



northern  
beaches  
council

# MINUTES

## ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

**TUESDAY 23 JULY 2019**

**Minutes of an Ordinary Meeting of Council  
held on Tuesday 23 July 2019  
at the Civic Centre, Dee Why  
Commencing at 6:01pm**

**ATTENDANCE:**

**Councillors**

Michael Regan (Mayor)  
Sue Heins (Deputy Mayor)  
Rory Amon  
Candy Bingham  
Pat Daley OAM  
Sarah Grattan  
Roslyn Harrison  
Penny Philpott  
David Walton  
Ian White

**Officers**

Ray Brownlee PSM	Chief Executive Officer
Jeff Smith	Director Corporate and Legal
David Kerr	Director Community and Belonging
Todd Dickinson	Director Environment and Sustainability
Louise Kerr	Director Planning and Place
Jorde Frangoples	Director Transport and Assets
Karen Twitchett	Director Workforce and Technology
Eskil Julliard	General Counsel
Kath McKenzie	Executive Manager Community Engagement and Communications
Andrew Pigott	Executive Manager Strategic and Place Planning
Craig Sawyer	Executive Manager Transport and Civil Infrastructure
Campbell Pfeiffer	Executive Manager Property
Katy Christian	Principal Officer, Sustainability
Sonya Gallery	Executive Manager Governance and Risk
Sarah Dunstan	Manager Governance
Jasmine Evans	Governance Officer
Annie Laing	Governance Officer
Dinesh Mishra	Service Delivery Officer
Sylwia Stafford	Information Management Technology Officer

**Notes**

The meeting commenced at 6:01pm, moved into closed session at 7:44pm, resumed in open session at 8:17pm and concluded at 8:21pm.

## 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

*NOTE 1: At the Ordinary Council meeting of 25 June 2019, Council granted Councillor Stuart Sprott a leave of absence for the 25 June 2019 and 23 July 2019 meetings.*

*NOTE 2: Councillors De Luca, Ferguson and Sprott's absences were due to their attendance at the National Suicide Prevention Conference.*

### 2.1 APOLOGIES AND APPLICATION FOR LEAVE OF ABSENCE

213/19 **RESOLVED**

**Cr Regan / Cr Heins**

That Council:

- A. Accept the application for a leave of absence from Councillors Kylie Ferguson, Alex McTaggart and Vincent De Luca OAM for the 23 July 2019 Council meeting.
- B. Accept the apology from Councillor Warren.

#### VOTING

**FOR:** Unanimous

**CARRIED**

## 3.0 CONFIRMATION OF MINUTES

### 3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 25 JUNE 2019

214/19 **RESOLVED**

**Cr White / Cr Bingham**

That the Minutes of the Ordinary Council Meeting held 25 June 2019, 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

- 4.1 Councillor White declared a less than significant non-pecuniary interest in relation to Item 10.1 Funding for the 2019/20 Community, Arts & Culture Grants Program. Councillor White chose to take no part in the discussion or voting on this item. The reason provided by Councillor White was:

*"I assisted with writing one of the grant applications."*

- 4.2 Councillor Heins declared a significant non-pecuniary interest in relation to Item 8.1 Event Grants and Sponsorship Program 2019/20 - Funding Recommendations. Councillor Heins chose to take no part in the discussion or voting on this item. The reason provided by Councillor Heins was:

*“Recently awarded an award by one of the recipients – Brookvale Rotary.”*

- 4.3 Councillor Heins declared a significant pecuniary interest in relation to Item 10.1 Funding for the 2019/20 Community, Arts & Culture Grants Program. Councillor Heins chose to take no part in the discussion or voting on this item. The reason provided by Councillor Heins was:

*“One of the recipients in an organisation is a member of Inspiring Women.”*

- 4.4 Councillor Regan declared a significant non-pecuniary interest in relation to Item 21.1 Interim Heritage Order - 21 Whistler Street, Manly. Councillor Regan chose to take no part in the discussion or voting on this item. The reason provided by Councillor Regan was:

*“The consulting company is a company that I currently use for personal planning matters.”*

## **5.0 PUBLIC FORUM AND PUBLIC ADDRESS**

*NOTE 1: The Mayor requested that each speaker acknowledge that they had been informed that the meeting was to be webcast live and that Council accepts no responsibility for any defamatory comments made.*

*NOTE 2: Councillor Regan left the chamber at 6:33pm due to a declared interest in item 12.1 and Councillor Heins assumed the Chair.*

*NOTE 3: Councillor Regan returned to the chamber at 6:42pm and resumed the Chair.*

### **PUBLIC FORUM SPEAKERS:**

*NOTE: A question was taken on notice regarding item 5.1*

- 5.1 Vivian Dunstan addressed Council in relation to environmental implications of 5G technology in the Northern Beaches.
- 5.2 Michaela Utesena addressed Council in relation to LED street lights.
- 5.3 Michael Syme addressed Council in relation to bees and the impact of the Council Weed Spraying Policy and timing.
- 5.4 David Parsons addressed Council in relation to the Little Manly landscape masterplan.
- 5.5 Kevin Wyld addressed Council in relation to the Newport to Avalon pathway.
- 5.6 Phil Horder addressed council in relation to commercial properties (serviced apartments) being used for short term stays.

### **PUBLIC ADDRESS SPEAKERS:**

#### **5.7 Item 12.1 – Interim Heritage Order – 21 Whistler Street, Manly**

Mariyam Nizam and Greg Boston addressed Council speaking against this item.

## 6.0 ITEMS RESOLVED BY EXCEPTION

*NOTE 1: Councillor Heins left the chamber at 6:44pm due to a declared significant non-pecuniary interest in relation to Item 10.1.*

*NOTE 2: Councillor White left the chamber at 6:44pm due to a declared less than significant non-pecuniary interest in relation to Item 10.1.*

### 215/19 RESOLVED

#### ***Cr Regan / Cr Harrison***

That items 8.1, 8.3, 8.4, 9.1, 9.3, 10.1, 10.2, 12.2, 13.1, 18.1, 18.3, 18.4 and 18.8 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.

#### **VOTING**

**FOR:** Crs Daley, Philpott, Grattan, Amon, Bingham, Regan, Walton and Harrison

**ABSENT:** Crs White and Heins

#### **CARRIED**

## 8.1 EVENT GRANTS AND SPONSORSHIP PROGRAM 2019/20 - FUNDING RECOMMENDATIONS

### 216/19 RESOLVED

#### ***Cr Regan / Cr Harrison***

That Council approve funding and fee waivers of \$14,057 under the 2019/20 Events Grants and Sponsorship Program, as recommended by the assessment panel.

#### **RESOLVED BY EXCEPTION**

## 8.3 PUBLIC EXHIBITION OF THE DRAFT COMMUNICATIONS POLICY

### 217/19 RESOLVED

#### ***Cr Regan / Cr Harrison***

That Council place the draft Communications Policy on public exhibition for a period of at least 28 days and report back on the findings.

#### **RESOLVED BY EXCEPTION**

## 8.4 HOURS OF OPERATION ON 23 DECEMBER 2019

### 218/19 RESOLVED

#### ***Cr Regan / Cr Harrison***

That Council endorse this proposal to close the identified Council services from 12:00pm on Monday, 23 December 2019.

#### **RESOLVED BY EXCEPTION**

**9.1 CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 30 APRIL 2019**

219/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee Meeting held on 30 April 2019.

***RESOLVED BY EXCEPTION***

**9.3 MONTHLY INVESTMENT REPORT - JUNE 2019**

220/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That Council receives and notes the Investment Report as at 30 June 2019, including the certification by the Responsible Accounting Officer.

***RESOLVED BY EXCEPTION***

**10.1 FUNDING FOR THE 2019/20 COMMUNITY, ARTS & CULTURE GRANTS PROGRAM**

221/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That Council approve the allocation of \$240,000 under the 2019/20 Community, Arts & Culture Grants Program, as recommended by the assessment panel.

***RESOLVED BY EXCEPTION***

**10.2 SEVENMILE - MANLY INNOVATION HUB - EXTENSION OF FEE WAIVER FOR THE USE OF THE SEAFORTH VILLAGE COMMUNITY CENTRE**

222/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That Council extend the fee waiver for the use of the Training Room at Seaforth Village Community Centre by SEVENmile Manly Venture Lab from 1 July 2019 to 30 September 2019 to the value of \$12,480.00.

***RESOLVED BY EXCEPTION***

**12.2 ADOPTION OF DRAFT AMENDMENTS TO MANLY DEVELOPMENT CONTROL PLAN 2013 IN RELATION TO THE FORMER NORTH AND SOUTH STEYNE ROAD REALIGNMENT SCHEME**

223/19 **RESOLVED**

**Cr Regan / Cr Harrison**

That Council:

- A. Adopt amendments to the Manly Development Control Plan 2013 to remove reference to the North and South Steyne Road Realignment Scheme.
- B. Publish a notice in the Manly Daily advising of the amendment to the Manly Development Control Plan 2013.

**RESOLVED BY EXCEPTION**

**13.1 ADOPTION OF THE SHARED TRANSPORT POLICY**

*NOTE: Councillor Grattan acknowledged the work of staff in relation to this item.*

224/19 **RESOLVED**

**Cr Regan / Cr Harrison**

That Council adopt the Shared Transport Policy.

**RESOLVED BY EXCEPTION**

**7.0 MAYORAL MINUTES**

**7.1 MAYORAL MINUTE NO 13/2019 - CONGRATULATIONS TO STAFF - LGNSW EXCELLENCE AWARDS**

*NOTE 1: Councillors Heins and White returned to the chamber at 6:46pm.*

*NOTE 2: Councillor Philpott acknowledged the work of staff in relation to this item.*

225/19 **RESOLVED**

**Cr Regan**

That Council formally acknowledge the outstanding achievements of our staff at the Local Government Professionals Australia NSW Awards.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**7.2 MAYORAL MINUTE NO 14/2019 - CONGRATULATIONS TO AVALON SURF LIFESAVING CLUB – SPORT NSW COMMUNITY CLUB OF THE YEAR**

*NOTE: Councillor White acknowledged the achievements of Avalon Surf Life Saving Club.*

**226/19 RESOLVED**

***Cr Regan***

That Council congratulate Avalon Surf Life Saving Club on their recent Sport NSW's Award for Community Club of the Year.

**VOTING**

**FOR:** Unanimous

**CARRIED**

**8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS**

**8.2 ECONOMIC ASSESSMENT OF COSTS AND BENEFITS OF VOLLEYFEST AND VISSLA PRO SURFING 2019**

**227/19 RESOLVED**

***Cr Amon / Cr Grattan***

That:

- A. The economic evaluation reports for VolleyFest and the Vissla Sydney Surf Pro events in 2019 are noted.
- B. The events VolleyFest and Vissla Sydney Surf Pro 2019 made positive contributions to the local community with an identified direct economic benefit and that both events demonstrated substantive returns on investment from Council.
- C. Council continues to consider requests for funding and in-kind support for future VolleyFest and Vissla Sydney Surf Pro events.
- D. Staff further develop the event economic evaluation framework to apply to all major and signature events and that the outcomes are considered as part of the event review process.
- E. Staff consider price sensitivity in future sponsorship negotiations with VolleyFest and the Vissla Sydney Surf Pro.

**VOTING**

**FOR:** Unanimous

**CARRIED**



## 9.0 CORPORATE AND LEGAL DIVISION REPORTS

### 9.2 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2019

228/19 **RESOLVED**

**Cr Amon / Cr Daley**

That:

- A. Council nominates the following councillors to attend the Local Government NSW Annual Conference in Warwick Farm to be held from Monday 14 to Wednesday 16 October 2019:
- a. Cr Regan
  - b. Cr White
  - c. Cr Walton
  - d. Cr Amon
  - e. Cr Heins
  - f. Cr Ferguson
  - g. Cr Daley
  - h. Cr Spratt
  - i. Cr De Luca
- B. Council notes that the nominated councillors will be voting delegates for both motions and the election of office bearers and the Board of Local Government NSW.
- C. Councillors wishing to submit motions for consideration at the Local Government NSW Annual Conference bring them forward as Notices of Motion to the August 2019 Council meeting.

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

## 11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

### 11.1 ELECTED COUNCIL REPRESENTATIVE FOR THE SYDNEY COASTAL COUNCILS GROUP

229/19 **RESOLVED**

**Cr Harrison / Cr Amon**

That Council nominate Councillors Ian White and Candy Bingham to represent Northern Beaches Council on the Sydney Coastal Councils Group "Full Group Committee".

#### **VOTING**

**FOR:** Unanimous

**CARRIED**

## 12.0 PLANNING AND PLACE DIVISION REPORTS

### 12.1 INTERIM HERITAGE ORDER - 21 WHISTLER STREET, MANLY

*NOTE: Councillor Regan left the chamber at 6:53pm due to a declared significant non-pecuniary interest in this item and Councillor Heins assumed the Chair.*

230/19 **RESOLVED**

**Cr Harrison / Cr Amon**

That this item be deferred and reported to Council for consideration at the 24 September 2019 Ordinary meeting to enable a review of documents that were submitted on 23 July 2019 on this matter and to enable further discussions with Council staff and the applicant.

#### **VOTING**

**FOR:** Crs White, Daley, Philpott, Grattan, Amon, Bingham, Heins, Walton and Harrison

**ABSENT:** Cr Regan

**CARRIED**

## 13.0 TRANSPORT AND ASSETS DIVISION REPORTS

### 13.2 ADOPTION OF THE BIKE SHARE GUIDELINES

*NOTE: Councillor Regan returned to the chamber at 6:54pm and resumed the Chair.*

231/19 **RESOLVED**

**Cr Grattan / Cr Harrison**

That:

- A. Council adopt the Bike Share Guidelines.
- B. Council adopt a mix of both docked and dockless systems to cater for the market demographic within the local areas.
- C. Staff report back to Council annually, for the next three years, on the operation of the various implemented schemes.

#### **VOTING**

**FOR:** Crs White, Philpott, Grattan, Amon, Bingham, Regan, Heins, Walton and Harrison

**AGAINST:** Cr Daley

**CARRIED**

**15.1 NOTICE OF MOTION NO 21/2019 - HONOURING THE CONTRIBUTION OF OUR LOCAL FORMER ELECTED REPRESENTATIVES: TONY ABBOTT, MIKE BAIRD AND JEAN HAY AM**

*NOTE: Councillor Harrison left the chamber at 7:17pm and returned at 7:20pm*

**PROCEDURAL MOTION – MOTION BE PUT**

**232/19 RESOLVED**

***Cr Harrison***

That the motion be now put.

**VOTING**

**FOR:** Unanimous

***CARRIED***

**233/19 RESOLVED**

***Cr Daley / Cr Amon***

That staff:

- A. Identify existing structures or locations, or identify a new structure or location, within the Northern Beaches local government area which can be named in honour of:
  - a. former Prime Minister and Member for Warringah, Tony Abbott;
  - b. former NSW Premier and Member for Manly, Mike Baird; and
  - c. former Mayor of Manly, Jean Hay AM.
- B. Report back to Council within three months with recommendations and outlining any costings for the above.

**VOTING**

**FOR:** Crs Daley, Amon, Regan, Heins and Walton

**AGAINST:** Crs White, Philpott, Grattan, Bingham and Harrison

***There being an equal number of votes, the Mayor used his casting vote for the motion, which was declared CARRIED.***

**AMENDMENT**

***Cr Grattan / Cr Philpott***

That staff:

- A. Identify existing structures or locations, or identify a new structure or location, within the Northern Beaches local government area which can be named in honour of:
  - a. former Prime Minister and Member for Warringah, Tony Abbott
  - b. former NSW Premier and Member for Manly, Mike Baird
  - c. former Mayor of Manly, Jean Hay AM

- d. Bronwyn Bishop
- e. Julie Sutton
- f. Dr Peter McDonald
- g. Alex McTaggart
- h. David Barr
- l. Sue Sacker
- j. David Hay
- k. Harvey Rose
- l. David James
- m. Other community sport and creative leaders
- n. All former mayors.

- B. Report back to Council within three months with recommendations and outlining any costings for the above.

#### **VOTING**

**FOR:** Crs Philpott and Grattan

**AGAINST:** Crs White, Daley, Amon, Bingham, Regan, Heins, Walton and Harrison

***The amendment was LOST and the foreshadowed amendment became the amendment.***

#### **AMENDMENT**

##### ***Cr Regan / Cr Heins***

That:

- A. Council note the original motion and put it out for community consultation the concept of whether existing or new structures should be named after Tony Abbott, Mike Baird and Jean Hay AM, for a period of three months and invite the community to nominate other community leaders.
- B. The outcome of the consultation be brought back to a councillor briefing and a subsequent council meeting.

#### **VOTING**

**AGAINST:** Unanimous

***The amendment was LOST and Council returned to the original motion.***

#### **15.2 NOTICE OF MOTION NO 22/2019 - EMPTY SHOP LEVY**

**NOTE:** *With the acknowledgement of the Chair Councillor Bingham withdrew this item.*

## 18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

*NOTE: The open session of Council adjourned at 7:44pm.*

234/19 **RESOLVED**

**Cr Regan / Cr Grattan**

That:

A. 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 18.2 Electricity Contract Procurement on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, reveal a trade secret [10A(2)(d(iii)) *Local Government Act 1993*].

This report discusses a confidential power purchasing agreement procurement model developed by SSROC and Sourced Energy and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would impact SSROC and Sourced Energy's commercial advantage.

- b. Item 18.5 RFT 2019/051 - Brookvale Oval Playing Surface Renewal 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 the outcome of a tender process and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the position with whom Council is dealing with.

- c. Item 18.6 RFT 2018/218 - Cleaning Services Council Buildings 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 commercial information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the confidentiality, privilege or security of such information.

- d. Item 18.7 RFT 2019/050 - East Esplanade Reserve Public Amenities 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 commercial information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the confidentiality, privilege or security of such information.

B. 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:** Unanimous

**CARRIED**

## 19.0 REPORT OF CONFIDENTIAL RESOLUTIONS

*NOTE 1: At 8:17pm Council resumed into open session and the Chief Executive Officer reported the confidential resolutions of Council.*

*NOTE 2: Councillor Regan left the meeting at 8:19pm and Councillor Heins assumed the Chair.*

### 18.1 RFT 2019/130 - EVENT MANAGEMENT SERVICES PANEL

235/19 **RESOLVED**

**Cr Regan / Cr Harrison**

That:

A. Council accept the tenders as detailed below for RFT 2019/130 – Event Management Services for the period 01/08/19 to 01/08/22 with two one-year options to extend the term subject to satisfactory performance.

- Sub-Panel 1 Infrastructure and Equipment
- Sub-Panel 2 Staging
- Sub-Panel 3 Audio Visual – AV
- Sub-Panel 4 Event Personnel
- Sub-Panel 5 Specialty Consultant Events

Tenderer Name	Sub Panel 1	Sub Panel 2	Sub Panel 3	Sub Panel 4	Sub Panel 5
AVA Party Hire	✓				
Eclipse Lighting and Sound Pty Ltd		✓	✓		
Festival Hire NSW Pty Ltd	✓				
Humm Pty Ltd				✓	
Kennards Hire Pty Ltd	✓				
Marika Jones				✓	
Mothership Events Pty Ltd				✓	
Christie Mclver				✓	

- B. The Chief Executive Officer be delegated authority to execute the Deeds of Agreement with the companies as listed.
- C. The Chief Executive Officer be delegated authority to exercise Council's option to extend the panel agreements for up to two additional twelve month periods.

**RESOLVED BY EXCEPTION**

### 18.3 RFT 2019/003 - CIVIL INFRASTRUCTURE WORKS PANEL

236/19 **RESOLVED**

**Cr Regan / Cr Harrison**

That:

- A. Council accept the tenders as detailed below for RFT 2019/003 – for the period 29 July 2019 to 28 July 2021 with four options to extend the term by 12 months subject to satisfactory performance.
- B. Civil Infrastructure Works Panel:
  - a. Ally Property Services Pty Ltd
  - b. Kelbon Project Services Pty Ltd
  - c. Bedrule Pty Ltd (t/a Tobco)
  - d. Sydney Civil Pty Ltd
  - e. Ozpave (Aust) Pty Ltd
  - f. Performance Civil Holdings Pty Ltd (t/a Performance Civil and Landscapes)Drainage Sub-Panel:
  - g. Ally Property Services Pty Ltd
  - h. State Civil Pty Ltd
  - i. Performance Civil Holdings Pty Ltd (t/a Performance Civil and Landscapes)
  - j. Pan Civil Pty Ltd
- C. The Chief Executive Officer be delegated authority to execute the Deeds of Agreement with the companies as listed.
- D. The Chief Executive Officer be delegated authority to exercise Council's option to extend the panel agreements for up to four additional 12 month periods.

**RESOLVED BY EXCEPTION**

#### **18.4 RFT 2019/137 - CASH COLLECTION SERVICES FOR NORTHERN BEACHES COUNCIL**

237/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That:

- A. Council accepts the tenders from Australia Wide Security Services PTY LTD for 'Over the Counter' Collections and TDN Security PTY LTD for 'Parking' collections for RFT 2019/137 – Services for Cash Collections as per the tendered schedules of rates, for the period 31 August 2019 to 30 August 2022 with two optional one year extensions subject to satisfactory performance.
- B. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.
- C. The Chief Executive Officer be delegated authority to exercise Council's options to extend the contract term.

***RESOLVED BY EXCEPTION***

#### **18.8 RFT 2018/157 - ELECTRONIC ROSTERING, TIME AND ATTENDANCE SYSTEM**

238/19 **RESOLVED**

***Cr Regan / Cr Harrison***

That Council, in accordance with cl178 (3)(a) of the Local Government (General) Regulation 2005 Council decline to accept any of the tenders received for and cancel the proposal for the contract for RFT 2018/157 - Electronic rostering, time and attendance system.

***RESOLVED BY EXCEPTION***

#### **18.2 ELECTRICITY CONTRACT PROCUREMENT**

239/19 **RESOLVED**

***Cr Grattan / Cr Harrison***

That Council:

- A. Delegate authority to the Chief Executive Officer to enter into electricity contracts.
- B. Adopt a renewable energy component of 30%.
- C. For the first retail contract term surrender large-scale generation certificates representing up to 20% of Council's electricity load to the retailer for financial savings and retire the remainder to the Certificate Registry for environmental benefit.
- D. Provide a report to the Audit Risk and Improvement Committee as to how key risks of entering into a long-term contract were managed throughout the electricity contract procurement process.
- E. Staff report to Council each year for noting its annual electricity charges year on year.



**VOTING**

**FOR:** Crs White, Philpott, Grattan, Bingham, Regan, Heins, Walton and Harrison

**AGAINST:** Crs Daley and Amon

**CARRIED**

**18.5 RFT 2019/051 - BROOKVALE OVAL PLAYING SURFACE RENEWAL**

240/19 **RESOLVED**

**Cr Heins / Cr Grattan**

That Council:

A. In accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2005 Council decline to accept any of the tenders received for RFT 2019/051 – Brookvale Oval Playing Surface.

B. Remove CN 01114 – Brookvale Oval from the Delivery Program at first quarter review.

**VOTING**

**FOR:** Crs White, Philpott, Grattan, Bingham, Heins, Walton and Harrison

**AGAINST:** Crs Daley, Amon and Regan

**CARRIED**

**18.6 RFT 2018/218 - CLEANING SERVICES COUNCIL BUILDINGS**

241/19 **RESOLVED**

**Cr Grattan / Cr Heins**

That:

A. Council accepts the tender of OITA Facilities Management for the initial annual amount of \$4,957,472.81 (ex GST) p.a. subject to adjustment by labour award rates and consumer price index, for an initial period of three years with the option to extend for addition periods up to a maximum of two additional years subject to satisfactory continuing performance.

B. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.

C. The Chief Executive Officer be delegated authority to exercise Council's options to extend the contract term.

**VOTING**

**FOR:** Crs White, Daley, Philpott, Grattan, Bingham, Regan, Heins and Harrison

**AGAINST:** Crs Amon and Walton

**CARRIED**

**18.7 RFT 2019/050 - EAST ESPLANADE RESERVE PUBLIC AMENITIES**

242/19 **RESOLVED**

**Cr Daley / Cr Heins**

That in accordance with clause 178 (3)(b) of the *Local Government (General) Regulation 2005* Council decline to accept any of the tenders received for RFT 2019/050 – East Esplanade Reserve Public Amenities.

**VOTING**

**FOR:** Unanimous

**CARRIED**

*The meeting concluded at 8:21pm*

This is the final page of the minutes comprising 18 pages  
numbered 1 to 18 of the Ordinary Council Meeting  
held on Tuesday 23 July 2019 and confirmed on Tuesday 27 August 2019

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Mayor

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Chief Executive Officer