

MINUTES

ORDINARY COUNCIL MEETING

held at Mona Vale Memorial Hall on

TUESDAY 31 JANUARY 2017

(2017/1)

**Minutes of an Ordinary Meeting of Council
held on Tuesday 31 January 2017
at Mona Vale Memorial Hall
Commencing at 6.30pm**

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
Melinda Aitkenhead	Acting Executive Manager Governance & Enterprise Risk
Melissa Lee	Governance Manager
Lynne Jess	Secretariat Officer
Sonya Gallery	Executive Officer
Shaun Cleland	IM&T Support Officer
Andrew Pigott	Executive Manager Strategic Land Use Planning
Craig Sawyer	Executive Manager Major Projects
Kath McKenzie	Executive Manager Marketing & Communications
David Walsh	Executive Manager Chief Financial Manager

NOTE: The Administrator acknowledged the presence of the former Councillors of the former Warringah, Pittwater and Manly Councils.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 13 DECEMBER 2016

001/17 **RESOLVED**

D Persson

That the Minutes of the Ordinary Council Meeting held 13 December 2016, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 16 DECEMBER 2016

002/17 **RESOLVED**

D Persson

That the Minutes of the Extraordinary Council Meeting held 16 December 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 Candy Bingham provided an update on the fundraising for the sea nymphs sculpture at Fairy Bower pool.

4.2 Hugh Burns made a statement regarding development density on the Northern Beaches.

- 4.3 Liz Ginsburg made a statement regarding pedestrian issues and the lack of crossings and footpaths on Barrenjoey Road, Palm Beach.
- 4.4 Former Mayor of Warringah, Michael Regan made a statement regarding compensation from RMS in relation to the acquisition of land at the Frenchs Forest Hospital site.

5.0 ADMINISTRATOR'S MINUTES

- 5.1 ADMINISTRATOR'S MINUTE NO 1/2017 - LETTER TO NSW MINISTER FOR EDUCATION THE HON ROB STOKES MP - MANLY VALE PUBLIC SCHOOL REDEVELOPMENT

BACKGROUND

The purpose of this Administrator's Minute is to note the communication with the newly appointed NSW Minister for Education, The Hon Rob Stokes MP regarding the Manly Vale Public School redevelopment.

NOTE: David Tribe addressed Council on the Item.

003/17 RESOLVED

That Council note the communication to the Hon Rob Stokes MP, Minister for Education with regard to the Manly Vale Public School re-development.

6.0 GENERAL MANAGER'S REPORTS

- 6.1 STATUS OF THE DEVELOPMENT DEEDS FOR MANLY OVAL AND WHISTLER STREET CARPARK

NOTE: Jack Steggall addressed Council on the Item.

004/17 RESOLVED

D Persson

That:

- A. Council note the status of the Development Deeds; and
- B. The General Manager report to Council on progress in respect of the proposed Negotiations Deed with Built Development (Manly) Pty Ltd and Athas Holdings Pty Ltd in or before August 2017.

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 MONTHLY INVESTMENT REPORT - NOVEMBER 2016

005/17 **RESOLVED**

D Persson

That Council receive and note the Investment Report as at 30 November 2016, including the certification by the Responsible Accounting Officer.

7.2 MONTHLY INVESTMENT REPORT - DECEMBER 2016

006/17 **RESOLVED**

D Persson

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

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 OUTCOME OF EXHIBITION OF THE DRAFT WARRIEWOOD VALLEY SECTION 94 CONTRIBUTIONS PLAN (AMENDMENT 16, REVISION 2)

NOTE: Chris Hornsby addressed Council on the Item.

NOTE: Kay Millar addressed Council on the Item.

007/17 **RESOLVED**

D Persson

That Council:

- A. Adopt the *draft Warriewood Valley Section 94 Contributions Plan (Amendment 16, Revision 2)* and that a public notice advising of Council's decision be placed in the local newspaper.
- B. Note the amendments to the Warriewood Valley Roads Masterplan and the Warriewood Valley Landscape Masterplan & Design Guidelines.
- C. Write to all those who made a submission during the public exhibition advising of Council's decision.

8.2 RFT 2016/115 REDMAN ROAD PLAZA STAGE 1

008/17 **RESOLVED**

D Persson

That Council:

- A. Pursuant to clause 178 (1) (a) of the Local Government (General) Regulation 2005, accept the tender of Landscape Solutions Australia Pty Ltd for the construction of Redman Road Plaza Stage 1 for the amount of \$1,968,466.42 (ex GST) and;
- B. Pursuant to Section 377 (1) of the Local Government Act 1993, delegate authority to the General Manager to execute the contract with Landscape Solutions Australia Pty Ltd for the construction of Redman Road Plaza Stage 1, as specified in Tender RFT 2016/115, including the lump sum and contingency costs as outlined in the Council report.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.1 MINUTES OF THE INGLESIDE COMMUNITY REFERENCE GROUP MEETING HELD ON 19 DECEMBER 2016

009/17 **RESOLVED**

D Persson

That Council note the Minutes of the Ingleside Community Reference Group meeting held on 19 December 2016.

9.2 121ZD - FIRE & RESCUE NSW INSPECTION REPORT - MANLY HOSPITAL - DARLEY ROAD

010/17 **RESOLVED**

D Persson

That Council:

- A. Not issue an Order 6 on the Manly Hospital property located on Darley Road, Manly and take no further action in this matter.
- B. Provide notice to Fire and Rescue NSW of the above determination.

**9.3 PUBLIC EXHIBITION OF SYDNEY ROAD BALGOWLAH PLAZA REVITALISATION
'REVISED PLAN'**

NOTE: Former Mayor of Manly, Jean Hay AM addressed Council on the Item.

011/17 **RESOLVED**

D Persson

That the Balgowlah Plaza Revitalisation Revised Draft Plan be placed on public exhibition for a period of 28 days with submissions invited from the community and the results reported back to Council.

9.4 PLANNING PROPOSAL (PP0003/16) FOR 2 MACPHERSON STREET, WARRIEWOOD

NOTE: Walter Gordon addressed Council on the Item.

012/17 **RESOLVED**

D Persson

That Council:

- A. Not support the planning proposal for 2 Macpherson Street, Warriewood for the following reasons:
- a. It is inconsistent with the relevant strategic study being the '*Warriewood Valley Strategic Review Report (2013)*', endorsed by the former Director General of the Department of Planning and Infrastructure on 26 June 2013 and adopted by Pittwater Council on 12 June 2013.
 - b. It has not demonstrated adequate strategic merit or site-specific merit in line with the '*NSW Planning & Environment's Planning Proposals: A guide to preparing planning proposals (2016)*'.
 - c. The information submitted to support the planning proposal for 2 Macpherson Street, Warriewood is substantially deficient.
 - d. It is inconsistent with Local Planning Direction '*4.3 Flood Prone Land*' (issued under Section 117(2) of the *Environmental Planning and Assessment Act 1979*) and insufficient justification has been provided to support the inconsistency.
- B. Take no further action on the planning proposal for 2 Macpherson Street, Warriewood and the applicant be duly advised.

9.5 PLANNING PROPOSAL FOR HOUSEKEEPING AMENDMENTS - MANLY LOCAL ENVIRONMENTAL PLAN 2013

NOTE: James Manion addressed Council on the Item.

013/17 **RESOLVED**

D Persson

That Council prepare a Planning Proposal and seek a Gateway Determination to amend *Manly Local Environmental Plan 2013* as follows:

- A. Rezone 52 Raglan Street Manly from LEP Zone RE2 Private Recreation to LEP Zone RE1 Public Recreation.
- B. Amend mapping and land description of the following three existing heritage items:
 - a. Sydney Water Pumping Stations at 252 Pittwater Road, Manly: The land description in relation to this item is to be amended from Lot 1 DP 744872 to Lot 1 DP 1217919. Land known as Lot 2 DP 1217919 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - b. Sydney Water Pumping Stations at Golf Parade (corner Balgowlah Road), Manly: The land description in relation to this item is to be amended from Lot 3, Section 2, DP 5756 to Lot 1 DP 1217918. Land known as Lot 2 DP 1217918 is to be omitted and the Maps amended accordingly to better reflect the extent of heritage significance.
 - c. Service Station (former) at 167 Pittwater Road, Manly: The land description in relation to this item is to be amended to omit reference to Lots 9 -12 DP2427 and the Maps amended accordingly as the heritage significance of this property is considered to relate to Lot 1 DP1085908 and Lot 2 DP656268 only.
- C. Amend mapping to realign zoning between 49 and 51 Lauderdale Ave Fairlight in accordance with the subdivision boundary registered on 8 January 2016.

9.6 POST EXHIBITION - PLANNING PROPOSAL FOR 8, 10 AND 12 NARABANG WAY, BELROSE

NOTE: Greg Boston addressed Council on the Item.

014/17 **RESOLVED**

D Persson

That Council:

- A. Approve amendments to *Warringah Local Environmental Plan 2011* in accordance with the planning proposal for 8, 10 and 12 Narabang Way, Belrose.
- B. Exercise its delegation to undertake the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* to amend *Warringah Local Environmental Plan 2011* to give effect to the planning proposal for 8, 10, and 12 Narabang Way, Belrose.

10.0 PUBLIC AFFAIRS DIVISION REPORTS

Nil

The meeting concluded at 7.46pm

This is the final page of the minutes comprising 9 pages
numbered 1 to 9 of the Ordinary Council Meeting
held on Tuesday 31 January 2017 and confirmed on Tuesday 28 February 2017

Administrator

General Manager