

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 11 OCTOBER 2016

(2016/9)

**Minutes of an Ordinary Meeting of Council
held on Tuesday 11 October 2016
at the Civic Centre, Dee Why
Commencing at 6:32pm**

ATTENDANCE:

Members

Dick Persson, AM - Administrator

Officers

Mark Ferguson	General Manager
John Warburton	Deputy General Manager Corporate Services
Ben Taylor	Deputy General Manager Environment & Infrastructure
David Kerr	Acting Deputy General Manager Planning & Community
Beth Lawsen	Deputy General Manager Public Affairs
Helen Lever	Executive Manager Governance & Enterprise Risk
Melissa Lee	Governance Manager
Katie Kirwan	Administration Officer Governance
Lynne Jess	Secretariat Officer
Sylwia Stafford	IM&T Support Officer
Natasha Greenow	Media & Communications Officer
Graham Middleton	Executive Manager Marketing & Communications, Strategic
Kate Lewis	Executive Manager Community Engagement
Kath McKenzie	Executive Manager Marketing & Communications

NOTES

The meeting commenced at 6.32pm and concluded at 6:59pm

NOTE: Former Deputy Mayor of Pittwater, Kylie Ferguson gave the opening prayer.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 27 SEPTEMBER 2016

120/16 RESOLVED

D Persson

That the Minutes of the Ordinary Council Meeting held 27 September 2016, 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 Bruce Kitson made a statement regarding:

- **A previous GIPA application to the former Manly Council**
- **The use of solar panels at Seaforth BUPA site, and**
- **LM Graham Reserve**

Dr John Warburton, Deputy General Manager Corporate Services, in relation to the GIPA matter, requested that Mr Kitson provide further information in order to consider the request fully.

Mr Ben Taylor, Deputy General Manager Environment & Infrastructure, in relation to the use of solar panels advised that it is envisaged that the subject panels would be re-installed. In relation to the community space it is planned this will be completed in December. In relation to LM Graham Reserve that upgrade works are currently in progress.

4.2 Dr Conny Harris made a statement regarding the bank stabilisation works on Oxford Falls Creek works.

Dick Persson, AM, Administrator, and Ben Taylor, Deputy General Manager Environment & Infrastructure agreed to meet Dr Harris on site to look at the issue.

5.0 ADMINISTRATOR'S MINUTES

Nil

6.0 GENERAL MANAGER'S REPORTS

Nil

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 TABLING OF PECUNIARY INTEREST RETURNS

121/16 RESOLVED

D Persson

That Council note the Disclosure of Pecuniary Interest Returns for designated persons for the period 1 July 2015 through to 30 June 2016.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 NEWPORT SURF LIFE SAVING CLUB – BEACH BOOKING MARQUEE

122/16 RESOLVED

D Persson

That Council:

- A. Approve the application from Newport Surf Life Saving Club to stage a Black Tie Ball and Sand Sculpture competition at Newport Beach on 14 January 2017.
- B. Approve the erection of a 20m x 20m marquee on Newport Beach to stage a Black Tie Ball and Sand Sculpture competition.

8.2 NARRABEEN CAR PARK - BERRY RESERVE, PITTWATER ROAD NARRABEEN - AGREEMENT TERMS FOR THE ESTABLISHMENT OF ADDITIONAL CARPARKING FOR THE NORTHERN BEACHES BUS RAPID TRANSPORT

123/16 RESOLVED

D Persson

That Council:

- A. Endorse the Heads of Agreement for B Line Bus Rapid Transport commuter car parking in the Narrabeen Car Park, Berry Reserve, Pittwater Road Narrabeen.
- B. Delegate to the General Manager the authority to execute all necessary documentation to give effect to this resolution.

8.3 RFT 2016/080 - BUS SHELTER CLEANING

124/16 RESOLVED

D Persson

That Council:

- A. Accept the tender of Urban Maintenance Systems Pty Ltd for Bus Shelter Cleaning at the price of \$27.37 per shelter excluding GST. This represents an annual cost of \$57,805.44 ex GST (\$27.37 x 176 bus shelters x 12 months).
- B. Authorise the General Manager to:
 - a. Enter into and execute the agreed contract for Bus Shelter Cleaning commencing on Monday, 5 December 2016;
 - b. Execute the available extensions of three periods of one year each, each year prior to the contract expiry.
- C. Approve and execute a new contract under the same terms and conditions with the next best tenderer should Urban Maintenance Systems Pty Ltd withdraw.

8.4 RFT 2016/092 - CAFE LEASE - FRENCHS FOREST, WARRINGAH AQUATIC CENTRE

125/16 RESOLVED

D Persson

That:

- A. Council accept the tender of The Trustee of The Trustee for Brendan Keevers Family Trust Pty Ltd (ABN 60241389625) for RFT 2016/092 – Lease for Warringah Aquatic Centre Cafe commencing 1 November 2016 for a period of 5 + 5 years:
 - a. at an initial annual rent of \$42,000 excluding GST with 4% annual increases commencing in year 3;
 - b. Market Rent Review in Year 6;
 - c. with additional annual rental charge of 10% of gross turnover above \$420,000 commencing in Year 3; subject to approval by the Minister Administering the Crown Lands Act 1989.
- B. Council is unable to sign the lease with The Trustee for Brendan Keevers Family Trust Pty Ltd (ABN 60241389625) for RFT 2016/092 – Lease for Warringah Aquatic Centre Cafe, Council accepts the second highest scoring submission by JSN Corporation Pty Ltd (ABN 62607728987) commencing 1 November 2016 for a period of 5 + 5 years:
 - a. at an initial annual rent of \$41,000 excluding GST with CPI annual increases;
 - b. Market Rent Review in Year 6;
 - c. with additional annual rental charge of 10% of gross turnover above \$410,000; subject to approval by the Minister Administering the Crown Lands Act 1989.
- C. Authority be delegated to the General Manager to execute all necessary documentation to give effect to this resolution.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.1 INCREASED FLOOR AREA FOR SECONDARY DWELLINGS PLANNING PROPOSAL

126/16 RESOLVED

D Persson

That Council:

- A. Submit the Increased Floor Area for Secondary Dwellings Planning Proposal to the Parliamentary Counsel's Office and Department of Planning and Environment.
- B. Request to exercise its delegation under section 59 of the *Environmental Planning and Assessment Act 1979* to amend *Manly Local Environmental Plan 2013* to give effect to the Increased Floor Area for Secondary Dwellings Planning Proposal.

10.0 PUBLIC AFFAIRS DIVISION REPORTS

10.1 COMMUNITY ENGAGEMENT POLICY AND FRAMEWORK

127/16 RESOLVED

D Persson

That the draft Community Engagement Policy and Framework be placed on public exhibition for a period of 28 days, and that the submissions received be brought back to Council for consideration and adoption.

The meeting concluded at 6:59pm

This is the final page of the minutes comprising 6 pages
numbered 1 to 6 of the Ordinary Council Meeting
held on Tuesday 11 October 2016 and confirmed on Tuesday 25 October 2016

Administrator

General Manager