

Minutes

Extraordinary Meeting of Council

Held at Northern Beaches Council, Mona Vale
Memorial Hall, 1 Park Street, Mona Vale on:

Thursday 2 June 2016

All minutes are subject to confirmation at a subsequent meeting.

*Copies of business papers are available at the Customer Service
Counters at Northern Beaches Council's offices Manly, Pittwater
and Dee Why. <http://www.northernbeaches.nsw.gov.au/>*

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The Extraordinary Meeting of Council was held in the Mona Vale, Memorial Hall, 1 Park Street, Mona Vale, on Thursday 2 June 2016. The meeting commenced at 6.30pm.

PRESENT

Dick Persson, Administrator,

ALSO PRESENT

Mark Ferguson, Interim, General Manager
John Warburton, Deputy General Manager
Melinda Hewitt, Deputy General Manager
Ben Taylor, Deputy General Manager
Beth Lawsen, Deputy General Manager
Stephen Clements, Deputy General Manager
Anthony Hewton, Executive Manager
Helen Lever, Manager, Administration
Warrick Lawrence, Manager, Administration and Governance
Secretariat Officer

OPENING PRAYER

The Opening Prayer was given by Kylie Ferguson.

The Administrator requested the meeting pause for a minutes of silence and called on Mr Alex McTaggart to acknowledge the passing of the previous Pittwater Deputy Mayor, Bob Dunbar.

APOLOGIES

Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

CONFIRMATION OF MINUTES (Extraordinary Meeting)**MOTION (Administrator)**

That copies of the Minutes of the Extraordinary Meeting of Council held on Thursday, 19 May 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

The Administrator Adopted the Motion.

6/16 RESOLVED: (Administrator)

That copies of the Minutes of the Extraordinary Meeting of Council held on Thursday, 19 May 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Dale Cohen	Enliven initiative
Chris Hornsby	Public open space
Kelvin Millsom	Centralising sporting users fees and creating one (1) allocation process
Hugh Burns	Investigation into Governance issues
David & Margaret Makin	Church Point parking
Ray Mills	Boat trailer parking

ADMINISTRATOR'S MINUTES

Administrator's Minute Report No. 2

Northern Beaches Transport (MC/16/72153)**MOTION (Administrator)**

1. That a meeting be arranged as a matter of priority between the Administrator and the NSW Minister for Transport to advocate that the NSW Government:
 - a) Ensures that the B-line provides for significant time savings for commuters to the city from Day 1 of implementation to encourage a modal shift from car to public transport
 - b) Extends the B-Line to Newport
 - c) Implements as a priority a fast commuter service between Mona Vale and Macquarie Park
 - d) Implements as a priority a BRT or express commuter service between Dee Why and Chatswood
 - e) Provides as part of its bus network redesign improved limited stop services across the LGA including direct services from Palm Beach to Manly

2. Request the General Manager to provide a report to Council on the Northern Beaches Transport Action Plan, its implementation, and how the Northern Beaches Council can work in partnership with the NSW Government to ensure positive social, environmental and economic benefits from its public transport and road upgrades.

The Administrator Adopted the Motion.

7/16 RESOLVED: (Administrator):

1. That a meeting be arranged as a matter of priority between the Administrator and the NSW Minister for Transport to advocate that the NSW Government:
 - a) Ensures that the B-line provides for significant time savings for commuters to the city from Day 1 of implementation to encourage a modal shift from car to public transport
 - b) Extends the B-Line to Newport
 - c) Implements as a priority a fast commuter service between Mona Vale and Macquarie Park
 - d) Implements as a priority a BRT or express commuter service between Dee Why and Chatswood
 - e) Provides as part of its bus network redesign improved limited stop services across the LGA including direct services from Palm Beach to Manly

2. Request the General Manager to provide a report to Council on the Northern Beaches Transport Action Plan, its implementation, and how the Northern Beaches Council can work in partnership with the NSW Government to ensure positive social, environmental and economic benefits from its public transport and road upgrades.

Administrator's Minute Report No. 3

Narrabeen Lagoon State Park Stage Expansion (MC/16/73801)**MOTION (Administrator)**

That:

- A. Staff liaise with relevant State Government departments as a matter of urgency to expand the Narrabeen Lagoon State Park to incorporate the parcels listed/shown in Attachment 1.
- B. Staff undertake the required investigations and consultation to identify any costs, opportunities and constraints associated with further expansion of the State Park to incorporate the parcels listed/shown in Attachment 2, or any other relevant parcels.
- C. Correspondence be sent to the Minister administering the Crown Lands Act 1989 seeking amendments to the Terms of Reference of the Narrabeen Lagoon State Park Advisory Committee to increase the level of community involvement in the State Park.
- D. Correspondence be sent to the Member for Pittwater, the Hon Rob Stokes to seek his support to expedite both the Park expansion, and amendments to the Terms of Reference.
- E. Staff prepare a report within 3 months outlining the progress of this and any other matters relevant to the operation and future management of the Narrabeen Lagoon State Park.

The Administrator Adopted the Motion.**8/16 RESOLVED: (Administrator)**

That:

- A. Staff liaise with relevant State Government departments as a matter of urgency to expand the Narrabeen Lagoon State Park to incorporate the parcels listed/shown in Attachment 1.
- B. Staff undertake the required investigations and consultation to identify any costs, opportunities and constraints associated with further expansion of the State Park to incorporate the parcels listed/shown in Attachment 2, or any other relevant parcels.
- C. Correspondence be sent to the Minister administering the Crown Lands Act 1989 seeking amendments to the Terms of Reference of the Narrabeen Lagoon State Park Advisory Committee to increase the level of community involvement in the State Park.
- D. Correspondence be sent to the Member for Pittwater, the Hon Rob Stokes to seek his support to expedite both the Park expansion, and amendments to the Terms of Reference.
- E. Staff prepare a report within 3 months outlining the progress of this and any other matters relevant to the operation and future management of the Narrabeen Lagoon State Park.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 1

Northern Beaches Council Operation Plan 2016/2017 (for Exhibition) (MC/16/70154)

The following person addressed the meeting on this item:

1. Hugh Burns
2. Candy Bingham

MOTION (Administrator)

That:

1. Northern Beaches Council's Draft Operational Plan 2016/17, including Fees and Charges at Attachment 1 be placed on public exhibition for 28 days;
2. Following the public exhibition period a further report be brought to Council outlining any submissions received;
3. From 1 July 2016 until 31 July 2016 to allow appropriate time for the adoption of the 2016/17 Operational Plan Council approves \$26.312 million for Operational Expenditure and \$9.582 million for Capital Expenditure;
4. The 2015/16 fees of the former Manly, Pittwater and Warringah Councils be adopted for the period 1 to 31 July 2016; and
5. In relation to the Draft Northern Beaches Council Section 94A Plan for the former Warringah local government area:

- a. It be placed on public exhibition for 28 days; and
- b. Following the public exhibition period a further report be brought to Council outlining any submissions received.

The Administrator Adopted the Motion.

9/16 RESOLVED: (Administrator)

That:

1. Northern Beaches Council's Draft Operational Plan 2016/17, including Fees and Charges at Attachment 1 be placed on public exhibition for 28 days;
2. Following the public exhibition period a further report be brought to Council outlining any submissions received;
3. From 1 July 2016 until 31 July 2016 to allow appropriate time for the adoption of the 2016/17 Operational Plan Council approves \$26.312 million for Operational Expenditure and \$9.582 million for Capital Expenditure;
4. The 2015/16 fees of the former Manly, Pittwater and Warringah Councils be adopted for the period 1 to 31 July 2016; and
5. In relation to the Draft Northern Beaches Council Section 94A Plan for the former Warringah local government area:
 - a. It be placed on public exhibition for 28 days; and
 - b. Following the public exhibition period a further report be brought to Council outlining any submissions received.

ENVIRONMENT & INFRASTRUCTURE

Environment & Infrastructure Report No. 1

Proposed Traffic Scheme and Phase 1 Streetscape Design for the Dee Why Town Centre (MC/16/70726)

MOTION (Administrator)

That Council:

- A. Approve the two-way traffic scheme as shown on the "Dee Why Town Centre - Proposed Two-way Traffic Scheme" in lieu of the one-way traffic scheme included in the Dee Why Town Centre Master Plan;
- B. Prepare preliminary design plans for the Phase 1 streetscape upgrades incorporating the traffic scheme shown on the "Dee Why Town Centre - Proposed Two-way Traffic Scheme" and place these plans on public exhibition; and
- C. Consider a report on the outcomes of the public exhibition including any comments from RMS before commencement of detailed designs for the Phase 1 streetscape upgrades.

The Administrator Adopted the Motion.**10/16 RESOLVED: (Administrator)**

That Council:

- A. Approve the two-way traffic scheme as shown on the "Dee Why Town Centre - Proposed Two-way Traffic Scheme" in lieu of the one-way traffic scheme included in the Dee Why Town Centre Master Plan;
- B. Prepare preliminary design plans for the Phase 1 streetscape upgrades incorporating the traffic scheme shown on the "Dee Why Town Centre - Proposed Two-way Traffic Scheme" and place these plans on public exhibition; and
- C. Consider a report on the outcomes of the public exhibition including any comments from RMS before commencement of detailed designs for the Phase 1 streetscape upgrades.

Environment & Infrastructure Report No. 2

Removal of Trees on the Pedestrian Crossings in Freshwater Village (MC/16/71430)**MOTION (Administrator)**

That Council do not remove any trees from the pedestrian crossings in Freshwater Village.

The Administrator Adopted the Motion.**11/16 RESOLVED: (Administrator)**

That Council do not remove any trees from the pedestrian crossings in Freshwater Village.

Environment & Infrastructure Report No. 3

Life Pass to Warringah Aquatic Centre for Robert Hurley (MC/16/70723)**MOTION (Administrator)**

That Council approves the awarding of a Life Pass to the Warringah Aquatic Centre to Robert Hurley.

The Administrator Adopted the Motion.**12/16 RESOLVED: (Administrator)**

That Council approves the awarding of a Life Pass to the Warringah Aquatic Centre to Robert Hurley.

Environment & Infrastructure Report No. 4

RFT 2014/043 - Investigation and design for public infrastructure upgrades in Dee Why Town Centre (MC/16/70735)

MOTION (Administrator)

That Council adopt the recommendation contained in the report in the confidential section of this Agenda Report No. 4.

The Administrator Adopted the Motion.

13/16 RESOLVED: (Administrator)

That Council adopt the recommendation contained in the report in the confidential section of this Agenda Report No. 4.

Environment & Infrastructure Report No. 5

RFT 2015/105 Warringah Aquatic Centre Adjoining Land Tender (MC/16/70732)

The following person addressed the meeting on this item:

Against: Anne Sharp

In Support: Michael Regan

MOTION (Administrator)

That Council decline to accept any of the tenders received for RFT 2015/105 – Lease of Land Aquatic Drive, Frenchs Forest.

The Administrator Adopted the Motion.

14/16 RESOLVED: (Administrator)

That Council decline to accept any of the tenders received for RFT 2015/105 – Lease of Land Aquatic Drive, Frenchs Forest.

PLANNING & COMMUNITY

Planning & Community Report No. 1

Independent Assessment Panel for Northern Beaches Council - North (MC/16/70814)**MOTION (Administrator)**

That

1. An interim Charter for the Northern Beaches Independent Assessment Panel – North (Charter NBIAP–N), be adopted.
2. The interim Charter to be placed on public exhibition for 28 days.
3. Council delegate authority for DAs submitted under Pittwater Local Environmental Plan 2014 to the Independent Assessment Plan; and
4. The General Manager be authorised to commence recruitment and appoint panel members consists of:
 - A specialist in environment law;
 - A specialist planner;
 - An environment or urban design expert; andFour members of the public as a pool of representatives from the community.

The Administrator Adopted the Motion.**15/16 RESOLVED: (Administrator)**

That

1. An interim Charter for the Northern Beaches Independent Assessment Panel – North (Charter NBIAP–N), be adopted.
2. The interim Charter to be placed on public exhibition for 28 days.
3. Council delegate authority for DAs submitted under Pittwater Local Environmental Plan 2014 to the Independent Assessment Plan; and
4. The General Manager be authorised to commence recruitment and appoint panel members consists of:
 - A specialist in environment law;
 - A specialist planner;
 - An environment or urban design expert; and
 - Four members of the public as a pool of representatives from the community.

Planning & Community Report No. 2

North Curl Curl Community Centre Draft Concept Plan (MC/16/70724)

MOTION (Administrator)

That Council publicly exhibit the North Curl Curl Community Centre draft concept plan for a period of four weeks.

The Administrator Adopted the Motion.

16/16 RESOLVED: (Administrator)

That Council publicly exhibit the North Curl Curl Community Centre draft concept plan for a period of four weeks.

Planning & Community Report No. 3

Reporting Variations to Development Standards - State Environmental Planning Policy No.1 - Development Standards and Clause 4.6 of Warringah Local Environmental Plan (MC/16/70725)

SUMMARY

To report to Council variations to development standards granted under State Environmental Planning Policy No.1 – Development Standards (SEPP 1) or under Clause 4.6 of the Warringah Local Environment Plan (WLEP) as required by the NSW Department of Planning and Environment.

MOTION (Administrator)

That Council note this report which identifies development applications which were granted approval during the period 1 January 2016 to 31 March 2016 and 1 April 2016 to 12 May 2016 with variations to development standards, including a correction from the previous period.

The Administrator Adopted the Motion.

17/16 RESOLVED: (Administrator)

That Council note this report which identifies development applications which were granted approval during the period 1 January 2016 to 31 March 2016 and 1 April 2016 to 12 May 2016 with variations to development standards, including a correction from the previous period.

Planning & Community Report No. 4

Warriewood Valley S94 Plan Revision 2 (MC/16/71318)

The following person addressed the meeting on this item:

For: Julia Guinan

MOTION (Administrator)

That:

1. Council endorse the public exhibition of the draft Warriewood Valley Section 94 Contributions Plan (Amendment 16) (Revision 2) for a period of 28 days;
2. The Warriewood Valley Roads Masterplan (May 2016) and Warriewood Valley Landscape Masterplan & Design Guidelines (May 2016) be made available for viewing together of the draft Section 94 Plan; and
3. The outcomes of the public exhibition of the draft Pittwater Section 94 Contributions Plan for Residential Development be reported to Council following the conclusion of the exhibition period.

The Administrator Adopted the Motion.

18/16 RESOLVED: (Administrator)

That:

1. Council endorse the public exhibition of the draft Warriewood Valley Section 94 Contributions Plan (Amendment 16) (Revision 2) for a period of 28 days;
2. The Warriewood Valley Roads Masterplan (May 2016) and Warriewood Valley Landscape Masterplan & Design Guidelines (May 2016) be made available for viewing together of the draft Section 94 Plan; and
3. The outcomes of the public exhibition of the draft Pittwater Section 94 Contributions Plan for Residential Development be reported to Council following the conclusion of the exhibition period.

Planning & Community Report No. 5

Minor Amendments for Warringah Development Control Plan 2011 (MC/16/70729)

MOTION (Administrator)

That Council:

- A. Publicly exhibit draft amendments to Warringah Development Control Plan 2011, including:
 - a. Changes to the structure of Part B to consolidate unnecessary and repetitive controls, improve consistency of presentation of information, and to improve useability of the document in electronic format.

- b. Changes to mapping of specific sites to reflect proposed amendments to Warringah Local Environmental Plan 2011, including:
 - i. 2-10 Lindrum Street, Belrose (Lot 25 DP 1179618) – remove Front, Side and Rear Boundary Setback mapping, and Landscaped Open Space mapping
 - ii. 1, 3, 5, 7, 9 and 11 Anoushka Place, Belrose (Lots 12, 13, 14, 15, 16, 17, all in DP 270776) – Apply Land Adjoining Public Open Space mapping
 - iii. 12 Lindrum Street, Belrose (Lot 24 DP 1179618) – Apply Land Adjoining Public Open Space mapping
 - iv. Lot 262 in DP 1028346 near the corner of Pitt Road and Playfair Road, North Curl Curl – remove low density residential mapping and apply local and neighbourhood centre mapping affecting Front, Side and Rear setback mapping, Landscaped Open Space mapping, Building Envelope mapping, Wall Height mapping, and Local and Neighbourhood Centre mapping.
 - v. Dee Why Post Office, 32-34 Oaks Avenue (Lot B DP 350145 and Lot 47 DP 8172) – apply Land Adjoining Public Open Space mapping to Lot B, and remove Land Adjoining Public Open Space mapping to Lot 47
 - vi. Lot 2 DP 587690, Oaks Avenue, Dee Why – remove Land Adjoining Public Open Space mapping
 - vii. Glen Street Theatre (Lot 1 DP 595183)
 - viii. Lionel Watts Reserve (Lot 2 DP 595183)
 - ix. Adjust electronic cadastre for all properties within the blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest to better match actual on-the-ground lot boundaries
 - x. Adjust electronic cadastre for all the DCP maps applying to 34 Monserra Road (Lot 4 DP 241969) to better match actual on-the-ground lot boundaries
 - xi. Adjust electronic cadastre for all the DCP maps applying to 1, 3 and 5 Cootamundra Drive (Lots 3, 2 and 1 of DP 241969) to better match actual on-the-ground lot boundaries.
- c. Amend Part G1 to correct anomaly with build-to lines.
- d. Amend the DCP Flood Maps - Low Risk Flood Planning Precinct, Medium Risk Flood Planning Precinct and High Risk Flood Planning Precinct to be consistent with the adopted Dee Why South Catchment Flood Study, Manly Lagoon Flood Study and Narrabeen Lagoon Flood Study.
- e. Amend the Medium Risk Flood Planning Precinct map for all areas to match the adopted Flood Planning Level map.
- f. Amend Part E11 Flood Prone Land to include separate categories for overland flow.
- g. Amend Parts C4 Stormwater, C5 Erosion and Sedimentation, C6 Building over or adjacent to Constructed Council Drainage Easements, D22 Conservation of Energy and Water, and E8 Waterways and Riparian Lands, to be consistent with the adopted Water Management Policy (PL 850).
- h. Amend Part E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat to ensure that the controls are applied for both threatened ecological communities and threatened species.

Amend Part E5 Native Vegetation to ensure biodiversity offsetting proposals are applied in the local area.

The Administrator Adopted the Motion.

19/16 RESOLVED: (Administrator)

That Council:

- A. Publicly exhibit draft amendments to Warringah Development Control Plan 2011, including:
- a. Changes to the structure of Part B to consolidate unnecessary and repetitive controls, improve consistency of presentation of information, and to improve useability of the document in electronic format.
 - b. Changes to mapping of specific sites to reflect proposed amendments to Warringah Local Environmental Plan 2011, including:
 - i. 2-10 Lindrum Street, Belrose (Lot 25 DP 1179618) – remove Front, Side and Rear Boundary Setback mapping, and Landscaped Open Space mapping
 - ii. 1, 3, 5,7, 9 and 11 Anoushka Place, Belrose (Lots 12, 13, 14, 15, 16, 17, all in DP 270776) – Apply Land Adjoining Public Open Space mapping
 - iii. 12 Lindrum Street, Belrose (Lot 24 DP 1179618) – Apply Land Adjoining Public Open Space mapping
 - iv. Lot 262 in DP 1028346 near the corner of Pitt Road and Playfair Road, North Curl Curl – remove low density residential mapping and apply local and neighbourhood centre mapping affecting Front, Side and Rear setback mapping, Landscaped Open Space mapping, Building Envelope mapping, Wall Height mapping, and Local and Neighbourhood Centre mapping.
 - v. Dee Why Post Office, 32-34 Oaks Avenue (Lot B DP 350145 and Lot 47 DP 8172) – apply Land Adjoining Public Open Space mapping to Lot B, and remove Land Adjoining Public Open Space mapping to Lot 47
 - vi. Lot 2 DP 587690, Oaks Avenue, Dee Why – remove Land Adjoining Public Open Space mapping
 - vii. Glen Street Theatre (Lot 1 DP 595183)
 - viii. Lionel Watts Reserve (Lot 2 DP 595183)
 - ix. Adjust electronic cadastre for all properties within the blocks bounded by Adams Street, Rabbett Street and Forest Way, Frenchs Forest to better match actual on-the-ground lot boundaries
 - x. Adjust electronic cadastre for all the DCP maps applying to 34 Monserra Road (Lot 4 DP 241969) to better match actual on-the-ground lot boundaries
 - xi. Adjust electronic cadastre for all the DCP maps applying to 1, 3 and 5 Cootamundra Drive (Lots 3, 2 and 1 of DP 241969) to better match actual on-the-ground lot boundaries.
 - c. Amend Part G1 to correct anomaly with build-to lines.
 - d. Amend the DCP Flood Maps - Low Risk Flood Planning Precinct, Medium Risk Flood Planning Precinct and High Risk Flood Planning Precinct to be consistent with the adopted Dee Why South Catchment Flood Study, Manly Lagoon Flood Study and Narrabeen Lagoon Flood Study.
 - e. Amend the Medium Risk Flood Planning Precinct map for all areas to match the adopted Flood Planning Level map.
 - f. Amend Part E11 Flood Prone Land to include separate categories for overland flow.
 - g. Amend Parts C4 Stormwater, C5 Erosion and Sedimentation, C6 Building over or

adjacent to Constructed Council Drainage Easements, D22 Conservation of Energy and Water, and E8 Waterways and Riparian Lands, to be consistent with the adopted Water Management Policy (PL 850).

- h. Amend Part E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat to ensure that the controls are applied for both threatened ecological communities and threatened species.

Amend Part E5 Native Vegetation to ensure biodiversity offsetting proposals are applied in the local area.

CLOSE

The meeting closed at 7.47pm.

The above minutes were confirmed at an **Exordinary Meeting** of Northern Beaches Council held on 16 June 2016.

ADMINISTRATOR

***** **END OF MINUTES** *****