



northern
beaches
council

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 28 JUNE 2022

Minutes of an Ordinary Council Meeting

held on Tuesday 28 June 2022

at the Civic Centre, Dee Why

Commencing at 6:00 pm

ATTENDANCE:

Councillors

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

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
Mark Jones	Acting Director Workforce and Technology
Steve Lawler	Executive Manager Parks and Recreation
David Walsh	Chief Financial Officer
Caroline Foley	Executive Manager Financial Planning & Systems
Campbell Pfeiffer	Executive Manager Property
Kylie Walshe	Executive Manager Community Arts and Culture
Eskil Julliard	General Counsel
Sarah Dunstan	Executive Manager Governance and Risk
Ximena Von Oven	Acting Senior Advisor Governance
Tamara Lukic	Governance Officer
Greg Karageuzian	Information Management Technology Officer
Don Morales	Information Management Technology Officer

Notes

The meeting commenced at 6:00 pm, adjourned at 8:01 pm, resumed at 8:11 pm, moved into closed session at 10:25 pm, resumed in open session at 10:45 pm and concluded at 11:37 pm

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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

PROCEDURAL MOTION - REQUEST FOR REMOTE ATTENDANCE

163/22 **RESOLVED**

Cr Ryburn / Cr De Luca

That in accordance with the Code of Meeting Practice Councillor Grattan be granted permission to attend the meeting remotely.

VOTING

FOR: Unanimous

CARRIED

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 24 MAY 2022

164/22 **RESOLVED**

Cr Bingham / Cr Menano-Pires

That the minutes of the Ordinary Council Meeting held 24 May 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

Designated persons returns were tabled in accordance with sections 4.25 and 4.26 of the Code of Conduct.

- Councillor Heins declared a significant non-pecuniary interest in relation to Item 7.4 Mayoral Minute No 11/2022 Proposal to Investigate Options to Increase Capacity at the Women's Shelter and will leave the meeting for the discussion and voting on the item. The reason provided was:

"I am the chairperson of the organisation mentioned."

- Councillor Sprott declared a not significant non-pecuniary interest in relation to Item 9.3 Outcome of Public Exhibition – Draft Community Strategic Plan 2022-2032, Resourcing Strategy, Delivery Program 2022-2026, Operational Plan, Budget 2022/23 and Pricing Policy and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“My partner has a café and pays for outdoor dining for two tables.”

- Councillor Bingham declared a not significant non-pecuniary interest in relation to Item 9.3 Outcome of Public Exhibition – Draft Community Strategic Plan 2022-2032, Resourcing Strategy, Delivery Program 2022-2026, Operational Plan, Budget 2022/23 and Pricing Policy and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“ I live in one of the zones affected by the Manly resident parking scheme.”

- Councillor Robins declared a not significant non-pecuniary interest in relation to Item 12.2 Outcome of Public Exhibition - Warriewood Valley Contributions Plan and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“I am a member of the Warriewood Residents Association. The Association has forwarded a submission in regard to Item 12.2.”

- Councillor Bingham declared a not significant non-pecuniary interest in relation to Items 15.4 and 15.5 Notice of Motion No 20/2022 - Financial Feasibility of the Hop Skip and Jump Bus Service and Notice of Motion No 23/2022 – Hop Skip & Jump and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“This service passes near my house. I am president of the Good for Manly Association which conducted a public survey in relation to users of the bus.”

- Councillor Sprott declared a not significant non-pecuniary interest in relation to Items 15.4 and 15.5 Notice of Motion No 20/2022 - Financial Feasibility of the Hop Skip and Jump Bus Service and Notice of Motion No 23/2022 – Hop Skip & Jump and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“I own a property in Manly. This service passes near my home.”

- Councillor Ryburn declared a not significant non-pecuniary interest in relation to Item 15.6 Notice of Motion No 24/2022 Council Apprenticeships Strategy and Targets and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“Part of my team at work (PWC) specialises in supporting and creating apprenticeships and higher apprenticeship programs in organisations.”

- Councillor Amon declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provided was:

“The recommended tenderer is a person who is known to me through the Liberal Party, as we are both members of that Party.”

- Councillor Ryburn declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provided was:
“The recommended tenderer is a person who is known to me through the Liberal Party, as we are both members of that Party.”
- Councillor Crvelin declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provide was:
“The recommended tenderer is a person who is known to me through the Liberal Party, as we are both members of that Party.”
- Councillor Menano-Pires declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provide was:
“I’ve known one of the tenderers for a number of years. Will not compromise my impartiality.”
- Councillor Sprott declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provide was:
“The recommended tenderer is a person who is known to me through the Liberal Party, as we are both members of that Party.”
- Councillor Walton declared a not significant non-pecuniary interest in relation to Item 18.2 RFT 2022/001 The Operation of Markets at North Narrabeen Reserve and will remain in the meeting for the discussion and voting on the item. The reason provide was:
“The recommended tenderer is a person who is known to me through the Liberal Party, as we are both members of that Party.”
- Councillor Ryburn declared a not significant non-pecuniary interest in relation to Item 18.3 RFT 2022/053 Training Room at South Narrabeen SLSC and will remain in the meeting for the discussion and voting on the item. The reason provided was:
“My brother in law is an active member of South Narrabeen SLSC.”

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 6:11 pm

NOTE 3: In the absence of Councillor Regan, Councillor Bingham assumed the Chair

NOTE 4: Councillor Menano-Pires left the chamber at 6:12 pm and returned at 6:27 pm

NOTE 5: Councillor Regan returned to the chamber and resumed the Chair at 6:41 pm

5.1 PUBLIC FORUM

- Terrance Le Roux on behalf of Balgowlah Residents Group addressed Council about the Beaches Link Tunnel.
- Leigh McGaghey on behalf of Canopy Keepers addressed Council about Northern Beaches Council Tree Canopy Plan.

5.2 PUBLIC ADDRESS

Item 9.2 Monthly Investment Report – May 2022

- Gregory Hogan addressed Council against this item.

Item 10.3 Response to Notice of Motion 44/2021 – Toy Library

- Kerry Dominish representing Early Education (EarlyEd) Inc addressed Council in support of this item.

Item 11.2 Environmental Assessment for the Proposed Trial Dog Off- Leash Areas – Palm Beach (North) and Mona Vale Beach (South)

- Ngaire Chant addressed Council in support of this item.
- Mitchell Geddes representing Pittwater Unleashed addressed Council in support of this item.

Item 11.2 Environmental Assessment for the Proposed Trial Dog Off- Leash Areas – Palm Beach (North) and Mona Vale Beach (South)

- Wendy Gilbert addressed Council against the item.

Item 12.2 Outcome of Public Exhibition – Warriewood Valley Contributions Plan

- Owen Evans on behalf of Manly Warringah Basketball addressed Council against the item.

Item 13.1 Public Exhibition of the Draft Open Space and Outdoor Recreation Strategy and Action Plan – Let's Play!

- Michele Robertson President of Pittwater Unleashed addressed Council in support of this item.

6.0 ITEMS RESOLVED BY EXCEPTION

165/22 **RESOLVED**

Cr Robins / Cr Crvelin

That items 8.1, 11.1, 12.1, 13.1 and 13.2 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 REPORT166/22 **RESOLVED****Cr Robins / Cr Crvelin**

That Council note payments totalling \$3,489.00 have been allocated from the Northern Beaches Council Discretionary Fund for the period 17 March to 22 June 2022.

RESOLVED BY EXCEPTION**11.1 NORTHERN BEACHES RESILIENCE STRATEGY - WITHSTAND. ADAPT. THRIVE.**167/22 **RESOLVED****Cr Robins / Cr Crvelin**

That Council:

1. Note the outcomes of the public exhibition of the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive.
2. Adopt the Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive

RESOLVED BY EXCEPTION**12.1 OUTCOME OF PUBLIC EXHIBITION - PLANNING AGREEMENT POLICY 2022**168/22 **RESOLVED****Cr Robins / Cr Crvelin**

That Council:

1. Note the outcome of the public exhibition of the draft Planning Agreement Policy 2022.
2. Adopt the Planning Agreement Policy 2022 subject to the following amendments:
 - The first sentence under the heading 'Offer to Enter into a Planning Agreement' on page 2 of the Policy be amended to read as follows:

The Offer to Enter into a Planning Agreement (the "Offer") is initiated by a developer and an offer can be made at any time. An offer to enter into a Planning Agreement can be made before an application is lodged to Council, during the assessment phase of the application, or after determination (such as once Council supports a Planning Proposal or a development consent is issued).

- The fourth sentence under the heading 'Application of Section 7.11 or Section 7.12 development contributions' on page 6 of the Policy be amended to read as follows:

An application to modify the consent by deletion or modification of any condition of consent that refers to section 7.11 or section 7.12 may also need to be made following execution of the PA.

RESOLVED BY EXCEPTION

13.1 PUBLIC EXHIBITION OF THE DRAFT OPEN SPACE AND OUTDOOR RECREATION STRATEGY AND ACTION PLAN - LET'S PLAY!

169/22 **RESOLVED**

Cr Robins / Cr Crvelin

That:

1. Council place the draft Open Space and Outdoor Recreation Strategy and Action Plan – Let's Play! - on public exhibition for a minimum of 42 days.
2. A report on the outcome of the public exhibition is reported back to Council.

RESOLVED BY EXCEPTION

13.2 RESPONSE TO NOTICE OF MOTION NO 5/2022 - MANLY VALE STREETScape AND TOWN CENTRE

170/22 **RESOLVED**

Cr Robins / Cr Crvelin

That Council note the report.

RESOLVED BY EXCEPTION

PROCEDURAL MOTION - MOTION

171/22 **RESOLVED**

Cr De Luca / Cr Walton

That the order of business be changed so item 11.2 be brought forward and dealt with immediately.

VOTING

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

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

CARRIED

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

11.2 ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED TRIAL DOG OFF-LEASH AREAS - PALM BEACH (NORTH) AND MONA VALE BEACH (SOUTH)

Cr Amon / Cr Gencher

That Council:

1. Notes its consideration of the draft Community Engagement Report at Attachment 3 of the report for this item, and the draft Review of Environmental Factors in relation to the Activity, being an off-leash dog area trial for 12 months at Palm Beach (North) and Mona Vale Beach (South) as set out in and incorporating the mitigation measures and conditions in Attachment 4.
2. In relation to exhibition and consultation:
 - A. Authorises the CEO to facilitate any amendments to the draft Review of Environmental Factors by Council and Council's consultants as necessary or appropriate prior to undertaking the exhibition outlined in 2B.
 - B. Authorises exhibition and consultation with the community and relevant government agencies on the draft Review of Environmental Factors in accordance with Council's Community Engagement Policy and Community Engagement Matrix for a period of not less than 28 days.
 - C. Requires a further report to Council on the outcomes of the exhibition and consultation process for its further consideration.
3. Investigates any further requirements that must be addressed before the Activity may be implemented by Council, including under the *Local Government Act 1993* and *Crown Land Management Act 2016* (including with respect to plans of management), *Companion Animals Act 1998* and *Environmental Planning and Assessment Act 1979*, with a further report to be brought to Council on the findings.
4. Authorises the Chief Executive Officer to do all things necessary to give effect to this resolution.

AMENDMENT

Cr Korzy / Cr Glanville

That Council:

1. Notes its consideration of the draft Community Engagement Report at Attachment 3 of the report for this item, and the draft Review of Environmental Factors in relation to the Activity, being an off-leash dog area trial for 12 months at Palm Beach (North) and Mona Vale Beach (South) as set out in and incorporating the mitigation measures and conditions in Attachment 4.
2. In relation to exhibition and consultation:
 - A. Authorises the CEO to facilitate any amendments to the draft Review of Environmental Factors by Council and Council's consultants as necessary or appropriate prior to undertaking the exhibition outlined in 2B.
 - B. Authorises exhibition and consultation with the community and relevant government agencies on the draft Review of Environmental Factors in accordance with Council's Community Engagement Policy and Community Engagement Matrix for a period of not less than 28 days.
 - C. Requires a further report to Council on the outcomes of the exhibition and consultation

process for its further consideration.

3. Investigates any further requirements that must be addressed before the Activity may be implemented by Council, including under the *Local Government Act 1993* and *Crown Land Management Act 2016* (including with respect to plans of management), *Companion Animals Act 1998* and *Environmental Planning and Assessment Act 1979*, with a further report to be brought to Council on the findings.
4. Authorises the Chief Executive Officer to do all things necessary to give effect to this resolution.
5. That no further Council resources be put towards setting up an off-leash dog trial at Palm Beach North or Mona Vale South until the public exhibition of the "Review of Environmental Factors - Proposed Trial of Dog Off-leash Areas Palm Beach (North) and Mona Vale Beach (South) June 2022" has been completed and reported to council.

VOTING

FOR: Cr Glanville and Cr Korzy

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

LOST

AMENDMENT

Cr Glanville / Cr Korzy

That Council:

1. Notes its consideration of the draft Community Engagement Report at Attachment 3 of the report for this item, and the draft Review of Environmental Factors in relation to the Activity, being an off-leash dog area trial for 12 months at Palm Beach (North) and Mona Vale Beach(South) as set out in and incorporating the mitigation measures and conditions in Attachment 4.
2. Council call for a briefing regarding the potential to incorporate the following additional measures into the trial and the specific cost to Council.

Measure	Rationale
<p>a) Council establish a permit system, so that off-leash access to dogs at the two trial areas is restricted to permitted dogs. In order to obtain a permit, the owner must:</p> <ul style="list-style-type: none"> o Complete a mandatory training course, covering issues such as recall, minimising impact on wildlife and the environment, and the need to keep within the designated area. o Demonstrate that the dog has recall. o Ensure that their dog wears an approved tag on their collar identifying them as permitted to go off-leash on the trial beaches. <p>With such a permit capable of cancellation where an owner fails to keep their dog within the designated area or collect their faeces.</p>	<ul style="list-style-type: none"> • To ensure that community members participating in the trial understand the restrictions placed on use and their rationale. • Minimise potential for poorly trained dogs leaving the designated area or chasing wildlife. • Assist rangers and other community members to identify dogs which are unauthorised.

<p>b) An ecologist or other appropriately qualified person will conduct regular monitoring to identify any impacts on wildlife or the environment caused during the trial, including in relation to whether owners are failing to collect faeces.</p>	<ul style="list-style-type: none"> • Identify any wildlife impacts during the trial that were not identified in REF or which REF assumes will be mitigated • Identify whether users are complying with conditions of use
<p>c) Council will establish a dedicated online portal for community members to raise issues or concerns during the trial.</p>	<ul style="list-style-type: none"> • Provide a clear way for issues with the trial to be raised by community members on an ongoing basis.
<p>d) Council will carry out traffic and parking monitoring in each season, including assessing Palm Beach as a whole (north and south), to ascertain whether there is an increase in traffic or parking issues generated by the trial.</p>	<ul style="list-style-type: none"> • Ensure that assumptions in REF that traffic and parking will remain stable are accurate
<p>e) In consultation with an ecologist, off-leash dog hours to be:</p> <ul style="list-style-type: none"> ○ 5.30 am – 10 am OR 5 pm - 8 pm ○ AND One period during business hours 	<ul style="list-style-type: none"> • Better accommodate beachgoers that walk before or after work who wish to avoid dogs

3. In relation to exhibition and consultation:

- A. Authorises the CEO to facilitate any amendments to the draft Review of Environmental Factors by Council and Council's consultants as necessary or appropriate prior to undertaking the exhibition outlined in 2B. Authorises exhibition and consultation with the community and relevant government agencies on the draft Review of Environmental Factors in accordance with Council's Community Engagement Policy and Community Engagement Matrix for a period of not less than 28 days.
- B. Requires a further report to Council on the outcomes of the exhibition and consultation process for its further consideration. Investigates any further requirements that must be addressed before the Activity may be implemented by Council, including under the *Local Government Act 1993* and *Crown Land Management Act 2016* (including with respect to plans of management), *Companion Animals Act 1998* and *Environmental Planning and Assessment Act 1979*, with a further report to be brought to Council on the findings.

4. Authorises the Chief Executive Officer to do all things necessary to give effect to his resolution.

VOTING

FOR: Cr Glanville and Cr Korzy

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

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

172/22 RESOLVED

Cr Amon / Cr Gencher

That Council:

1. Notes its consideration of the draft Community Engagement Report at Attachment 3 of the report for this item, and the draft Review of Environmental Factors in relation to the Activity, being an off-leash dog area trial for 12 months at Palm Beach (North) and Mona Vale Beach (South) as set out in and incorporating the mitigation measures and conditions in Attachment 4.
2. In relation to exhibition and consultation:
 - A. Authorises the CEO to facilitate any amendments to the draft Review of Environmental Factors by Council and Council's consultants as necessary or appropriate prior to undertaking the exhibition outlined in 2B.
 - B. Authorises exhibition and consultation with the community and relevant government agencies on the draft Review of Environmental Factors in accordance with Council's Community Engagement Policy and Community Engagement Matrix for a period of not less than 28 days.
 - C. Requires a further report to Council on the outcomes of the exhibition and consultation process for its further consideration.
3. Investigates any further requirements that must be addressed before the Activity may be implemented by Council, including under the *Local Government Act 1993* and *Crown Land Management Act 2016* (including with respect to plans of management), *Companion Animals Act 1998* and *Environmental Planning and Assessment Act 1979*, with a further report to be brought to Council on the findings.
4. Authorises the Chief Executive Officer to do all things necessary to give effect to this resolution.

VOTING

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

AGAINST: Cr Glanville and Cr Korzy

CARRIED

7.0 MAYORAL MINUTES

7.1 MAYORAL MINUTE NO 8/2022 - RECOGNITION OF ACHIEVEMENTS AT THE 2022 COMMUNICATORS AWARDS

NOTE 1: Councillor Amon left the chamber at 7:47 pm

NOTE 2: Councillor Ryburn left the chamber at 7:49 pm

173/22 RESOLVED

Cr Regan

That Council:

1. Formally acknowledge the outstanding achievement at the 2022 Communicator Awards for the *Harmony Week* Video and *Rates Harmonisation* video and also claiming two Awards for Distinction for our design work for Glen Street Theatre and for the *Narrabeen Lagoon Management Explainer* video.
2. Acknowledge the efforts of all staff involved with delivering these projects for the community.

VOTING

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

AGAINST: Cr Walton

ABSENT: Cr Amon and Cr Ryburn

CARRIED

7.2 MAYORAL MINUTE NO 9/2022 - RECOGNITION OF ACHIEVEMENTS AT THE 2022 NSW LOCAL GOVERNMENT EXCELLENCE AWARDS

NOTE: Councillor Amon returned at 7:49 pm

174/22 RESOLVED

Cr Regan

That Council:

1. Formally acknowledge the outstanding achievement at the 2022 NSW Local Government Excellence Awards for the *Voice of the Customer Program* and the *Culture Map Live* project and the efforts of staff in receiving third place in the Australasian Management Challenge.
2. Acknowledge the efforts of staff within our Arts and Culture and Customer Service teams for delivering these projects for the community.

VOTING

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

ABSENT: Cr Ryburn

CARRIED

7.3 MAYORAL MINUTE NO 10/2022 - CONGRATULATIONS BEN TUDHOPE - PARALYMPIAN OF THE YEAR AND MALE ATHLETE OF THE YEAR 2022

175/22 **RESOLVED**

Cr Regan

That Council write and congratulate Ben Tudhope of Manly on being named Paralympian of the Year and Male Athlete of the Year for 2022 and wish him every success for his future pursuits.

VOTING

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

ABSENT: Cr Ryburn

CARRIED

7.4 MAYORAL MINUTE NO 11/2022 - PROPOSAL TO INVESTIGATE OPTIONS TO INCREASE CAPACITY AT THE WOMEN'S SHELTER

NOTE 1: Councillor Heins left the chamber at 7:49 pm due to a disclosure of interest

176/22 **RESOLVED**

Cr Regan

That Council:

1. Investigate the feasibility of improving and redeveloping the Council-owned site.
2. Consider how Council can assist by providing alternative accommodation for the clients while any construction work is undertaken.
3. Provide a report back to Council for its consideration within three months.

VOTING

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

ABSENT: Cr Heins and Cr Ryburn

CARRIED

7.5 MAYORAL MINUTE NO 12/2022 - VALE BRUCE LOUDON

NOTE 1: Councillor Heins returned to the chamber at 7:52 pm

NOTE 2: Councillor Ryburn returned to the chamber at 7:52 pm

177/22 RESOLVED***Cr Regan***

That Council:

1. Acknowledge the enormous contribution made by the late Bruce Loudon to the Northern Beaches community.
2. Send our condolences to the Loudon Family and the Sydney Northern Beaches Sub-Branch NSW National Servicemen's Association & Affiliates Inc.

VOTING

FOR: Unanimous

CARRIED

7.6 MAYORAL MINUTE NO 13/2022 - SUPPORT FOR THE NORTHERN BEACHES WOMEN'S SHELTER EXPRESSION OF INTEREST TO THE NSW STATE GOVERNMENT**178/22 RESOLVED*****Cr Regan***

That Council provide a letter of support for the Northern Beaches Women's Shelter who will be lodging an Expression of Interest for funding under the NSW Government's Core and Cluster program.

VOTING

FOR: Unanimous

CARRIED

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

8.2 PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES COUNCIL DISCRETIONARY FUND POLICY

NOTE: Councillor Sprott left the chamber at 7:57 pm and returned at 7:59 pm

179/22 **RESOLVED**

Cr Heins / Cr Bingham

That:

1. Council place the draft Northern Beaches Council Discretionary Fund Policy on exhibition for a minimum of 28 days.
2. The outcomes of the public exhibition of the draft Northern Beaches Council Discretionary Fund Policy be reported to Council.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION - ADJOURN THE MEETING

180/22 **RESOLVED**

Cr Regan / Cr De Luca

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

VOTING

FOR: Unanimous

CARRIED

9.0 CORPORATE AND LEGAL DIVISION REPORTS

9.1 VOTING DELEGATES FOR LOCAL GOVERNMENT NSW BOARD ELECTION TO FILL CASUAL VACANCY AND ANNUAL CONFERENCE

181/22 **RESOLVED**

Cr Robins / Cr Regan

That Council:

1. Nominate the following councillors as voting delegates to attend the Local Government NSW Annual Conference at the Hunter Valley to be held from Sunday 23 October 2022 to Tuesday 25 October 2022:
 - a. Cr Menano-Pires
 - b. Cr Walton

- c. Cr De Luca
- d. Cr Sprott
- e. Cr Korzy
- f. Cr Bingham
- g. Cr Regan
- h. Cr Gencher
- i. Cr Robins
- j. Cr Heins

2. Note that the nominated councillors will also be voting delegates for the Local Government NSW board election for a casual vacancy in the office of Director (Metropolitan/Urban council).

VOTING

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

ABSENT: Cr Glanville

CARRIED

9.2 MONTHLY INVESTMENT REPORT - MAY 2022

NOTE 1: Councillor Glanville returned to the chamber at 8:16 pm

NOTE 2: Councillor Grattan left the chamber at 8:15 pm and returned at 8:16 pm

182/22 **RESOLVED**

Cr Walton / Cr Heins

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

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION**183/22 RESOLVED*****Cr Grattan / Cr Regan***

That the matters contained within item 9.3, which are numbered from 1 to 15, be considered and voted on by the Council in three separate motions being:

1. Motion 1 to include points 1, 2, 3, 4, 12, 13, 14 and 15 of the staff recommendation
2. Motion 2 to include points 5, 6, 7, 8, 9 and 10 of the staff recommendation
3. Motion 3 to include point 11 of the staff recommendation.

VOTING

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

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

CARRIED**ITEM 9.3 OUTCOME OF PUBLIC EXHIBITION - DRAFT COMMUNITY STRATEGIC PLAN 2022-2032, RESOURCING STRATEGY, DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN, BUDGET 2022/23 AND PRICING POLICY**

NOTE 1: Councillor Amon left the chamber at 8:29 pm

NOTE 2: Councillor Bingham left the chamber at 8:42 pm and returned at 8:43 pm

184/22 RESOLVED***Cr Grattan / Cr Glanville***

That Council:

1. Note the Community and Stakeholder Engagement Report at Attachment 1.
2. Note the changes to the documents following exhibition at Attachment 2.
3. Adopt the revised Community Strategic Plan 2040 at Attachment 3.
4. Adopt the revised Resourcing Strategy 2022-2032 which includes the Workforce Management Strategy 2022-2026, Long-Term Financial Plan 2022-2032, Asset Management Strategy 2022-2032 and Asset Management Plan 2022-2032 at Attachment 4.
5. Revoke the policy 'Loan Borrowing and Overdraft Policy' (former Manly Council).
6. Revoke the policy 'Loan Borrowing Policy' (former Pittwater Council).
7. Revoke the policy 'Financial Planning and Sustainability Policy' (former Warringah Council).
8. The Chief Executive Officer be authorised to:
 - A. Update the Community Strategic Plan 2040 to include baselines for the measures when available
 - B. Update the Asset Management Plan 2022-2032 (part of the Resourcing Strategy)

annually to reflect changes in Council assets and condition of assets

- C. Write to NSW Health and request population health data currently available through the HealthStats NSW website be provided at a local government level in future to support improved planning and delivery.

VOTING

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

AGAINST: Cr Walton, Cr De Luca and Cr Crvelin

ABSENT: Cr Amon

CARRIED

ITEM 9.3 OUTCOME OF PUBLIC EXHIBITION - DRAFT COMMUNITY STRATEGIC PLAN 2022-2032, RESOURCING STRATEGY, DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN, BUDGET 2022/23 AND PRICING POLICY

NOTE 1: Councillor Sprott left the chamber at 8:54 pm and returned at 8:54 pm

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

185/22 **RESOLVED**

Cr Grattan / Cr Menano-Pires

That Council:

1. Adopt the revised Delivery Program 2022-2026 and Operational Plan 2022/23 at Attachment 5.
2. Adopt the revised Fees and Charges 2022/23 applying from 1 July 2022 to 30 June 2023 at Attachment 6 as the fixed fees in accordance with Part 10 of Chapter 15 of the Local Government Act (the Act).
3. Adopt the revised Pricing Policy at Attachment 7.
4. Make the following rates and charges:
 - A. In accordance with the permanent single year special variation decision issued by the IPART under section 508(2) of the Act, Council's general income is increased by 2.4% in the 2022/23 financial year.
 - B. In accordance with sections 494 and 495 of the Act, Ordinary and Special Rates are made as shown in Table 1a in the report.
 - C. In accordance with section 496 of the Act, Domestic Waste Management Charges are made as shown in Table 2 in this report.
 - D. In accordance with section 496A of the Act, Stormwater Management Service Charges are made as shown in Table 3 in the report.
 - E. In accordance with section 67 of the Act, set the fee for works on private land carried out by Council to be charged at the appropriate commercial rate (being cost of the works and standard on-costs, to provide full cost recovery plus a return to Council).
 - F. In accordance with section 611 of the Act, a charge on the person for the time being in

possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.

5. Adopt an interest rate of 6% on overdue rates and charges, in accordance with section 566(3) of the Act.
6. Endorse exhibition of the additional fees proposed for Glen Street and Meals on Wheels at Attachment 8 in accordance with section 610F of the Act, and the outcome of exhibition be reported to Council.

VOTING

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

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

CARRIED

ITEM 9.3 OUTCOME OF PUBLIC EXHIBITION - DRAFT COMMUNITY STRATEGIC PLAN 2022-2032, RESOURCING STRATEGY, DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN, BUDGET 2022/23 AND PRICING POLICY

NOTE: Councillor Sprott left the chamber at 9:20 pm

186/22 **RESOLVED**

Cr Menano-Pires / Cr Bingham

That Council:

1. Approve a 50% subsidy on outdoor dining occupation lease fees for the period 1 July 2022 to 30 September 2022.
2. Note that funding of \$173,000 for the outdoor dining subsidy will come from a reduction to the library budget 2022/2023.

VOTING

FOR: Cr Walton, Cr Korzy, Cr Amon, Cr Bingham, Cr De Luca, Cr Menano-Pires and Cr Ryburn

AGAINST: Cr Glanville, Cr Heins, Cr Gencher, Cr Regan, Cr Crvelin, Cr Robins and Cr Grattan

ABSENT: Cr Sprott

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

NOTE: Councillor De Luca tabled correspondence of the former Warringah Council.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

10.1 OUTCOME OF PUBLIC EXHIBITION OF ALCOHOL FREE ZONES IN MANLY, BELROSE, FRESHWATER AND NARRABEEN AND A PROPOSAL FOR A MONA VALE ALCOHOL FREE ZONE

NOTE 1: Councillor Sprott returned to the chamber at 9:35 pm

NOTE 2: Councillor Bingham left the chamber at 9:36 pm and returned at 9:37 pm

NOTE 3: Councillor Glanville left the chamber at 9:40 pm and returned at 9:44 pm

NOTE 4: Councillor Heins left the chamber at 9:40 pm

NOTE 5: Councillor Crvelin left the chamber at 9:40 pm returned at 9:42 pm

187/22 RESOLVED

Cr Heins / Cr Walton

That Council:

1. Note the outcome of the public exhibition of the proposal to re-establish Alcohol Free Zones and establish new Alcohol Free Zones.
2. Re-establish the Alcohol Free Zones in Manly as shown in Attachment 1 (Item 1, Map 1) as a single zone, for a period of up to 4 years, for the period of 1 July 2022 to 30 June 2026.
3. Endorse the proposed Alcohol Free Zones in Belrose, Freshwater and Narrabeen, adjacent to existing Alcohol Free Zones, as shown in Attachment 1 (Item 2, Maps 2-4) for the period 1 July 2022 to 30 November 2025 to be consistent with the expiry dates of the surrounding area.
4. Undertake public consultation, in accordance with section 644A of the *Local Government Act 1993* and the Ministerial Guidelines on Alcohol Free Zones 2009, in relation to the proposed establishment of an Alcohol-Free Zone in Mona Vale, at the location shown in Attachment 4 to the report.

VOTING

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

AGAINST: Cr Korzy, Cr Amon and Cr Menano-Pires

ABSENT: Cr Glanville and Cr Heins

CARRIED

10.2 OUTCOMES OF PUBLIC EXHIBITION OF THE DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2026

NOTE 1: Councillor Heins returned to the chamber at 9:45 pm

NOTE 2: Councillor Menano-Pires left the chamber at 9:45 pm and returned at 9:48 pm

NOTE 3: Councillor Grattan left the chamber at 9:48 pm and returned at 9:49 pm

188/22 RESOLVED

Cr Robins / Cr Heins

That Council:

1. Note the outcomes of the public exhibition of the draft Disability Inclusion Action Plan 2022-2026.
2. Adopt the Disability Inclusion Action Plan 2022-2026.

VOTING

FOR: Unanimous

CARRIED

10.3 RESPONSE TO NOTICE OF MOTION 44/2021 - TOY LIBRARY

NOTE: Councillor Walton left the chamber at 9:57 pm and returned at 9:59 pm

189/22 **RESOLVED**

Cr Robins / Cr Heins

That Council approve a 12-month trial partnership with Early Ed (Early Education Inc) Cubby House Toy Library, with advice provided back to Councillors at the completion of the trial period.

VOTING

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

AGAINST: Cr Korzy

CARRIED

PROCEDURAL MOTION - EXTENSION OF MEETING

190/22 **RESOLVED**

Cr Regan / Cr Menano-Pires

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 Heins, Cr Korzy, Cr Gencher, Cr Bingham, Cr De Luca, Cr Sprott, Cr Crvelin, Cr Robins and Cr Menano-Pires

AGAINST: Cr Amon, Cr Regan, Cr Grattan and Cr Ryburn

CARRIED

12.0 PLANNING AND PLACE DIVISION REPORTS

12.2 OUTCOME OF PUBLIC EXHIBITION - WARRIEWOOD VALLEY CONTRIBUTIONS PLAN

NOTE 1: Councillor Regan left the chamber at 10:12 pm

NOTE 2: In the absence of Councillor Regan, Councillor Bingham assumed the Chair

NOTE 3: Councillor Ryburn left the chamber at 10:14 pm and returned at 10:16 pm

NOTE 4: Councillor Heins left the chamber at 10:14 pm and returned at 10:15 pm

NOTE 5: Councillor Regan returned to the chamber and resumed the Chair at 10:21 pm

191/22 **RESOLVED**

Cr Korzy / Cr Heins

That Council:

1. Note the outcomes of the public exhibition of the Draft Warriewood Valley Contributions Plan (Amendment 16, Revision 4) 2022.
2. Adopt the Warriewood Valley Contributions Plan (Amendment 16, Revision 4) 2022 (as amended following public exhibition).
3. Notify all submitters of Council's decision.
4. Present the Warriewood Contributions Plan to the ARIC Committee for review.

VOTING

FOR: Unanimous

CARRIED

15.0 NOTICES OF MOTION

15.1 NOTICE OF MOTION NO 52/2020 - RECLAIMING SURPLUS LAND CREATING OPEN SPACE FOR THE COMMUNITY

NOTE: Councillor Heins left the chamber at 10:22 pm and returned at 10:23 pm

192/22 **RESOLVED**

Cr Sprott / Cr Amon

That Council:

1. Write to Transport for NSW:
 - A. Thanking and acknowledging its quick response to protect the trees on the site formally known as 595 and 597 Warringah Road, Frenchs Forest, noting both Council's and the community's appreciation for its efforts.
 - B. Recognising with Transport for NSW the importance of open green space to our community.
 - C. Requesting the site be gifted to Northern Beaches Council, allowing Council to return it to open green space for the community to enjoy.
2. Write to the Hon Dominic Perrottet MP, Premier of NSW; the Hon Brad Hazzard MP, Minister for Health, in his capacity as Member for Wakehurst; the Hon Natalie Ward MLC, Minister for Metropolitan Roads; and the Hon Anthony Roberts MP, Minister for Planning and Public Spaces, asking for their support in this request.
3. Note access and water easement issues at the site.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

193/22 **RESOLVED**

Cr Regan / Cr Sprott

That the order of business be changed so items 18.1, 18.2 and 18.3 be brought forward and dealt with immediately.

VOTING

FOR: Unanimous

CARRIED

18.0 CONFIDENTIAL MATTERS – CLOSED SESSION

194/22 **RESOLVED**

Cr Regan / Cr Bingham

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 RFT 2020/167 - Operation and Management of Avalon Golf Course on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - B. Item 18.2 RFT 2022/001 - The Operation of Markets at North Narrabeen Reserve on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - C. Item 18.3 RFT 2022/053 - Training Room at South Narrabeen SLSC on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
2. The resolutions 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

NOTE: The meeting moved into closed session at 10:25 pm

18.1 RFT 2020/167 - OPERATION AND MANAGEMENT OF AVALON GOLF COURSE

NOTE 1: Councillor Sprott left the chamber at 10:31 pm and returned at 10:32 pm

NOTE 2: Councillor Glanville left the chamber at 10:33 pm returned at 10:35 pm

195/22 **RESOLVED**

Cr Regan / Cr Sprott

That Council in accordance with section 178 (3)(a) of the Local Government (General) Regulation 2021 cancel the proposal for the RFT2020/167 – Operation and Management of Avalon Golf Course and decline to accept any of the submissions received for the Tender.

VOTING

FOR: Unanimous

CARRIED

18.2 RFT 2022/001 - THE OPERATION OF MARKETS AT NORTH NARRABEEN RESERVE

196/22 **RESOLVED**

Cr Menano-Pires / Cr Regan

That Council:

1. Accept the tender of Choulartons Australia Pty Ltd for RFT 2022/001 - The Operation of Markets at North Narrabeen Reserve for the annual amount of \$183,796.36 ex GST for the period 5 August 2022 to 5 August 2024, with two (2) one (1) year options to extend subject to satisfactory performance and subject to cost adjustment by CPI each year. The two, one year options are subject to cost adjustment by CPI for each year.
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 options to extend the contract term.

VOTING

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

AGAINST: Cr Korzy

CARRIED

18.3 RFT 2022/053 - TRAINING ROOM AT SOUTH NARRABEEN SLSC

197/22 **RESOLVED**

Cr Heins / Cr Ryburn

That Council:

1. Accept the tender of Murphy's Remedial Builders Pty Ltd for RFT 2022/053 – Training Room at South Narrabeen SLSC for the sum of \$409,055.31 excluding GST.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.

VOTING

FOR: Unanimous

CARRIED

PROCEDURAL MOTION – RESUME IN OPEN SESSION

198/22 **RESOLVED**

Cr De Luca / Cr Sprott

That the meeting resume in open session.

VOTING

FOR: Unanimous

CARRIED

NOTE: The meeting resumed in open session at 10:45 pm

15.2 NOTICE OF MOTION NO 15/2022 - DANGERS OF CHILDREN RUNNING ACROSS ROADS, AND GRAFFITI AT WARRINGAH ROAD AND HILMER STREET AND FORESTWAY

199/22 **RESOLVED**

Cr Sprott / Cr Gencher

That Council:

1. Write to the NSW State Government and highlight the dangers of children running across the road at Hilmer Street and Warringah Road, the dangerous actions of graffiti or “Tagging” under the bridge at Warringah Road and Forestway and ask to investigate options on making these areas safe.
2. Request the removal of the graffiti from the above-mentioned state road areas.

VOTING

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

AGAINST: Cr Menano-Pires

CARRIED

15.3 NOTICE OF MOTION NO 16/2022 - REVIEW OF FEES AND CHARGES

200/22 **RESOLVED**

Cr Sprott / Cr Regan

That:

1. A further review of the fees and charges schedule be undertaken with a report brought back to Council within 6 months.

VOTING

FOR: Unanimous

CARRIED

15.4 NOTICE OF MOTION NO 20/2022 - FINANCIAL FEASIBILITY OF THE HOP SKIP AND JUMP BUS SERVICE

NOTE: Councillor Bingham tabled a survey of users of the Hop, Skip and Jump Bus

Cr Menano-Pires / Cr Amon

That Council:

1. Review the operation and financial feasibility of the current Hop Skip and Jump bus service and report back to Council by September 2022, for it to operate on:
 - A. cost neutral basis to Council (including staff, consumables and equipment costs)
 - or
 - B. the service to be phased out by December 31st 2022.
2. The resulting savings, estimated at in excess of \$850,000 per year, be allocate for the next 5 years to:
 - A. \$750,000 per year, to Road Resurfacing (not Road General Maintenance) to reduce the backlog of temporary fixes, i.e. potholes, across the LGA.
 - B. The remaining savings, but not less than \$100,000 be allocated as an extra line item to new footpaths.
3. That this arrangement be reviewed in 5 years' time and extended for another 5 if the then Council so decides.

AMENDMENT

201/22 RESOLVED

Cr Bingham / Cr Ryburn

1. That the CEO immediately review the operation, financial sustainability and benefits of the hop skip jump community bus service with the aim of finding how the service can become more cost neutral to council.
2. Council authorises the CEO to negotiate an outcome with any third party that reflects a cost neutral option to run the service and report back immediately to council for authorisation.
3. Monthly progress reports be brought back to Councillors at briefings with the intention that the matter be resolved by the end of 2022.

VOTING

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

AGAINST: Cr Walton, Cr Gencher, Cr Amon, Cr Regan and Cr Menano-Pires

CARRIED

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

202/22 RESOLVED

Cr Bingham / Cr Ryburn

1. That the CEO immediately review the operation, financial sustainability and benefits of the

hop skip jump community bus service with the aim of finding how the service can become more cost neutral to council.

2. Council authorises the CEO to negotiate an outcome with any third party that reflects a cost neutral option to run the service and report back immediately to council for authorisation.
3. Monthly progress reports be brought back to Councillors at briefings with the intention that the matter be resolved by the end of 2022.

VOTING

FOR: Unanimous

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 RFT 2020/167 - OPERATION AND MANAGEMENT OF AVALON GOLF COURSE

NOTE 1: Councillor Sprott left the chamber at 10:31 pm and returned at 10:32 pm

NOTE 2: Councillor Glanville left the chamber at 10:33 pm returned at 10:35 pm

203/22 **RESOLVED**

Cr Regan / Cr Sprott

That Council in accordance with section 178 (3)(a) of the Local Government (General) Regulation 2021 cancel the proposal for the RFT2020/167 – Operation and Management of Avalon Golf Course and decline to accept any of the submissions received for the Tender.

VOTING

FOR: Unanimous

CARRIED

18.2 RFT 2022/001 - THE OPERATION OF MARKETS AT NORTH NARRABEEN RESERVE

204/22 **RESOLVED**

Cr Menano-Pires / Cr Regan

That Council:

1. Accept the tender of Choulartons Australia Pty Ltd for RFT 2022/001 - The Operation of Markets at North Narrabeen Reserve for the annual amount of \$183,796.36 ex GST for the period 5 August 2022 to 5 August 2024, with two (2) one (1) year options to extend subject to satisfactory performance and subject to cost adjustment by CPI each year. The two, one year options are subject to cost adjustment by CPI for each year.
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 options to extend the contract term.

VOTING

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

AGAINST: Cr Korzy

CARRIED

18.3 RFT 2022/053 - TRAINING ROOM AT SOUTH NARRABEEN SLSC

205/22 **RESOLVED**

Cr Heins / Cr Ryburn

That Council:

1. Accept the tender of Murphy's Remedial Builders Pty Ltd for RFT 2022/053 – Training Room at South Narrabeen SLSC for the sum of \$409,055.31 excluding GST.
2. Delegate authority to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.

VOTING

FOR: Unanimous

CARRIED

NOTE 1: In accordance with clause 19.3 of the Code of Meeting Practice the meeting concluded at 11:37 pm

NOTE 2: The following items were deferred to the ordinary Council meeting of 26 July 2022 in accordance with clause 19.4(a) of the Code of Meeting Practice:

- 15.5 – Notice of Motion No 23/2022 – Hop Skip & Jump
- 15.6 - Notice of Motion No 24/2022 - Council Apprenticeships Strategy and Targets

The meeting concluded at 11:37 pm

This is the final page of the minutes comprising 34 pages numbered 1 to 34 of the Ordinary Council Meeting held on Tuesday 28 June 2022 and confirmed on Tuesday 26 July 2022

Mayor

Chief Executive Officer