



northern  
beaches  
council

# MINUTES

## ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why at 6:30pm

**TUESDAY 26 SEPTEMBER 2017**

**(2017/15)**

**Minutes of an Ordinary Meeting of Council  
held on Tuesday 26 September 2017  
at the Civic Centre, Dee Why  
Commencing at 6.31pm**

**ATTENDANCE:**

**Members**

Councillors M Regan (Mayor), C Bingham (Deputy Mayor), R Amon, P Daley, V De Luca OAM, K Ferguson, S Grattan, R Harrison, S Heins, A McTaggart, P Philpott, S Sprott, D Walton, N Warren and I White.

**Officers**

Mark Ferguson	Chief Executive Officer
Helen Lever	General Manager Customer & Corporate
Ben Taylor	General Manager Environment & Infrastructure
David Kerr	General Manager Planning Place & Community

Tracey Bennett	Governance Manager
Sonya Gallery	Executive Manager Governance & Risk
Anna Moore	Governance Coordinator
Ximena Von Oven	Governance Administration Officer
Jasmine Evans	Governance Support Officer
Sylwia Stafford	IM&T Support Officer
Ben Haslett	IM&T Helpdesk Manager

**NOTES**

The meeting commenced at 6:31pm concluded at 7:38pm

**NOTE:** The Chief Executive Officer presided at the commencement of the meeting and introduced the first item.

## 1.1 ELECTION OF MAYOR

109/17 **RESOLVED**

### ***Cr Heins / Cr Ferguson***

- A. That nominations be called for candidates for the Office of Mayor for the 2017-2019 (two year) Mayoral term.
- B. That, in the event that two or more candidates accept nomination for the Office of Mayor, the election of Mayor for the 2017-2019 (two year) Mayoral term be conducted by open voting.
- C. That the election of the Mayor for the 2017-19 (two year) Mayoral term be held in accordance with the provisions of the *Local Government (General) Regulation 2005*.

### **VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

- NOTES:**
- 1. The Chief Executive Officer delegated the function of Returning Officer to the General Manager Customer and Corporate.
  - 2. The Returning Officer advised nominations were received for Councillor Michael Regan and Councillor Alex McTaggart.
  - 3. The Returning Officer conducted an election by open voting.
  - 4. Councillor Michael Regan received the highest number of votes and was declared the Mayor for a term of 2 years.
  - 5. The Mayor assumed the Chair.

## 1.0 APOLOGIES

Nil

## 2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 AUGUST 2017

110/17 RESOLVED

#### ***Cr Heins / Cr Harrison***

That the Minutes of the Ordinary Council Meeting held 28 August 2017, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

#### **VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

### 2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 6 SEPTEMBER 2017

111/17 RESOLVED

#### ***Cr Bingham / Cr Ferguson***

That the Minutes of the Extraordinary Council Meeting held 6 September 2017, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

#### **VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

## 3.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

## 4.0 PUBLIC FORUM

Note: 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 **Greg Hay and Sarah Young made a statement regarding the Peninsula Bridge Club Inc and Nelson Heather Centre.**
- 4.2 **Chris Hatch made a statement regarding the challenges of not for profit sporting groups (with reference to Manly Swimming Club) and equitable access to Council services.**
- 4.3 **Ken Boyes made a statement to Councillors in regard to their duty to represent the whole Northern Beaches Council local government area.**

#### **PROCEDURAL MOTION - EXTENSION OF TIME**

112/17 **RESOLVED**

***Cr Amon / Cr De Luca***

That Mr Boyes be granted an extension of 3 minutes to address the meeting.

#### **VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Heins, McTaggart, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Crs Harrison and Philpott

**CARRIED**

- 4.4 **Conny Harris made a statement regarding the expectations for a successful Council.**

## **6.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS**

### **6.1 ELECTION OF DEPUTY MAYOR**

113/17 **RESOLVED**

***Cr White / Cr Ferguson***

That:

- A. Council elect a Deputy Mayor.
- B. The term of the Deputy Mayor be a 1 year term and the election of the Deputy Mayor be conducted by open voting.

#### **VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

- NOTES:**
1. The Returning Officer advised that nominations were received for Councillor Kylie Ferguson and Councillor Candy Bingham.
  2. The Returning Officer conducted an election by open voting.
  3. Councillor Candy Bingham received the highest number of votes and was declared Deputy Mayor for a term of 1 year.

**6.2 DECLARATION OF POLLS - NSW LOCAL GOVERNMENT ELECTION 2017**

114/17 RESOLVED

***Cr Ferguson / Cr Harrison***

That the results of the 2017 NSW Local Government election for Northern Beaches Council be noted.

**VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

**7.0 CUSTOMER & CORPORATE DIVISION REPORTS**

**7.1 NORTHERN BEACHES COUNCIL MEETING SCHEDULE FOR 2018**

115/17 RESOLVED

***Cr Regan / Cr White***

That the item be deferred to the next Council Meeting, being 24 October 2017.

**VOTING**

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

**8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS**

Nil

## 9.0 PLANNING PLACE & COMMUNITY DIVISION REPORTS

Nil

## 10.0 NOTICES OF RESCISSION

### 10.1 NOTICE OF RESCISSION MOTION NO 01/2017 - ITEM NUMBER 7.4 - UNLEASHED DOG EXERCISE AREAS, OUTCOMES OF COMMUNITY ENGAGEMENT MAY AND JUNE 2017 FROM THE EXTRAORDINARY COUNCIL MEETING HELD 8 AUGUST 2017

#### PROCEDURAL MOTION

##### *Cr De Luca / Cr Ferguson*

That any person that applied or sought to apply to speak to this item be granted permission to address Council.

#### VOTING

**For the resolution:** Crs De Luca, Ferguson and Spratt

**Against the resolution:** Crs Amon, Bingham, Daley, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Walton, Warren and White

#### LOST

#### RESCISSION MOTION

##### *Cr Bingham / Cr Walton*

To rescind part of Resolution 180/17 being point B (a) regarding restrictions to Unleashed Dog Area at Manly Lagoon, at the Council Meeting 26<sup>th</sup> September 2017 as follows:

*B) Lagoon Reserve is retained as an unleashed dog exercise area and*

*a) Restrictions apply, in the area from the western side of the playground to the eastern most part of the reserve, on weekends (Saturday and Sunday) and public holidays as follows:*

- Friday 9pm to Sunday 9pm (on leash)*
- Night before public holiday from 9pm to 9pm on the last day of the public holiday/holidays (on leash)*

#### VOTING

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Spratt, Walton, Warren and White

**Against the resolution:** Nil

#### CARRIED

## CONSEQUENTIAL MOTION

116/17 **RESOLVED**

***Cr Bingham / Cr Grattan***

That:

1. Council immediately reinstate the off-leash dog area at Manly Lagoon on weekends and public holidays.
2. Staff undertake research on how 'dog parks' successfully operate elsewhere in Australia and overseas, with the view to preparing a report to Council, within 6 months, on what improvements can be made on the Northern Beaches in providing facilities for dogs and their families in consultation with key stakeholders including residents, the Manly Dogs and Pittwater Unleashed groups.
3. Staff organise a councillor briefing to be held to discuss the direction of the research detailed in point 2.
4. Staff provide a progress report to Council within 3 months.

## VOTING

**For the resolution:** Crs Amon, Bingham, Daley, De Luca, Ferguson, Grattan, Harrison, Heins, McTaggart, Philpott, Regan, Sprott, Walton, Warren and White

**Against the resolution:** Nil

**CARRIED**

## AMENDMENT

***Cr De Luca***

That:

1. Council immediately reinstate the off-leash dog area at Manly Lagoon on weekends and public holidays.
2. Staff undertake research on how 'dog parks' successfully operate elsewhere in Australia and overseas, with the view to preparing a report to Council, within 6 months, on what improvements can be made on the Northern Beaches in providing facilities for dogs and their families in consultation with key stakeholders including residents, the Manly Dogs and Pittwater Unleashed groups.
3. Staff organise a councillor briefing to be held to discuss the direction of the research detailed in point 2.
4. Staff provide a progress report to Council within 3 months.
5. In view of community concerns regarding safety and compliance, Council request the Chief Executive Officer to ensure extra resources are provided and that Rangers closely monitor the area and ensure compliance with the law.

**NOTE:** The motion lapsed for want of a seconder.

*The meeting concluded at 7:38pm*



This is the final page of the minutes comprising 9 pages  
numbered 1 to 9 of the Ordinary Council Meeting  
held on Tuesday 26 September 2017 and confirmed on Tuesday 24 October 2017

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Mayor

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Chief Executive Officer