

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 28 FEBRUARY 2017

(2017/2)

**Minutes of an Ordinary Meeting of Council
held on Tuesday 28 February 2017
at the Civic Centre, Dee Why
Commencing at 6.31pm**

ATTENDANCE:

Members

Dick Persson, AM - Administrator

Officers

Mark Ferguson	General Manager
Helen Lever	Acting Deputy General Manager Corporate Governance
Ben Taylor	Deputy General Manager Environment & Infrastructure
Andrew Pigott	Acting Deputy General Manager Planning & Community
Beth Lawsen	Deputy General Manager Public Affairs
Melinda Aitkenhead	Acting Executive Manager Governance & Enterprise Risk
Melissa Lee	Governance Manager
Tonya Burrowes	Acting Executive Manager Transport and Urban
Todd Dickinson	Executive Manager Natural Environment and Climate Change
Neil Williamson	Executive Manager Environmental Compliance
Craig Sawyer	Executive Manager Major Projects
David Kerr	Executive Manager Chief Financial Officer
Michael McDermid	Executive Manager Corporate Strategy and Planning
Kate Lewis	Executive Manager Community Engagement
David Walsh	Chief Financial Office
Lynne Jess	Secretariat Officer - Governance
Greg Karageuzian	IM&T Support Officer

NOTE: The Administrator acknowledged the presence of former Mayor of Warringah, Michael Regan, former Deputy Mayor of Pittwater, Kylie Ferguson, and former Councillors Candy Bingham, Sue Heins and Cathy Griffin.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 31 JANUARY 2017

016/17 RESOLVED

D Persson

That the Minutes of the Ordinary Council Meeting held 31 January 2017, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 15 FEBRUARY 2017

017/17 RESOLVED

D Persson

That the Minutes of the Extraordinary Council Meeting held 15 February 2017, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

3.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

4.0 PUBLIC FORUM

The Administrator 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 Bartlett made a statement about Council's proposal to close the Warringah Aquatic Centre.

4.2 David Parsons made a statement about Governance.

- 4.3 Terry LeRoux made a statement about fiduciary responsibilities of Council staff and Councillors.
- 4.4 Denise Keen made a statement about the level of transport options from Manly, Fairlight and Balgowlah to the Northern Beaches Hospital.
- 4.5 Bruce Kitson made a statement about the post audit of the Manly Andrew 'Boy' Charlton swim centre.
- 4.6 Norman Monshall made statement about the lack of outdoor dining establishments on The Corso, Manly.
- 4.7 Margaret Cliff made a statement about the Forestville War Memorial Playing Fields Masterplan.
- 4.8 Brian Halstead made a statement about agenda items and reporting by Ward and expenditure by budget area, including amalgamation costs.
- 4.9 Cathy Griffin made a statement about real-time tracking of the Hop Skip Jump bus service.

5.0 ADMINISTRATOR'S MINUTES

Nil

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

018/17 RESOLVED

D Persson

That the Order of Business be changed so Items 9.1 be brought forward and dealt with immediately.

9.1 PLANNING PROPOSAL (PP0004/16) FOR 15 JUBILEE AVENUE, WARRIEWOOD

NOTE: Adam Coburn addressed Council on this Item.

NOTE: Lee Richards addressed Council on this Item.

019/17 **RESOLVED**

D Persson

That Council:

- A. Support the request to amend the land use zone of 15 Jubilee Avenue, Warriewood from IN2 (Light Industrial) to B7 (Business Park).
- B. Prepare the Planning Proposal for the change in land use zone and forward to the Department of Planning and Environment with a request for a Gateway Determination to be made.
- C. Do not support the applicant's changes to height and floor space, and retain the Height of Building of 11m, and the floor space ratio of 1:1 that already applies to 15 Jubilee Avenue Warriewood.

6.0 GENERAL MANAGER'S REPORTS

6.1 QUARTERLY FINANCIAL AND MANAGEMENT REPORT DECEMBER 2016

020/17 **RESOLVED**

D Persson

That Council:

- A. Note the Budget Review Statement for the period 13 May to 31 December 2016.
- B. Approve the following changes to the Current Forecast in the December 2016 Business Review Statement:
 - a. The Surplus from Continuing Operations which includes Capital Grants and Contributions is forecast to increase by \$4,112,232 to \$76,947,957 .
 - b. Decrease in capital expenditure by \$19,007,377.

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 MONTHLY INVESTMENT REPORT - JANUARY 2017

021/17 **RESOLVED**

D Persson

That Council receive and note the Investment Report as at 31 January 2017, including the certification by the Responsible Accounting Officer.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 MINUTES OF THE WARRINGAH COUNCIL TRUST FOR THE ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND

022/17 RESOLVED

D Persson

That Council:

1. Note the Minutes of the meeting of the Warringah Council Trust for the Acquisition of Environmentally Sensitive Land held on 26 October 2016.
2. Request the General Manager investigate changing the name of the Trust and if appropriate any further similar Trusts or funds administered by Council to reflect the name of the Northern Beaches Council.

8.2 MINUTES OF SYDNEY COASTAL COUNCIL GROUP MEETING HELD 3 DECEMBER 2016

023/17 RESOLVED

D Persson

That Council note the minutes of the Sydney Coastal Councils Group Ordinary Meeting held 3 December 2016.

8.3 COASTAL ZONE MANAGEMENT PLAN FOR BILGOLA BEACH AND BASIN BEACH - REFERRAL TO MINISTER FOR PLANNING FOR CERTIFICATION

024/17 RESOLVED

D Persson

That Council:

- A. Adopt the amended Coastal Zone Management Plan for Bilgola Beach & Basin Beach (2016) – Issue E.
- B. Forward the adopted draft Coastal Zone Management Plan for Bilgola Beach & Basin Beach (2016) to the NSW Minister for Planning with a request for certification.

8.4 PHASE 1: STREETScape UPGRADES - PRELIMINARY DESIGN PLANS - PUBLIC EXHIBITION REPORT

025/17 RESOLVED

D Persson

That Council accept the Preliminary Design Plans for Phase 1: Streetscape Upgrades, Dee Why Town Centre and proceeds for Detailed Design for the remainder of Phase 1.

8.5 WEST NEWPORT PARKING DEMAND MANAGEMENT STRATEGY

026/17 RESOLVED

D Persson

That Council support the commencement of a 28 day community engagement process to seek community feedback relating to the strategies outlined in the Summary of Draft West Newport Parking Demand Management Strategies.

8.6 RFT2016/085 - EXTENSION AND REFURBISHMENT OF DAVIDSON RURAL FIRE BRIGADE

027/17 RESOLVED

D Persson

That Council:

- A. Accept the tender of Westbury Constructions Pty Ltd received for RFT 2016/085 – Extension and Refurbishment Works to Davidson Rural Fire Brigade for the sum of \$546,907 (excl GST).
- B. Delegate authority to the General Manager to execute all necessary documentation to give effect to this resolution and to approve contract payments and the contingency sum up to the amount specified in the body of the report.

8.7 ALTERNATIVE PROCUREMENT - PARKING MACHINE SUPPLY AND MAINTENANCE SERVICES

028/17 RESOLVED

D Persson

That Council:

- A. Exercise its authority under Section 55 (3) of the Local Government Act and approve an alternative procurement process for the supply and maintenance of parking machines.
- B. Delegate authority to the General Manager to negotiate contracts with Integrated Technology Services, DJM Services Group and Duncan Solutions for the supply and maintenance of parking machines and if successful to execute all necessary documentation to give effect to this resolution.

8.8 WARRINGAH GOLF COURSE, CONDAMINE STREET, MANLY VALE - PROPOSED EXTENSION OF LEASE TERM FOR WARRINGAH GOLF CLUB

029/17 **RESOLVED**

D Persson

That Council:

- A. Authorise a two (2) year lease term extension to Warringah Golf Club Limited ACN 000 085 601 for Warringah Golf Course being Lots 1 & 7 DP829465 (part Lots 2742 and 2743 in DP752038) commencing 1 September 2017 to 31 August 2019 with annual CPI rent increases.
- B. Delegate authority to the General Manager to execute all necessary documentation to give effect to this resolution.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.2 MINOR AMENDMENT TO SUSPENSION OF ALCOHOL PROHIBITED AREA FOR 2017 VOLLEYFEST EVENT

030/17 **RESOLVED**

D Persson

That Council:

- A. Amend the suspension of the Alcohol Prohibited Area for 2017 VolleyFest on Manly Beach beachfront and promenade on Saturday 18 March 2017 to between the hours of 12.00pm (midday) and 9.00pm.
- B. In accordance with section 645(i) of the *Local Government Act 1993*, provide appropriate notice of the suspension of the Alcohol Prohibited Areas through a local newspaper.
- C. Event staff together with event organisers continue to liaise with Northern Beaches Police in relation to the safe management of the area during the suspension of the Alcohol Prohibited Areas.

9.3 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES

031/17 **RESOLVED**

D Persson

That Council approve public exhibition of the proposed Alcohol Free Zones and Alcohol Prohibited Areas for a period of 30 days.

9.4 REVIEW OF THE BOAT TRAILER PARKING PILOT

032/17 RESOLVED

D Persson

That Council write to the Office of Local Government providing feedback on the regulation of boat trailers.

9.5 NSW FIRE & RESCUE REPORT - 11 OYAMA AVENUE, MANLY

033/17 RESOLVED

D Persson

That Council:

- A. Issue an Order 6 on the owners of 11 Oyama Avenue, Manly.
- B. Provide notice to Fire and Rescue NSW of the above determination.

9.6 DRAFT AMENDMENTS TO WARRINGAH DEVELOPMENT CONTROL PLAN 2011 - PART E9 - COASTLINE HAZARDS

034/17 RESOLVED

D Persson

That Council adopt the proposed amendments to *Warringah Development Control Plan 2011 – Part E9 Coastline Hazards* to give effect to the *Northern Beaches Coastal Erosion Policy*.

10.0 PUBLIC AFFAIRS DIVISION REPORTS

10.1 COMMUNITY ENGAGEMENT POLICY AND FRAMEWORK - OUTCOMES FROM PUBLIC EXHIBITION

NOTE: Brian Halstead addressed Council on this Item.

035/17 RESOLVED

D Persson

That Council:

- A. Adopt the revised Community Engagement Policy and Matrix.
- B. Continue to progress recommendations and transformation actions to support and develop engagement practice within the new Council.

10.2 NOTES OF THE IMPLEMENTATION ADVISORY GROUP AND LOCAL REPRESENTATION COMMITTEE MEETINGS

036/17 **RESOLVED**

D Persson

That Council note the Meeting Notes from the:

- A. Implementation Advisory Group (IAG) meetings held 2 November and 30 November 2016.
- B. Economic, Environment Social Local Representation Committee (LRC) meetings held on 23 November 2016.

The meeting concluded at 8.27pm

This is the final page of the minutes comprising 10 pages
numbered 1 to 10 of the Ordinary Council Meeting
held on Tuesday 28 February 2017 and confirmed on Tuesday 28 March 2017

Administrator

General Manager