



northern
beaches
council

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 23 NOVEMBER 2021

Minutes of an Ordinary Council Meeting
held on Tuesday 23 November 2021
at the Civic Centre, Dee Why
Commencing at 6:03pm

Councillors

Michael Regan (Mayor)
Candy Bingham (Deputy Mayor)
Rory Amon
Pat Daley OAM
Vincent De Luca OAM
Kylie Ferguson
Sarah Grattan
Roslyn Harrison
Sue Heins
Alex McTaggart
Penny Philpott
Stuart Sprott
David Walton
Natalie Warren (remotely)
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
Sarah Dunstan	Executive Manager Governance and Risk
Lesley Milbourne	Manager Governance
Katie Kirwan	Senior Advisor Governance
Claudia Brodtke	Governance Officer
Don Morales	Information Management Technology Officer
Brendan Shaw	Information Management Technology Officer

Notes

The meeting commenced at 6:03pm and concluded at 8:05pm

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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

APPLICATION FOR REMOTE ATTENDANCE

332/21 RESOLVED

Cr Harrison / Cr Ferguson

That in accordance with the Guide for Remote Attendance at Council Meetings by a Councillor, Councillor Warren be granted permission to attend the meeting remotely on compassionate grounds.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Amon, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison and Cr Regan

ABSENT: Cr Warren

CARRIED

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 OCTOBER 2021

NOTE: Councillor Warren joined the meeting at 6:05pm

333/21 RESOLVED

Cr Ferguson / Cr Bingham

That the Minutes of the Ordinary Council Meeting held 26 October 2021, 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

Nil

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: Some public speakers have submitted written addresses for tonight's proceedings. These addresses will be read out by the Director of Workforce and Technology, Karen Twitchett.

5.1 PUBLIC FORUM

- Stuart Herring on behalf of Dee Why Public School Parents and Citizens Rebuild Sub-Committee addressed Council about overcrowding of Dee Why Public School in the face of increasing local development.
- Helen Phokos addressed Council about rates.

5.2 PUBLIC ADDRESS

Item 15.2 Notice of Motion No 47/2021 - Proposed and Existing 4G and 5G Infrastructure on the Northern Beaches

- Chantal Dray and Donna Johnston addressed Council in support of this item.

6.0 ITEMS RESOLVED BY EXCEPTION

334/21 RESOLVED

Cr Ferguson / Cr Bingham

That items 8.1, 8.2, 9.1, 10.1, 10.2 and 12.1 are dealt with by exception with the recommendations of the Chief Executive Officer / Directors being adopted.

VOTING

FOR: Unanimous

CARRIED

8.1 NORTHERN BEACHES COUNCIL DISCRETIONARY FUND QUARTERLY REPORT

335/21 RESOLVED

Cr Ferguson / Cr Bingham

That Council note payments totalling \$7581.20 have been allocated from the Northern Beaches Council Discretionary Fund for the period 16 June 2021 to 23 November 2021.

RESOLVED BY EXCEPTION

8.2 TEMPORARY CHANGES TO ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS FOR UPCOMING EVENTS AND ACTIVITIES

336/21 RESOLVED

Cr Ferguson / Cr Bingham

That:

1. Council suspend the operation of the Alcohol Free Zone at Forestville Shopping Centre pedestrian area directly in front of the Forest Brunch Bar at 24, 26 and 28 The Centre, Forestville, on 27 November 2021, 11 December 2021, 18 December 2021 and Saturday nights in February 2022 and March 2022, from 6pm until 10pm.
2. Council suspend the operation of the Alcohol Free Zone at Market Lane, Manly for the Market Lane Live Pop-up Wine Garden designated area from 31 December 2021 until 31 March 2022.
3. Council suspend the operation of the Alcohol Prohibited Area at Manly Oval from 5pm until 8.30pm on Thursday 2 December 2021 for the Christmas Choral Concert.
4. Council declare temporary Alcohol Prohibited Areas on the sand areas of all beaches and reserves, within the Northern Beaches Local Government Area on Australia Day, 26 January 2022 from 6:00am for a period of 24 hours until 6:00am on 27 January 2022.
5. Notice of the above be published, including as required pursuant to section 645 of the *Local Government Act 1993*.
6. Staff continue to liaise with Northern Beaches Local Area Command about, and do all things necessary to give effect to, the above.

RESOLVED BY EXCEPTION

9.1 MONTHLY INVESTMENT REPORT - OCTOBER 2021

337/21 RESOLVED

Cr Ferguson / Cr Bingham

That Council note the Investment Report as at 31 October 2021, including the certification by the Responsible Accounting Officer.

RESOLVED BY EXCEPTION

10.1 CONFIRMED MINUTES OF THE COMMUNITY SAFETY COMMITTEE MEETING ON 5 AUGUST 2021

338/21 **RESOLVED**

Cr Ferguson / Cr Bingham

That Council note the minutes of the Community Safety Committee meeting held on 5 August 2021.

RESOLVED BY EXCEPTION

10.2 CONFIRMED MINUTES OF PUBLIC ART WORKING GROUP MEETING ON 2 SEPTEMBER 2021

339/21 **RESOLVED**

Cr Ferguson / Cr Bingham

That Council note the Public Art Working Group meeting minutes of 2 September 2021.

RESOLVED BY EXCEPTION

12.1 FIRE & RESCUE NSW INSPECTION REPORT - 130 FRENCHS FOREST ROAD (WEST), FRENCHS FOREST

340/21 **RESOLVED**

Cr Ferguson / Cr Bingham

That Council:

1. In accordance with the Environmental Planning and Assessment Act 1979, exercise its powers to issue a Fire Safety Order No.1 to address the identified fire safety deficiencies at 130 Frenchs Forest Road (West), Frenchs Forest.
2. Notify the determination of this matter to Fire & Rescue NSW (FRNSW).

RESOLVED BY EXCEPTION

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 21/2021 - RECOGNITION OF ACHIEVEMENTS FOR YOUTH WEEK EVENT

341/21 RESOLVED

Cr Regan

That Council acknowledge the achievements of our staff and the Youth Advisory Group and congratulations on being awarded the Most Innovative Youth Week Program for 2021 at the Local Government NSW Awards.

VOTING

FOR: Unanimous

CARRIED

7.2 MAYORAL MINUTE NO 22/2021 - RECOGNITION OF COUNCIL EVENTS AT THE AUSTRALIAN EVENT AWARDS

342/21 RESOLVED

Cr Regan

That Council acknowledge the achievements of our Events team and other staff involved on being awarded National Finalists and State Winners of the Australian Event Awards for the *Taste of the Beaches 2021 event* and the *Sun Run 2021*.

VOTING

FOR: Unanimous

CARRIED

7.3 MAYORAL MINUTE NO 23/2021 - RECOGNITION OF ACHIEVEMENT - TENNIS NSW AWARD TO COLLAROY TENNIS CLUB

NOTE: Councillor Amon left the chamber at 6:20pm

343/21 **RESOLVED**

Cr Regan

That Council:

1. Acknowledge the achievement by Collaroy Tennis Club as Tennis NSW's Most Outstanding Club in the metropolitan category this year.
2. Write to the President, Collaroy Tennis Club congratulating them on the Award and their ongoing commitment to provide well managed facilities and all-inclusive recreational programs for our community.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr De Luca, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison, Cr Warren and Cr Regan

ABSENT: Cr Amon

CARRIED

7.4 MAYORAL MINUTE NO 24/2021 - 2021 CLIMATE AWARDS

NOTE: Councillor Amon returned to the chamber at 6:24pm

344/21 **RESOLVED**

Cr Regan

That Council formally acknowledge the achievement by our Environment Strategic Reference Group members and Environment and Climate Change staff.

VOTING

FOR: Unanimous

CARRIED

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

14.1 END OF TERM REPORT 2017-2021

NOTE: Councillor Heins left the chamber at 7:01pm and returned at 7:03pm

345/21 **RESOLVED**

Cr Grattan / Cr Philpott

That:

1. Council note the End of Term Report 2017-2021.
2. The End of Term Report be appended to the Annual Report 2020/21 and submitted to the Minister for Local Government by 30 November 2021.
3. Councillors acknowledge and thank the Chief Executive Officer and staff for their extraordinary efforts at building the new council over this term, the first term of the amalgamated Northern Beaches Council.

VOTING

FOR: Cr White, Cr Daley, Cr Philpott, Cr Grattan, Cr Heins, Cr McTaggart, Cr Bingham, Cr Ferguson, Cr Walton, Cr Sprott, Cr Harrison, Cr Warren and Cr Regan

AGAINST: Cr Amon and Cr De Luca

CARRIED

15.0 NOTICES OF MOTION

15.1 NOTICE OF MOTION NO 46/2021 - SAVE THE KOALAS

346/21 **RESOLVED**

Cr Sprott / Cr Harrison

That Council:

1. Notes that since 1990, NSW koala populations have declined by between 20% and 50%, to be in the range of 15,000 to 25,000 remaining. Local extinctions have already occurred, and the species is projected to become extinct in the wild in NSW within 30 years. Urgent action is needed to ensure future generations can see this iconic species in the wild.
2. Prepare a report on:
 - A. The status of koalas and koala habitat in the LGA.
 - B. What planning measures are currently in place to protect them.
 - C. What further could be done by Council to ensure enhanced protection of koalas and koala habitat in the LGA.

VOTING

FOR: Unanimous

CARRIED

15.2 NOTICE OF MOTION NO 47/2021 - PROPOSED AND EXISTING 4G AND 5G INFRASTRUCTURE ON THE NORTHERN BEACHES.

NOTE: Councillor Amon left the chamber at 7:24pm and returned at 7:34pm

347/21 **RESOLVED**

Cr Walton / Cr Ferguson

That:

1. Council note community concern in regard to possible health impacts of proposed and existing 4G and 5G infrastructure on the Northern Beaches.
2. Council facilitate a community forum with a panel of key stakeholders to address community concerns in relation to 4G and 5G infrastructure.
3. Council delegate to the Chief Executive Officer the task of doing all things necessary to facilitate this meeting by 31 March 2022.
4. The event be streamed live, recorded and published on Council's website.
5. A summary of the meeting be reported to Council for its further consideration.

VOTING

FOR: Unanimous

CARRIED

15.3 NOTICE OF MOTION NO 48/2021 - ACKNOWLEDGEMENT OF OUTGOING COUNCILLORS

348/21 **RESOLVED**

Cr Bingham / Cr Sprott

This will be the last meeting for a number of Councillors and I move that Council formally acknowledge and thank them for their service.

1. Councillor Pat Daley
2. Councillor Kylie Ferguson
3. Councillor Penny Philpott
4. Councillor Natalie Warren

VOTING

FOR: Unanimous

CARRIED

The meeting concluded at 8:05pm

This is the final page of the minutes comprising 12 pages numbered 1 to 12 of the Ordinary Council Meeting held on Tuesday 23 November 2021 and confirmed on Wednesday 29 December 2021

Mayor

Chief Executive Officer