

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 24 NOVEMBER 2015

(2015/12)

Minutes of an Ordinary Meeting of Council
held on Tuesday 24 November 2015
at the Civic Centre, Dee Why
Commencing at 6:02pm

ATTENDANCE:

Members

Councillors M Regan (Mayor), R Harrison (Deputy Mayor), P Daley, V De Luca OAM, B Giltinan, W Gobert OAM, J Menano-Pires, S Heins, D Kerr and V Moskal

Officers

Rik Hart	General Manager
John Warburton	Deputy General Manager Community
Peter Robinson	Acting Deputy General Manager Environment
Vivienne Ingram	Executive Legal Counsel
David Walsh	Chief Financial Officer
David Kerr	Group Manager Development Assessment & Compliance
Graham Middleton	Group Manager Marketing & Communications
Todd Dickinson	Group Manager Natural Environment
Michael Keelan	Group Manager Parks, Reserves & Foreshores
Boris Bolgoff	Group Manager Roads, Traffic and Waste
Allan Yates	Acting Internal Ombudsman
Kelly Sentance	Business and Administration Manager
Katie Kirwan	Administration Officer Governance
Sylwia Stafford	IM&T Support Officer

NOTES

The meeting commenced at 6:02pm, moved into closed session at 7:29pm, resumed in open session at 8:22pm and concluded at 8:24pm

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 27 OCTOBER 2015

243/15 **RESOLVED**

Cr Moskal / Cr Harrison

That the Minutes of the Ordinary Council Meeting held on 27 October 2015, copies of which were previously circulated to all Councillors, are hereby confirmed as a true and correct record of the proceedings of that meeting.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: Cr Gobert was not present for the voting on this Item

2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 17 NOVEMBER 2015

244/15 **RESOLVED**

Cr Regan / Cr Kerr

That the Minutes of the Extraordinary Council Meeting held on 17 November 2015, copies of which were previously circulated to all Councillors, are hereby confirmed as a true and correct record of the proceedings of that meeting.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: Cr Gobert was not present for the voting on this Item

Councillor Gobert joined the meeting at 6:04pm

3.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Cr Daley declared a less than significant, non-pecuniary interest in relation to Item 8.3 – Cost of Hanging Pots along Condamine Street and Item 8.1 – Markets in Warringah, as he owns property in these areas.

4.0 PUBLIC FORUM

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

4.1 Jacqui North representing the Affordable Housing Community Committee addressed Item 8.5, Affordable Housing Discussion Paper and Action Plan and asked the following questions:

1. How many detached houses have single or just two occupants in Warringah?
2. How many registered live in carers are there in Warringah?
3. Will Council allow more flexible building regulations (new and existing houses) for live-in carers and multi-generational living as the populations ages? (example duplexes)

Cr Regan advised a written response will be provided.

4.2 Andrew Ellery addressed Item 8.5, Affordable Housing Discussion Paper and Action Plan.

4.3 Ann Sharp made a statement in relation to the proposal to lease land adjacent to the Warringah Aquatic Centre.

PROCEDURAL MOTION - ITEMS MOVED BY EXCEPTION

245/15 RESOLVED

Cr Regan / Cr Gobert

That the Order of Business be changed so Items 6.1, 6.2, 6.3, 6.4, 7.2, 8.2, 8.5, 8.6, 8.9, 8.10, 8.11, 13.3, 13.4 are dealt with by exception with the recommendations of the General Manager / Deputy General Managers being adopted

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED.

ITEMS RESOLVED BY EXCEPTION:

6.1 MONTHLY FUNDS MANAGEMENT REPORT OCTOBER 2015

246/15 **RESOLVED**

Cr Regan / Cr Gobert

That:

- A. The report indicating Council's Funds Management position as at 31 October 2015 is noted.
- B. The Certificate of the Responsible Accounting Officer is noted and the report adopted.

RESOLVED BY EXCEPTION

6.2 COMPLAINTS MANAGEMENT AND REPORTING POLICY

247/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council adopt the Complaints Management and Reporting Policy.

RESOLVED BY EXCEPTION

6.3 CODE OF CONDUCT REVIEW

248/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council:

- A. Adopt the Code of Conduct
- B. Rescinds the Gifts and Benefits and Conflicts of Interest Policies.

RESOLVED BY EXCEPTION

6.4 CONDUCT REVIEW COMMITTEE ANNUAL SUMMARY REPORT

249/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council note the Conduct Review Committee Annual Summary Report.

RESOLVED BY EXCEPTION

7.2 COMMUNITY ENGAGEMENT POLICY AND MATRIX - REVISED

250/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council:

- A. Adopt the revised Community Engagement Policy and Matrix
- B. Continue to progress recommendations and actions resulting from the Engagement Review

RESOLVED BY EXCEPTION

8.2 ADOPTION OF A SPIRIT OF PLAY: WARRINGAH'S OPEN SPACE STRATEGY

251/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council:

- A Adopt "A Spirit of Play: Warringah's Open Space Strategy"
- B Rescind the Playground Strategy (2007)

RESOLVED BY EXCEPTION

8.5 AFFORDABLE HOUSING DISCUSSION PAPER AND ACTION PLAN

252/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council:

- A. Work with the Department of Planning and Environment to include Warringah in the *State Environmental Planning Policy No. 70 Affordable Housing (Revised Schemes)* write to the Minister for Planning outlining the planning merits of this proposal.
- B. Promote the benefits of, and need for, affordable housing in Warringah.
- C. Place the Affordable Housing Discussion Paper and Action Plan on public exhibition for a minimum of 28 days and undertake community engagement, and report back to Council on the outcomes and exhibition and engagement.

RESOLVED BY EXCEPTION

8.6 ADDITIONAL FEES 2015/16 - PLANNING PROPOSALS

253/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council adopt the following amended fees for planning proposals for 2015/16:

Fee description	Unit	Proposed Fee
Planning Proposal Fee – Minor Category	Per application	\$25,000
Planning Proposal Fee – Major Category (such as Urban Intensification, Non-Urban to Urban)	Per application	\$50,000

Planning Proposal Fee – Rezoning Non-Urban Land to Urban Land	Per application	Deleted - To be covered by Urban Intensification Fee Above
Advertising fee – minor	Per application	\$1,500
Advertising fee – major	Per application	\$3,000
Public hearing	Per hearing	Cost recovery
Additional studies Post Gateway	Per application	Cost recovery

Fees are not subject to GST

RESOLVED BY EXCEPTION

8.9 MINUTES OF THE STRATEGIC REFERENCE GROUP OCTOBER MEETINGS

254/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council note the draft minutes from the following meetings:

- A. A Connected Environment Strategic Reference Group meeting held on 6 October 2015.
- B. Vibrant Connected Communities Strategic Reference Group meeting held 6 October 2015.
- C. ECOS Strategic Reference Group meeting held 7 October 2015.
- D. Open Space and Recreation Strategic Reference Group meeting held 7 October 2015.

RESOLVED BY EXCEPTION

8.10 MINUTES OF SYDNEY COASTAL COUNCILS GROUP MEETING HELD 19 SEPTEMBER 2015

255/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council note the minutes of the Sydney Coastal Council Group Annual General Meeting held 19 September 2015.

RESOLVED BY EXCEPTION

8.11 MINUTES OF THE WARRINGAH/PITTWATER BUSH FIRE MANAGEMENT COMMITTEE MEETING HELD 2 JUNE 2015

256/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council note the Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 2 June 2015.

RESOLVED BY EXCEPTION

13.3 RFT 2015/010 - CAMPBELL PARADE DRAINAGE IMPROVEMENTS257/15 **RESOLVED****Cr Regan / Cr Gobert**

That:

- A. In accordance with Clause 178(1) (b) of the Local Government (General) Regulation 2005, Council decline to accept any tender received for RFT 2015/010 – Campbell Parade Drainage improvements;
- B. In accordance with Clause 178(3) (a) of the Local Government (General) Regulation 2005, Council cancel the proposal for the contract and undertake an assessment of alternative design solutions.
- C. Should an appropriate design be developed, a new procurement process be started in accordance with Council's procurement policy.

RESOLVED BY EXCEPTION**13.4 RFT 2015/080 - NOLAN RESERVE BRIDGE**258/15 **RESOLVED****Cr Regan / Cr Gobert**

That

- 1. Pursuant to Clause 178(1) (b) of the Local Government (General) Regulation 2005, Council decline to accept any of the submissions received for RFT 2015 / 080 – Nolan Reserve Bridge.
- 2. Pursuant to Clause 178(3) (a) of the Local Government (General) Regulation 2005, Council cancels the proposal for the contract and undertakes an assessment of alternative design solutions.

Should an appropriate design be developed, a new procurement process be started in accordance with Council's procurement policy including calling for new tenders if required.

RESOLVED BY EXCEPTION**PROCEDURAL MOTION - MOTION OF URGENCY****Cr De Luca / Cr Daley**

That, as a matter of urgency, Council considers the following motion in relation to the excessive use of ratepayers money. This is deemed urgent due to the excessive expenditure on unnecessary advertising and marketing material, and the continual attacks on public officials on the northern beaches:

- A. That this Council notes with concern:
 - a. The excessive expenditure of ratepayers' money by the Mayor, Michael Regan, and Council amounting to hundreds of thousands of dollars on advertising and other material in pursuance of his takeover bid of the northern beaches.

- b. The use of the Warringah Council Mayoral Column and other Warringah Council publications, for political purposes to attack other Councils and Mayors of adjoining Councils.
- c. Scaremongering by Warringah Council with certain staff issuing Warringah Council Media Releases claiming that should Warringah Council be divided into two Councils children will lose their child care places and the new Hospital will be in jeopardy.

B. That this Council resolves:

- a. To call upon Mayor Michael Regan to apologise for his attacks on fellow elected representatives on the northern beaches that do not agree with one northern beaches Council and for his actions have brought Warringah Council into disrepute.
- b. That all advertising and expenditure on the amalgamation campaign cease and that Council staff are not to participate in the amalgamation campaign.

VOTING

For the motion: Crs Daley, De Luca and Giltinan

Against the motion: Crs Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

LOST

NOTE: The Chair ruled that the matter was not one of urgency.

PROCEDURAL MOTION - MOTION OF URGENCY

Cr Daley / Cr De Luca

That, as a matter of urgency, Council considers the following motion in relation to a vote of no confidence in the Mayor. This is deemed urgent because of the belief that the chamber has lost confidence in the Mayor for running a transparent Council :

That this Council declare no confidence in the Mayor for the matter in which he has shut down the debate in relation to public expenditure regarding the campaign that has been run against other councils in the amalgamation debate on the peninsula, and for the alleged misinformation that has been circulated by Warringah Council promoting this campaign.

VOTING

For the motion: Crs Daley and De Luca

Against the motion: Crs Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

LOST

NOTE: The Chair ruled that the matter was not one of urgency.

PROCEDURAL MOTION - MOTION OF URGENCY

Cr De Luca / Cr Daley

That, as a matter of urgency, Council considers the following motion in relation to expenditure on marketing. This is deemed urgent because residents deserve to know where ratepayers money is

being spent:

That the General Manager to be requested to furnish a report within seven days to all Councillors on the following matters:

- A. How much did the full page advertisement in last Saturday's Manly Daily cost?
- B. How much did the document and delivery to all residences in Warringah cost?
- C. How much did the two full page advertisements two weeks ago in the Manly Daily cost?
- D. What further advertising, marketing and materials are planned for the campaign for the One Northern Beaches Council and what does this expenditure amount to?
- E. Since the answer that the advertising materials and reports cost \$190,000, what has been the total amount of expenditure since then?

VOTING

For the motion: Crs Daley, De Luca, Giltinan and Gobert

Against the motion: Crs Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

LOST

NOTE: The Chair ruled that the matter was not one of urgency.

5.0 MAYORAL MINUTES

Nil

6.0 GENERAL MANAGER'S REPORTS

7.0 COMMUNITY DIVISION REPORTS

7.1 DEE WHY RSL ANZAC DAY SERVICE

259/15 **RESOLVED**

Cr Daley / Cr Regan

That Council:

- A. Enters into a three year Agreement (2016 -2018) with the organiser (Dee Why RSL) of the ANZAC Day Dawn Service, Dee Why Beach
- B. Pay the costs incurred for cleansing, waste, Lifeguard services, light pole flag design and production, road closure and banner signage - up to \$5,523 and to be adjusted to include any fee increases 2016-2018; and
- C. Provide \$5,000 cash sponsorship to DYRSL for the purpose of the event operations upon agreement with Warringah Council to be recognised as a Sponsor.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr,

Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.0 ENVIRONMENT DIVISION REPORTS

8.1 MARKETS IN WARRINGAH

260/15 **RESOLVED**

Cr Regan / Cr Kerr

That Council:

- A. Conduct a feasibility study on alternative suitable market locations across Warringah.
- B. Staff report findings back to Council by June 2016.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.3 COST OF HANGING POTS ALONG CONDAMINE STREET, MANLY VALE

Cr Heins / Cr Harrison

That Council use the existing funds to install artificial plants on poles in Condamine Street, Manly Vale.

AMENDMENT

Cr Daley / Cr De Luca

That Council:

- A. Use the existing funds to install artificial plants on poles in Condamine Street, Manly Vale.
- B. Maintain all landscaped areas along the transport corridor within the Warringah LGA along Pittwater Road as well as Condamine Street.

NOTE: Cr Daley withdrew his amendment.

261/15 **RESOLVED**

Cr Heins / Cr Harrison

That Council use the existing funds to install artificial plants on poles in Condamine Street, Manly Vale.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.4 DRAFT WARRINGAH DEVELOPMENT CONTRIBUTIONS PLAN 2015 (AMENDMENT 1) EXHIBITION RESULTS

262/15 **RESOLVED**

Cr Menano-Pires / Cr Gobert

That Council:

- A. Endorse the creation of a 5% Section 94A levy for the Dee Why Town Centre area.
- B. Seek the Minister for Planning's approval to amend the *Environmental Planning and Assessment Regulation (2000)* to permit the commencement of draft *Warringah Development Contributions Plan (2015) (Amendment 1)*.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.7 FUNDING OFFER FROM TRANSPORT FOR NEW SOUTH WALES (TFNSW)

263/15 **RESOLVED**

Cr Menano-Pires / Cr Regan

That Council authorise the General Manager to enter into a deed of agreement with Transport for NSW for the infrastructure works in Narrabeen and Collaroy to fund Active transport initiatives as described in the report at a cost of \$645,260.

Cr Daley left the chamber at 7:23pm

VOTING

For the resolution: De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires,

Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: Cr Daley was not present for voting on this item.

Cr Daley returned to the chamber at 7:26pm

8.8 ADOPTION OF PROPOSED AMENDMENTS TO WARRINGAH COUNCIL WARD BOUNDARIES

264/15 **RESOLVED**

Cr Giltinan / Cr Kerr

That Council adopt Warringah's ward boundary amendment proposal (as exhibited) and as confirmed by the NSW Electoral Commission.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

9.0 NOTICES OF RESCISSION

Nil

10.0 NOTICES OF MOTION

Nil

11.0 QUESTIONS ON NOTICE

Nil

12.0 RESPONSES TO QUESTIONS ON NOTICE

12.1 RESPONSE TO QUESTION ON NOTICE NO 25/2015 - EXPENDITURE ON IMPLEMENTING NEW WARRINGAH LOGO

A response was listed in the business papers.

12.2 RESPONSE TO QUESTION ON NOTICE NO 26/2015 - COUNCIL'S CAR FLEET

A response was listed in the business papers.

12.3 RESPONSE TO QUESTION ON NOTICE NO 27/2015 - RESTAURANT PROPOSED FOR DEE WHY SURF LIFE SAVING CLUB

A response was listed in the business papers.

13.0 CONFIDENTIAL MATTERS – CLOSED SESSION**265/15 RESOLVED*****Cr Regan***

- A. That, in accordance with the requirements of Section 10 of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
- a Item 13.1 Contract 2014/ 043 Tract Consulting - Stage 2 Preliminary Design for Phase 1 Dee Why Town Centre Upgrades on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses Contract 2014/ 043 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 reveal confidential pricing information.
 - b Item 13.2 Contract 2013/ 110 - Environmental Consulting for Kimbriki Access Roads 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 Contract 2013/ 110 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 reveal confidential contract pricing information.
 - c Item 13.3 RFT 2015/010 - Campbell Parade Drainage Improvements 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 tender submissions 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 commercial position of the tenderers.

- d Item 13.4 RFT 2015/080 - Nolan Reserve Bridge 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 fee schedules attached to tenders submitted for this Request for Tender 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 commercial position the competitors of the companies who submitted tenders.

- e Item 13.5 RFT 2014/021 - Facilities & Events Booking System on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993]; and 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 commercial position and provide commercial advantage..

- B. That 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 the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

Cr Harrison left the chamber at 7:28pm and returned at 7:29pm

NOTE: The meeting moved into closed session at 7:29pm and resumed in open session at 8:22pm

NOTE: The General Manager reported the resolutions on confidential matters passed by exception and in closed session:

14.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

13.1 CONTRACT 2014/ 043 TRACT CONSULTING - STAGE 2 PRELIMINARY DESIGN FOR PHASE 1 DEE WHY TOWN CENTRE UPGRADES

266/15 **RESOLVED**

Cr Regan / Cr Gobert

That Council approve an increase to the contingency for variations under the Contract 2014/ 043 with Tract Consulting for Dee Why Town Centre Upgrades Stage 2, Preliminary Design for the amount detailed in the Confidential report.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires and Moskal

Against the resolution: Cr Regan

CARRIED**PROCEDURAL MOTION - MOTION OF URGENCY****267/15 RESOLVED****Cr Regan /Cr Menano-Pires**

That, in accordance with Clause 18 of the Code of Meeting Practice, Council considers the staff report in relation to Update On The Manly Warringah Sea Eagles Outstanding Debts, on the basis that it is urgent and must be dealt with prior to the next Ordinary Council Meeting, and that it be added to the agenda as Item 13.6.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: The Chair ruled that the matter was one of urgency and that the item would be dealt with as the last item on the agenda.

13.2 CONTRACT 2013/ 110 - ENVIRONMENTAL CONSULTING FOR KIMBRIKI ACCESS ROADS**268/15 RESOLVED****Cr Menano-Pires / Cr Harrison**

That Council approve an increase to the current contract for variations under the Contract 2013/110 with GHD Pty Ltd for Environmental Consulting works for the Kimbriki Access Road Project to the value outlined in this confidential report.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

13.3 RFT 2015/010 - CAMPBELL PARADE DRAINAGE IMPROVEMENTS**257/15 RESOLVED*****Cr Regan / Cr Gobert***

That:

- A. In accordance with Clause 178(1) (b) of the Local Government (General) Regulation 2005, Council decline to accept any tender received for RFT 2015/010 – Campbell Parade Drainage improvements;
- B. In accordance with Clause 178(3) (a) of the Local Government (General) Regulation 2005, Council cancel the proposal for the contract and undertake an assessment of alternative design solutions.
- C. Should an appropriate design be developed, a new procurement process be started in accordance with Council's procurement policy.

RESOLVED BY EXCEPTION**13.4 RFT 2015/080 - NOLAN RESERVE BRIDGE****258/15 RESOLVED*****Cr Regan / Cr Gobert***

That

1. Pursuant to Clause 178(1) (b) of the Local Government (General) Regulation 2005, Council decline to accept any of the submissions received for RFT 2015 / 080 – Nolan Reserve Bridge.
2. Pursuant to Clause 178(3) (a) of the Local Government (General) Regulation 2005, Council cancels the proposal for the contract and undertakes an assessment of alternative design solutions.

Should an appropriate design be developed, a new procurement process be started in accordance with Council's procurement policy including calling for new tenders if required.

RESOLVED BY EXCEPTION**13.5 RFT 2014/021 - FACILITIES & EVENTS BOOKING SYSTEM****269/15 RESOLVED*****Cr Harrison / Cr Menano-Pires***

That Council:

- A. Cease negotiations regarding RFT2014/021 Facilities and Events Booking System.
- B. Staff continue to review business requirements and investigate a system solution in 12 to 18 months.

VOTING

For the resolution: Crs Daley, De Luca, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

13.6 MATTER OF URGENCY - UPDATE ON THE MANLY WARRINGAH SEA EAGLES OUTSTANDING DEBTS

270/15 **RESOLVED**

Cr Menano-Pires / Cr Harrison

That Council:

- A. Reject the Manly Warringah Sea Eagles counter offer and advise that our original offer will remain open for a further seven days.
- B. Delegate to the General Manager the authority to do all things necessary to give effect to this resolution.

Councillor Regan left the chamber at 8:03pm and returned at 8:04pm

Councillor Giltinan left the chamber at 8:20pm

VOTING

For the resolution: Crs Gobert, Harrison, Heins, Menano-Pires and Regan

Against the resolution: Crs Daley, De Luca, Kerr and Moskal

CARRIED

NOTE: Cr Giltinan was not present for voting on this Item.

The meeting concluded at 8:24pm

This is the final page of the minutes comprising 18 pages
numbered 1 to 18 of the Ordinary Council Meeting
held on Tuesday 24 November 2015 and confirmed on Tuesday 15 December 2015

Mayor

General Manager