

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 22 NOVEMBER 2016

(2016/12)

**Minutes of an Ordinary Meeting of Council
held on Tuesday 22 November 2016
at the Civic Centre, Dee Why
Commencing at 6:33pm**

ATTENDANCE:

Members

Dick Persson, AM - Administrator

Officers

Mark Ferguson	General Manager
Helen Lever	Acting 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
Melissa Lee	Manager Governance Administration
Melinda Aitkenhead	Acting Executive Manager Governance and Enterprise Risk
Lynne Jess	Administration Officer Governance
Dinesh Mishra	IM&T Support Officer
Neil Williamson	Executive Manager Environmental Compliance
Campbell Pfeiffer	Executive Manager Property Management and Commercial
Todd Dickinson	Executive Manager Natural Environment and Climate Change
David Walsh	Chief Financial Officer
Michael McDermid	Executive Manager Corporate Strategy and Planning
Kath McKenzie	Executive Manager Marketing & Communications
Melissa Messina	Executive Manager Children's Services

NOTES

The meeting commenced at 6.33pm and concluded at 8.05pm

NOTE: The Administrator acknowledged the presence of former Councillors Candy Bingham, Hugh Burns, Sue Heins, Alex McTaggart and Kay Millar.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 8 NOVEMBER 2016

150/16 RESOLVED

D Persson

That the Minutes of the Ordinary Council Meeting held 8 November 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

NOTE: The Administrator advised that Ms Helen Lever was acting in the role of Deputy General Manager Corporate Services since Dr John Warburton's resignation and congratulated her on this appointment.

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 Kay Millar made a statement regarding the status of community facilities in Warriewood.

4.2 David Tribe made a statement regarding the redevelopment of the Manly Vale Public School.

4.3 David Parsons made a statement regarding the negativity towards the Northern Beaches Council's Administrator by the media.

4.4 Hugh Burns made a statement regarding the need for validation to empower amalgamated Council.

4.4 Jack Tilburn made a statement Meriton Building Site – Dee Why.

- A. Would the Northern Beaches Council try to get the Meriton building site along the south side of Oaks Ave kept clean and tidy and free of dust and dirt and no foreign materials?
- B. Likewise, would the Northern Beaches Council try to have Meriton building site along the north side of Howard Ave kept clean and tidy and free of dust and dirt and no foreign materials for hygiene for pedestrians?
- C. Would the Northern Beaches Council state the following about plans for the block of land on the west side of the Dee Why Post Office:
 - i) its town planning?
 - ii) Its commencement date?
 - iii) its completion date?
 - iv) its estimated cost
- D. Is the Dee Why Post Office to be demolished in the town planning?

Response:

David Kerr, Deputy General Manager Planning and Community provided the following response:

Council Officers have regularly been attending the Meriton Site and have issues warning notices. The next step will be to issue a penalty notice and fines, if required. In relation to Bowtie Park, this will soon be upgraded to an open space area for community use. However, there will be a small period of time where it will need to be used as a staging area, but will be returned to its former use once complete.

Dee Why Post Office is owned by the commonwealth and therefore it is up to them as to when they decide to redevelop the site.

5.0 ADMINISTRATOR'S MINUTES

5.1 ADMINISTRATOR MINUTE NO 10/2016 - AMENDMENT TO BEACH PARKING PERMIT POLICY - RETIREMENT VILLAGES

BACKGROUND

At an Extraordinary Council meeting on the 19 May 2016, Council resolved to implement one beach parking permit across the Northern Beaches, allowing free permit parking in designated Council operated Pay and Display carparks.

The Beach Parking Permit Scheme Policy was developed and provides a framework for Council to determine eligibility for the allocation of beach parking permits, including the provision of additional permits, the replacement of permits and the locations where these permits are valid.

In the past, the former Councils provided Beach Parking permits upon application to residents of retirement villages. This was changed to only allow for rateable properties.

It has come to my attention that this policy has omitted to recognise senior citizens who reside in a non-rateable retirement villages and has caused a considerable level of concern amongst these

residents.

I would like to review the subject policy to include the impacted group.

151/16 RESOLVED

D Persson

That the policy be amended to read:

3.6 Tenants in Common and Retirement Villages

Tenants in Common and residents of retirement villages, are entitled to apply for up to two (2) Beach Parking Permits per household. Application forms must be completed and signed by the applicant as well as authorised by the relevant property administrator. Applications will be considered once the necessary completed forms are returned to Council.

5.2 ADMINISTRATOR MINUTE NO 11/2016 - MONA VALE PLACE PLAN

The draft Mona Vale Place Plan (draft Plan) was developed over a two year period by the former Pittwater Council commencing mid-2014.

The place planning approach promotes environmentally, socially and economically sensitive urban design within town and village centres. This included developing a more sustainable Mona Vale and exploring issues such as sustainable design and development and the promotion and integration of active transport solutions.

The development of the draft Plan included an extensive consultation process over an 18-month period resulting in the award-winning *Imagine Mona Vale* engagement summary. This was reported back to the former Pittwater Council on 17 August 2015. I subsequently released the plan for public exhibition on 27 September 2016.

Despite the fact that the draft plan was totally and completely developed by former Pittwater Council staff, under the guidance of Pittwater Council, a number of people continue to misrepresent this history by claiming the plan is due to the merger, "representing our worst fears".

There is no doubt these people know this is untrue, leaving the most likely conclusion that they are trying to use the Mona Vale draft plan as a vehicle to re-start their political campaign of opposition to the Council merger.

Under these circumstances I feel it is impossible to have a sensible and reasonable community discussion about what is a very important planning issue.

It is not my place to comment on the politics of forming the Northern Beaches Council but I am not prepared to have the draft plan used as a tool to attack the new Council over something it had nothing to with. Accordingly I am withdrawing it from public exhibition.

Community members are encouraged to engage in the future planning process for Mona Vale with a revised draft Plan likely to be presented to an elected Council in 2017/18.

152/16 RESOLVED

D Persson

That the draft Mona Vale Place Plan be withdrawn from public exhibition and plans be developed to facilitate further community engagement on the project.

6.0 GENERAL MANAGER'S REPORTS

6.1 FINANCIAL AND MANAGEMENT REPORT 13 MAY TO 30 SEPTEMBER 2016

NOTE: Brian Halstead addressed Council on the Item.

153/16 **RESOLVED**

D Persson

That Council:

- A. Note the Budget Review Statement for the period 13 May to 30 September 2016.
- B. Approve the following changes to the Current Forecast in the September 2016 Business Review Statement:
 - a. The Surplus from Continuing Operations which includes Capital Grants and Contributions is forecast to increase by \$2,641,603 to \$72,835,725.
 - b. Increase in capital expenditure by \$1,847,170.

PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS

154/16 **RESOLVED**

D Persson

9.1 DRAFT WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (AMENDMENT 8) - PART G6 DEE WHY RSL

NOTE: Grant Easterby addressed council on the item.

155/16 **RESOLVED**

D Persson

That Council:

- A. Approve Warringah Development Control Plan 2011 (*Amendment 8*).
- B. Give public notice of the commencement date of *Warringah Development Control Plan 2011 (Amendment 8)*.

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 DRAFT ANNUAL FINANCIAL STATEMENTS FOR THE PERIOD ENDED 12 MAY 2016

NOTE: Bruce Kitson addressed Council on the item.

156/16 **RESOLVED**

D Persson

That:

- A. The Annual Financial Statements for the former Manly, Pittwater and Warringah Councils for the financial period ended 12 May 2016 be adopted by the Council.
- B. The Administrator, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
- C. The Annual Financial Statements for the financial period ended 12 May 2016 be referred to the former Council's Auditors for audit.
- D. Council hereby delegate to the General Manager authority, upon receipt of the Auditor's reports of the former Councils, to:
 - a) Forward a copy to the Office of Local Government and Australian Bureau of Statistics.
 - b) Arrange for the public notice of the Council Meeting for presentation to the public, in the required format be placed in the Manly Daily.
 - c) Arrange for the former Council's audited financial reports and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and in printed format at the Council's Avalon Customer Service Centre, Dee Why Civic Centre, Manly Town Hall and Mona Vale Customer Service Centre and Libraries at Avalon, Belrose, Dee Why, Forestville, Manly, Mona Vale and Warringah Mall.
 - d) List the audited financial reports and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement.

7.2 MONTHLY INVESTMENT REPORT - OCTOBER 2016

157/16 **RESOLVED**

D Persson

That Council receive and note the Investment Report as at 31 October 2016, including the certification by the Responsible Accounting Officer.

7.3 COMMUNITY LIBRARY FUNDING FOR 2016/17

158/16 **RESOLVED**

D Persson

That Council approve the 2016/17 funding allocation of \$20,000 for Terrey Hills Community Library

and \$1,300 for Booklovers' Club Warringah Incorporated.

7.4 NORTHERN BEACHES COUNCIL 2017 MEETING CYCLE

159/16 **RESOLVED**

D Persson

That Council adopt the following Northern Beaches Meeting Schedule for 2017:

- Tuesday, 31 January 2017, 6.30pm in Mona Vale
- Tuesday, 28 February 2017, 6.30pm in Dee Why
- Tuesday, 28 March 2017, 6.30pm in Manly
- Wednesday, 26 April 2017, 6.30pm in Mona Vale
- Tuesday, 30 May 2017, 6:30pm in Dee Why
- Tuesday, 27 June 2017, 6:30pm in Manly
- Tuesday, 25 July 2017, 6:30pm, venue TBC
- Tuesday, 22 August 2017, 6:30pm, venue TBC
(Local Government Elections – Saturday 9 September 2017)
- Tuesday, 26 September 2017, 6:30pm, venue TBC
- Tuesday, 24 October 2017, 6:30pm, venue TBC
- Tuesday, 28 November 2017, 6:30pm, venue TBC
- Tuesday, 19 December 2017, 6:30pm, venue TBC

7.5 NORTHERN BEACHES COUNCIL POLICY FOR PAYMENT AND REIMBURSEMENT OF EXPENSES INCURRED BY, AND PROVISION OF FACILITIES TO, THE MAYOR, DEPUTY MAYOR AND COUNCILLORS

160/16 **RESOLVED**

D Persson

That the Northern Beaches Council *Policy for Payment and Reimbursement of Expenses Incurred by, and Provision of Facilities to the Mayor, Deputy Mayor and Councillors* be adopted.

7.6 NORTHERN BEACHES COUNCIL CODE OF MEETING PRACTICE

NOTE: Conny Harris addressed Council on the item.

161/16 **RESOLVED**

D Persson

That the *Northern Beaches Council Code of Meeting Practice* be adopted.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 RFT2016/006 - OXFORD CREEK BANK AND ROAD BATTER STABILISATION

162/16 **RESOLVED**

D Persson

That:

- A. Council accepts the tender of Pan Civil Pty Ltd 2016/006 – Oxford Creek Bank and Road Batter Stabilisation for the sum of \$627,527.50 excluding GST.
- B. Authority be delegated to the General Manager to execute the contract with Pan Civil Pty Ltd to underake the Oxford Creek Bank and Road Batter Stabiliation works, as specified in the RFT 2016/006 and to approve contract payments up the amount specified in the confidential report.

8.2 RFT 2016/101 BIRDWOOD PARK LANDSCAPE AND CIVIL WORKS, NARRABEEN

163/16 **RESOLVED**

D Persson

That Council:

- A. Accept the tender of Lloyd Drilling Constructions Pty Ltd for RFT 2016/101 – Birdwood Park Landscape and Civil Works for the sum of \$365,284 (ex GST).
- B. Delegate authority to the General Manager to execute all necessary documents to give effect to this resolution and to approve contract payments up to the amount specified in the confidential tender report.

8.3 RFT2016/151 LIONEL WATTS SPORTSFIELD LIGHTING UPGRADE

164/16 **RESOLVED**

D Persson

That Council:

- A. Accept the tender for Rees Electrical Pty Ltd for RFT 2016/151 – Lionel Watts Sportsfield Lighting Upgrade for the sum of \$293,000 (ex GST)
- B. Delegate authority to the General Manager to execute all necessary documentation to give effect to this resolution and to approve contract payments up to the amount specified in this tender report.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.2 BUILDING FIRE SAFETY REPORT BY FIRE & RESCUE NSW - 23 ROGER STREET BROOKVALE

165/16 RESOLVED

D Persson

That Council:

- A. Not issue an Order 6 in relation to 23 Roger Street, Brookvale and take no further action in this matter.
- B. Provide notice to Fire and Rescue NSW of the above determination.

10.0 PUBLIC AFFAIRS DIVISION REPORTS

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

166/16 RESOLVED

D Persson

That Council note the Meeting Notes from the:

- A. Implementation Advisory Group (IAG) meetings held on 10 August 2016, 7 September 2016, 5 October 2016 and approve all actions to be progressed within current operational resources.
- B. Economic, Environment Social Local Representation Committee (LRC) meetings held on 3 August 2016, 17 August 2016, 21 September 2016 and 19 October 2016.

The meeting concluded at 8.05pm

This is the final page of the minutes comprising 10 pages
numbered 1 to 10 of the Ordinary Council Meeting
held on Tuesday 22 November 2016 and confirmed on Tuesday 13 December 2016

Administrator

General Manager