGAINST: Cr Glanville, Cr Korzy and Cr Grattan

CARRIED

12.2 PLANNING PROPOSAL SUBMISSION TO DPE - MORGAN ROAD, BELROSE (LIZARD ROCK)

NOTE: Louise Kerr, Director Planning and Place left the chamber for this item

346/22 **RESOLVED**

Cr Menano-Pires / Cr Heins

That Council forward the submission at Attachment 1 to this report to:

1. The Department of Planning and Environment for the consideration of the North District Strategic Planning Panel.
2. The Minister for Planning and Minister for Homes, all local Federal and State Members of Parliament, and seek a meeting between the Minister for Planning and the Mayor to discuss the submission.

VOTING

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

AGAINST: Cr De Luca

CARRIED

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 24/2022 - NORTHERN BEACHES COUNCIL - AR BLUETT MEMORIAL AWARD WINNERS - 2022

NOTE 1: Councillor Ryburn left the chamber at 7:34pm

NOTE 2: Councillor De Luca left the chamber at 7:35pm

347/22 RESOLVED

Cr Regan

That Council acknowledge and thank staff and volunteers, the CEO and Directors, the current Elected Council representatives and former 2021 elected representatives on being awarded the AR Bluett Memorial Award for 2022.

VOTING

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

ABSENT: Cr De Luca and Cr Ryburn

CARRIED

7.2 MAYORAL MINUTE NO 25/2022 - AUSGRID PROGRAM - CABLE BUNDLING TO PRESERVE OUR TREES

NOTE 1: Councillor De Luca returned to the chamber at 7:36pm

NOTE 2: Councillor Ryburn returned to the chamber at 7:38pm

348/22 RESOLVED

Cr Regan

That Council staff provide a briefing to Councillors within the next three months that outlines the issues and costs of participating in the Ausgrid's \$20million cable bundling program.

VOTING

FOR: Unanimous

CARRIED

9.0 CORPORATE AND LEGAL DIVISION REPORTS

9.2 MONTHLY INVESTMENT REPORT - SEPTEMBER 2022

NOTE: Councillor Sprott left the chamber at 7:39pm

349/22 **RESOLVED**

Cr Grattan / Cr Regan

That Council note the Investment Report as at 30 September 2022, including the certification by the Responsible Accounting Officer.

VOTING

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

ABSENT: Cr Sprott

CARRIED

9.4 OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT COMMUNITY ENGAGEMENT POLICY AND COMMUNITY ENGAGEMENT STRATEGY

NOTE: Councillor Sprott returned to the chamber at 7:43pm

350/22 **RESOLVED**

Cr Heins / Cr Amon

That Council:

1. Note the outcome of the public exhibition of the draft Community Engagement Policy and Strategy.
2. Adopt the final Community Engagement Policy and Strategy.
3. Continue to progress with actions to support the ongoing development and delivery of high-quality community engagement practice and report back the actions identified to a briefing.

VOTING

FOR: Unanimous

CARRIED

9.5 CHRISTMAS AND NEW YEAR RECESS 2022-23 - OPERATING HOURS AND COUNCIL DELEGATED AUTHORITY

NOTE: Councillor Sprott left the chamber at 7:44pm and returned at 7:46pm

351/22 **RESOLVED**

Cr Bingham / Cr Crvelin

That:

1. In the event that a decision needs to be made on urgent business (within the meaning of clause 4 of Council's Code of Meeting Practice) during the 2022-23 Christmas and New Year recess being 14 December 2022 to 31 January 2023 inclusive, the Mayor is to call an extraordinary meeting to enable such a decision to be made.
2. Council, pursuant and subject to the limitations of section 377 of the *Local Government Act 1993*, grant authority to the Mayor, to make decisions on urgent business (within the meaning of clause 4 of Council's Code of Meeting Practice) during the 2022-23 Christmas and New Year recess being 14 December 2022 to 31 January 2023 inclusive, in the event that a quorum cannot be achieved for any extraordinary meeting called during the 2022-23 Christmas and New Year recess.
3. The Mayor may exercise a function delegated pursuant to point 2 above, only after consultation with the Deputy Mayor and Chief Executive Officer.
4. A report be provided to the 28 February 2023 Council meeting outlining how the delegated authority was exercised.
5. Council approve the operating hours outlined in the table below:

Customer service centres	
Friday 23 December 2022	Closed
Monday 26 December 2022 (Public holiday)	Closed
Tuesday 27 December 2022 (Public holiday)	Closed
Wednesday 28 December – Friday 30 December 2022	Manly and Mona Vale Customer Service Centres normal hours 8.30am – 5.00pm Dee Why and Avalon Customer Service Centres closed. While branches are closed, all online and phone services are available as normal.
Monday 2 January 2023 (Public holiday)	Closed
Tuesday 3 January 2023	Normal operating hours resume
Aquatic Centres Warringah Aquatic Centre (WAC) & Manly Andrew Boy Charlton (MABC)	
Thursday 22 December 2022	WAC & MABC Normal hours 5.30am – 9.00pm
Friday 23 December 2022	WAC & MABC Normal hours 5.30am – 9.00pm
Saturday 24 December 2022	WAC Normal hours 7.00am – 6.00pm MABC Normal hours 6.00am – 7.00pm
Sunday 25 December 2022	WAC & MABC Closed
Monday 26 December 2022 (Public Holiday)	WAC 7.00am – 6.00pm

	MABC 6.00am – 7.00pm
Tuesday 27 December 2022 (Public Holiday)	WAC 7.00am – 6.00pm MABC 6.00am – 7.00pm
Wednesday 28 December 2022	WAC & MABC 5.30am – 9.00pm
Thursday 29 December 2022	WAC & MABC 5.30am – 9.00pm
Friday 30 December 2022	WAC & MABC 5.30am – 9.00pm
Saturday 31 December 2022	WAC Normal hours 7.00am – 6.00pm MABC Normal hours 6.00am – 7.00pm
Sunday 1 January 2023 (Public holiday)	WAC 7.00am – 6.00pm MABC 6.00am – 7.00pm
Monday 2 January 2023 (Public Holiday)	WAC 7.00am – 6.00pm MABC 6.00am – 7.00pm
Tuesday 3 January 2023	WAC & MABC 5.30am – 9.00pm
Library Services	
Friday 23 December 2022	Normal operating hours
Saturday 24 December 2022	Closed
Sunday 25 December 2022	Closed
Monday 26 December 2022 (Public holiday)	Closed
Tuesday 27 December 2022 (Public holiday)	Closed
Wednesday 28 December – Friday 30 December 2022	Dee Why, Manly and Mona Vale open with reduced hours 9-5pm Glen St, Warringah Mall and Forestville (including 24/7 access) closed
Saturday 31 December 2022	Dee Why, Manly and Mona Vale open with reduced hours 10-1pm Glen St, Warringah Mall and Forestville (including 24/7 access) closed
Sunday 1 January 2023	Closed
Monday 2 January 2023 (Public holiday)	Closed
Tuesday 3 January 2023	Normal operating hours resume
Other services	
All long day care operations	Closed from 24 December 2022 and reopen on 10 January 2023
Manly Community and North Harbour Pre-schools	Closed from 21 December 2022 and reopen on 30 January 2023
Vacation Care	All closed from 24 December 2022 Cromer and North Harbour open from 3 January 2023 Manly Vale opens from 9 January 2023
Manly Art Gallery and Museum	Open: Tuesdays to Sundays 10am – 5pm Closed: Mondays and Public Holidays

VOTING

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

AGAINST: Cr Menano-Pires

CARRIED

PROCEDURAL MOTION - ADJOURN THE MEETING

352/22 **RESOLVED**

Cr Regan / Cr Heins

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

VOTING

FOR: Unanimous

CARRIED

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

10.1 PUBLIC EXHIBITION OF THE DRAFT YOUTH VOICE ACTION PLAN 2028 - SHAPING THE BEACHES' FUTURE

NOTE: Councillor Crvelin left the chamber at 8:18pm and returned at 8:19pm

353/22 **RESOLVED**

Cr Robins / Cr Grattan

That:

1. The draft Youth Voice Action Plan 2028 – *Shaping the Beaches' Future* be placed on public exhibition from 1 December 2022 to 28 February 2023.
2. The outcome of the public exhibition be reported to Council.
3. Invite the Youth Steering Group and Youth Advisory Group to have the opportunity to discuss the plan with Councillors during the public exhibition period.
4. Ask the Youth Steering Group whether and how issues, such as cost of living and housing affordability might be further enhanced in the action plan.

VOTING

FOR: Unanimous

CARRIED

10.2 RESPONSE TO NOTICE OF MOTION 16/2019 - COMMUNITY HIRE OF MANLY TOWN HALL MEETING ROOMS

354/22 **RESOLVED**

Cr Bingham / Cr Ryburn

That:

1. The Manly Town Hall meeting rooms no longer be available for community hire due to:
 - A. Unavailability of rooms during business hours due to staff requirements
 - B. Unavailability of hire for private social events
 - C. The prohibitive cost due to the security staffing requirements.
2. The availability of public meeting rooms in Manly Library be promoted.

VOTING

FOR: Unanimous

CARRIED

10.3 DRAFT PUBLIC ART POLICY

NOTE: Councillor Glanville left the chamber at 8:40pm and returned at 8:41pm

Cr Korzy / Cr Glanville

That:

1. Council endorse the Draft Public Art Policy for public exhibition for a period of 28 days.
2. The outcomes of the public exhibition of the Draft Public Art Policy be reported to Council.
3. Staff establish an arts working group, to be set up while the Draft Public Arts Policy is on public exhibition, and draft terms of reference for the introduction of an arts strategic reference group. The working group should include local artists, musicians and writers as well as arts administrators and 3 councillors.

AMENDMENT

Cr Amon / Cr Ryburn

That:

1. Council endorse the Draft Public Art Policy for public exhibition for a period of 28 days.
2. The outcomes of the public exhibition of the Draft Public Art Policy be reported to Council.

VOTING

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

AGAINST: Cr Glanville, Cr Korzy and Cr De Luca

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

355/22 **RESOLVED**

Cr Amon / Cr Ryburn

Cr Amon / Cr Ryburn

That:

1. Council endorse the Draft Public Art Policy for public exhibition for a period of 28 days.
2. The outcomes of the public exhibition of the Draft Public Art Policy be reported to Council.

VOTING

FOR: Unanimous

CARRIED

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

11.1 RESPONSE TO NOTICE OF MOTION NO 39/2021 - RECYCLE TAKEAWAY COFFEE CUPS

NOTE 1: Councillor Sprott left the chamber due to a disclosure of interest at 8:50pm

NOTE 2: Councillor Amon left the chamber at 8:51pm and returned at 8:53pm

356/22 **RESOLVED**

Cr Heins / Cr Ryburn

That Council note the information provided and:

1. Actively seek funding opportunities for public place/litter and business waste noting that Swap for Good program was successful however no further funding is available currently.
2. Improve signage at the bins to minimise cross contamination noting that glass containers are incorrectly being placed in public rubbish bins as an example.
3. Investigate reducing the overflow of bins in public areas.
4. Address the identified challenge of extra waste being identified as an issue at beaches, parks and skate parks and report back to councillors at a briefing with an update on progress within 5 months.

VOTING

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

ABSENT: Cr Sprott

CARRIED

12.0 PLANNING AND PLACE DIVISION REPORTS

12.1 PUBLIC EXHIBITION OF THE REVISED DRAFT BROOKVALE STRUCTURE PLAN

NOTE 1: Councillor Robins left the chamber at 8:56pm and returned at 8:58pm

NOTE 2: Councillor Sprott returned to the chamber at 8:54pm

357/22 RESOLVED

Cr Heins / Cr Sprott

That:

1. Council place the revised Draft Brookvale Structure Plan on public exhibition for 12 weeks with the following amendment at Point 4 to be made to the draft plan prior to public exhibition.
2. The outcomes of the public exhibition of the revised Draft Brookvale Structure Plan be reported to Council.
3. As part of the consultation process an event similar to "Spotlight on Brookvale" be held which actively engaged the business community and land owners.
4. Action 23 – Develop an environmental sustainability strategy for Brookvale to inform future planning controls for all new development, and are to include new buildings being net zero emissions and the development of a low carbon community with high energy and wastewater efficiency.

VOTING

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

AGAINST: Cr Walton, Cr Amon, Cr De Luca, Cr Crvelin and Cr Ryburn

CARRIED

12.3 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS

NOTE 1: Councillor Ryburn left the chamber at 9:11pm and did not return

NOTE 2: Councillor Glanville left the chamber at 9:13pm and returned at 9:14pm

358/22 RESOLVED

Cr Heins / Cr Regan

That Council note the Development Applications approved with variations to development standards during the period 1 July 2022 to 30 September 2022.

VOTING

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

AGAINST: Cr Amon and Cr Menano-Pires

ABSENT: Cr Ryburn

CARRIED

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

13.1 OUTCOME OF PUBLIC EXHIBITION - NAMING PROPOSAL - BRIAN GREEN LOOKOUT, CURL CURL

Cr Regan / Cr De Luca

That Council:

1. Note the outcome of the public exhibition.
2. Adopt the proposal to name the sandstone viewing area above the South Curl Curl rockpool on Carrington Parade as the Brian Green Lookout.
3. Install a plaque in 2022/2023 with staff to liaise with Mr Green's family prior to the installation.

AMENDMENT

Cr Heins / Cr Menano-Pires

That Council:

1. Note the outcome of the public exhibition.
2. Install a plaque in 2022/2023 with staff to liaise with Mr Green's family prior to the installation.

VOTING

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

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

ABSENT: Cr Ryburn

There being an equal number of votes the Mayor used his casting vote against the motion which was declared LOST.

THE MOTION WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

359/22 **RESOLVED**

Cr Regan / Cr De Luca

That Council:

1. Note the outcome of the public exhibition.
2. Adopt the proposal to name the sandstone viewing area above the South Curl Curl rockpool on Carrington Parade as the Brian Green Lookout.
3. Install a plaque in 2022/2023 with staff to liaise with Mr Green's family prior to the installation.

VOTING

FOR: Cr Walton, Cr Bingham, Cr Gencher, Cr Amon, Cr Regan, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins and Cr Grattan

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

ABSENT: Cr Ryburn

CARRIED

13.2 OUTCOME OF PUBLIC EXHIBITION - PROPOSED NAMING OF PURPLE POPPY DOG PARK

360/22 **RESOLVED**

Cr Menano-Pires / Cr Regan

That Council:

1. Note the outcomes of the public exhibition.
2. Adopt the proposal to name the enclosed dog off-leash area at the northern end of Forestville War Memorial Playing Fields as Purple Poppy Dog Park.
3. Install signage with the name Purple Poppy Dog Park and background information about the new name in consultation with the Forestville RSL sub-Branch.

VOTING

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

Grattan

ABSENT: Cr Ryburn

CARRIED

13.3 OUTCOME OF PUBLIC EXHIBITION - PROPOSAL TO RENAME UNDERCLIFF RESERVE IN FRESHWATER TO IRENE CRUMP RESERVE

361/22 **RESOLVED**

Cr Glanville / Cr Bingham

That Council:

1. Note the outcome of the public exhibition of the proposal to rename Undercliff Reserve in Freshwater to Irene Crump Reserve.
2. Endorse the proposal to rename Undercliff Reserve in Freshwater to Irene Crump Reserve as outlined in this report.
3. Write to the Geographical Names Board of NSW to request support for the renaming of the reserve.
4. Note staff will liaise with the Friends of Freshwater Inc. and the Crump family if the proposed reserve renaming is supported by the Geographical Names Board of NSW prior to installation.

VOTING

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

AGAINST: Cr Korzy

ABSENT: Cr Ryburn

CARRIED

13.4 TEMPORARY CHANGES TO ALCOHOL PROHIBITED AREAS FOR NEW YEARS EVE 2022, AUSTRALIA DAY 2023 AND FOR COUNCIL'S CHRISTMAS CHORAL CONCERT 2022

Cr Regan / Cr Grattan

That Council:

1. Declare a temporary Alcohol Prohibited Area at Rowland Reserve, Bayview for New Year's Eve from 6am 31 December 2022 for a period of 24 hours until 6am on 1 January 2023.
2. Declare temporary Alcohol Prohibited Areas on the sand areas of all beaches, parks and reserves within the Northern Beaches Local Government Area for Australia Day from 6am on 26 January 2023 for a period of 24 hours until 6am on 27 January 2023.
3. Suspend the operation of the Alcohol Prohibited Area at Manly Oval on 1 December 2022

from 5pm until 8.30pm for Council's Christmas Choral Concert.

4. Publish notices of the above as required and pursuant to the relevant sections of the *Local Government Act 1993*.
5. Install temporary signage on Manly Oval, Rowland Reserve, beaches and high use reserves within the Northern Beaches Local Government Area as outlined in this report.

AMENDMENT

Cr Korzy / Cr Amon

That Council:

1. Declare temporary Alcohol Prohibited Areas on the sand areas of all beaches, parks and reserves within the Northern Beaches Local Government Area for Australia Day from 6am on 26 January 2023 for a period of 24 hours until 6am on 27 January 2023.
2. Suspend the operation of the Alcohol Prohibited Area at Manly Oval on 1 December 2022 from 5pm until 8.30pm for Council's Christmas Choral Concert.
3. Publish notices of the above as required and pursuant to the relevant sections of the *Local Government Act 1993*.
4. Install temporary signage on Manly Oval, beaches and high use reserves within the Northern Beaches Local Government Area as outlined in this report.

VOTING

FOR: Cr Glanville, Cr Korzy and Cr Amon

AGAINST: Cr Walton, Cr Bingham, Cr Gencher, Cr Regan, Cr Heins, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Grattan

ABSENT: Cr Ryburn

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

362/22 RESOLVED

Cr Regan / Cr Grattan

That Council:

1. Declare a temporary Alcohol Prohibited Area at Rowland Reserve, Bayview for New Year's Eve from 6am 31 December 2022 for a period of 24 hours until 6am on 1 January 2023.
2. Declare temporary Alcohol Prohibited Areas on the sand areas of all beaches, parks and reserves within the Northern Beaches Local Government Area for Australia Day from 6am on 26 January 2023 for a period of 24 hours until 6am on 27 January 2023.
3. Suspend the operation of the Alcohol Prohibited Area at Manly Oval on 1 December 2022 from 5pm until 8.30pm for Council's Christmas Choral Concert.
4. Publish notices of the above as required and pursuant to the relevant sections of the *Local Government Act 1993*.
5. Install temporary signage on Manly Oval, Rowland Reserve, beaches and high use reserves within the Northern Beaches Local Government Area as outlined in this report.

VOTING

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

AGAINST: Cr Glanville and Cr Korzy and Cr Amon

ABSENT: Cr Ryburn

CARRIED

PROCEDURAL MOTION - MOTION BE PUT

363/22 **RESOLVED**

Cr Sprott / Cr Bingham

That the motion be now put.

VOTING

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

AGAINST: Cr Korzy

ABSENT: Cr Ryburn

CARRIED

13.5 RESPONSE TO NOTICE OF MOTION 17/2022 - DRAFT PRECINCT PLAN ELANORA HEIGHTS COMMUNITY CENTRE AND PRECINCT

364/22 **RESOLVED**

Cr Crvelin / Cr De Luca

That Council:

1. Note actions in this report.
2. Note construction of a storage facility has been completed in order to accommodate furniture to allow better use by hirers of the community centre.
3. Note consultation has commenced for the upgrade of the playground at Anana Reserve, which is near Elanora Heights Public School.
4. Provide options for the inclusion within the draft 2023/24 budget, a replacement of the playground equipment at Allington Reserve within the same footprint of the current equipment.
5. Request the CEO look into the possibility of the installation of public toilets at the playground and report back within the next 6 months.

VOTING

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

AGAINST: Cr Sprott

ABSENT: Cr Ryburn

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

365/22 **RESOLVED**

Cr Regan / Cr Heins

That the order of business be changed so item 18.1 be brought forward and dealt with immediately.

VOTING

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

ABSENT: Cr Ryburn

CARRIED

18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

366/22 **RESOLVED**

Cr Regan / Cr Heins

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 18.1 RFQ 2022/083 - Coast Walk Public Art 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 quotations. 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 made by the Council in Closed Session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council

meeting.

VOTING

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

ABSENT: Cr Ryburn

CARRIED

NOTE: The meeting moved into closed session at 9:57pm

NOTE: The meeting resumed in open session at 10:14pm

13.6 PUBLIC EXHIBITION OF MARKET LANE WASTE FACILITY NEW ACCESS FEE

NOTE: Councillor Sprott left the meeting at 10:17pm and did not return

NOTE: Councillor Gencher returned to the chamber at 10:16pm

367/22 **RESOLVED**

Cr Bingham / Cr Grattan

That Council:

1. Place on public exhibition for a minimum of 28 days, the proposed new fee of \$585 (GST inclusive) for access to a commercial bin storage area for Market Lane businesses located within the Whistler Street carpark.
2. Provide a further report on the outcome of the public exhibition of the proposed fee.

VOTING

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

ABSENT: Cr Regan, Cr Ryburn and Cr Sprott

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

368/22 **RESOLVED**

Cr Amon / Cr Menano-Pires

That the order of business be changed so the matter of urgency be brought forward and dealt with immediately.

VOTING

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

AGAINST: Cr Korzy and Cr Glanville

ABSENT: Cr Regan, Cr Ryburn and Cr Sprott

CARRIED

PROCEDURAL MOTION - MATTER OF URGENCY – WAKEHURST PARKWAY

369/22 **RESOLVED**

Cr Amon / Cr Walton

That:

1. Council condemns the decision of the Federal Labor Government to withdraw the legislated \$75 million towards upgrades to the Wakehurst Parkway allocated and legislated as a part of the 2022/23 Federal Budget.
2. Council requests a meeting with Federal Minister for Infrastructure and Transport, the Hon. Catherine King, and the relevant NSW Government Ministers, the Hon. Natalie Ward and the Hon. Rob Stokes, to discuss the withdrawal of the Federal funding and its need.
3. Council request the Federal Government provide Council with copies of contemporaneous documents evidencing that the \$75 million was directly linked to the immediate progression of the Beaches Link Tunnel, or the Beaches Link Tunnel generally.
4. Council request the Federal Government provide Council with copies of documents evidencing the assertion that the “Beaches Link Tunnel” has been cancelled.
5. Council writes to the Federal Minister for Infrastructure and Transport, the Hon. Catherine King, and the relevant NSW Government Ministers, the Hon. Natalie Ward and the Hon. Rob Stokes, and provide a copy of this resolution of Council.

VOTING

FOR: Cr Walton, Cr Bingham, Cr Gencher, Cr Amon, Cr De Luca, Cr Crvelin, Cr Robins and Cr Menano-Pires

AGAINST: Cr Glanville, Cr Korzy, Cr Heins and Cr Grattan

ABSENT: Cr Regan, Cr Sprott and Cr Ryburn

CARRIED

13.8 PROPOSED ROAD RESERVE CLOSURE AND SALE OF COUNCIL LAND ADJOINING 32 WATKINS ROAD, AVALON BEACH

NOTE: Councillor De Luca left the chamber at 10:28pm and did not return

Cr Walton / Cr Menano-Pires

That:

1. The preferred option be placed on public exhibition for community feedback from 17 January 2023 to 21 February 2023.
2. The outcome of the public exhibition be reported to Council.

AMENDMENT

Cr Bingham / Cr Korzy

That Council rejects the options proposed and confirms that the area be retained as public land.

VOTING

FOR: Cr Glanville, Cr Bingham, Cr Korzy and Cr Amon

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

Cr Walton / Cr Menano-Pires

That:

1. Both options detailed in the report be placed on public exhibition for community feedback from 17 January 2023 to 31 March 2023.
2. The outcome of the public exhibition be reported to Council.

VOTING

FOR: Cr Walton, Cr Heins, Cr De Luca, Cr Crvelin, Cr Menano-Pires and Cr Grattan

AGAINST: Cr Glanville, Cr Bingham, Cr Korzy, Cr Gencher, Cr Amon and Cr Robins

ABSENT: Cr Regan, Cr Sprott and Cr Ryburn

LOST

370/22 RESOLVED - MOTION

Cr Grattan / Cr Korzy

That the motion for Item 13.8 be recommitted.

VOTING

FOR: Cr Walton, Cr Korzy, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Grattan

AGAINST: Cr Glanville and Cr Bingham

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

MOTION

371/22 **RESOLVED**

Cr Grattan / Cr Heins

That Council receive the report.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

PROCEDURAL MOTION - EXTENSION OF MEETING

372/22 **RESOLVED**

Cr Amon / Cr Walton

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

VOTING

FOR: Cr Glanville, Cr Walton, Cr Bingham, Cr Korzy, Cr Gencher, Cr Amon, Cr Heins and Cr Crvelin

AGAINST: Cr Robins, Cr Menano-Pires and Cr Grattan

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

373/22 **RESOLVED**

Cr Bingham / Cr Amon

That the order of business be changed so item 15.6 be brought forward and dealt with immediately.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.0 NOTICES OF MOTION

15.6 NOTICE OF MOTION NO 42/2022 - STAFF CHRISTMAS AND THANK YOU FUNCTION

374/22 **RESOLVED**

Cr Bingham / Cr Robins

That this Council support the Chief Executive Officer's plans for a special staff Christmas function to celebrate Christmas and acknowledge and celebrate the achievements of staff for winning the AR Bluett Memorial Award.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.1 NOTICE OF MOTION NO 36/2022 - POTHoles ON LOCAL ROADS

375/22 **RESOLVED**

Cr Korzy / Cr Glanville

That:

1. The Chief Executive Officer report back to Council's February 2023 meeting on the current number of potholes on local roads and number of local roads whose overall surfaces have been badly damaged by rain this year, with an estimate of how much it would cost to repair current individual potholes, and to resurface roads whose overall surfaces have deteriorated

due to rain.

2. The Chief Executive Officer report on how much funding has been spent on (a) fixing potholes and (b) resurfacing roads this financial year and how much remains in the budget to fix current and future potholes and road surfaces.
3. Staff identify and report back to Council's February 2023 meeting on funding included in this year's budget from current capital works projects that have failed to find suitable tenders that could be used to fix potholes and resurfacing roads badly damaged by this year's rain.
4. If no such funding is available, identify money from other projects not impacted by this year's weather that could be spent on road repairs and resurfacing.
5. Council lobby the NSW government to provide more funding for fixing potholes on local roads and resurfacing local roads badly damaged by this year's rain.
6. Council calls on the NSW Government to promptly repair state roads in the Northern Beaches Local Government Area.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.2 NOTICE OF MOTION NO 37/2022 - PROPOSED CROWN ROAD SALE AT DUFFYS FOREST

376/22 **RESOLVED**

Cr Amon / Cr Gencher

That Council write to the Department of Planning and Environment and the Hon. Rob Stokes MP and:

1. Advise that Council is opposed to the sale of the road reserve referenced in the attached document and supports The Duffys Forest Residents Association opposition to that proposed sale.
2. Request that the subject land be transferred to Council for no charge.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.3 NOTICE OF MOTION NO 38/2022 - SOFT PLASTIC RECYCLING

377/22 **RESOLVED**

Cr Amon / Cr Glanville

That:

1. Council officers provide a briefing to Councillors before the December 2022 meeting regarding possible steps that can be taken by Council to facilitate soft plastics recycling pending the viability of current private sector operators.
2. A formal report be provided to the February 2023 Council meeting on options for Council to facilitate soft plastics recycling, including but not limited to:
 - A. Any immediate, further, measures Council can take to enable recycling of soft plastics, in light of the current suspension of activities by REDcycle.
 - B. What measures Council could implement or investigate in the longer term to:
 - i. Facilitate soft plastics recycling, including local processing capability; and/or
 - ii. Facilitate reduction and eventual elimination of use of soft plastics; and
 - iii. Opportunities for applying for external funding for these activities, including through the Australian Recycling Investment Fund.

VOTING

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

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.4 NOTICE OF MOTION NO 39/2022 - AVOIDANCE OF CHEMICAL USE WHICH CARRIES HARM TO THE ENVIRONMENT OR HUMAN HEALTH

378/22 **RESOLVED**

Cr Glanville / Cr Crvelin

That:

1. Council phase out use of Second-generation Anticoagulant Rodenticides (SGARs) on land owned or managed by Council.
2. The Chief Executive Officer report back to Council by August 2023:
 - A. progress of the phase out of SGARs by Council and relevant third parties (eg suppliers, contractors, tenants)
 - B. considerations as to usage of other chemicals on Council lands that may pose environment or human health risks
 - C. available alternative methods and implications for Council.

3. Council seek opportunities to further educate the community regarding SGARs and other harmful chemicals and recommendations for safe alternatives.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Bingham, Cr Korzy, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins and Cr Grattan

AGAINST: Cr Menano-Pires

ABSENT: Cr Regan, Cr De Luca, Cr Sprott and Cr Ryburn

CARRIED

15.5 NOTICE OF MOTION NO 41/2022 - TENDERS TO BE BROUGHT TO COUNCIL WITH ONE MONTH NOTICE

NOTE: Councillor Grattan left the chamber at 11:25pm and did not return

Cr Korzy / Cr Glanville

That Council adopt a policy that any report seeking a decision by councillors on whether or not to approve a tender for services should be brought to a Council meeting at least one month before the proposed start date for services commencing under that contract.

VOTING

FOR: Cr Glanville, Cr Bingham and Cr Korzy

AGAINST: Cr Walton, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins and Cr Menano-Pires

ABSENT: Cr Regan, Cr De Luca, Cr Sprott, Cr Grattan and Cr Ryburn

LOST

15.7 NOTICE OF MOTION NO 43/2022 - NEW ARTIFICIAL INTELLIGENCE TECHNOLOGY FOR THE IDENTIFICATION OF POTHoles AND ROAD DEFECTS

379/22 **RESOLVED**

Cr Walton / Cr Amon

That:

1. Council investigate the use of new artificial intelligence technology for the identification of pot holes and other road defects, being installed on Council garbage trucks and Council contractor URM garbage trucks.
2. The Chief Executive Officer conduct a briefing on the outcome of this investigation with

Councillors in the first quarter of 2023. That the briefing include, amongst other issues the Chief Executive Officer finds appropriate, a cost benefit analysis of partnering with the NSW Government's Asset AI™ project which is funded by the NSW Digital Restart Fund and expected to be available to all NSW Local Government areas in late 2023.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Bingham, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins and Cr Menano-Pires

AGAINST: Cr Korzy

ABSENT: Cr Regan, Cr De Luca, Cr Sprott, Cr Grattan and Cr Ryburn

CARRIED

15.8 NOTICE OF MOTION NO 40/2022 - SOFT PLASTIC RECYCLING

NOTE: This item was withdrawn by Councillor Glanville

15.9 NOTICE OF MOTION NO 44/2022 - ARTS AND CULTURE EVENTS ACTION PLAN AND FUNDRAISING STRATEGY

Cr Amon / Cr Robins

That:

1. Within the next six months, Council staff prepare a long term and ongoing draft fundraising strategy to raise funds that contribute to the development of public art programs including for the Northern Beaches Coast Walk Art Trail, the future growth of the Manly Art Gallery & Museum, including its upcoming centenary celebrations and for other arts and cultural programs across the Northern Beaches LGA.
2. The draft fundraising strategy consider / include the appointment of an experienced and professional dedicated development expert to develop programs, build relationships and attract targeted financial resources.
3. Within the next six months, Council staff prepare an action plan to integrate Council and the Northern Beaches arts and cultural programs into major event circuits including: the Sydney Film Festival, Sydney Writer's Festival, Festival of Sydney, VIVID, Heritage Week, NAIDOC Week, Byron Bay Blue's Fest and other identified major events.
4. The above documents be prepared in consultation with relevant Northern Beaches arts and cultural organisations including the Barrenjoey Alliance for Arts and Culture and the Manly Art Gallery and Museum Society, local historical associations, and other identified organisations.

AMENDMENT

Cr Bingham / Cr Korzy

That the item be deferred to the next Council ordinary meeting.

VOTING

FOR: Cr Glanville, Cr Bingham and Cr Korzy

AGAINST: Cr Walton, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins and Cr Menano-Pires

ABSENT: Cr Regan, Cr De Luca, Cr Sprott, Cr Grattan and Cr Ryburn

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

380/22 RESOLVED

Cr Amon / Cr Robins

That:

1. Within the next six months, Council staff prepare a long term and ongoing draft fundraising strategy to raise funds that contribute to the development of public art programs including for the Northern Beaches Coast Walk Art Trail, the future growth of the Manly Art Gallery & Museum, including its upcoming centenary celebrations and for other arts and cultural programs across the Northern Beaches LGA.
2. The draft fundraising strategy consider / include the appointment of an experienced and professional dedicated development expert to develop programs, build relationships and attract targeted financial resources.
3. Within the next six months, Council staff prepare an action plan to integrate Council and the Northern Beaches arts and cultural programs into major event circuits including: the Sydney Film Festival, Sydney Writer's Festival, Festival of Sydney, VIVID, Heritage Week, NAIDOC Week, Byron Bay Blue's Fest and other identified major events.
4. The above documents be prepared in consultation with relevant Northern Beaches arts and cultural organisations including the Barrenjoey Alliance for Arts and Culture and the Manly Art Gallery and Museum Society, local historical associations, and other identified organisations.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Bingham, Cr Gencher, Cr Amon, Cr Heins, Cr Crvelin, Cr Robins and Cr Menano-Pires

AGAINST: Cr Korzy

ABSENT: Cr Regan, Cr De Luca, Cr Sprott, Cr Grattan and 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 RFQ 2022/083 - COAST WALK PUBLIC ART

NOTE 1: Councillor Regan left the chamber at 10:05pm and did not return

NOTE 2: In the absence of the Mayor, Councillor Heins assumed the chair

NOTE 3: Councillor Crvelin left the chamber at 10:06pm and returned at 10:07pm

NOTE 4: Councillor Sprott left the chamber at 10:08pm and returned at 10:10pm

NOTE: 5: Councillors Gencher and Amon left the meeting at 10:12pm

381/22 RESOLVED

Cr Regan / Cr Heins

That Council:

1. Endorse the recommendation of the Evaluation Committee to commission S G Cordeiro and C J Healy to deliver a public artwork as part of the Coast Walk Public Art Strategic Plan for the sum of \$170,000 excluding GST.
2. Selects the preferred location for the artwork as North Mona Vale Headland Reserve.

VOTING

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

AGAINST: Cr Glanville, Cr Walton, Cr De Luca, Cr Sprott and Cr Crvelin

ABSENT: Cr Gencher, Cr Amon, Cr Regan and Cr Ryburn

CARRIED

PROCEDURAL MOTION – MOTION – RESUME IN OPEN SESSION

NOTE: Councillor Amon returned to the chamber at 10:13pm

382/22 RESOLVED

Cr De Luca / Cr Glanville

That Council resume in open session.

VOTING

FOR: Cr Glanville, Cr Walton, Cr Bingham, Cr Korzy, Cr Amon, Cr Heins, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins, Cr Menano-Pires and Cr Grattan

ABSENT: Cr Gencher, Cr Regan and Cr Ryburn

CARRIED

18.2 RFT 2022/059 - TREE MAINTENANCE SERVICES PANEL TENDER OUTCOME

383/22 **RESOLVED**

Cr Grattan / Cr Ryburn

That Council:

1. Accept the tenders from the companies listed below for RFT 2022/059 –Tree Maintenance Services, for the period 1 February 2023 to 31 January 2026 with two 12-month options to extend the term at Council’s discretion and subject to satisfactory performance.
 - A. Active Tree Services Pty Ltd
 - B. Aura Tree Services Pty Ltd
 - C. Forest Tree Service Pty Ltd
 - D. Plateau Tree Service Pty Limited
 - E. Sydney Arbor Trees Pty Limited
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.
3. Delegate authority to the Chief Executive Officer to exercise Council’s option to extend the master agreements for up to two additional twelve-month periods.

RESOLVED BY EXCEPTION

The meeting concluded at 11:35pm

This is the final page of the minutes comprising 388 pages numbered 1 to 388 of the Ordinary Council Meeting held on Tuesday 22 November 2022 and confirmed on Tuesday 13 December 2022

Mayor

Chief Executive Officer