



northern
beaches
council

AGENDA

Notice is hereby given that a reconvened Ordinary Meeting of Council will be held at the Civic Centre, Dee Why on

Tuesday 6 March 2018

Beginning at 5:30pm for the purpose of considering and determining matters included in this agenda.

A handwritten signature in black ink, appearing to read 'Mark Ferguson'.

Mark Ferguson
Chief Executive Officer

OUR VALUES

Trust

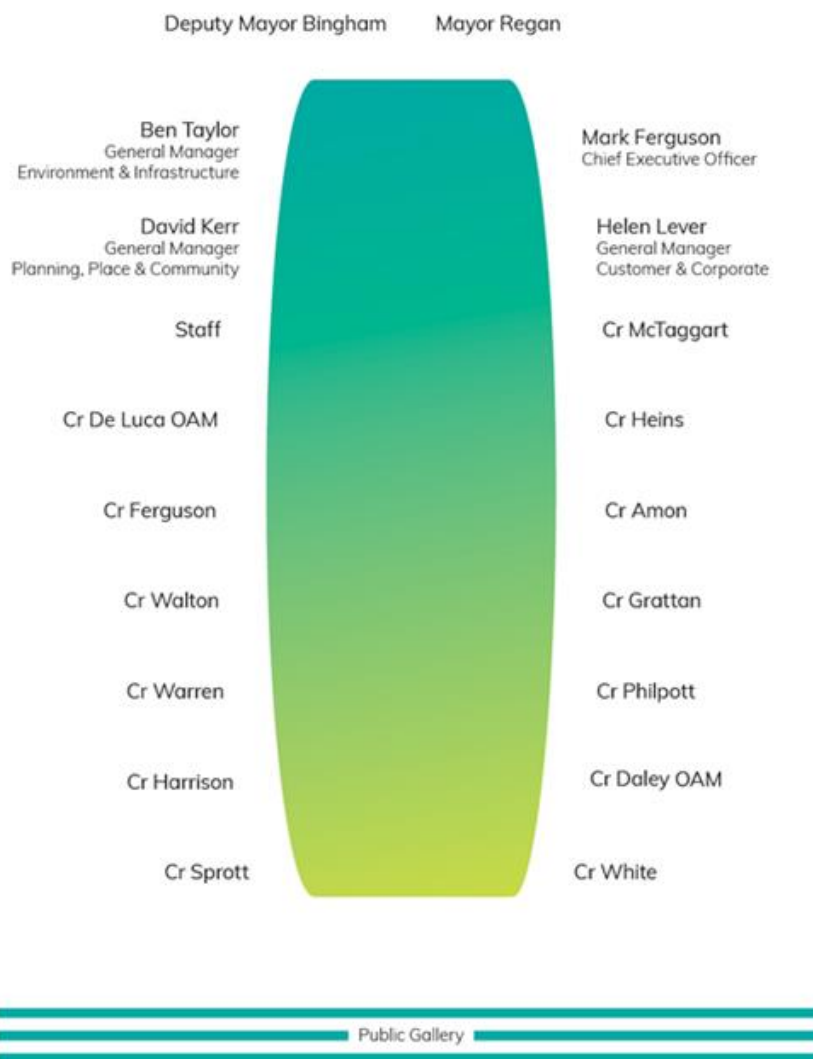
Teamwork

Respect

Integrity

Service

Leadership



**Agenda for a reconvened Ordinary Meeting of Council
to be held on Tuesday 6 March 2018
at the Civic Centre, Dee Why
Commencing at 5:30pm**

	ACKNOWLEDGEMENT OF COUNTRY	
1.0	APOLOGIES.....	4
2.0	DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST.....	4
3.0	CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS	
	Nil	
4.0	CUSTOMER & CORPORATE DIVISION REPORTS	
	Nil	
5.0	ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS	
	Nil	
6.0	PLANNING PLACE & COMMUNITY DIVISION REPORTS	
	Nil	
7.0	NOTICES OF MOTION.....	5
7.1	Notice of Motion No 14/2018 - East Esplanade.....	5
8.0	MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION.....	6
8.1	Mayoral Minute 03/2018	
8.2	Notice of Motion No 15/2018 - Proposed Independent Investigation into Council's Handling of Contracts Relating to Whistler Street Carpark, Manly Oval and Associated Issues	
9.0	REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION.....	6

1.0 APOLOGIES

In accordance with Part 4.2 of the Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Part 3 of the Code of Meeting Practice, all Councillors must declare any conflict of interest, pecuniary interest, significant or less than significant non-pecuniary interest in relation to any item listed on the agenda.

7.0 NOTICES OF MOTION

ITEM 7.1	NOTICE OF MOTION NO 14/2018 - EAST ESPLANADE
TRIM FILE REF	2018/144390
ATTACHMENTS	NIL

Submitted by: Councillors Candy Bingham and Sarah Grattan

MOTION

That Council:

- A. Review the 'Alcohol Free Zone' and 'Alcohol Prohibited Zone' at East Esplanade and West Esplanade with a view to consolidating the whole area as an Alcohol Free Zone from 8.30pm to 8.30am to enable Council and Police to enforce the zoning.
 - B. Investigate the reinstatement of night rangers to deal with noise issues and enforcement of alcohol free zones.
 - C. Consider other strategies to clear the area of illegal drinkers at East Esplanade.
-

BACKGROUND FROM COUNCILLORS CANDY BINGHAM AND SARAH GRATTAN

In recent years, East Esplanade reserve, the gateway to Manly, has become "party central" with thousands cramming into the area, particularly on Friday, Saturday & Sunday nights.

The situation has now become untenable due to increased anti-social behaviour in the early hours with urination, defecation & vomiting on personal property commonplace. Loud parties, fights & drunks wandering across the road are also a major concern.

CEO REPORT

In accordance with Council's Code of Meeting Practice Clause 5.1(1)(c) I offer the following report on this matter to assist Council in the deliberation of this motion:

Council's role in consultation with the Police Local Area Command is to define appropriate locations and timings for Alcohol Free Zones and Alcohol Prohibited Areas. A change to an existing area would benefit from wider community consultation and engagement with the Police prior to being adopted by Council.

Two Night Rangers are already employed by Council and tasked to the Manly area. Their role includes responding to complaints regarding noise and public order matters in support of the police, including patrolling public places. They are currently rostered Friday and Saturday nights from 9pm, when they attend the police operational briefing before commencing field duties. Council Rangers and Night Rangers have limited powers in relation to regulating Alcohol Free Zones and Alcohol Prohibited areas, and as such the Police generally take the lead on managing compliance in these areas. The Night Rangers' operational runs could be amended to include patrols of this location.

Concerns raised by residents regarding alcohol consumption and related anti-social behaviour in East Esplanade were discussed at the monthly Council and Police Operational meeting on 12 February. Recommendations from the meeting included considering a review of the AFZ and APA in East Esplanade and changes to current time restrictions.

8.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

- A. in accordance with the requirements of Section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
- a Item 8.1 Mayoral Minute 03/2018 - this report discusses personnel matters concerning particular individuals (other than councillors) 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. [Part 1. 10A(2)(a) Local Government Act 1993].
 - b Item 8.2 Notice of Motion No 15/2018 - Proposed Independent Investigation into Council's Handling of Contracts Relating to Whistler Street Carpark, Manly Oval and Associated Issues on the basis that it involves the receipt and discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege [Part 1. 10A(2)(g) Local Government Act 1993].

This report discusses advice concerning litigation and advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 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.
- B. the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
-

9.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

In accordance with Part 7.7 of the Code of Meeting Practice, the resolutions of items passed in Closed Session will be made public as soon practicable after the Closed Session has ended.
