

MINUTES

ORDINARY COUNCIL MEETING

held at Mona Vale Memorial Hall on

TUESDAY 8 NOVEMBER 2016

(2016/11)

**Minutes of an Ordinary Meeting of Council
held on Tuesday 8 November 2016
at Mona Vale Memorial Hall
Commencing at 6:37pm**

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
Lynne Jess	Administration Officer Governance
Shaun Cleland	IM&T Support Officer
Sonya Gallery	Principal Officer - Governance
Kath McKenzie	Executive Manager Marketing & Communications
Mark Jones	Executive Manager Strategy Finance Assets and Property
Neil Williamson	Executive Manager Environmental Compliance
Peter Livanes	Executive Manager Aquatic Services
Campbell Pfeiffer	Executive Manager Property Management & Commercial
Andrew Davies	Executive Manager Transport & Urban

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

NOTE: The Administrator acknowledged the presence of former Mayors Jean Hay AM, and Michael Regan, Deputy Mayor, Kylie Ferguson, and former Councillors Candy Bingham, Hugh Burns, Alex McTaggart and Vanessa Moskal.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 25 OCTOBER 2016

139/16 RESOLVED

D Persson

That the Minutes of the Ordinary Council Meeting held 25 October 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 the meeting of Deputy General Manager Dr John Warburton's resignation. He further acknowledged Dr Warburton's contribution to both former Warringah and Northern Beaches Councils and congratulated him on his recent appointment to the Inner West Council.

4.0 PUBLIC FORUM

The Administrator requested that each speaker acknowledge that 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 Dale Cohen made a statement in relation to the Mona Vale Plan.

4.2 Michael Regan, former Mayor of Warringah made a statement in relation to the Mona Vale Place Plan & Affordable Housing.

The Administrator advised he would take the matter on board and discuss with staff.

NOTE: Michael Regan also congratulated Dr John Warburton Deputy General Manager Corporate Services on his new role at the Inner West Council and thanked him for what he had achieved in Warringah and Northern Beaches Councils.

4.3 Candy Bingham made a statement in relation to the Manly Andrew 'Boy' Charlton Aquatic Centre.

4.4 Chris Hornsby made a statement in relation to various Warriewood projects.

4.5 Hugh Burns made a statement in relation to community perception about high rise buildings and demand.

4.6 Vanessa Moskal made a statement acknowledging Dr John Warburton, Deputy General Manager Corporate Services and his contribution to Council and the community.

NOTE: The Administrator invited Dr John Warburton Deputy General Manager to say a few words.

NOTE: Dr John Warburton Deputy General Manager Corporate Services, thanked everyone that he has worked with and the Northern Beaches community during his time at both the former Warringah and Northern Beaches Councils.

5.0 ADMINISTRATOR'S MINUTES

Nil

6.0 GENERAL MANAGER'S REPORTS

6.1 POWER OF ATTORNEY

140/16 RESOLVED

D Persson

That Council:

- A. Revoke Power of Attorney Book 4714 No 357 on 10 November 2016, and give any necessary notice of revocation to the Attorneys.
- B. Affix the Common Seal of Council to the Revocation of Power of Attorney.

- C. Grant a Power of Attorney to Mr Mark Ferguson, General Manager, Dr John Warburton, Deputy General Manager Corporate Services, Ms Lisbeth Lawsen, Deputy General Manager Public Affairs and Public Officer, and Mr Benjamin Taylor, Deputy General Manager Environment & Infrastructure, effective on and from 10 November 2016 to execute documents, dealings and instruments relating to the matters detailed in the draft instrument attached to this report effective on and from 10 November 2016.
- D. Affix the Common Seal of Council to the Power of Attorney.

6.2 INTEGRATION UPDATE

NOTE: Mr Brian Halstead addressed Council on the Item.

NOTE: Mr Mark Ferguson, General Manager gave a presentation on Item 6.2 Integration Update

141/16 **RESOLVED**

D Persson

That the Integration Update Report be noted.

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 PROPOSED AMENDMENTS TO FITNESS CENTRE MEMBERSHIPS - MANLY ANDREW 'BOY' CHARLTON AQUATIC CENTRE

NOTE: Jean Hay AM, addressed Council on the Item and also passed on her best wishes to Dr John Warburton Deputy General Manager Corporate Services on his new position.

142/16 **RESOLVED**

D Persson

That Council adopts the proposed new fees for Fitness Centre Memberships at Manly Andrew 'Boy' Charlton Aquatic Centre as listed below.

- a. 12 Month Adult Membership - \$1,248.00
- b. 12 Month Concession Membership - \$1,092.00
- c. 6 Month Adult Membership - \$676.00
- d. 6 Month Concession Membership - \$598.00

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 AMENDMENT TO CONTRACT T2015/14 SPORTSFIELDS MAINTENANCE AND MOWING

143/16 **RESOLVED**

D Persson

That Council:

- A Note the Deed of Variation to Contract T2015/14 Sportsfield Maintenance Services between Council and Luhrmann Environment Management
- B Engage Green Options to undertake Sportsfield Maintenance Services at LM Graham Reserve and Manly Oval, including turf wicket and practice areas, at a cost of \$172,290 (excluding GST) per annum

8.2 RFT 2016/099 - IRRIGATION WORKS - WARRIEWOOD SPORTS PARK

144/16 **RESOLVED**

D Persson

That:

- A. Council accept the Tender of Jaddfe Pty Ltd t/as Watermatic Irrigation Pty Ltd for RFT 2016/099 – Irrigation Works Warriewood Sports Park for the sum of \$158,905 excluding GST.
- B. Authority be delegated 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 the confidential attachment.

8.3 RFT 2016/136 - MEZZANINE FITOUT WORKS AT DEE WHY LIBRARY

145/16 **RESOLVED**

D Persson

That:

- A. Council accepts the tender of Lanskey Constructions Pty Ltd for RFT 2016/136 – Mezzanine Fitout Works at Dee Why Library for the sum of \$139,656.00 excluding GST.
- B. Authority be delegated 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 the body of this report.

8.4 CURRAWONG MANAGEMENT AGREEMENT

146/16 RESOLVED

D Persson

That:

- A. Council exercise its authority under Section 55 (3) of the Local Government Act to approve an alternative procurement for the Management of Currawong Cottages on extenuating circumstances due to the expected lack of interest from the market in a tender process due to the remote location and the likely impact of the proposed refurbishment works
- B. Authority be delegated to the General Manager to negotiate a contract with RWW Plants Pty Ltd for the Management of Currawong Beach Cottages, and if successful to execute all necessary documentation to give effect to this resolution.

8.5 CHURCH POINT PARKING DEMAND MANAGEMENT STRATEGY

NOTE: Bill Gye on behalf of Scotland Island Residents Association addressed Council on this item.

NOTE: Catherine Nicholl addressed Council on this item.

NOTE: Michael Weiner on behalf of West Pittwater Community Association addressed Council on this item.

NOTE: David Ley addressed Council on this item.

147/16 RESOLVED

D Persson

- A. That Council endorse the recommendations detailed in the 31 October 2016 Church Point Parking Demand Management Strategy for consideration of the Northern Beaches Local Traffic Committee and subsequent implementation, subject to the revision of the parking arrangements for the Botham's Beach carpark to being "8P, Church Point Permit excepted".
- B. That Council further:
 - a. Work with the NSW Government to seek more frequent 'shuttle' style bus services from Church Point to Mona Vale;
 - b. Consider seeking EOIs from car share providers to provide services for off-shore residents;
 - c. Consider traffic calming measures for local streets in consultation with residents; and
 - d. Explore and promote public transport, active and alternative transport measures in conjunction with the local Resident Associations, businesses, NSW Government and other stakeholders.
- C. That Council review the arrangement of the leased spaces in the new Church Point carpark at its ten year life cycle point, in consideration of the project loan, asset renewal needs, demand management and other precinct and community needs.

- D. That staff prepare for the elected Council concept designs and cost estimates for potential expansion of the Church Point Reserve Car Park by either a deck or land reclamation to be the subject of community engagement, in time to be considered as part of the 2018/19 Budget process.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.1 BUILDING FIRE SAFETY REPORT BY FIRE & RESCUE NSW - WARRIEWOOD CINEMA COMPLEX, 4 VUKO PLACE, WARRIEWOOD

148/16 RESOLVED

D Persson

That Council:

- A. Issue an Order number 6 under Section 121B of the EP&A Act 1979 to require the owner of 4 Vuko Place, Warriewood, to obtain and provide to Council a Building Code of Australia audit report for the building at the premises and provide an annual fire safety statement to demonstrate that the current fire safety measures meet the required performance standards.
- B. Provide notice to Fire and Rescue NSW of the above determination.

9.2 PLANNING PROPOSAL - REZONING OF LOT 2759 DP 752038 AND LOT 1 DP 577319 47 FISHER STREET BALGOWLAH HEIGHTS

149/16 RESOLVED

D Persson

That Council:

- A. Submit the Planning Proposal - Rezoning of Lot 2759 DP 752038 and Lot 1 DP 577319, 47 Fisher Street, Balgowlah Heights 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 Rezoning of Lot 2759 DP 752038 and Lot 1 DP 577319, 47 Fisher Street, Balgowlah Heights.

The meeting concluded at 8.02pm

This is the final page of the minutes comprising 8 pages
numbered 1 to 8 of the Ordinary Council Meeting
held on Tuesday 8 November 2016 and confirmed on Tuesday 22 November 2016

Administrator

General Manager