

# MINUTES

## ORDINARY COUNCIL MEETING

held at Manly Town Hall on

**TUESDAY 27 JUNE 2017**

(2017/6)

## Minutes of an Ordinary Meeting of Council

held on Tuesday 27 June 2017

at Manly Town Hall

Commencing at 6.30pm

### ATTENDANCE:

#### Members

Dick Persson, AM - Administrator

#### Officers

Mark Ferguson	Chief Executive Officer
Helen Lever	General Manager Customer & Corporate
Ben Taylor	General Manager Environment & Infrastructure
Melissa Messina	Acting General Manager Planning Place & Community
Andrew Davies	Executive Manager Transport & Urban
Andrew Pigott	Executive Manager Strategic Land Use Planning
Craig Sawyer	Executive Manager Major Projects
David Walsh	Chief Financial Officer
Kath McKenzie	Executive Manager Marketing & Communications
Lindsay Godfrey	Executive Manager Community Services
Michael McDermid	Executive Manager Corporate Strategy & Planning
Neil Williamson	Executive Manager Environmental Compliance
Peter Robinson	Executive Manager Development Assessment
Sonya Gallery	Executive Manager Governance & Enterprise Risk
Steven Lawler	Executive Manager Parks & Recreation
Anna Moore	Acting Governance & Administration Manager
Ximena Von Oven	Administration Officer Governance

### NOTES

The meeting commenced at 6:30pm, adjourned at 8:50pm, resumed at 8:55pm, and concluded at 9:53pm.

## 1.0 APOLOGIES

Nil

## 2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 30 MAY 2017

111/17 RESOLVED

#### *D Persson*

That the Minutes of the Ordinary Council Meeting held 30 May 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.

NOTE: Dick Persson acknowledged the presence of former Mayor of Warringah Michael Regan, former Mayor of Manly Jean Hay AM, former Deputy Mayor of Pittwater Kyle Ferguson and other former councillors.

**4.1 Kylie Ferguson made a statement in relation to Terrey Hills Skatepark Proposal.**

**4.2 Tony and Matt Plunkett made a statement in relation to Terrey Hills Skatepark Proposal.**

NOTE: The Administrator, advised that he would discuss this matter further with staff and report back at the next Council Meeting.

**4.3 Michael Syme made a statement in relation to the work of Council employees and importance of community consultation.**

**4.4 Pat Daley made a statement in relation to District Park Plan of Management Process.**

**4.5 Duncan Kerr made a statement in relation to defibrillators in public areas.**

NOTE: A hard copy version of Mr Kerr's presentation was circulated during the meeting.

**4.6 Bruce Kitson made a statement in relation to the post audit of capital projects.**

**4.7 Brian Halstead made a statement about the September Local Government Election.**

NOTE: Ben Taylor, General Manager Environment & Infrastructure stated that the information regarding the PCYC requested by Mr Halstead would be available on Council's website within two weeks.

**4.8 Brian Hamer made a statement about the artefacts in Manly Council building.**

**4.9 David Parsons made a statement in relation to bureaucratic bungling.**

4.10 Sue Cheney made a statement in relation to the Warringah Aquatic Centre.

4.11 Cathy Griffin made a statement in relation to the Northern Beaches Council Strategic Reference Groups.

## 5.0 ADMINISTRATOR'S MINUTES

### 5.1 ADMINISTRATOR'S MINUTE NO 06/2017 - PCYC - TEMPORARY FREE CAR PARKING FOR THE NORTHERN BEACHES COMMUNITY

112/17 RESOLVED

*D Persson*

That Council provides free parking to the community for both short stay and all day parking at the 'Kingsway' car park for the period 29 June 2017 to 11 August 2017.

### 5.2 ADMINISTRATOR'S MINUTE NO 07/2017 - LITTLE MANLY

#### BACKGROUND

During my current term as Administrator, I have had the opportunity to meet with residents and staff as well as attend a number of site meetings to discuss the future use of the public reserve located at the beachfront on Little Manly Beach.

Earlier this year the Council completed an upgrade to Little Manly Reserve with better gardens, connections and dinghy racks. The reserve is separated on land by a private residential property, but access between the two areas of the reserve can only be achieved by walking along the beach which isn't accessible to people with poor mobility or the road which is a much longer route and not desirable. A number of stakeholders have been advocating for a contiguous link on the beach side to link the two parts of the reserve without walking on the beach or road.

In understanding the issue, I have considered a number of factors including the need to improve the amenity and public use of the area as well as the impact of the buildings that are adjacent to the foreshore.

There have been a number of attempts by the former Manly Council to find a solution to this complex matter given that there is a private residence situated in the middle of the sections of the reserve, both of which front the beach and divide the public open spaces of the Little Manly foreshore.

I believe the best solution is to create a harbour side accessible link between the two sections of the reserve by building a boardwalk in front of the residence to connect the public spaces as well as providing an accessible link for the Manly Scenic Walkway. Council would need to set the boardwalk at a suitable level to consider the amenity and privacy of the private residence and would work closely with the owners to ensure this.

Further to this, I believe Council should look closely at the usage of the buildings owned by Council to make the most of these important assets and enhance the entire public space area. Proposals that should be considered include the incorporation of a public café into 40 Stuart Street and community use for 34 Stuart Street such as the creation of an indigenous culture and education centre.

To this end, I propose Council develop a Masterplan for the area and conduct extensive community engagement. In preparing the Masterplan, staff will also take into account all the previous plans, concepts and feedback from the community as well as the amenity of the owner of the private residence.

This is a unique and very popular area and I have been convinced that we need to not only maximise its accessibility for use by the community and visitors to the area but develop a long term plan that will secure the future of this public asset.

**113/17 RESOLVED**

***D Persson***

That Council:

- A. Build a boardwalk along the beachfront between 36 and 40 Stuart Street, Manly connecting the two public spaces known as Little Manly Reserve with work commencing in 2017/18.
- B. Develop a Masterplan for the entire Little Manly Reserve area to ensure maximum accessibility and the future use of this public asset, including consideration of the incorporation of a public café into 40 Stuart St and community use for 34 Stuart Street such as the creation of an indigenous culture and education centre.
- C. Ensure funding for the project and the development of the Masterplan are available within the budget for 2017-2018.

**5.3 ADMINISTRATOR'S MINUTE NO 08/2017 - SINGLE USE PLASTICS**

NOTE: Rowan Hanley (representing Surfrider Foundation Northern Beaches) and Carlita Foster-Hogg (representing Sustainable Organisation of Manly) addressed Council on this Item.

**BACKGROUND**

Recent media coverage has highlighted the dramatic harmful impact of single-use plastic items. I believe Council needs to take a leadership role not only in advocating for legislative change but lead by example in influencing and enabling responsible consumption practices in the community.

I would first like to acknowledge that there have been some significant efforts undertaken already by residents, local businesses and environmental groups and they are to be commended for their ongoing efforts.

There have also been some admirable efforts made over many years by our former councils to create awareness and educate the community which I think also is worth noting.

After being approached by members of the community and representatives of Council's Implementation Advisory Group who shared my concerns, I recently wrote to our local State Members seeking their support in legislating to ban single use plastic bags in New South Wales and also undertook to review our own Council practices within the organisation.

Council staff have been working hard identifying a wide range of initiatives to reduce single-use plastics within our own organisation.

As a result, I propose that Council launch a multifaceted campaign to dramatically reduce single-use plastics on the Northern Beaches, including lobbying for legislative regulatory change, cutting use by Council, and supporting local businesses and the community to change behaviours.

A central element is the attached draft Single Use Plastics Policy which will assist in creating a greater awareness and encouraging behaviour away from single use attitudes. It will apply to Council, its employees, agents, lessees and contractor activities within and impacting on the Northern Beaches local government area.

Council will continue to lobbying State and Federal members on this important issue, reviewing its own practices as well as present information and events to the community on this important issue.

I'll be calling on the major supermarkets and local businesses to join us in banning the plastic bag

from the Northern Beaches.

While Council is responsible for reducing litter in our environment through our waste collection and management, it is not enough. As the largest employer on the Northern Beaches I believe we can work with our own 1800 employees to make a further difference to reducing the massive amount of plastic waste ending up in our waterways, oceans and bushland each year and I therefore put forward the draft Single Use.

114/17 **RESOLVED**

**D Persson**

That Council:

- A. Commence a campaign to seek to eliminate single-use plastics on the Northern Beaches, including lobbying for change, dramatically cutting use by Council, and supporting local businesses and the community to change behaviours.
- B. Call on the NSW Government to ban the single-use plastic bag from the supermarkets in the Northern Beaches.
- C. Call on major supermarkets and local businesses to take up the initiative voluntarily in banning the plastic bag from the Northern Beaches.
- D Place the draft Single Use Plastics Policy on public exhibition for 28 days and report back following close of the public exhibition period.

**5.4 ADMINISTRATOR'S MINUTE NO 09/2017 - ESTABLISHMENT OF NEW PROGRAMS FUNDED FROM MERGER SAVINGS FUND**

**BACKGROUND**

I am pleased to announce funding for new programs that support arts and culture, youth, environmental sustainability and community events on the Northern Beaches.

At the Council meeting 3 May 2017, I foreshadowed my intention of allocating funds to programs that support community wellbeing and environmental sustainability through an Administrator's Minute and announced two specific projects under the proposed Arts and Cultural Program (for a creative art space in Avalon or Newport as well as for public art in key locations). At the same meeting, I resolved to seek feedback from the community on the proposed programs and projects by publicly exhibiting the Administrator's Minute along with the draft Operational Plan 2017/18.

I have considered the 15 submissions received from community members and note that the majority were in support of the proposed initiative. The Council Report on Adoption of the Operational Plan 2017/18 provides further detail on the submissions.

The programs will be funded through Council's Merger Savings Fund which was established through Council Resolution on 7 July 2016 (033/16) for the purpose of setting aside savings from the merger of the three Councils (Manly, Warringah and Pittwater) to provide an on-going pool of money for projects that directly benefit the community. The new programs and initiatives are a direct result of efficiency savings achieved through the merger. These new cultural and environmental programs will not exhaust the Merger Savings Fund; there is scope for the new Council to address other areas of priority to the community.

The recommended programs and projects below will ensure that significant dividend is delivered to the community every year from the efficiencies achieved through the merger of the three Councils and will contribute to the community's vision of creating a *safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment* (draft Community Strategic Plan 2017 - 2028). An overview of the allocated projects is provided in the Summary of Merger Savings Fund Projects at Attachment 1 to this report. These will be subject to detailed

project scoping and planning by Council staff upon inception of each project.

**115/17 RESOLVED**

***D Persson***

That Council:

A. Allocate funds from the Merger Savings Fund to the following programs and projects:

**a. Arts and Cultural Program**

- i. Creative Art Space at the northern end of the Northern Beaches local government area (e.g. Avalon or Newport) - \$1 million in 2017/18
- ii. Public Art in key locations (e.g. coastal walkway) with commissions from local artists where possible - \$500,000 per year for four years commencing in 2017/18.

**b. Youth Program**

- i. PCYC in Dee Why: six major annual youth events and activities - \$200,000 per year for four years commencing 2017/18
- ii. Youth Wellbeing Hub in the northern part of the local government area (e.g. Mona Vale): seed funding (e.g. rental assistance) for establishment of a space for hosting youth outreach services - \$90,000 per year for two years commencing 2017/18 with an intent to secure long term external funding beyond the seed funding term
- iii. Youth Friendly Spaces: development of youth inclusive spaces which will enhance existing sites (e.g. skate parks) or support the development of new sites (e.g. multi-purpose courts, handball, parkour, graffiti walls, play maze, giant slides, ropes and wall ball) - \$200,000 per year for four years commencing in 2017/18 with works at Lionel Watts in the first year and specific projects to be identified and scoped towards the end of 2017/18.

**c. Environment Program**

- i. Community Nursery at Curl Curl Community Hub - \$200,000 for initial establishment in 2017/18 plus \$10,000 per year for ongoing maintenance in three subsequent years (2018/19; 2019/20; 2020/21)
- ii. Tick Research to enable Council to better manage risks to public health resulting from prevalence and exposure to ticks. As per Council Resolution 82/17 from Council meeting 30 May 2017: \$25,000 per year for three years commencing 2017/18
- iii. Single Use Plastics reduction program where a dedicated resource (new staff member) will work with local businesses to reduce reliance on single use plastics – \$100,000 per year for two years commencing 2017/18.

**d. Community Events Program**

- i. Northern Beaches community event and implementation of priority recommendations from the strategic review of the annual events program currently underway. The project will assist in the development of a new event that showcases the Northern Beaches and celebrates this unique place - \$150,000 in 2017/18 and \$200,000 in 2018/19 when the event will be delivered
- ii. Mona Vale Skate Park global amateur street skateboarding qualifying series on 21 – 23 July 2017 - \$2,100 for hire fees and waste management services.

- B. Amend the Operational Plan and Budget 2017/18 to reflect the allocation of funds to the projects listed in Recommendation A above.

## 6.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

were brought forward in order to allow public speakers to address the Items.

### 6.2 ADOPTION OF OPERATIONAL PLAN 2017/18

NOTE: Graeme Raymond Jessup, Mitch Geddes (representing Palm Beach and Whale Beach Association) and Brian Halstead addressed Council on this Item.

NOTE: Mark Ferguson, Chief Executive Officer, agreed to review the Community Satisfaction Survey questions following Mr Geddes comments.

#### 116/17 RESOLVED

##### *D Persson*

That:

- A. Council adopts the Draft Operational Plan 2017/18, including Draft Fees and Charges subject to:
- a. Amending the Operational Plan as detailed in Table 11 in this report.
  - b. Amending the Fees & Charges Schedule as detailed in Table 9 in this report.
- B. The adopted Fees apply from 1 July 2018.
- C. Council make the following rates and charges:
- a. In accordance with Sections 494 and 495 of the *Local Government Act 1993* (the Act), Ordinary and Special Rates are made as shown in Tables 2, 3 and 4 in this report;
  - b. In accordance with section 496 of the Act, Domestic Waste Management Charges are made as shown in Tables 5, 6 and 7 in this report;
  - c. In accordance with section 496A of the Act, Stormwater Management Service Charges are made as shown in Table 8 in this report;
  - d. Works on private land carried out by Council to be charged at the appropriate commercial rate (cost of the works and standard on-costs to provide full cost recovery plus a return to Council); and
  - e. In accordance with Section 611 of the Act 1993 a charge on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.
- D. Council adopts an interest rate of 7.5% to be charged on overdue rates and charges.
- E. Loan funding for the road infrastructure works at the Kimbriki Waste Landfill Site of \$7.815m be included in Council's borrowing return to the Office of Local Government for 2017/18 unless the borrowings under the Local Infrastructure Renewal Scheme approved by Council on 24 February 2015 are executed before 30 June 2017.
- F. Council may carry out work on private land, either on request or by agreement with the owner of the land, or under relevant legislation.

- G. Council approve for exhibition draft Fees at Table 10.
- H. The Beach Parking Permit Policy (Policy No. NBC003) be amended to reflect that residents outside the Northern Beaches LGA are not entitled to purchase Beach Parking Permits.

## 8.2 WALK MANLY - DRAFT PEDESTRIAN ACCESS & MOBILITY PLAN

NOTE: Alan Liddle addressed Council on this Item.

117/17 **RESOLVED**

***D Persson***

That Council:

- A. Place the Walk Manly Draft Pedestrian Access and Mobility Plan (PAMP) on public exhibition for a period of 28 days and invite submissions from the public.
- B. Give further consideration to the Walk Manly Draft Pedestrian Access and Mobility Plan (PAMP), and any submissions received, following the exhibition period.

## 8.3 DRAFT POLICY ON WASTE MINIMISATION FOR FUNCTIONS AND EVENTS APPROVED BY COUNCIL

NOTE: Conny Harris addressed Council on this Item.

118/17 **RESOLVED**

***D Persson***

That Council:

- A. Place the draft Policy Waste Minimisation for Functions and Events Approved by Council on public exhibition for a period of 28 days inviting submissions.
- B. Report back following close of the public exhibition period.

## 9.10 FUNDING AGREEMENTS FOR MANLY COMMUNITY CENTRE AND SERVICES AND MANLY WOMENS SHELTER

NOTE: Adele Heasman (representing Manly Community Centre) addressed Council on this Item and Dick Persson read a letter on behalf of Julia Lever (representing Manly Women's Shelter).

119/17 **RESOLVED**

***D Persson***

That Council:

- A. Authorise the Chief Executive Officer to do all things necessary to negotiate and enter into:
  - a. A Funding Agreement with Manly Community Centre and Services Inc. for the period 1 July 2017 to 30 June 2020
  - b. A Funding Agreement with Manly Women's Shelter Inc. for the period 1 July 2017 to 30

June 2020.

- B. Without limiting the foregoing, authorise the Chief Executive Officer to execute the Agreements.
- C. Approve allocation of funding in the 2017/18 – 2019/20 budget as per the terms and conditions of the new Agreements, as follows:
  - a. \$90,349 in 2017/18 and thereafter indexed by the CPI to the Manly Community & Services Inc.
  - b. \$61,102 in 2017/18 and thereafter indexed by the CPI to the Manly Women's Shelter Inc.

### 9.3 PLANNING PROPOSAL PP0004/16 - 15 JUBILEE AVENUE, WARRIEWOOD

NOTE: Lee Richards addressed Council on this Item.

120/17 **RESOLVED**

**D Persson**

That Council:

- A. Notes the outcome of the statutory exhibition of the Planning Proposal.
- B. Endorses the request to change the zoning of the land at 15 Jubilee Avenue, Warriewood from IN2 (Light Industrial) to B7 (Business Park).
- C. Exercises its delegation to finalise the proposed amendments to the Pittwater LEP 2014.

### 9.7 PLANNING PROPOSAL (PP0001/17) 1 & 3 NARRABEEN PARK PARADE, NORTH NARRABEEN

NOTE: Michael Morris, Lance Doyle and Peter Gurtner addressed Council on this Item.

121/17 **RESOLVED**

**D Persson**

- A. That Council does not submit the Planning Proposal lodged for 1 & 3 Narrabeen Park Parade, North Narrabeen for a Gateway Determination for the following reasons:
  - 1. It would involve the removal of 4 Norfolk Island Pines on Crown land under trust (former Pittwater Council).
  - 2. It is inconsistent with the relevant local strategic plan being the *Pittwater Local Planning Strategy (2011)*.
  - 3. It has no strategic merit or site-specific merit when assessed on accordance with the NSW Planning & Environment's *Planning Proposals: A guide to preparing planning proposals (2016)*.
  - 4. It is inconsistent with Local Planning Directions:
    - i. 1.1 Business and Industrial Zones

- ii. 2.3 Heritage Conservation
  - iii. 3.1 Residential Zones
  - iv. 3.4 Integrating Land Use and Transport
  - v. 7.1 Implementation of the Metropolitan Strategy.
5. The development proposal is not considered an appropriate development outcome because it:
- a. Seeks a height and dwelling density that is inconsistent with Council's strategic planning framework;
  - b. Is excessive in bulk and scale;
  - c. Is out of character with the locality;
  - d. Delivers poor urban design outcomes;
  - e. Would result in inadequate setbacks, building separation and privacy;
  - f. Would exacerbate the parking shortage in the area;
  - g. Represents a private rather than a public benefit; and
  - h. Is the subject of strong community opposition and is not considered in the public interest.
- B. That the proponent and interested parties who made a submission be advised of Council's decision.

NOTE: The Administrator adjourned the meeting at 8:50pm and resumed the meeting at 8:55pm.

## **8.5 DRAFT PALM BEACH (SOUTH) LANDSCAPE MASTERPLAN**

NOTE: Kyle Ferguson addressed Council on this Item.

### **122/17 RESOLVED**

#### ***D Persson***

That the Draft Palm Beach (South) Landscape Masterplan is placed on public exhibition for a period of 28 days and the final Masterplan be reported back to Council for consideration and adoption.

## **9.8 DRAFT COMPLIANCE AND ENFORCEMENT POLICY**

NOTE: Mr Terry Le Roux addressed Council on this Item.

### **123/17 RESOLVED**

#### ***D Persson***

That Council place the draft Compliance and Enforcement Policy on public exhibition for a period of 28 days.

## 6.1 DRAFT COMMUNITY STRATEGIC PLAN

124/17 RESOLVED

**D Persson**

That Council:

- A. Endorse the Draft Community Strategic Plan at Attachment 1 for public exhibition and report the results back to the newly elected Council.
- B. Note the Community Engagement Report at Attachment 2 for Stage 2 of the Community Strategic Plan engagement process.

## 7.0 CUSTOMER & CORPORATE DIVISION REPORTS

### 7.1 DELEGATION OF AUTHORITY TO THE CHIEF EXECUTIVE OFFICER

125/17 RESOLVED

**D Persson**

- A. That all previous delegations of authority (other than the Minister's functions for plan-making under section 59 of the *Environmental Planning and Assessment Act 1979* (NSW) delegated by the then Minister for Planning and Infrastructure on or about 1 November 2012 and further delegated by the former Warringah Council to its then General Manager on 27 November 2012 and continued in force by virtue of the *Local Government (Council Amalgamations) Proclamation 2016*) to the General Manager or Interim General Manager (now referred to as the Chief Executive Officer), the position or office of the General Manager or Interim General Manager or Chief Executive Officer and to any person appointed or otherwise acting in these positions or office be revoked.
- B. That pursuant to sections 377 and 381 of the *Local Government Act 1993* (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in a), b) and c) below, subject to the limitations, conditions and restrictions set out in paragraph d):
  - a. All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are declared to be non-delegable pursuant to section 377(1) of the Act;
  - b. Subject to compliance with the provisions of clause 213 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, debts to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 213;
  - c. Subject to compliance with the provisions of clause 131 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 131;
  - d. The exercise of any function under paragraph (a), (b) or (c) above is subject to the following:
    - i. The Chief Executive Officer or the holder of any sub-delegation from the Chief

Executive Officer, exercising such delegations in accordance with the policies of the Council as may be adopted by the Council from time to time;

- ii. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.

## **7.2 MONTHLY INVESTMENT REPORT - MAY 2017**

126/17 **RESOLVED**

***D Persson***

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

## **7.3 ANNUAL FEE FOR MAYOR AND COUNCILLORS**

127/17 **RESOLVED**

***D Persson***

That, pursuant to section 248 of the Local Government Act 1993, the Council fixes the annual fee for:

- A. Councillors for the period 1 July 2017 to 30 June 2018 at \$28,950 payable monthly in arrears and;
- B. The Mayor for the period 1 July 2017 to 30 June 2018 at \$84,330 payable monthly in arrears.

## **7.4 POLICY REVIEW PROJECT AND REVOKING OF POLICIES**

128/17 **RESOLVED**

***D Persson***

That Council revoke the following 45 policies:

1. Amending Council Policies
2. Arts & Culture
3. Brothels in Pittwater
4. Charge Card Facility
5. Charter of Political Reform
6. Competitive Neutrality Statements
7. Council Chamber - Seating Arrangements
8. Councillor Access to Information and Interaction with Staff
9. Councillors – Reports from Council Officers
10. Credit Card Utilisation

11. Customer Service Charter
12. Debt Recovery - Pensioner's Kerbing and Guttering Charges
13. Decisions/Delegations During Christmas New Year Recess
14. Development Application by Councillors and Council Staff
15. Development Applications Previously Approved by the Elected Council - Amendment Of
16. Elections – Poll of Electors to be held in conjunction with Ordinary and Extraordinary Elections of Council
17. Financial Reporting - Measures of Council Liquidity
18. Freedom of Collection and Access for Local Government Libraries
19. Gathering Information
20. Graffiti Reward
21. Home Based Business
22. Issuing of Infringement Notices
23. Kimbriki Recycling and Waste Disposal Centre Policy Principles for Fees and Recyclable Waste
24. Lakeside Caravan Park
25. Late Night Venues 2005 Development Control Plan
26. Library
27. Mayor and Councillor's Remuneration Fees
28. Nuclear
29. Overgrowth of Vegetation
30. Pamphlets & Leaflets – Distribution on Public Roads and in Shopping Centres
31. Policy Development and Management
32. Printing and Stationary – Use of Recycled Paper
33. Public Property Vandalism – Reward for Successful Prosecution
34. Quadruple Bottom Line Reporting
35. Rates - Pensioners – Accrual of Rates and Charges and Writing off Interest
36. Rates and Charges Administration
37. Rates on Leased Council Property/Facilities
38. Regional Collaboration and Forced Amalgamations of Councils
39. Saturated and Trans Fat Reduction
40. Section 94 Contributions Plan
41. SHOROC Governance
42. Siting of Microwave Base Stations Manly

- 43. Sustainable Investment
- 44. Unemployment Relief Schemes
- 45. Use of Eggs from Non-Caged Hens.

**7.5 DRAFT MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD 16 MAY 2017**

129/17 RESOLVED

***D Persson***

That the draft minutes of the Audit, Risk & Improvement Committee Meeting held on 16 May 2017 be noted.

**8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS**

**8.1 CAPITAL WORKS PROCUREMENT REVIEW**

130/17 RESOLVED

***D Persson***

That:

- A. Council accept the key findings and approve the implementation plan for the Major Capital Works Procurement Review as noted in the report.
- B. A report on the implementation plan be presented to Council in June 2018 and June 2019.

**8.4 DRAFT CONSERVATION MANAGEMENT PLAN FOR THE MONA VALE CEMETERY**

131/17 RESOLVED

***D Persson***

That Council:

- A. Receive the draft Conservation Management Plan for the Mona Vale Cemetery.
- B. Authorise the public exhibition of the draft Conservation Management Plan for the Mona Vale Cemetery for a period of 42 days.

**8.6 RFT 2017/067 - DESIGN CONSULTANCY SERVICES FOR MONA VALE SURF LIFE SAVING CLUB RENEWAL**

132/17 RESOLVED

***D Persson***

That:

- 1. Council accept the tender of Warren & Mahoney Architects Australia Pty Ltd received for RFT2017/067 – Design Consultancy Services for Mona Vale SLSC Renewal for the sum of

\$372,025.00 excluding GST.

2. Authority be delegated to the CEO to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the body of the report.

#### **8.7 RFT 2017/069 - NARRABEEN BEACH LIFEGUARD HUT**

133/17 **RESOLVED**

***D Persson***

That:

- A. Council accepts the tender of Sudiro Constructions Pty Ltd for RFT 2017/069 – Minor Works for Narrabeen Beach – Lifeguard Hut for the sum of \$194,987.25 excluding GST.
- B. Authority be delegated to the CEO to execute all necessary documentation to give effect to this resolution and to approve contract payments plus a contingency amount as detailed in the conclusion of this report, up to the amount specified in the confidential evaluation report.

#### **8.8 RFT 2017/009 - TURF WICKET AND SPORTS FIELD MAINTENANCE**

134/17 **RESOLVED**

***D Persson***

That:

- A. Council accepts the tender of Green Options for RFT 2017/009 Turf Wicket and Sports Field Maintenance for the sum of \$155,000 from 1 August 2018, and \$338,130 per year from 1 August 2018 to 1 August 2020.
- B. Authority be delegated to the chief Executive Officer to execute all necessary documentation to give effect to this resolution.
- C. The Chief Executive Officer be delegated authority to exercise Council's options to extend the contract term.

#### **8.9 RFT 2017/073 - COLLAROY SEAWALL AND PROMENADE REPAIR**

135/17 **RESOLVED**

***D Persson***

That:

- A. Council accepts the tender of Lloyd Drilling Constructions Pty Ltd for RFT 2017/073- Collaroy Beach Seawall and Promenade Repair for the sum of \$219,705.00 excluding GST.
- B. Authority be delegated to the Chief Executive Officer to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in the confidential evaluation report.

## 9.0 PLANNING PLACE & COMMUNITY DIVISION REPORTS

### 9.1 DISABILITY INCLUSION ACTION PLAN

136/17 RESOLVED

**D Persson**

That:

- A. The Disability Inclusion Action Plan be adopted.
- B. Council staff integrate methods for the employment of people with disability into Council processes through increased use of social enterprises.

### 9.2 ADOPTION OF NORTHERN BEACHES COUNCIL SECTION 94A PLAN 2017

137/17 RESOLVED

**D Persson**

That Council:

- A. Adopt the *Draft Northern Beaches Council Section 94A Plan 2017* in the form in which it was publicly exhibited.
- B. Give public notice of the commencement date of the *Northern Beaches Council Section 94A Plan 2017*.

### 9.4 UPDATE ON THE INGLESIDE PRECINCT PLAN

138/17 RESOLVED

**D Persson**

That a further report on the status of the Ingleside Precinct Plan is presented to Council upon public exhibition of updated proposals by the Department of Planning and Environment.

### 9.5 REPORT ON PUBLIC EXHIBITION OF HOUSEKEEPING AMENDMENTS TO PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

139/17 RESOLVED

**D Persson**

That Council:

- A. Notes the outcome of the public exhibition of the Pittwater Housekeeping Planning Proposal.
- B. Adopts the amended Pittwater Housekeeping Planning Proposal including the changes agreed with Roads and Maritime Services and deleting changes to minimum allotment sizes for three "split zone" properties in the Warriewood Valley.
- C. Submits the amended Planning Proposal to the Department of Planning to make the required amendments to *Pittwater Local Environmental Plan 2014*.
- D. Advises those parties who made a submission on the Planning Proposal, and those land

owners affected by proposed amendments to the Planning Proposal following public exhibition, of Council's decision.

## **9.6 REPORT OF THE PUBLIC EXHIBITION OF THE PITTWATER WATERWAY DISCUSSION PAPER**

140/17 **RESOLVED**

***D Persson***

That Council:

- A. Notes the outcomes of the public exhibition of the Pittwater Waterway Discussion Paper, as presented in this report.
- B. Progress the Pittwater Waterway Review to Stage 2, involving the preparation of a Strategy document.
- C. Further consider the draft Strategy document once prepared.

## **9.9 SUBMISSION TO THE DEPARTMENT OF PLANNING AND ENVIRONMENT IN RESPONSE TO A GREENFIELD HOUSING CODE**

141/17 **RESOLVED**

***D Persson***

That Council forward the attached submission on the Draft Greenfield Housing Code to the Department of Planning & Environment in response to the exhibited Greenfield Housing Code - Explanation of Intended Effect and the Background Paper.

## **9.11 DEVELOPMENT APPLICATION (DA) SERVICE INTEGRATION: ADOPTION OF PROPOSED AMENDMENTS**

142/17 **RESOLVED**

***D Persson***

That Council

1. Adopt the Development Assessment Management Policy.
2. Adopt the Development Control Plan amendments to Manly Development Control Plan 2013, Pittwater 21 Development Control Plan 2015, Warringah Development Control Plan 2000 and Warringah Development Control Plan 2011.
3. Constitute the Northern Beaches Independent Assessment Panel ('NBIAP') and adopt as its charter the Northern Beaches Independent Assessment Panel Charter (NBIAP) 2017.
4. Abolish the former Panels known as Northern Beaches Development Assessment Panel, Northern Beaches Development Review Panel, Northern Beaches Independent Assessment Panel-South and Northern Beaches Independent Assessment Panel-PLEP (the 'former Panels') and revoke their respective charters.
5. Revoke all previous delegations for the determination of applications under Part 4 of the Environmental Planning and Assessment Act 1979 ('EPA Act').

6. Under section 377 of the Local Government Act 1993, the Council hereby delegates to the NBIAP the functions of Council under Part 4 of the EPA Act.
7. Resolve that the following applications be referred to NBIAP for determination by NBIAP:
  - i. Any development application with an estimated cost greater than \$2,000,000 (\$2 million) and where there are 3 or more unresolved objections, excluding any Category 3 applications under Warringah Local Environmental Plan 2000.
  - ii. Any application to modify a development consent previously determined by NBIAP or by any of the former Panels, which involves changes considered to be more than minimal environmental impact (i.e. section 96(2) of the EPA Act).
  - iii. The subdivision of land (excluding subdivision, community title and strata subdivision of an existing development or approved building works) with a net increase of 5 or more lots, and where there are 3 or more unresolved objections.
  - iv. All applications that were previously determined by NBIAP or NBDAP, and where a Section 82A or Section 96AB, Review of Determination has been submitted.
  - v. Any other development application, application for modification of consent or review of determination, referred by the General Manager Planning Place and Community.

For the purposes of this resolution:

Unresolved objection means objections that are considered valid and that cannot be resolved through the imposition of appropriate conditions.

An objection may only be considered resolved, if in the opinion of the General Manager Planning, Place and Community or the Executive Manager Development Assessments, the objection is not valid or has been overcome by conditions of consent.

8. Delegate under sections 377 and 381 of the Local Government Act 1993 to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions of Council under Part 4 of the EPA Act.
9. Revoke the former Manly policy No. M63. MIAP Protocols for Councillors.
10. Revoke the former Warringah policy Application for Development - Policy for the Handling of Unclear, Non-Conforming, Insufficient and Amended Applications.

*The meeting concluded at 9:53pm*

This is the final page of the minutes comprising 19 pages  
numbered 1 to 19 of the Ordinary Council Meeting  
held on Tuesday 27 June 2017 and confirmed on Tuesday 25 July 2017

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Administrator

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General Manager