

MINUTES

ORDINARY COUNCIL MEETING

held at Mona Vale Memorial Hall on

WEDNESDAY 26 APRIL 2017

(2017/4)

**Minutes of an Ordinary Meeting of Council
held on Wednesday 26 April 2017
at Mona Vale Memorial Hall
Commencing at 6.32pm**

ATTENDANCE:

Members

Dick Persson

Officers

Mark Ferguson	Chief Executive Officer
Ben Taylor	General Manager Environment & Infrastructure
Helen Lever	General Manager Customer & Corporate
David Kerr	General Manager Planning Place & Community
Melissa Lee	Governance Manager
Ximena Von Oven	Administration Officer
Emma Marshall	Governance Support Officer
Michael Holdsworth	Senior IT Officer/ Network Administrator
Michael Meadows	Information & Customer Service Project Officer
Lindsay Godfrey	Executive Manager Community Services
Neil Williamson	Executive Manager Environmental Compliance
Kath McKenzie	Executive Manager Marketing & Communications
Andrew Pigott	Executive Manager Strategic Land Use Planning
Campbell Pfeiffer	Executive Manager Property & Commercial
David Walsh	Chief Financial Officer
Natasha Shultz	Executive Manager Resource Recovery
Melissa Messina	Executive Manager Children's Services
Craig Sawyer	Executive Manager Major Projects
Andy Davies	Executive Manager Transport & Urban

NOTES

The meeting commenced at 6:32pm, and concluded at 8.45pm.

NOTE: The Administrator acknowledged the presence of former Councillors Michael Regan, Jean Hay AM, Hugh Burns, Barbara Aird, Candy Bingham, Kylie Ferguson and Sue Heins.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 MARCH 2017

057/17 RESOLVED

D Persson

That the Minutes of the Ordinary Council Meeting held 28 March 2017, 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 Mark Edwards asked a question regarding the approval of the Mona Vale Plan prior to Council elections scheduled for 9th September 2017.**
- 4.2 David Parsons made a statement repeating his speech from Council Meeting held at Mona Vale on 28 February 2107 as the audio was not working, regarding the LGA Act 4.35 Governance Surcharging.**
- 4.3 Brian Halstead made a statement regarding Walter Gors Park and Council Strategy Capacity**
- 4.4 Jean Hay made a statement regarding Andrew Boy Charlton Swim Centre.**
- 4.5 Elizabeth Gingsburg made a statement regarding the lack of safe pedestrian and cycle pathways on Barrenjoey Road and the intermittent phone signal in the area.**
- 4.6 Hugh Burns made a statement regarding Northern Beaches Council and the Manly Community**
- 4.7 Jenny Stone asked the following question regarding the landscape plan to restore the damage at the new B-line bus stop in Village Park Mona Vale and if these were available? If so, where can the plans be found?**

Ben Taylor, General Manager Environment and Infrastructure took Ms Stone's further question on notice advising that he will discuss the matter with Transport for New South Wales.

4.8 David Murray made a statement regarding Amendments to the Environmental Planning & Assessment Act (1979) and the Council Meeting Schedule beyond June 2017.

4.9 Laurence Leveque asked a question regarding Council's implementation of its compliance and enforcement policy as well as proactive release of information when in relation to personal safety matters.

4.10 Eric Galloway made a statement regarding the shortages of playing fields on the Northern Beaches compared with the Sutherland Shire as highlighted in the Council's discussion paper on sportgrounds and golf courses.

5.0 ADMINISTRATOR'S MINUTES

Nil

6.0 GENERAL MANAGER'S REPORTS

6.1 MANLY OVAL PROJECT AND WHISTLER STREET PROJECT REVIEWS

NOTE: Terry LeRoux and Candy Bingham addressed Council on this Item.

058/17 **RESOLVED**

D Persson

That Council note that the reports prepared by Ernst & Young dated 19 August 2016 and Value Network dated 18 August 2016 on the Manly Oval project and the Whistler Street project were published with appropriate redactions on Council's website at about noon on 26 April 2017.

NOTE: Mark Ferguson acknowledged the appointment of the following General Managers under the revised organisation structure, Mr David Kerr, General Manager Planning Place and Community and Ms Helen Lever, General Manager Customer and Corporate congratulating them on their appointments.

7.0 CORPORATE SERVICES DIVISION REPORTS

7.1 MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD ON 21 FEBRUARY 2017

059/17 **RESOLVED**

D Persson

That the Minutes of the Audit, Risk and Improvement Committee Meetings held on 21 February 2017 be noted.

7.2 ONE LIBRARY SYSTEM AND CONTRACTUAL ARRANGEMENT WITH SHORELINK

060/17 RESOLVED

D Persson

That as a result of the planned introduction of a single library system, Council provides appropriate notice to terminate the contractual consortia agreement with the Shorelink Library Network as of 30 June 2018.

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

061/17 RESOLVED

D Persson

That Council:

- A. Note the Meeting Notes from the Implementation Advisory Group (IAG) meetings held on 8 February 2017 (extraordinary), 15 February 2017 (extraordinary), and 1 March 2017 and
 - i amend the name of the pool mentioned under Item 2.1 "Manly Pathway of Olympians and naming of Andrew Boy Charlton Pool" of the Extraordinary IAG meeting held 8 February 2017 to read "Devitt-Healy"
- B. Note the Meeting notes from the Local Representation Committee (LRC) meetings held on 15 February 2017 and 15 March 2017.
- C. Commence arrangements to formally name the indoor eight lane pool at the Manly Andrew Boy Charlton Aquatic Centre the Devitt-Healy Pool.

7.4 MONTHLY INVESTMENT REPORT - MARCH 2017

062/17 RESOLVED

D Persson

That Council receive and note the Investment Report as at 31 March 2017, including the certification by the Responsible Accounting Officer.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

8.1 PROPOSED COMPULSORY ACQUISITION OF COUNCIL COMMUNITY LAND AT WARRINGAH ROAD FRENCHS FOREST BY ROADS & MARITIME SERVICES

NOTE: Conny Harris addressed Council on this Item.

063/17 RESOLVED

D Persson

That Council authorise:

- A. Compulsory Acquisition by agreement by Roads & Maritime Services of the Council Community Land at Warringah Road Frenchs Forest being Lots 1, 2 & 3 DP 1213390 subject to Roads & Maritime Services paying to Council compensation of \$850,000 (excludes GST) within 30 days of the publication of an Acquisition Notice in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
- B. The General Manager to execute all documentation necessary in order to give effect to this resolution.

8.2 MANLY RESIDENT CARD AND CARPARK OPERATIONS REVIEW

NOTE: Hugh Burns addressed Council on this Item.

064/17 **RESOLVED**

D Persson

That Council:

- A. Immediately defer all future sales of the Manly Resident Card pending the review of all Northern Beaches Council parking permits/schemes and policies.
- B. Contact all current owners of a Manly Resident Card to advise that their cards will continue to be valid for a period of six months pending the outcome of the subject review/ project and that Council will contact them during this period to advise further the status of the scheme and any outcomes/recommendation of the review.

8.3 WALK AVALON – PEDESTRIAN ACCESS AND MOBILITY PLAN

NOTE: Alex McTaggart, Margot Bain and Nathan Earl addressed Council on this Item.

065/17 **RESOLVED**

D Persson

That Council:

- A. Support the commencement of a 28 day community engagement process to seek community feedback relating to the strategies outlined in the Walk Avalon – Pedestrian Access and Mobility Plan.
- B. Work with local stakeholders to prepare a brief for a project plan and conduct a community engagement program and progress delivery of the Avalon Place Plan as an immediate priority.

8.4 RFT 2016/032 - MINOR WORKS FOR ALLAMBIE HALL - RENEWAL WORKS

066/17 RESOLVED

D Persson

That Council adopt the recommendation contained in the Confidential attachment to this report.

8.5 RFT 2017/006 - WARRINGAH RECREATIONAL CENTRE – LIGHTING UPGRADE

067/17 RESOLVED

D Persson

That Council decline to accept any of the tender submissions and cancel the proposal for the contract.

8.6 STRONGER COMMUNITIES FUND - MAJOR PROJECTS QUARTERLY UPDATE

068/17 RESOLVED

D Persson

That Council note the Stronger Communities Fund – Major Projects Quarterly Update.

8.7 PROPOSED EXTENSION TO THE FORMER PITTWATER COUNCIL'S WASTE COLLECTION SERVICES CONTRACT

069/17 RESOLVED

D Persson

- A. That Council resolve pursuant to section 55(3)(i) of the *Local Government Act* 1993 that a satisfactory result would not be achieved by inviting tenders for the provision of waste collection services because of extenuating circumstances by reason of the following:
- a. Council is obliged under the current Waste Service Agreement to supply waste to the proposed Alternative Waste Technology (AWT) facility, when it is operational;
 - b. Compatibility of the new integrated waste collection service with the selected processing technology is mandatory for the proposed facility to operate effectively. Specifications for the new integrated waste collection service must be compatible with the selected alternative waste technology. These Specifications cannot be prepared until the outcome of the Kimbriki AWT tender is known;
 - c. United Resource Management Pty Ltd, as Council's incumbent waste collection contractor, has the experience, expertise and equipment to satisfy Council's waste collection service requirements during this short term interim period; and
 - d. Council has an immediate and critical need to take the necessary steps to secure waste collection services for the interim period.
- B. That Council enter into a contract with United Resource Management Pty Ltd which extends the current Waste Collection Services Contract to 31 August 2018, with two further options of up to one year each (this aligns with former Warringah Council) to allow for any unforeseen

delays in the commencement of the new integrated waste collection service and alternative waste facility operation.

- C. That Council authorise the General Manager to negotiate and execute the contract.

8.8 RFT 2017/034- WHISTLER STREET AND CENTRAL AVENUE UPGRADE WORKS

070/17 RESOLVED

D Persson

That Council adopt the recommendation contained in the Confidential Tender Evaluation Report attached to this report.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

9.1 SUSPENSION OF ALCOHOL FREE ZONE FOR TASTE OF MANLY

071/17 RESOLVED

D Persson

That Council:

- A. Suspend the Alcohol Free Zone and Alcohol Prohibited Area for the Taste of Manly 2017 event within the designated event location in Manly CBD on Saturday 27 and Sunday 28 May between the hours of 11.30am and 5.00pm daily.
- B. In accordance with s645(i) of the Local Government Act, 1993, provide appropriate notice through a local newspaper of the suspension of the Alcohol Free Zone and Alcohol Prohibited Area.
- C. Northern Beaches Council Events Staff continue to liaise with Northern Beaches Police in relation to safe management of the area during the suspensions.

9.2 DISABILITY INCLUSION ACTION PLAN DRAFT

NOTE: Kay Millar and Julia Hornsby addressed Council on this Item.

072/17 RESOLVED

D Persson

That Council:

- A. Place the draft Disability Inclusion Action Plan on public exhibition for 28 days.
- B. Review the opportunities for Council procurement to incorporate direct negotiation with employment services that provide employment of people with a disability to organisations such as Council.

9.3 SERVICE PARTNERSHIP WITH SERVICE NSW

073/17 RESOLVED

D Persson

That Council delegates:

- A. The relevant customer service functions related to the administration of the *Easy to do Business* initiative to the Chief Executive Officer, Service NSW in accordance with the Service Partnership Agreement as required under the Service NSW (One-stop Access to Government Services) Act 2013.
- B. The General Manager to execute any partnership documents and to do all things necessary to give effect to this resolution.

9.4 REVIEW OF PITTWATER ROAD CONSERVATION AREA

074/17 RESOLVED

D Persson

That Council:

- A. Endorse the update on the Pittwater Road Conservation Area Review project.
- B. Commence community engagement with landowners and other interested stakeholders in the vicinity.

9.5 PLANNING PROPOSAL LOT 21 DP 819277 (PART) WAKEHURST PARKWAY, OXFORD FALLS

075/17 RESOLVED

D Persson

That:

- A. Council approves the submission of the Planning Proposal for Lot 21 DP 819277 (Part) Wakehurst Parkway, Oxford Falls to the Department of Planning and Environment for a Gateway determination.
- B. Subject to the grant of a Gateway determination, Council publicly exhibits the Planning Proposal and undertakes a public hearing in accordance with the requirements of section 29 of the *Local Government Act 1993* and any requirements of the Gateway determination.
- C. A report be provided to Council on the outcome of any public hearing and public exhibition of the Planning Proposal.

9.6 BUILDING FIRE SAFETY REPORT BY FIRE & RESCUE NSW - 53-55 LAGOON STREET NARRABEEN AND 30 HEATHER STREET COLLAROY PLATEAU

076/17 **RESOLVED**

D Persson

That Council:

- A. Issue an Order 6 in the table to Section 121B of the *Environmental Planning and Assessment Act 1979* for 53-55 Lagoon Street, Narrabeen to address the fire safety deficiencies identified by Council's Fire Safety Officer.
- B. Issue an Order 6 in the table to Section 121B of the *Environmental Planning and Assessment Act 1979* for 30 Heather Street, Collaroy to address the fire safety deficiencies identified by Council's Fire Safety Officer.
- C. Provide notice to Fire and Rescue NSW of the above determination.

The meeting concluded at 8:45pm

This is the final page of the minutes comprising 10 pages
numbered 1 to 10 of the Ordinary Council Meeting
held on Wednesday 26 April 2017 and confirmed on Tuesday 30 May 2017

Administrator

General Manager