

MINUTES

EXTRAORDINARY NORTHERN BEACHES COUNCIL MEETING

held at the Civic Centre, Dee Why on

MONDAY 17 JUNE 2024

Minutes of the Extraordinary Northern Beaches Council Meeting
held on Monday 17 June 2024
at the Civic Centre, Dee Why
Commencing at 6:01 pm

ATTENDANCE:

Councillors

Sue Heins (Mayor)
Georgia Ryburn (Deputy Mayor)
Kristyn Glanville
Sarah Grattan
Candy Bingham
Miranda Korzy
Michael Gencher
Karina Page
Vincent De Luca OAM
Stuart Sprott – *joined at 6:18 pm*
Ruth Robins
Jose Menano-Pires
David Walton

Officers

Scott Phillips	Chief Executive Officer
Kelly Loveridge	Chief Operating Officer
David Kerr	Director Community & Recreation
Todd Dickinson	Director Environment & Open Space
Louise Kerr	Director Planning & Place
Campbell Pfeiffer	Director Transport & Assets
Eskil Julliard	General Counsel
Neil Cocks	Acting Executive Manager Strategic & Place Planning
Sarah Dunstan	Executive Manager Governance & Risk
Lesley Milbourne	Manager Governance
Lauren Reti	Senior Advisor - Governance
Mat Maish	Senior Advisor - Governance
Gavin Mascarenhas	Service Desk Analyst
Max Alexander	Service Delivery Analyst

Notes

The meeting commenced at 6:01 pm, adjourned at 7:00 pm, resumed at 7:10 pm, and concluded at 7:34 pm

Table of Contents

1.0	Acknowledgement of Country	4
2.0	Apologies and Applications for Leave of Absence and Remote Attendance	4
3.0	Disclosures of Interest.....	4
4.0	Public Address	5
11.0	Planning and Place Division Reports	6
11.1	Planning Proposal – Northern Beaches Local Environmental Plan (LEP)	6

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, present and emerging

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

PROCEDURAL MOTION - LEAVE OF ABSENCE

131/24 **RESOLVED**

Cr Robins / Cr Bingham

That Council accept applications for a leave of absence from Councillors Regan and Crvelin for the June extraordinary Council meeting.

VOTING

FOR: Cr Bingham, Cr Grattan, Cr Walton, Cr Glanville, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Page, Cr Gencher, Cr Korzy, Cr Ryburn and Cr Heins

AGAINST: Nil

ABSENT: Cr Sprott

CARRIED

3.0 DISCLOSURES OF INTEREST

- Councillor Walton made a special disclosure of pecuniary interest under clause 4.37 of the Code of Conduct as he owns property on the Northern Beaches and will remain in the meeting for the discussion and voting on the item.
- Councillor Korzy declared a not significant non-pecuniary interest in relation to the agenda and will remain in the meeting for the discussion and voting on the item. The reason provided was:

"I own a house on the Northern Beaches and I'm standing to inherit part of a unit in a retirement village on the Northern Beaches."

- Councillor Sprott declared a not significant non-pecuniary interest in relation to the agenda and will remain in the meeting for the discussion and voting on the item. The reason provided was:

"I own an investment property in Manly."

4.0 PUBLIC ADDRESS

PROCEDURAL MOTION - PUBLIC SPEAKERS

132/24 **RESOLVED**

Cr Heins / Cr Ryburn

That Council grant permission for 4 waitlisted speakers to address the Council.

VOTING

FOR: Cr Bingham, Cr Grattan, Cr Walton, Cr Glanville, Cr Robins, Cr De Luca, Cr Page, Cr Gencher, Cr Korzy, Cr Ryburn and Cr Heins

AGAINST: Cr Menano-Pires

ABSENT: Cr Sprott

CARRIED

- John Holman, on behalf of Warringah Urban Fringe Association, addressed Council in support of the item.
- Nigel Howard addressed Council in support of the item.

PROCEDURAL MOTION - PUBLIC SPEAKER - EXTENSION OF TIME

Cr Korzy / Cr Glanville

That Nigel Howard be granted an extension of one minute to address the meeting.

VOTING

FOR: Cr Bingham, Cr Walton, Cr Glanville, Cr Gencher and Cr Korzy

AGAINST: Cr Grattan, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Page, Cr Ryburn and Cr Heins

ABSENT: Cr Sprott

LOST

NOTE: Councillor Sprott joined the meeting at 6:18 pm

- Nick Brook addressed Council against the item.
- Stephen Choularton, on behalf of Bayside and Ingleside Residents Association, addressed Council against the item.
- Shama Kunhi addressed Council in support of the item (via statement read by staff).
- Kourosh Farrokhzadi addressed Council against the item (via a statement read by staff).
- Lukas Conaglen addressed Council against the item (via a statement ready by staff).
- Rosalind Read, on behalf of Avalon Sailing Club and Bayview Yacht Racing Association, addressed Council against the item.

11.0 PLANNING AND PLACE DIVISION REPORTS

11.1 PLANNING PROPOSAL – NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN (LEP)

Cr Grattan / Cr Menano-Pires

That:

1. Council endorse the Planning Proposal (Attachment 1 and Attachment 2) for submission to the Minister for Planning and Public Spaces for Gateway Determination.
2. Council delegate authority to the Chief Executive Officer to make any required amendments to the Planning Proposal to address minor errors or the requirements of the Department of Planning, Housing and Infrastructure which do not alter the intent or result in material changes to the Planning Proposal, prior to the commencement of any public exhibition.

AMENDMENT

Cr Korzy / Cr Glanville

That:

1. Council endorse the Planning Proposal (Attachment 1 and Attachment 2) for submission to the Minister for Planning and Public Spaces for Gateway Determination, subject to the following amendments in points 2 – 3 being included.
2. That the following items in the Planning Proposal Northern Beaches Local Environment Plan are amended as follows:
 - a. Part 1 Intended Outcomes - Insert a new Point 2. to say: *“Prevention of and adaptation to climate change and its impacts”*.
 - b. Under “Hazard local provisions”, Clause 119, “Coastal hazard management”, address the issues of climate change impacts, including sea level rise and inundation, storm surges and flood prone land. Council should seek the most recent mapping available from CSIRO and other agencies to inform this work. Add statement that: *“Development that would expose the community, homes or infrastructure to inundation or storm surges should be avoided.”*
 - c. Under “Environment local provisions”, amend draft clause 111 – Foreshore Scenic Protection Area in Part 3 and Part 4 and the Foreshore Scenic Protection Area map in Appendix C11 to extend the foreshore scenic protection area controls beyond Manly to additional areas on the coast in accordance with the recommendations contained in Council’s draft Local Character Study (TRACT Consultants).
 - d. In Clause 109, add “cliffs” to Scenic Protection provisions.
 - e. Reduce the “sunset period” for the deferred lands, such that the transitional period applies to development applications lodged within 12 months from the new LEP entering into force.
3. That the staff prepare and include in the Planning Proposal an additional clause to limit excavation in Conservation Zones to 2 storeys to preserve the landscape in these unique areas.
4. As part of the preparation for the draft Development Control Plan, staff include suggested draft controls intended to protect habitat connectivity values such as tree corridors.
5. Council delegate authority to the Chief Executive Officer to make any required amendments to the Planning Proposal to address minor errors or the requirements of the Minister/Department prior to the commencement of any public exhibition which do not alter the intent or result in material changes to the Planning Proposal.

PROCEDURAL MOTION - ADJOURN THE MEETING

133/24 **RESOLVED**

Cr De Luca / Cr Sprott

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

VOTING

FOR: Unanimous

CARRIED

NOTE: The meeting adjourned at 7:00 pm and resumed at 7:10 pm

NOTE: Debate resumed on the amendment

AMENDMENT

Cr Korzy / Cr Glanville

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4. As part of the preparation for the draft Development Control Plan, staff include suggested draft controls intended to protect habitat connectivity values such as tree corridors.
5. Council delegate authority to the Chief Executive Officer to make any required amendments to the Planning Proposal to address minor errors or the requirements of the Minister/Department prior to the commencement of any public exhibition which do not alter

the intent or result in material changes to the Planning Proposal.

VOTING

FOR: Cr Glanville, Cr Sprott and Cr Korzy

AGAINST: Cr Bingham, Cr Grattan, Cr Walton, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Page, Cr Gencher, Cr Ryburn and Cr Heins

LOST

PROCEDURAL MOTION - EXTENSION OF TIME

Cr Sprott / Cr Glanville

That Cr Korzy be granted an extension of 2 minutes to address the meeting.

VOTING

FOR: Cr Walton, Cr Glanville, Cr Sprott and Cr Korzy

AGAINST: Cr Bingham, Cr Grattan, Cr Menano-Pires, Cr Robins, Cr De Luca, Cr Page, Cr Gencher, Cr Ryburn and Cr Heins

LOST

THE AMENDMENT WAS LOST AND DEBATE RESUMED ON THE ORIGINAL MOTION

134/24 RESOLVED

Cr Grattan / Cr Menano-Pires

That:

1. Council endorse the Planning Proposal (Attachment 1 and Attachment 2) for submission to the Minister for Planning and Public Spaces for Gateway Determination.
2. Council delegate authority to the Chief Executive Officer to make any required amendments to the Planning Proposal to address minor errors or the requirements of the Department of Planning, Housing and Infrastructure which do not alter the intent or result in material changes to the Planning Proposal, prior to the commencement of any public exhibition.

VOTING

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

AGAINST: Cr Korzy

CARRIED

The meeting concluded at 7:34 pm

This is the final page of the minutes comprising 8 pages numbered 1 to 8 of the Extraordinary Northern Beaches Council Meeting held on Monday 17 June 2024 and confirmed on Tuesday 25 June 2024

Mayor

Chief Executive Officer