

# MINUTES

## ORDINARY COUNCIL MEETING

held at Mona Vale Memorial Hall on

**TUESDAY 9 AUGUST 2016**

(2016/5)

**Minutes of an Ordinary Meeting of Council  
held on Tuesday 9 August 2016  
at Mona Vale Memorial Hall  
Commencing at 6:32pm**

**Attendance:**

**Administrator**

Dick Persson, AM.

**Officers**

Mark Ferguson	General Manager
John Warburton	Deputy General Manager Corporate Services
Ben Taylor	Deputy General Manager Environment & Infrastructure
Melinda Hewitt	Deputy General Manager Transformation, People & Culture
Beth Lawsen	Deputy General Manager Public Affairs
Henry Wong	Deputy General Manager
Anthony Hewton	Executive Manager Corporate Services
Melissa Lee	Governance Manager
Katie Kirwan	Administration Officer Governance
Anna Moore	Coordinator Governance
Sonya Gallery	Principal Officer
Sherryn McPherson	Administration Support Officer
Nathan Rogers	Chief Digital & Information Officer

**NOTES**

The meeting commenced at 6:32pm and concluded at 9:26pm

## 1.0 APOLOGIES

Nil

## 3.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

NOTE: *The opening prayer was given by Kylie Ferguson, Former Deputy Mayor of Pittwater.*

NOTE: *The Administrator acknowledged the passing of Nancy Wood and Bernard 'Midget' Farrelly.*

*He invited Jean Hay AM, former Mayor of Manly to speak about Bernard 'Midget' Farrelly and Neil Evers to speak about Nancy Wood.*

NOTE: *The Administrator acknowledged the presence of the following former councillors: Jean Hay AM, former Mayor of Manly, Kylie Ferguson, former Deputy Mayor of Pittwater, Candy Bingham, Sue Heins, Alex McTaggart, Kay Miller, Cathy Griffin and Vanessa Moskal.*

## 2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 2.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 7 JULY 2016

054/16 RESOLVED

***D Persson***

That the Minutes of the Extraordinary Council Meeting held 7 July 2016, copies of which were previously circulated to all Councillors, are hereby confirmed as a true and correct record of the proceedings of that meeting.

## 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 Council car park in Elanora Road.

The Administrator advised Ms Millar he would accept the letter from Elanora Heights Public School P&C and undertook to look into the concerns she raised.

### 4.2 William Thompson made a statement about dogs on beaches.

### 4.3 Mitch Geddes made a statement about dog control policy.

**4.4 Gail Sadler made a statement about dog control policy.**

**4.5 Wendy Twibill made a statement about dog control policy.**

**4.6 Brian S Cordingley made a statement about dog control policy.**

**4.7 Chris Fletcher made a statement about dog control policy and the Pittwater LEP.**

NOTE: *The Administrator granted an extension of time to Mr Fletcher.*

**4.8 David Currie made a statement about dogs on beaches.**

#### **MOTION – REVIEW OF OFF LEASH DOG AREAS**

055/16 **RESOLVED**

***D Persson***

That Council review the adequacy of the availability of off leash dog areas on the Northern Beaches and that a report be brought back to Council.

**4.9 Roberta Conroy made a request for extra funding for the Church Point boardwalk.**

The Administrator advised that there may be an opportunity for funding under the State Governments Stronger Communities Fund, and once the process for this fund was set up he would give further consideration to this request.

**4.10 Candy Bingham made a request for a progress update on the detention tank at Manly Oval, costs of the Andrew Boy Charlton Pool and the relocation of dinghies at Little Manly Beach.**

The Deputy General Manager Environment advised that he would take on notice Ms Bingham's question in relation to the detention tank.

The Deputy General Manager Corporate Services advised that he would have answers in relation to the Andrew Boy Charlton Swim Centre by the next Council Meeting.

**4.11 Andrew Hunter made a statement about the development application noise restrictions, and the fair regulation of such.**

The General Manager requested the details of the site that Mr Hunter refers and advised that he would take this on board and be interested in looking at the site as a case study to see if Council could improve their conditions of consent or improve their compliance function.

**4.12 Greg Ross, President of Horseshoe Cove Association made a statement about the potential precedents that may arise for Pittwater Waterway should the Royal Motor Yacht Clubs Land and Environment Court case be successful.**

**4.13 David Parsons made a statement about Manly Vale Public School and the impact on the Manly Warringah War Memorial Park.**

NOTE: *The Administrator granted an extension of time to Mr Parsons.*

**4.14 Brian Halstead asked a number of questions regarding Northern Beaches Council Workers Compensation Self Insurance:**

1. What has been the experience with Warringah workers compensation over the last five years and how many are covered by self-insurance and to what areas?
2. What management resources are required to manage Workers Compensation currently for Warringah Council and what resources are planned to cover the additional workload?
3. What are the projected costs of payments and administration over the next five years and what are the numbers covered in what areas?
4. What was the total cost of insurance over the last five years and is projected over the last five years?
5. How will the cost of workers compensated be accounted for in the profit and loss?
6. Inform the community how the high risk but low probability of a major multi-million dollar claim is mitigated.

The Administrator advised that the public forum of the Council Meeting should not be used as an alternative to the GIPA Act, and that he was happy to respond to requests and questions for clarification in relation to peoples issues/ concerns. He advised that whilst he is happy to receive questions, they won't be responded to at a Council Meeting.

**4.15 Elizabeth Ginsburg made a statement about nuisance bikers at Palm Beach and the lack of pedestrian access along Barrenjoey Road.**

The Administrator advised that The Hon. Robert Stokes, MP had raised the issue with him and he had, had a meeting with Superintendent Darcy. He advised he would have a follow up meeting with Superintendent Darcy, committing to put it on the list of issues that he is currently looking in to.

**4.16 Peter Middleton, representing the Newport Residents Association, made a statement about the lack of community input on the proposed B-Line extension to Newport.**

**4.17 Richard West, President of the Palm Beach and Whale Beach Association, made a statement about issues affecting Whale Beach and Palm Beach.**

The Administrator advised he would discuss the issues raised with Mr West after the Council Meeting.

**4.18 Keith Pester, Senior Vice President of the Manly Warringah Football Association, made a statement about funding and construction of a synthetic field on Cromer Park.**

The Administrator advised that synthetic fields are on the agenda, however there are a number of competing sports, and areas, and it is quite expensive in terms of capital outlay. He advised that Council was looking at addressing the issue across the Northern Beaches in a holistic manner.

**4.19 Cathy Griffin made a statement about the terms for the LEP.**

**4.20 Denise Keen, representative of Ivanhoe Park Community Group, made a statement about Ivanhoe Park Botanic Garden Masterplan.**

The Administrator requested that Ms Keen contact his office to set up a time to meet where he could be shown around Ivanhoe Park Botanic Garden.

**4.21 Philip Sulway made a statement about the recent storm events and flooding at Narrabeen Lakes.**

## **5.0 ADMINISTRATOR MINUTES**

Nil

## **6.0 GENERAL MANAGER'S REPORTS**

### **6.1 INTERIM COMMUNITY ENGAGEMENT ESTABLISHMENT OF STRATEGIC REFERENCE GROUPS AND COMMUNITY GROUPS**

NOTE: *The General Manager, Mark Ferguson, gave a presentation on the report to the meeting.*

NOTE: *The Administrator left the chamber at 8:35pm and returned at 8:36pm*

NOTE: *Brian Halstead addressed Council on the Item.*

NOTE: *Michele Robertson addressed Council on the Item.*

056/16 **RESOLVED**

**D Persson**

That Council:

- A. Adopt the establishment of interim Strategic Reference Groups and Community Groups and Associations registration, for their engagement with the Northern Beaches Council.
- B. Approve representation on Joint External Stakeholder, External Associations and Council Statutory Committees.

## 7.0 CORPORATE SERVICES DIVISION REPORTS

### 7.1 MONTHLY INVESTMENT REPORT - JUNE 2016

057/16 RESOLVED

**D Persson**

That Council note the Investment Report as at 30 June 2016 including the certification by the Responsible Accounting Officer be received and noted.

### 7.2 NORTHERN BEACHES COUNCIL'S PECUNIARY INTEREST REGISTER

058/16 RESOLVED

**D Persson**

That Council adopt the consolidated Northern Beaches Council's Pecuniary Interest Register.

### 7.3 NORTHERN BEACHES COUNCIL'S COMMON SEAL

059/16 RESOLVED

**D Persson**

That Council:

- A. Adopt the seal attached to this report as Council's common seal.
- B. Authorise the General Manager to keep the seal in accordance with the provisions of *Section 400 of the Local Government (General) Regulation 2005*.



### 7.4 AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER

060/16 RESOLVED

**D Persson**

That Council adopts the attached Charter for the Northern Beaches Audit, Risk and Improvement Committee and that the following persons be appointed as external members of the Committee:

- John Gordon (Chair)
- Robert Dobbie
- Brian Hrnjak
- Liezel Preller

## 7.5 NOTES OF THE IMPLEMENTATION ADVISORY GROUP AND LOCAL REPRESENTATION COMMITTEE MEETINGS

061/16 RESOLVED

**D Persson**

That Council note the Meeting Notes from the:

- A. Implementation Advisory Group (IAG) meetings held on 29 June 2016 and 14 July 2016 and approve all actions to be progressed within current operational resources.
- B. Economic, Environment Social Local Representation Committee (LRC) meetings held on 29 June and 20 July 2016.

## 8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

### 8.1 REPORT ON THE NORTHERN BEACHES COUNCIL LOCAL TRAFFIC COMMITTEE - POWDER WORKS ROAD, NORTH NARRABEEN - CONCEPT TRAFFIC CALMING SCHEME

062/16 RESOLVED

**D Persson**

That Council approve the proposed Concept Traffic Calming Scheme for Powder Works Road, between Warraba Road and Taiyul Road (shown on Council Plan No.5-TC-2016):

- a. Relocation of double separation lines proposal to relocate the separation lines to ensure two (2) minimum width traffic lanes at all times.
- b. The Provision of unrestricted parking restrictions (three (3) car park spaces) outside Nos.32 to 36 Powder Works Road.
- c. The Provision of 1P 8.30am-6pm Mon-Fri 8.30am-12.30pm Sat (three (3) car park spaces) outside No.2 Warraba Road, and unrestricted parking restrictions (six (6) car park spaces) outside No.2 Warraba Road and No.9 Powder Works Road.
- d. The Provision of double separation lines from the driveway of No.3 Taiyul Road to the intersection with Powder Works Road.

### 8.2 GLEN STREET CULTURAL HUB STAGE 2

063/16 RESOLVED

**D Persson**

That Council allocate an additional contingency of 10%, (\$405,000) of the original construction contract sum from Council's working capital for the Glen Street Cultural Hub Stage 2 project (CN6482).



**8.3 TENDER T01/16 - UPGRADES TO MACPHERSON STREET AND WARRIEWOOD ROAD**

NOTE: *Kay Millar addressed Council on the Item.*

064/16 **RESOLVED**

**D Persson**

- A. That Council accepts the tender submission from Ward Civil & Environmental Engineering Pty Ltd for T01/16 - Upgrades to Macpherson Street and Warriewood Road for a total amount of \$6,884,181 exclusive of GST.
- B. That Council:
  - a. approve the necessary funding for the provision of utility services by the respective Service Authorities required as a component of the construction works at an estimated budget of \$1,403,700 to be managed under the tender contract.
  - b. approve funding for Council's representative as Project Manager/Superintendent and additional consultative services if necessary with a budget estimate of \$ 514,000.
  - c. approve funding for project contingency, if required, in the amount of \$1,376,836.
- C. That authority be delegated to the General Manager or delegate to execute all necessary documentation to give effect to this resolution.
- D. That upon receipt of Council resolution the unsuccessful tenderers be notified of the tender outcome and thanked for their participation.

**8.4 RFT 2016/055 NARRABEEN SURF LIFE SAVING CLUB REMEDIAL BUILDING WORKS**

065/16 **RESOLVED**

**D Persson**

That Council:

- A. Decline all tenders received for RFT 2016/055 Narrabeen Surf Life Saving Club Remedial Works
- B. Invite, in accordance with clause 167, 168 or 169, fresh tenders based on different details.

**MOTION – CAPITAL WORKS PROCUREMENT PROCESS**

066/16 **RESOLVED**

**D Persson**

That Council prepare an outline for a review of the Capital Works procurement process and report back to Council in September 2016.

### 9.3 NORTH CURL CURL COMMUNITY CENTRE FINAL CONCEPT PLAN

067/16 RESOLVED

**D Persson**

That Council:

- A. Adopts the North Curl Curl Community Centre Final Concept Plan.
- B. Notes that the application by Curly Community Garden Incorporated to establish a community garden at the North Curl Curl Community Centre is progressing through the approval process.

### 8.5 LOCH STREET, FRESHWATER - PROPOSED PARTIAL ROAD RESERVE CLOSURE AND SALE OF LAND ADJACENT TO 25 LOCH STREET, FRESHWATER

068/16 RESOLVED

**D Persson**

That Council authorises:

- A. An application to NSW Department of Primary Industries – Crown Lands for road closure under the provisions of the Roads Act 1993 for the road identified in this report being part Loch Street, Freshwater adjacent to 25 Loch Street, Freshwater.
- B. Disposal of the subject land in accordance with its Disposal of Surplus Road Reserve Policy GOV-PL 820 and Property Acquisition and Disposal – (Negotiation on Purchase Price) Policy GOV – PL 810 subject to the land being consolidated with the adjoining land at 25 Loch Street, Freshwater (Lot 8 DP 14040).
- C. The General Manager or delegate to execute all documentation necessary in order to give effect to this resolution.
- D. All costs associated with the proposal referred to in this resolution, including but not limited to, Council's legal costs and GST if applicable, be funded by the applicant.

## 9.0 PLANNING & COMMUNITY DIVISION REPORTS

### 9.1 FORESTVILLE LOCAL CENTRE (CARPARKS AND ACCESS WAYS) PLANNING PROPOSAL

069/16 RESOLVED

**D Persson**

That Council:

- A Pursuant to Section 59 of the *Environmental Planning & Assessment Act 1979*, forward the Forestville Local Centre (Car parks and Access Ways) Planning Proposal to the Department of Planning & Environment, for the Minister for Planning and Environment to make a Local Environmental Plan to:
  - a. Rezone land at Forestville Local Centre being;  
Lot 7084/ DP 93831;

Lot 15 / DP 401139;  
"The Centre" Road Reserve;  
Lot X / DP 26598;  
Lot Y / DP 26598 and;  
Lot 18/ DP30880 from RE1 Public Recreation to B2 Local Centre under Warringah Local Environmental Plan 2011, and

- B Reclassify Lot 18 DP30880, from community land to operational land under Warringah Local Environmental Plan 2011.

## 9.2 REVIEW OF MANLY LOCAL ENVIRONMENTAL PLAN (LEP) 2013 - CLAUSE 6.16 (4) - GROSS FLOOR AREA IN ZONE B2

NOTE: *Terry Le Roux addressed Council on the Item.*

070/16 **RESOLVED**

**D Persson**

That Council does not prepare a planning proposal to delete Clause 6.16 (4) from the *Manly Local Environmental Planning (LEP) 2013*.

## 9.4 2016/17 COMMUNITY GRANTS PROGRAM

071/16 **RESOLVED**

**D Persson**

- A. That the Community Development Grant funding for 2016/17 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):
1. Australian Youth Climate Coalition – Switched on Schools – \$5,000
  2. Co.As.It. Italian Association of Assistance – Dee Why Italian Seniors Social Group & Dee Why Women's Wellness Group (seniors) – \$1,500
  3. Computer Pals for Seniors Northern Beaches Inc. – CompalsNB Website – New look & feel! – \$1,500
  4. Curly Community Garden – 'Soil, Seedlings and Set Up' – \$5,000
  5. Dance for Health Australia Limited – Dance for Health Program, Research Project & Performance – \$4,000
  6. Disabled Surfers Association of Australia Inc., Sydney branch – Disabled Surfers "Hands on Day" Collaroy Beach, 2017 – \$4,000
  7. Eco Kids Pty Ltd – Native Stingless Bee Resource Kits for (EECC's) Early Education and Care Centres – \$2,000
  8. Fighting Chance Australia – The Lab Northern Beaches – A program by Fighting Chance Australia – \$5,000
  9. Forest Computer Pals For Seniors Inc. – FCPFS17 – \$1,500
  10. Friends of Freshwater Inc. – The "Bush Tucka" Project – \$2,000
  11. Friends of Narrabeen Lagoon Catchment Inc. – Narrabeen Spring Celebration – Our catchment comes alive – \$3,000
  12. Grace City Care Incorporated – Community Foodcare Centre and Café – \$4,000
  13. Literacy Network Manly Warringah Inc. – Providing one to one free tuition for adults living in the Warringah LGA. – \$1,800
  14. Manly Warringah Pittwater Community Aid Service – Community Aid Mowing & "Gardening" (Professional and Reliable) – \$3,000

15. Nest Incorporated – To promote mental health awareness and social inclusion for Former Yugoslav communities in the Northern Beaches via community sports – \$2,500
16. Northern Beaches Branch NSW Justices Association - Justices of the Peace are Volunteers too. – \$2,000
17. Northern Beaches Interchange Inc. – Connecting Up – Community Networks – \$5,000
18. Northern Beaches Multiple Birth Club – Best start program for multiples – \$2,500
19. Northside Enterprise Incorporated – Bushlink – Workshop Training – \$4,920
20. Peninsula Senior Citizens Toy Repair Group Inc. – "Toys for Disadvantaged Kids at Christmas" – \$1,500
21. Permaculture North Inc. – Seed Saving - building Food Security – \$1,000
22. Rainbow Swim Club – reduce waiting list – \$4,000
23. Rotary Club Of Dee Why Warringah Inc. – Mental Health First Aid Courses (MHFA) – \$3,000
24. South Narrabeen Surf Lifesaving Club Incorporated – Bush to Beach 2017 – \$4,000
25. Spanish Community Care Association Inc. – Spanish Speakers Hub for Seniors – \$1,500
26. St Vincent de Paul Society NSW – Vinnies Cafe – Training for a Future! – \$5,000
27. StreetWork Incorporated – The Pride – Empowerment Program – \$3,500
28. The Shepherd Centre – For Deaf Children – School Readiness' – A great start at school for deaf and hearing impaired children – \$3,000
29. Wakehurst Public School – Wakehurst PS Family Garden – \$1,000
30. Water Skills For Life Inc. – Swim & Survive Camps – \$3,280

B. That the Cultural Development Grant funding for 2016/17 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):

1. Eurofest Cultural and Sporting Association Inc – Eurofest 2016 Multi-cultural Festival – \$1,500
2. Manly Musical Society – presents Grease – \$2,500
3. Manly-Warringah Choir Inc – 2 Christmas concerts on December 2nd and 3rd at Cardinal Cerretti Chapel, Manly – \$1,000
4. Northern Beaches Musical Festival – Northern Beaches Musical Festival – \$3,000
5. Northern Beaches Orchestra – NBO first full symphony performance of Brahms Symphony No. 1 – \$2,500
6. Northern Beaches Symphony Orchestra Inc – Growth and Development of the Northern Beaches Symphony Orchestra (NBSO) – \$1,500
7. Pasifika Community Northern Beaches – Fale Pasifika – \$5,000
8. Renate Rienmueller – The 'Darkroom Project' – \$3,500
9. The Link Church Incorporated – Carols by the Lake 2016 – \$1,500
10. Tibetan Community of Australia – Sydney Tibetan Cultural Festival – \$5,000
11. Warringah Eisteddfod Incorporated – Northern Beaches Eisteddfod – \$3,000

C. That the Sporting Groups Capital Assistance Grant funding for 2016/17 be allocated as recommended by the assessment panel as follows (listed alphabetically by organisation; project name; grant funding allocation):

1. Forest Rugby Union Club, New Multi-Purpose Electronic Scoreboard at the Forestville War Memorial Playing Fields rugby field – \$17,527
2. Long Reef Golf Club, three new golf practice nets at the Long Reef Golf Course – \$12,360
3. Narraweena Tennis Club, new and upgraded lighting at the Narraweena Tennis Centre, Beverley Job sportsground – \$17,248
4. Wakehurst Football Club, upgrade lighting at the Hews Parade playing field – \$50,500

- D. That \$49,365 of unallocated funds from the 2016/17 Sporting Groups Capital Assistance Grant Program is rolled over to a 2017/18 Northern Beaches Council Sporting Groups Capital Grant Program.

## 10.0 TRANSFORMATION, PEOPLE & CULTURE DIVISION REPORTS

### 10.1 TRANSFORMATION UPDATE: REFLECTION ON DAY 1-60 PROGRESS

NOTE: *Deputy General Manager Transformation, People & Culture, Melinda Hewitt, gave a presentation on the report to the meeting.*

072/16 **RESOLVED**

**D Persson**

That:

- A. Council note the contents of this report.
- B. The Northern Beaches Council Implementation Plan be brought to the next Council meeting.

*The meeting concluded at 9.26pm*

This is the final page of the minutes comprising 13 pages numbered 1 to 13 of the Ordinary Council Meeting held on Tuesday 9 August 2016 and confirmed on Tuesday 23 August 2016

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Administrator

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General Manager