



WARRINGAH
COUNCIL

MINUTES

EXTRAORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 23 FEBRUARY 2016

(2016/3)



Minutes of an Extraordinary Meeting of Council
held on Tuesday 23 February 2016
at the Civic Centre, Dee Why
Commencing at 6.01pm

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

John Warburton	Deputy General Manager Community
Malcolm Ryan	A/ General Manager
Melissa Lee	Governance Manager
Ximena Von Oven	Administration Officer Governance
Sylvia Stafford	IM&T Support Officer
David Walsh	Chief Financial Officer
Ruth Robins	Group Manager Community Services
Graham Middleton	Group Manager Marketing & Communications
Todd Dickinson	Group Manager Natural Environment

NOTES

The meeting commenced at 6.01pm and concluded at 6.52pm

APOLOGIES

PROCEDURAL MOTION - APOLOGY

031/16 **RESOLVED**

Cr Harrison / Cr Gobert

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

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

032/16 **RESOLVED**

Cr Menano-Pires / Cr Moskal

That the Order of Business be changed so Items 5.1 and 5.2 be brought forward and dealt with immediately.

VOTING

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

Against the resolution: Nil

CARRIED

5.0 GENERAL MANAGER'S REPORTS

5.1 WARRINGAH COUNCIL SUBMISSION - LOCAL GOVERNMENT ACT - PHASE 1 AMENDMENTS

033/16 **RESOLVED**

Cr Regan / Cr Harrison

That Council endorse Warringah Council's submission as attached to phase 1 amendments of the *Local Government Act 1993*.

VOTING

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

Against the resolution: Crs Daley and De Luca

CARRIED

5.2 SUBMISSION ON COUNCIL BOUNDARY REVIEWS

034/16 **RESOLVED**

Cr Heins / Cr Moskal

- A. That the submissions on the NSW Government's merger proposals at Attachments 1 and 2 be forwarded to the Delegates.
- B. That the decisions of Warringah Council's four Strategic Reference Groups in regard to the NSW Governments merger proposals at Attachment 3 be forwarded to the Delegates as a submission from the committees.

VOTING

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

Against the resolution: Crs Daley and De Luca

CARRIED

4.0 MAYORAL MINUTES

4.1 MAYORAL MINUTE 1/2016 PROPOSAL UNDER LOCAL GOVERNMENT ACT 1993

BACKGROUND

It is certainly clear that there is little to no support for the proposals being put forward by the State Government to split Warringah and the Northern Beaches.

Last night I attended a community meeting of at least 600 passionate local residents. Residents who believe the government is not hearing their concerns under the current local government reform process. The response from the public has been overwhelming and this meeting was no

different. In fact, the strength of response from the public meant that we had to hold another meeting in the car park, as the RSL was overflowing with people who were turned away as the room was full to capacity.

This is in addition to the 400 plus community members who braved storms to speak out at another meeting in Curl Curl earlier this month. They spoke strongly about how they felt the process did not reflect their community's view. I would also like to be clear and on record to say these meetings were all organised by the community for the community. Our community is being united, by the very proposal to divide us. We are One Northern Beaches.

At the meeting the community resolved to:

- Reject the NSW Government's current proposal of splitting Warringah and having two Councils (Greater Pittwater / Greater Manly)
- Support One Northern Beaches Council covering Pittwater, Warringah and Manly (and not including Mosman).

The message was also loud at the public hearings in Mona Vale and Manly. At those meetings I requested that the hearings also be held in Warringah to give our residents an equal voice in the reform process. Residents expressed concern they are being disadvantaged in the debate and their AR Bluet Award winning council area is being split into two pieces. At this point, I am not aware that there is to be any further hearings scheduled.

The community has spoken out and want the NSW Government to listen.

As we draw closer to the deadline for submissions to the Council Boundary Review, I have become aware of an option under the Local Government Act 1993 for Warringah Council to initiate a proposal directly to the Minister for our preferred option being One Northern Beaches Council.

I have been approached now by a number of residents in relation to Section 218E of the Local Government Act 1993 which states:-

218E Who may initiate a proposal?

(1) A proposal may be made by the Minister or it may be made to the Minister by a council affected by the proposal or by an appropriate minimum number of electors.

(2) An appropriate minimum number of electors is:

(a) if a proposal applies to the whole of one or more areas, 250 of the enrolled electors for each area or 10 per cent of them, whichever is the greater, or

(b) if a proposal applies to part only of an area, 250 of the enrolled electors for that part or 10 per cent of them, whichever is the lesser.

Essentially Warringah is able to initiate its own proposal directly to the Minister for Local Government and I would suggest that this would be based on the submission Council prepared in June 2015 and submitted to the Independent Pricing and Regulatory Tribunal (IPART) in accordance with the Independent Local Government Review Panels (ILGRP) recommendation for One Northern Beaches Council. It would then require the Minister to refer the proposal directly to the Office of Local Government or the Boundaries Commission for consideration separate to the current Boundary Review process.

This will allow Council on behalf of the community to have a further say under a different process.

I am advised that funding to prepare this proposal is nominal and available within current operational budgets.

035/16 RESOLVED***Cr Regan***

That Council:

- A. Pursuant to section 218E of the Local Government Act 1993, make a proposal to the Minister for Local Government for the amalgamation of the Pittwater, Manly and Warringah local government areas into one new area, and
- B. Delegate to the General Manager the authority to do all things necessary to give immediate effect to the above.

VOTING

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

Against the resolution: Crs Daley and De Luca, Giltinan

CARRIED**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 6:52pm

This is the final page of the minutes comprising 6 pages
numbered 1 to 6 of the Extraordinary Council Meeting
held on Tuesday 23 February 2016 and confirmed on Tuesday 22 March 2016

Mayor

General Manager