



WARRINGAH
COUNCIL

MINUTES

EXTRAORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

MONDAY 21 DECEMBER 2015

(2015/14)



Minutes of an Extraordinary Meeting of Council
held on Monday 21 December 2015
at the Civic Centre, Dee Why
Commencing at 4:09pm

ATTENDANCE:

Members

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

Officers

Rik Hart	General Manager
John Warburton	Deputy General Manager Community
Malcolm Ryan	Deputy General Manager Environment
Vivienne Ingram	Executive Legal Counsel
Melissa Lee	Governance Manager
Ximena Von Oven	Administration Officer Governance
Dinesh Mishra	IM&T Support Officer
Richard McManus	Chief Information Officer
Campbell Pfeiffer	Group Manager Building Property & Spatial Information
Adam Vine	Group Manager Business & Risk
Melissa Messina	Group Manager Children's Services
Ruth Robins	Group Manager Community Services
Peter Bell	Group Manager Customer Support Services
David Kerr	Group Manager Development Assessment & Compliance
Melodie Whiting	Group Manager Human Resources
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
Peter Robinson	Group Manager Strategic Planning

NOTES

The meeting commenced at 4.09pm, and concluded at 5.19pm

1.0 APOLOGIES

304/15 **RESOLVED**

Cr Regan / Cr Menano-Pires

That an apology for non-attendance be received from Councillor Wayne Gobert.

VOTING

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

Against the resolution: Nil

CARRIED

2.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

3.0 PUBLIC FORUM

Nil

4.0 MAYORAL MINUTES

4.1 MAYORAL MINUTE NO 13/2015 - LOCAL GOVERNMENT REFORM THE FUTURE OF WARRINGAH COUNCIL

BACKGROUND

The intention of this extraordinary meeting is to discuss our future direction in regards to the NSW Government announcement last week that Warringah Council will be split to form two new smaller councils along with Pittwater to the north and Manly and Mosman to the south under their Local Government reform plans.

Warringah has been one of the few councils that has supported Local Government Reform from the outset so it's with dismay that we now have to acknowledge the State Government's recommendation. We have dragged ourselves up from the ashes of three sackings to become the 2015 winner of the sector's most prestigious award, the Bluett, now only to be split in two.

Following this announcement, I have publicly stated over the weekend my disappointment in the decision given by the Government that has ignored its own experts, its own Independent Local Government Review Panel, IPART and its own criteria for scale and capacity in this decision. It also ignores the independent reports of our neighbours. All said one council was the best option.

It is imperative that we as the elected Council look at the details of what the NSW Government has proposed to ensure the future of 155,000 people in Warringah will not be disadvantaged.

Firstly, I think it is important that we note that the first publication of a divide Warringah option was only provided for consideration in a Pittwater Council resolution on 16 November 2015 as a merger preference during the recent 30 day consultation.

Pittwater Council's resolution of 16 November 2015. It provides that Warringah suburbs will be split as follows:

Northern council	Southern Council
Pittwater Council plus: <ul style="list-style-type: none"> • Belrose • Collaroy • Cottage point • Cromer • Davidson • Duffys Forest • Frenchs Forest • Narrabeen • Oxford Falls • Terrey Hills • Wheeler Heights 	Manly Council plus: <ul style="list-style-type: none"> • Allambie • Allambie Heights • Beacon Hill • Brookvale • Dee Why • Curl Curl • Queenscliff • Freshwater- North Manly • Forestville • Killarney • Manly Vale • Narrabeena • North Balgowlah

Further, the first time a split line was actually available for consideration by the community along with Council was on Friday 18 December 2015, after a Local Government Reform decision was already made by the State Government and published on the NSW Council Boundary Review website.

For the record, these websites are -

www.councilboundaryreview.nsw.gov.au/summary-sheets/pittwater-and-warringah-councils/
www.councilboundaryreview.nsw.gov.au/summary-sheets/manly-mosman-municipal-and-warringah-councils/

Within these recommended boundary divisions, I am yet to understand the synergies of some of the suburbs allocated within the divisions including Frenchs Forest, Brookvale, Cromer, Dee Why, Narrabeena and Beacon Hill and Oxford Falls. The division as outlined on the website sees each new Council with less residents than that which currently exists in Warringah including 140,000 to the north and 153,000 to the south including Mosman residents.

Councillors would also be aware that that splitting the northern beaches has always been the least preferred outcome by analysis from KPMG, Ernst and Young, SGS Economics and Independent Local Government Review Panel (ILGRP). It is also the least preferred by the northern beaches community (only 3% support) and fails the NSW Government Reform assessment as administered by IPART.

Today we received the Office of Local Government's Policy – *Council Decision Making During Merger Proposal Periods* - which must be closely considered in the context of all Council's future operational and strategic decisions. The document outlines requirements to ensure we continue to meet the needs of the community efficiently and effectively during this merger proposal period.

It is important also to note the implications of these guidelines for Council's current CAPEX projects and the requirements of Councils in relation to merger-related information to the community.

We need to consider given that in essence we are dealing with two processes - splitting the council and then the amalgamation process with the other councils. It is a very complex issue and I believe this aspect also needs to be acknowledged and considered given both the Office of Local Government and the Boundaries Commission will also be undertaking their own inquiry and consultation early in the new year.

305/15 RESOLVED***Cr Regan***

That Council:

- A. Allocate up to \$100,000 to facilitate Warringah Council's participation in the consideration of the merger proposals and to continue to inform the affected community.
- B. Note that the first publication of a divide Warringah option was provided for consideration in a Pittwater Council resolution on 16 November 2015 as their submitted merger preference during the recent 30 day consultation.
- C. Note that the first time a split line was actually available for consideration by the community or by Council was on Friday 18 December 2015, after a Local Government Reform decision was made by the State Government and published on the NSW Council Boundary Review website as follows:

www.councilboundaryreview.nsw.gov.au/summary-sheets/pittwater-and-warringah-councils/
www.councilboundaryreview.nsw.gov.au/summary-sheets/manly-mosman-municipal-and-warringah-councils/

Thus making informing all residents and organisations of the recommendation of crucial importance.
- D. Note that splitting the northern beaches is the least preferred outcome by analysis from KPMG, Ernst and Young, SGS Economics and Independent Local Government Review Panel (ILGRP).
- E. Note it is also the least preferred by the northern beaches community (less than 3% support) and fails the NSW Government Reform Test as administered by IPART.
- F. Calls for a report back to the next Council Meeting to advise what CAPEX projects will be at risk.

VOTING

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

Against the resolution: Crs Daley, De Luca & Giltinan

CARRIED**PROCEDURAL MOTION - MATTER OF URGENCY****MOTION*****Cr De Luca / Cr Daley***

That as a matter of urgency, Council considers the following motion in relation to the use of ratepayers money. This is deemed urgent as it is in relation to ratepayers money being used for political purpose:

1. That this Council notes with concern:
 - A. Warringah Council's resolution at its extraordinary meeting of 21 December 2015 which appears to breach the office of Local Government Guidelines issued on Friday 18 December 2015

- B. The continued waste of ratepayers money that now amounts to approximately \$364,322.47
- C. That a further \$100,000 has been allocated for the merger campaign thus now amounting to nearly \$500,000
- 2. A. That this Council calls upon the Minister for Local Government to investigate Warringah Council actions to date pursuant to s438 of the Local Government Act and the surcharge provisions under s435 of the Act
- B. Call upon the NSW Auditor General to undertake an investigation into Warringah Council's expenditure to date on proposed mergers and whether such expenditure constitutes substantial waste.

VOTING

For the motion: Crs Daley, De Luca and Giltinan

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 GENERAL MANAGER'S REPORTS

Nil

6.0 COMMUNITY DIVISION REPORTS

Nil

7.0 ENVIRONMENT DIVISION REPORTS

Nil

8.0 NOTICES OF RESCISSION

Nil

9.0 NOTICES OF MOTION

Nil

10.0 QUESTIONS ON NOTICE

Nil

11.0 RESPONSES TO QUESTIONS ON NOTICE

Nil

The meeting concluded at 5:19pm

This is the final page of the minutes comprising 7 pages
numbered 1 to 7 of the Extraordinary Council Meeting
held on Monday 21 December 2015 and confirmed on Tuesday 16 February 2016

Mayor

General Manager