



WARRINGAH
COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

held at the Civic Centre, Dee Why on

TUESDAY 25 JUNE 2013

Meeting Number 2013/8



Minutes of an Ordinary Meeting of Council
held on Tuesday 25 June 2013
at the Civic Centre, Dee Why
Commencing at 6:01pm

ATTENDANCE:

Members

Councillors M Regan (Mayor), B Giltinan (Deputy Mayor), P Daley, V De Luca OAM, W Gobert OAM, R Harrison, S Heins, D Kerr, J Menano-Pires and V Moskal

Officers

Rik Hart	General Manager
John Warburton	Deputy General Manager Community
Malcolm Ryan	Deputy General Manager Environment
Eskil Julliard	Legal Counsel
Anna Moore	A/Governance Manager
Ximena Von Oven	Administration Officer Governance
Dinesh Mishra	IM&T Support Officer
David Walsh	Chief Financial Officer
Campbell Pfeiffer	Group Manager Building Property & Spatial Information
Adam Vine	Group Manager Business & Enterprise Risk
Melissa Messina	Group Manager Children's Services
Ruth Robins	Group Manager Community Services
Peter Bell	Group Manager Customer Support & Library Services
Peter Robinson	Group Manager Development Assessment & Compliance
Graham Middleton	Group Manager Marketing & Communications
Todd Dickinson	Group Manager Natural Environment
David Kerr	Group Manager Strategic Planning
Belinda Noble	Media and Content Manager
Andrew Patterson	Internal Ombudsman

NOTES

The meeting commenced at 6:01pm, adjourned at 8:09pm, resumed at 8:16pm, moved into closed session at 9:13pm, resumed in open session at 9:17pm and concluded at 9:20pm.

1.0 APOLOGIES

Nil

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 28 MAY 2013

127/13 RESOLVED

Cr Heins / Cr Gobert

That the Minutes of the Ordinary Meeting of Council held 28 May 2013, copies of which were previously circulated to all Councillors, are hereby confirmed as a true and correct record of the proceedings of that meeting.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Councillor De Luca declared a significant, non-pecuniary interest in relation to Item 6.2, as he has legal proceedings against two of the nominated people and has possible future legal proceedings against one. He would take no part in debate or voting on the Item.

4.0 PUBLIC FORUM

The Mayor 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.

PROCEDURAL MOTION - EXTENSION OF PUBLIC FORUM PERIOD

128/13 RESOLVED

Cr Regan / Cr Giltinan

That Council extend the public forum period beyond the thirty minutes as provided for in Clause 12.1 (ii) of the Code of Meeting Practice and that all 12 speakers who requested to speak at Public Forum be granted permission to address Council.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

- 4.1 Mr Paul Clarke addressed Item 10.3, Notice of Motion No 17/2013 - Height of Buildings at 57 Delmar Parade, Dee Why.
- 4.2 Ms Anna Eftsahiou representing the Belrose Community made a statement in relation to connecting the library land and road to market the Glenrose shopping site quickly for sale and development in order to make it an attractive commercial proposition.
- 4.3 Mr Nicholas Lange addressed Item 10.3, Notice of Motion No 17/2013 - Height of Buildings at 57 Delmar Parade, Dee Why.
- 4.4 Mr Mark Pryke addressed Item 8.14, Boat and Trailer Parking in Warringah.
- 4.5 Mr Ian Milton representing Narrabeen Lakes Sailing Club addressed Item 7.4, Adoption of the Parking Permit Policy CS-PL 01.
- 4.6 Mr Jack Tilburn asked the following question regarding the merging or amalgamation of the three peninsula councils:
- a) Would the Mayor Regan commence and sustain some detailed public cost benefit analysis (are we better or worse off) procedures for merging or amalgamating the three (3) local peninsula councils?
 - b) Would the Mayor Regan outline any suggestions or ideas of taking over some areas or precincts of Manly Council's northern areas?
 - c) Would the Mayor Regan outline any suggestions or ideas of detaching some northern areas or precincts of Warringah Council's to the Pittwater Council?
 - d) Would the Mayor Regan spell out why he is so very addicted and or adamant about his opinion of the merging or amalgamation of the three (3) local peninsula councils?
 - e) Is the Mayor Regan harbouring some political hidden agenda for his addiction or ideology or doctrine for the merging or amalgamation of the three (3) local peninsula councils?

Answer:

The Mayor, Councillor Michael Regan provided the following responses:

- a) At Council Meeting 23 April I moved a Mayoral Minute (Mayoral Minute No 8/2013 – Amalgamations) which requested a report on the costs and benefits of amalgamation. There is also a Mayoral Minute (Mayoral Minute No 17/2013 - SGS Economics & Planning - Local Government Structural Change Options Analysis - Preliminary Draft Report) on the agenda tonight which demonstrates the cost benefits if the 3 councils, or 4 if you include Mosman, on the northern beaches amalgamate. The draft figure is a \$375 million saving to the community over 10 years and includes maintaining 3 local council boards.
- b-c) I do not believe in forced amalgamations but I do believe we should have one beaurocracy and we look at three council structures, three governance but this does not require three governance structures. You can have Pittwater Council, Manly Council and Warringah Council or you could break up Warringah into two parts and have East and West, for arguments sake, and have 4 local council boards. The SGS Economics & Planning report explores these options and looks at some of the benefits of amalgamation.
- d) No, I am not addicted to amalgamation but I believe we should have the conversation about what is best for our residents, if it does me out of a job then so be it, if it's best for our residents and good for our community then that is what we

should be doing. It is our job to lead the community, lead the debate, seek opinions and seek to do better for our community. So far you cannot convince me that having three General Managers, three town planning departments, three environment departments all doing the same thing is the best for our community. You could have one parking sticker and park anywhere on the northern beaches for free if you had one council administration. That is why I'm saying we should have the conversation and why I'm not afraid. Warringah has already had a report that said we do not need to merge in terms of any financial benefits but now we have a report that says we could be better off by \$375million over ten years. This is a significant amount and can do a lot for our community and that of Manly and Pittwater and they can still have their local governance boards. It is incumbent upon us to have that conversation and put those facts out there. It's very good for Pittwater to say they don't want to use their rates to pay for Aquatic Centre, Brookvale Oval or dredging Narrabeen Lagoon but they want to use it, they don't want to pay for it and want our ratepayers to pay for it. It's a simple conversation we should be having with our community. The only political agenda I am harbouring is that I want what is best and want an honest conversation with the community so they can hear and make the decision for themselves.

- 4.7 **Mr Tony Davies representing Beacon Hill Youth Club addressed Item 6.4, Adoption of the Community Strategic Plan 2023, Delivery Program 2013-2017, and Operational Plan including Fees and Charges 2013-2014.**
- 4.8 **Mr Tom Kirsop made a statement in relation to the North Narrabeen Reserve Masterplan and requested councillors to include money in the budget to carry out work on the dune.**
- 4.9 **Ms Sabine Schlosser addressed Item 8.8, Draft Plan of Management for 36 - 48 Kingsway, Dee Why.**

PROCEDURAL MOTION - EXTENSION OF TIME

Cr De Luca / Cr Giltinan

That Ms Schlosser be granted an extension of 3 minutes to address the meeting.

VOTING

For the motion: Crs De Luca and Giltinan

Against the motion: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

LOST

- 4.10 **Mr Chris Read addressed Item 10.3, Notice of Motion No 17/2013 - Height of Buildings at 57 Delmar Parade, Dee Why.**
- 4.11 **Ms Sally Joanne Bate addressed Item 8.8, Draft Plan of Management for 36 - 48 Kingsway, Dee Why.**
- 4.12 **Ms Carolyn Starkey addressed Item 10.3, Notice of Motion No 17/2013 - Height of Buildings at 57 Delmar Parade, Dee Why.**

PROCEDURAL MOTION - ITEMS MOVED BY EXCEPTION129/13 **RESOLVED****Cr Regan / Cr Menano-Pires**

That the Order of Business be changed so Items 6.1, 6.2, 6.3, 7.1, 7.2, 7.5, 8.4, 8.5, 8.6, 8.7, 8.9, 8.10, 8.11, 13.1, 13.2, 13.4 and 13.5 are dealt with by exception with the recommendations of the General Manager / Deputy General Managers being adopted.

Councillor De Luca left the chamber due to a declared significant non-pecuniary interest in Item 6.2 at 7:05pm

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: Councillor De Luca was not present for voting on this item

Councillor De Luca returned to the chamber at 7:05pm

ITEMS RESOLVED BY EXCEPTION:**6.1 MONTHLY FUNDS MANAGEMENT REPORT MAY 2013**130/13 **RESOLVED****Cr Regan / Cr Menano-Pires**

That the:

- A. Report indicating Council's Funds Management position be received and noted.
- B. Certificate of the Responsible Accounting Officer be noted and the report adopted.

RESOLVED BY EXCEPTION**6.2 NOMINATION OF PANEL MEMBERS TO ACT AS CONDUCT REVIEWERS**131/13 **RESOLVED****Cr Regan / Cr Menano-Pires**

That Council appoint John Ayling, Alison Cripps, Margaret Fahy, Peter Givorshner, Adam Halstead, Heather Irish, Wendy Klaassen, John Lawrence, John McAteer, Richard Pinson, Tim Rogers, Annette Simpson, Jocelyn Sparks, Peter Taylor and Kathy Thane to be members of Warringah Council's panel of Conduct Reviewers.

RESOLVED BY EXCEPTION

6.3 ADOPTION OF FINANCIAL PLANNING & SUSTAINABILITY POLICY

132/13 RESOLVED

Cr Regan / Cr Menano-Pires

- A. That the Financial Planning & Sustainability Policy be adopted.
- B. That FIN – PL100 Financial Planning Policy be rescinded.

RESOLVED BY EXCEPTION

7.1 COMMUNITY GRANTS PROGRAM 2013-2014

133/13 RESOLVED

Cr Regan / Cr Menano-Pires

- A. That Council rescind the Sporting Club Capital Assistance Grant awarded to the Manly Vale Calabria Club and allocate \$50,000 to the 2013/14 Grant program, and the remaining \$50,000 to the 2014/15 Grant program.
- B. That the Community Grants funding for the 2013/14 funding cycle be allocated as recommended by the three Panels and outlined below:

Community Development Grants (one-off) 2013/14

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

1. Active Opportunities Inc.; Safer Neighbourhood – Social Inclusion Project; \$5,000
2. Computer Pals for Seniors; Seniors Explore Technology; \$1,133
3. Disabled Alternative Road Travel; Australia Day and Anzac Day Activities Expenses; \$2,000
4. Disabled Surfers Association; Disabled Surfers 'Hands-On' Day 2014; \$3,600
5. Lifestart Cooperative Ltd; Parents as Case Coordinators Project (PaCC); \$4,092
6. Literacy Network Manly Warringah; Providing One-to-One Free Tuition for Adults; \$4,500
7. Manly Warringah Pittwater Community Transport Inc.; Monday Dee Why Shuttle Service; \$5,000
8. Northern Beaches Interchange; Community Networks for Families with a Child/Young Adult with a Disability; \$5,000
9. Peer Support Australia; Developing Positive Mental Health in Young People; \$3,110
10. Peninsula Senior Citizens Toy Repair Group inc.; Toys for Disadvantaged Kids at Christmas; \$1,200
11. Radio Northern Beaches (Manly Warringah Media Co-op); Build New Studios for Radio Northern Beaches; \$5,000
12. Raise Foundation; Bump Program Northern Beaches; \$5,000

13. University of the Third Age (U3A); Communication improvements; \$1,500

Community Development Grants (recurrent) 2013/14

In alphabetical order (and listed by organisation; project; grant allocation in 2013/14; and 2014/15; 2015/16 respectively), the Panel recommends funding allocation to the following projects/programs:

14. Manly Warringah Pittwater Community Aid Service; CALD Project for most under-supported group in Warringah LGA; \$5,000; \$4,456; \$4,591

Cultural Grants 2013/14

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

15. Eurofest Cultural and Sporting association Inc; Eurofest 2013 Multicultural Festival; \$3,000
16. Northern Beaches Eistedfodd; Northern Beaches Eistedfodd 60th Year; \$2,500
17. Northern Beaches Nepalese Society; Dashain Tihar Cultural Program; \$3,500
18. Sunnyfield; Journey into the Unknown; \$5,000
19. Tibetan Community of Australia (NSW) Inc.; Tibetan Losar Festival 2014; \$4,000
20. Warringah Printmakers Studio; Introducing the Art of Printmaking to the Community; \$2,000

Sporting Club Capital Assistance Grants 2013/14

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends funding allocation to the following projects:

21. Collaroy Cromer Strikers Football Club; St Matthews Farm Northern Amenities Building Development; \$250,000
22. Forest Rugby Club; Lighting Upgrade to the War Memorial Playing Field Forestville; \$32,847
23. Forestville Tennis Club; Refurbishment of Clubhouse Facilities; \$25,850
24. Manly Warringah BMX Club; New Start Gate and Tar sealed Start Hill; \$9,570
25. Manly Warringah Netball Club; Installation of Playing Court Lighting for 10 hard courts; \$31,230

- C. That \$11,500 (part of the unallocated Community Development Grants funding of \$36,508) be reallocated to fund additional and/or fully fund approved Cultural Development Grant applications in accordance with the Panel's priority ranking:

In alphabetical order (and listed by organisation; project; grant allocation), the Panel recommends additional funding allocation to the following projects from the unallocated Community Development Grants budget as per its prioritised ranking:

26. Eurofest Cultural and Sporting Association Inc; Eurofest 2013 Multicultural Festival; additional \$2,000 (\$5,000 total)
27. Northern Beaches Eistedfodd; Northern beaches Eistedfodd 60th Year; additional \$2,500 (\$5,000 Total)
28. Northern Beaches Nepalese Society; Dashain Tihar Cultural Program; additional

\$1,000 (\$4,500 total)

29. Northern Beaches Orchestra Inc.; Northern Beaches Orchestra 2014 Season; \$5,000

30. Tibetan Community of Australia (NSW) Inc.; Tibetan Losar Festival 2014; additional \$1,000 (\$5,000 total)

- D. That Council project manage the Sporting Club Capital Assistance Grant Projects listed below on behalf of the Sporting Clubs and invoice the Sporting Clubs, for their contributions, prior to the commencement of works:
1. Collaroy Cromer Strikers Football Club; St Matthews Farm Northern Amenities Building Development;
 2. Manly Warringah BMX Club; New Start Gate and Tar sealed Start Hill
 3. Manly Warringah Netball Club; Installation of Playing Court Lighting
- E. That the remainder of the unallocated Community Development Grants funding of \$25,008 is re-allocated to fund the development of a Renewable Energy Art project as per Notice of Motion No 16/2012, in line with the stated outcomes of the Grant program.

RESOLVED BY EXCEPTION

7.2 FEASIBILITY REPORT OF RENEWABLE ENERGY ART FESTIVAL ALONG HEADLANDS AND BEACHES

134/13 **RESOLVED**

Cr Regan / Cr Menano-Pires

That:

- A. Staff develop a new community event in conjunction with private partnership that showcases a sculpture walk that incorporates renewable energy sources and reusable materials along a headland and beach area in Warringah that is consistent with Council's Cultural Plan.
- B. Council allocates event funding from 2013/2014 operational budget up to \$38 000 for the creation of the new community art event.
- C. Staff explore opportunities for sponsorship to support and enhance the delivery of the event for the community.

RESOLVED BY EXCEPTION

7.5 COMMUNITY LIBRARY FUNDING FOR 2012-2013

135/13 **RESOLVED**

Cr Regan / Cr Menano-Pires

That Council approve the 2012-2013 funding allocation of \$20,000 for Terrey Hills Community Library and \$1,000 for Booklovers' Club Warringah Incorporated.

RESOLVED BY EXCEPTION

8.4 PUBLIC EXHIBITION OF THE FINAL DRAFT NARRABEEN LAGOON FLOOD STUDY136/13 **RESOLVED*****Cr Regan / Cr Menano-Pires***

That the Draft Narrabeen Lagoon Flood Study (May 2013) be placed on public exhibition for a period of 4 weeks.

RESOLVED BY EXCEPTION**8.5 DRAFT STREET TREE PLANTING POLICY - ENV-PL 416**137/13 **RESOLVED*****Cr Regan / Cr Menano-Pires***

That the draft Street Tree Planting Policy ENV-PL 416 be placed on public exhibition for a minimum of 28 days and the results reported back to Council.

RESOLVED BY EXCEPTION**8.6 RENAMING OF PORTION OF JOALAH ROAD, DUFFYS FOREST**138/13 **RESOLVED*****Cr Regan / Cr Menano-Pires***

That:

- A. Council support the renaming of the Council section of Joalah Road between Namba Road and Bibbenluke Avenue, as Gurawa Road.
- B. Council provide 30 days written notice of the proposed renaming to the required statutory bodies or authorities.
- C. Subject to advice received from the statutory authorities, Council publish notice of its intention to rename the section of Joalah Road in accordance with its powers under Section 162 of the Roads Act 1993.
- D. The results of the notification be reported to Council.

RESOLVED BY EXCEPTION**8.7 WARRINGAH WALKS PROJECT**139/13 **RESOLVED*****Cr Regan / Cr Menano-Pires***

That the Warringah Walks Project be undertaken in the 2013-14 financial year.

RESOLVED BY EXCEPTION

8.9 DRAFT WARRINGAH DEVELOPMENT CONTROL PLAN (ANOMALIES AMENDMENT)

140/13 RESOLVED

Cr Regan / Cr Menano-Pires

That Council:

- A. Prepares a draft Warringah Development Control Plan (Anomalies Amendment) that will amend the Warringah Development Control Plan in accordance with the recommendations set out in Attachments 1 to 4.
- B. Places the draft Warringah Development Control Plan (Anomalies Amendment) on public exhibition for a period of at least 28 days and invite submissions from the public.

RESOLVED BY EXCEPTION**8.10 ADOPTION OF DRAFT WARRINGAH SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN 2013**

141/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Council adopt the draft Warringah Section 94A Development Contributions Plan 2013.
- B. Following adoption of the Section 94A Plan, the Minister be notified in accordance with Section 94EA (4) of the *Environmental Planning and Assessment Act 1979*.

RESOLVED BY EXCEPTION**8.11 RENEWAL OF MEMBERSHIP OF THE GREEN BUILDING COUNCIL OF AUSTRALIA**

142/13 RESOLVED

Cr Regan / Cr Menano-Pires

That Council:

- A. approves the renewal of membership of the Green Building Council of Australia from 2013 to the end of June 2015.
- B. reviews the continuation of this membership in December 2014.

RESOLVED BY EXCEPTION**13.1 FAMILY DAY CARE PROPOSAL**

143/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Warringah Family Day Care absorb the Educators currently managed by Manly Family Day Care

- B. Manly Council's offer of a Play Session venue once per week at no charge for two years be accepted

RESOLVED BY EXCEPTION

13.2 RFT 2013/020 - CONSTRUCTION OF NARRABEEN LAGOON MULTI-USE TRAIL STAGE 2B

144/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Pursuant to Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender of Fleetwood Urban Pty Ltd for the Construction of the Narrabeen Lagoon Multi-Use Trail Stage 2B, as specified in Tender 2013/020, for the lump sum price of \$3,609,817.00 (ex GST)
- B. Pursuant to Section 377 (1) of the Local Government Act 1993, Council delegate authority to the General Manager to execute the contract with Fleetwood Urban Pty Ltd to Construct the Narrabeen Lagoon Multi-Use Trail Stage 2B, as specified in Tender 2013/020, including lump sum, contingency and provisional costs not exceeding a total value of \$3,900,000.00 (ex GST).

RESOLVED BY EXCEPTION

13.4 RFT 2013/028 - GLEN STREET THEATRE FOYER UPGRADE STAGE 1

145/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Pursuant to Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender from Keystone Projects Group Pty Ltd for RFT 2013/028 Major works to the Glen Street Theatre foyer and entry forecourt for the sum of \$1,615,123.00 excluding GST.
- B. Pursuant to Section 377 (1) of the Local Government Act 1993, Council delegate authority to the General Manager to enter into a contract with Keystone Projects Group Pty Ltd and to approve contract variations up to the amount of \$184,877.00 excluding GST which represents an 11% contingency. This brings the total amount which can be committed under the delegation to \$ 1,800,000.00 excluding GST.

RESOLVED BY EXCEPTION

13.5 RFT T-CS-01/13 AUDITING SERVICES

146/13 RESOLVED

Cr Regan / Cr Menano-Pires

- A. That pursuant to Clause 178(1) of the Local Government (General) Regulations 2005 Council accept the tender from Hill Rogers Spencer Steer Assurance Partners to provide Auditing Services, as specified in RFT T-CS-01/13 for an initial year fee of \$83,000 plus GST

(or \$78,500 plus GST if appointed by 3 or more Councils) with provision for an annual CPI increase.

- B. That pursuant to section 377(1) of the Local Government Act 1993 Council delegate authority to the General Manager to execute the contract with Hill Rogers Spencer Steer Assurance Partners to provide Auditing Services.

RESOLVED BY EXCEPTION

5.0 MAYORAL MINUTES

5.1 MAYORAL MINUTE NO 13/2013 - PROPOSED CHANGES TO PUBLIC TRANSPORT COSTS FOR NORTHERN BEACHES COMMUTERS

BACKGROUND

Recently, Manly Council unanimously endorsed a Notice of Motion from Cr Aird to seek an urgent meeting with the State Government to express concerns with the proposed fare increases for public transport. Further to this it was noted in the resolution the negative impact this change in fare prices will have on commuters, families and businesses as well as the newly announced 'Ferry Express' bus services to Manly.

It's widely accepted that for public transport to be an attractive option, it needs to be reliable, flexible and cost efficient. This is especially true in a region like the Northern Beaches where transport options are limited and private car use is high.

Yet in complete contrast, the recent move by the State Government to change the pricing arrangements for the *MyMulti* system in regards to ferry commuters, makes the public transport system a vastly less attractive option being less flexible and far more expensive. The decision to force commuters to purchase a *MyMulti 3* ticket instead of a *MyMulti 1* will mean that our local residents who use the system will be forking out an extra \$884 a year to buy their weekly tickets. This surely demonstrates a complete lack of understanding and even contempt for those who rightly choose public transport.

At all levels of Government, we should be encouraging the Manly-Circular Quay crossing as a reliable alternative to travelling along the already congested Military Road. The State Government even recognised this need to funnel people from the Northern Beaches to the harbour route when in early May they announced new express buses from various local suburbs straight to the Wharf.

But then, just a fortnight later, they announced this phenomenal increase in the cost of that very travel option. The response from commuters and from public transport advocates in general has been one of complete disbelief and anger.

So in response to this, the State Government has said that ferry commuters can buy the "travel ten" ferry ticket which simply ignores the fact that the vast majority of ferry users travel by bus and train as well as the ferry. Their commute involves a combination of transport modes and it is this flexibility that makes the *MyMulti* system so popular for everyone. Commuters have options when there are bus and train delays as of course not everyone works within walking distance of Circular Quay.

The State Government has clearly failed to recognise patterns of commuting by Northern Beaches residents and therefore need to act now by abandoning the planned increase and review the new multi ticket system. In this review they need to identify incentives such as a peak hour rebates for public transport users to encourage higher use and uptake of public transport on the Northern Beaches similar to the toll rebates offered in Western Sydney. Other areas to consider include

creating an option of non-stop direct buses from Mona Vale to Manly Wharf and similar options for non-stop buses from Narrabeen and Dee Why to the city. It is clear we need more buses for the increasing number of commuters so they can get to their place of work in comfort and not endure their journey standing the whole way but more importantly without outlaying outrageous amounts of money to do so.

I understand resources required to make representations to the Government can be met within existing operational budgets.

147/13 RESOLVED

Cr Regan

That Council write to the Minister for Transport calling on the State Government to:

- A. abandon the planned increase in ferry fares and review the new multi ticket system highlighting the lack of equity and fairness for all commuters.
- B. identify incentives such as a peak hour rebates for public transport users to encourage higher use and uptake of public transport on the Northern Beaches similar to the toll rebates offered in Western Sydney.
- C. consider offering non-stop direct bus services from Mona Vale to Manly Wharf and similar options for non-stop buses from Narrabeen and Dee Why to the City.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

5.2 MAYORAL MINUTE NO 14/2013 - RESIDENT SMART CARD

BACKGROUND

With the launch of Council's new digital platforms we have been able to lay the foundation for future evolving technology. One such technology that is becoming increasingly popular and certainly very convenient is "pay wave" where customers can literally tap their credit card at businesses and leave.

This type of smart card technology is primarily used for purchases of goods and services but there is, I believe, an opportunity for using the technology for other purposes, including the provision of various Council services to local residents. A smart card for residents wouldn't have to be linked to a bank account or a credit card but to simple data such as name and residential address, similar to a library card. The smart card could be used for providing discounts to residents by Council as well as local businesses. It could track the provision of services to residents such as parking or hiring council facilities or be used to pay for council services such as Kimbriki or childcare services.

Further down the track, there could be an opportunity for a resident's smart card to be used in partnership with our sister cities – with business in each city offering reciprocal discounts.

Essentially, the list is endless. Council is a very large organisation made up of various and significant business units. In keeping with Council's goals of being industry leaders, I want us to create something like a smart card to assist in providing convenience and efficiency to our residents and potentially some financial benefits as well. Let's see who in the business community

is interested in partnering with us.

I understand funding is available under existing operating budgets to undertake a simple report to Council investigating this issue.

148/13 **RESOLVED**

Cr Regan

That Council staff prepares a report:

- A. investigating potential Council services that could be enhanced with the use of a resident's smart card, including but not limited to – the Warringah Aquatic Centre, the new PCYC, Council childcare facilities, Kimbriki Resource centre, council car parks, council community centres, Glen Street Theatre etc.
- B. exploring opportunities for Council to partner with local businesses and service providers to offer certain discounts to holders of a Warringah resident card.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

5.3 MAYORAL MINUTE NO 15/2013 - PEARL BAY TRAFFIC STUDY

BACKGROUND

The reopening of Pearl Bay Avenue, Beauty Point after the trial closure was a welcomed decision however I am led to believe that Roads and Maritime Services (RMS) in their trial study of Pearl Bay Avenue, Beauty Point are not taking into account any impacts from the closure to surrounding feeding roads and that the only measurement the RMS will be confirming in the study is that of a car driving from Manly Vale to the turn off. This surely is not looking at the whole traffic issue for commuters on the Northern Beaches.

Many of our residents have commented through the local media and to me directly of their frustration with the additional travel time that the closure added to their travel time whilst the trial was in place.

It would seem pointless to not take into consideration the feeder roads and demonstrate the impacts that the residents have reported before and after the closure. Why should a 5 minute trip from the roundabout at Seaforth to the other side of the Spit Bridge take 40 minutes in peak hour. This was an example given by a local Seaforth resident. There were even residents around Forest Way complaining that the traffic was larger when the trial closure was in place as well as residents of Dee Why reporting additional pressures from getting onto Pittwater road to getting to the point of turn off.

If the RMS or other groups are relying on a single drive from point to point in their collection of data it clearly demonstrates a lack of understanding of the basic issue for commuters. It is complex and it is time the RMS got serious about measuring travel time and traffic volume data. Commuters are already dealing with extensive journeys into the city every morning so if this study is to serve any purpose, it needs to address all the impacts and not just become another irrelevant study.

The report needs to:

- Measure the impacts and the additional times of getting onto the road from the feeder roads as part of the trial.
- Undertake a comparative study of when the car turns off at Pearl Bay vs the car continuing straight on at Military road to see what the time saving is?
- Identify those vehicles that may actually be going to the Mosman area to drop children to school or for those who actually work in Mosman.

Given the outcry from Mosman residents, I believe Mosman Council need to address the problem with one way chicanes to slow the traffic down or install speed cameras as closing the road is not the solution.

There is no question that until such times as the State Government delivers on its promise of an East West BRT, the new Spit Bridge and a tunnel under Mosman, then the roads need to remain open. Closing local roads is not the solution to an increasing problem of road congestion and lack of public transport options.

I understand funding is available under existing operating budgets to undertake this work.

149/13 **RESOLVED**

Cr Regan

That Council write to the Minister for Roads and Transport seeking:

- A. clarification of the terms of the study and to recommend the permanent opening of Pearl Bay Avenue, Mosman
- B. the Minister's approval to bring forward plans for the Spit Bridge and tunnel projects
- C. the Minister to bring forward the plans for the BRT on the Northern Beaches.

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Cr De Luca

CARRIED

5.4 MAYORAL MINUTE NO 16/2013 - PROPOSED TRANSPORT WORKING PARTY

BACKGROUND

In light of the State Government's recent announcement in the Budget that \$6.5 million is allocated for essential road upgrades to support the proposed Frenchs Forest hospital, I see an opportunity to work even more closely with our Ministers on this incredibly important project. We need to ensure that we as representatives of the local community have an input into the process and that our views are being heard at a Ministerial level.

At present we are well represented by our SHOROC Executive Director on the Northern Beaches Hospital Inter-Agency Working Group which is chaired by the Deputy Director-General of NSW Health and is made up of departmental representatives.

I propose that a Ministerial level Working Party which would include our three Northern Beaches

Councils (Mayors / General Managers) be established to ensure that this project remains a priority for the relevant State Ministers responsible for this project and more importantly that the views of our local communities can be communicated at that level.

150/13 RESOLVED***Cr Regan***

That Council writes to the Ministers for Health, Planning and Infrastructure and Roads and Transport and four State Members of Parliament to seek their approval to join a Ministerial level Working Party along with the Mayors/ General Managers of the three Northern Beaches Councils for the purpose of planning around the expected traffic issues when construction starts for the hospital and for the road upgrades.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED**5.5 MAYORAL MINUTE NO 17/2013 - SGS ECONOMICS & PLANNING - LOCAL GOVERNMENT STRUCTURAL CHANGE OPTIONS ANALYSIS - PRELIMINARY DRAFT REPORT****BACKGROUND**

Council, at its meeting of 23 April 2013 moved that Council commission an independent report into the possible positive and negative impacts of an expanded region of councils.

I am happy to say that a draft report by award-winning planning consultants, *SGS Economics & Planning*, is being finalised. That draft report shows amalgamating the administrations of Warringah, Pittwater and Manly Councils and having local elected boards could save in the vicinity of \$375 million over 10 years.

According to the draft report, this significant saving to rate payers can be made without sacrificing services. Alternatively, savings could be put into improving community services.

It finds that six areas of Council could be consolidated – creating significant economies of scale. They are;

- Governance
- Administration
- Public order and safety
- Environment
- Recreation and culture and,
- Transport and communication.

Costs for senior staff, such as General Managers, would also be drastically reduced, producing savings for the community.

While this is only a draft report, I think the possible savings are too big to ignore and therefore I move that the draft report be put on public display for comment, to help inform the ongoing debate

on local government reform.

The release of this draft report is timely given the timetable of the Independent Local Government Review Panel. Given that the next Council Meeting is in August, I am keen for the wider community to have the chance to comment on the draft report and have input into the process.

151/13 RESOLVED***Cr Regan***

That the draft preliminary Local Government Structural Change Options Analysis report from SGS Economics & Planning be noted and placed on display for public comment.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED**PROCEDURAL MOTION - CHANGE TO ORDER OF BUSINESS****152/13 RESOLVED*****Cr Menano-Pires / Cr De Luca***

That the Order of Business be changed so Items 10.3 and 8.8 be brought forward and dealt with immediately.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED**10.3 NOTICE OF MOTION NO 17/2013 - HEIGHT OF BUILDINGS AT 57 DELMAR PARADE, DEE WHY****153/13 RESOLVED*****Cr Heins / Cr Regan***

That Council prepare a Planning Proposal to amend the maximum height of buildings map for Lot B, DP 354374, known as 57 Delmar Parade, Dee Why from 11 metres to 8.5 metres.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.8 DRAFT PLAN OF MANAGEMENT FOR 36 - 48 KINGSWAY, DEE WHY

154/13 RESOLVED

Cr Moskal / Cr Regan

That Council adopt the draft Plan of Management for 36 – 48 Kingsway, Dee Why.

Councillor Daley left the chamber at 7:51pm and returned at 7:53pm

VOTING

For the resolution: Crs Daley, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Crs De Luca and Giltinan

CARRIED

In accordance with clause 13.2 (ii) of Council's Code of Meeting Practice, the meeting was adjourned at 8:09pm. The meeting resumed at 8:15pm with all councillors except Councillor Gobert present.

REPORTS TO COUNCIL MEETING

6.0 GENERAL MANAGER'S REPORTS

6.4 ADOPTION OF THE COMMUNITY STRATEGIC PLAN 2023, DELIVERY PROGRAM 2013-2017, AND OPERATIONAL PLAN INCLUDING FEES AND CHARGES 2013-2014.

155/13 RESOLVED

Cr Regan / Cr Menano-Pires

A. COMMUNITY STRATEGIC PLAN 2023

That Council's Community Strategic Plan 2023, which includes the recommendations and amendments detailed below to the exhibited draft Community Strategic Plan 2023, be adopted.

B. DELIVERY PROGRAM 2013-2017 and OPERATIONAL PLAN 2013-2014

That Council's Delivery Program 2013-2017 and Operational Plan 2013-2014, which includes the recommendations and amendments detailed below to the exhibited draft Delivery Program 2013-2017 and Operational Plan 2013-2014, be adopted.

C. RESOURCING STRATEGY

That Council's Resourcing Strategy (Long Term Financial Plan, Workforce Plan, and Asset Management Strategy) which includes the recommendations and amendments detailed below to the exhibited draft Resourcing Strategy, be adopted.

D. RATES

1. That an Ordinary Residential Rate, to be named 'Residential Ordinary Rate' of 0.200768 cents in the dollar on the land value of all rateable land, being land that falls within the Residential Category in the Warringah Council area, be made for the year 1

July 2013 to 30 June 2014 subject to a minimum Ordinary Residential Rate of \$793.17 in respect of each separate parcel of rateable land in this category.

2. That the following business rates be made for the year 1 July 2013 to 30 June 2014:
 - a. An Ordinary Business Rate, to be named 'Business Ordinary Rate' of 0.552061 cents in the dollar on the land value of all rateable land, being land that falls within the Business Category in the Warringah Council area, be made for the year 1 July 2013 to 30 June 2014, subject to a minimum Ordinary Business Rate of \$1,018.32 in respect of each separate parcel of rateable land in this category.
 - b. An Ordinary Business Rate Sub-Category, to be named 'Warringah Mall Regional Shopping Centre Sub-Category' of 0.982645 cents in the dollar on the land value of all rateable land, being land that falls within the Business Sub-Category in the Warringah Council area, be made for the year 1 July 2013 to 30 June 2014.

E. DOMESTIC WASTE MANAGEMENT CHARGE (DWMC)

That the charges for Domestic Waste Management be made for the year commencing 1 July 2013 as follows:

Availability Charges - Vacant Land	\$81.00
Per 80 litre bin (1 st or additional garbage bins) includes availability	\$329.00
Per 120 litre bin (1 st or additional garbage bins) includes availability	\$490.00
Supply of additional vegetation bin	\$85.00
Repair of vegetation bin lid	\$15.95*
Repair of vegetation bin wheels	\$9.35*
Service increase fee applies for delivery of larger capacity or additional bin compared to base 80 litre service or existing service level	\$25.00

(* Includes GST in rate)

F. SECTION 611 CHARGES

That an annual charge under Section 611 of the *Local Government Act 1993* be adopted, made and levied for the year commencing 1 July 2013 on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.

G. CHARGE FOR WORKS ON PRIVATE LAND

That the statement of amounts and rates to be charged for works on private land for 2013-2014 and entitled Works on Private Land be adopted.

H. INTEREST ON RATES & CHARGES

That interest charges on rates and charges which remain unpaid after they become due and payable for the year 2013-2014, shall accrue on a daily basis at the rate of 9% per annum simple interest. This will be subject to the final determination of the Minister of Local Government

I. VOLUNTARY PENSIONER REBATES – RATES & CHARGES

1. That, for the year 2013-2014, Council grant to eligible pensioners who have not reached the accepted male retirement age, to owners in receipt of the blind pension, to owners who have reached the accepted male retirement age and continue to receive either the Carer Payment or Disability Support Pension from Centrelink or either the Totally and Permanently Incapacitated (TPI) Pension or the Extreme Disablement Adjustment (EDA) Pension from the Department of Veteran Affairs, in addition to the statutory reduction under Section 575 of the *Local Government Act*, a further voluntary 50% reduction of rates subject to a maximum voluntary reduction of \$150.

2. That, for the year 2013-2014, Council grant all eligible pensioners, in addition to the statutory reduction under Section 575 of the *Local Government Act 1993*, a further voluntary reduction of \$41.00 on the Domestic Waste Management Charge where the service is used, irrespective of the bin size or number of bins used.

J. AMENDMENTS TO DRAFT COMMUNITY STRATEGIC PLAN 2023

That progress against the six outcomes be assessed via a perception survey and the following measures:

1. Growth in Warringah's local economy
 - a. Gross regional product
 - b. Unemployment
2. Manage the ecological condition of lagoons and recreational water quality at beaches and Manly Dam (maintain or improve)
3. Manage biodiversity in high conservation reserves
4. Manage community's environmental awareness (maintain or increase)
5. Electricity and Water Usage of the community
6. Decrease Carbon Emissions for the Community (decrease by 40% by 2020 based on 2010 baseline)
7. Increase in neighbourhood food production (increase by 50% by 2020 based on 2010 baseline)
8. Reduce food waste in the general waste stream (decrease by 80% by 2020 based on 2010 baseline)
9. Mode of transport to work
10. Average commute speed by public transport (Pittwater Road - Warringah to/from City)
11. Road Safety
12. Drink Driving statistics
13. Safe communities - crime rates

K. AMENDMENTS TO DRAFT DELIVERY PROGRAM 2013-2017 AND OPERATIONAL PLAN 2013-2014

1. That the following amendments result in a net decrease to the budgeted Operating Surplus of \$264,801:
 - a. User Fees and Charges have increased by \$74,749 and Other Revenues by \$67,050. This principally relates to additional income in Corporate Support and Community Services
 - b. Grants and Contributions – Capital Purposes has increased by \$95,000. This relates to additional grants of \$30,000 within Parks, Reserves & Foreshores and \$60,000 within Corporate Support
 - c. Employee Benefits and OnCosts have decreased by \$143,537. This principally relates to reductions in Corporate Support of \$22,894 and Good Governance of \$120,643
 - d. Borrowing Costs have increased by \$720,203. This relates to a change in the

disclosure requirements for the remediation discount for the Kimbriki Waste Landfill of \$611,184 and \$109,019 within Corporate Support for interest on the loan to fund the construction of the Kimbriki Access Road

- e. Materials and Contracts have decreased by \$482,388. This principally relates to the change in the disclosure requirements for the remediation discount for the Kimbriki Waste Landfill noted above offset by the reallocation of the Good Governance employee costs noted above and additional contract services within Parks, Reserves and Foreshores for increased tree management maintenance
- f. Depreciation has increased by \$388,816 within Corporate Support principally due to a change in the disclosure requirements for the remediation of the Kimbriki Waste Landfill noted above
- g. Other Expenses have increased by \$18,506 within Corporate Support
- h. The Capital Works Program for the four year Delivery Program 2013-2014 to 2016-2017 has increased by \$20,526,022

	Total \$
Draft Delivery Program	<u>153,837,880</u>
Changes Approved by Council 26 March 2013 – Rollovers from 2012-2013	1,156,227
Changes Approved by Council 26 March 2013 – Allocation of Surplus	90,000
Additional Rollover from 2012-2013 to 2013-2014:	
CR6066 Renewal Works-Sporting Club Buildings	68,725
Other Changes – Refer below	<u>19,251,000</u>
Final Delivery Program	<u>174,363,902</u>
Total Increase in Capital Expenditure Program	<u>20,526,022</u>

Details by individual project of the revised Capital Expenditure Program are shown under each Service within the Delivery Program. Within the Other Changes of \$19,251,000 noted above there have been changes to the timing and amounts of some projects and the following significant amendments:

	\$
Kimbriki Resource Recovery Centre Access Road project	3,915,000
Leachate Treatment Plan within Kimbriki Resource Recovery Centre	6,750,000
New Projects as a result of bringing the Rates Increase forward*.	9,000,000
Rural Fire Service Catering Kitchen and Building Improvements	(300,000)
Other	<u>(114,000)</u>
	<u>19,251,000</u>

*This has been included in Corporate Support for reporting purposes. However it is available to be utilised for any Council's Service which is to be determined in consultation with the community. A further \$9.5 million is available in 2017-2018.

- 2. That the following amendments be made to the key services:
 - a. Culture Services change the title to Cultural Events
 - b. Children's Services, changes include
 - i. Continuing activity - add 'high quality' to create the phrase 'Provide high

quality long day care, mobile occasional care and family day care'

- ii. Include an additional continuing activity – 'Provide policies online to increase accessibility'
- iii. Add a new indicator 'Percentage of families satisfied with service utilised (annual family survey)'
- iv. Delete 'Children and Family Services Strategy' from the supporting strategies
- d. Roads, Traffic and Waste - add a new indicator - 'Percentage of maintenance requests completed within required timeframes'
- e. Corporate Support – remove indicator – 'Customer satisfaction of building and property users'

L. FEES AND CHARGES

- 1. That the following amendments be approved:
 - a. Adopt bonds of \$300, \$2000 and \$5000 which are for permits for Working on Reserves and Vehicular Access across Reserves
 - b. Adopt a swimming pool registration administration fee of \$10 to be charged for entering owner details into the electronic register
 - c. Adopt fees for the issue of public health improvement and prohibition orders - Regulated Systems (\$515), Control of public swimming pools and spa pools (\$255), Control of skin penetration procedures (\$255) and re-inspection of premises subject to Public Health Act prohibition orders (\$250 per hour per)
 - d. Adopt fees for costs associated with the issue of notices and orders:
 - i. \$500 for the preparation or service of a notice of intention to issue an order
 - ii. \$1000 for investigations that lead to the issuing an order (\$600 discount where compliance is achieved within stipulated compliance period)
 - e. Adopt amended venue hire charges for Brookvale Oval:
 - i. Fees to be deleted

Hirer organisation type	Unit	Fee
Non Commercial/Non Profit (Charitable)	Half day rate	\$106.00
Non Commercial/Non Profit (Charitable)	Full day rate	\$160.00
Non Commercial/Non Profit	Half day rate	\$425.00
Non Commercial/Non Profit	Full day rate	\$635.00
Commercial/Profit	Half day rate	\$772.00
Commercial/Profit	Full day rate	\$1430.00

- ii. Fees to be amended:

Hirer organisation type	Unit	Current Fee	New Fee
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Non Commercial/Non Profit (Charitable)	Hourly rate	\$42.00	\$16.00
Non Commercial/Non Profit	Hourly rate	\$160.00	\$25.00
Commercial/Profit	Hourly rate	\$274.00	\$38.00

- f. Amend the description of the Builders Kerb Security Bond to clarify when bonds will be applied
 - g. Amend the bond associated with the Driveway/Footpaths Application and Inspection Fee so they are GST Free
 - h. Amend the wording of the Leasing of Public Land to: "The basis on which lease or other dealing of Public Land/Road Reserve/Crown Reserves is to be determined is upon application by Council", deleting 'based on independent valuation'
- 2 That the draft fees proposed below and detailed at Attachment 2 be placed on public exhibition for a period of 28 days:
- a. Proposed fees for movie nights at the Warringah Aquatic Centre
 - b. Proposed fees for hire of facilities at Warringah Recreation Centre
 - c. Proposed fees for additional community meeting venue hire. This includes setting a fee for the use of Griffith Park Sports Facility, Collaroy Swim Club, Curl Curl Sports Centre (function) and Warringah Mall Multi-Function room
 - d. Proposed fee for pre-lodgement meeting for stormwater drainage
 - e. Propose fees for inter library loans

M. INDEPENDENT ASSURANCE REPORT

That Council note the auditor's draft Independent Assurance Report and that the final Independent Assurance Report be attached to the Community Strategic Plan 2013 once it is adopted.

N. DEVELOPMENT OF THE eSERVICES APPLICATION

That Council note the need to continue to upgrade and enhance the eServices application that houses the Integrated Planning and Reporting documents after adoption. Improvements to the site will in no way involve amendment to any content approved after adoption.

O. SPECIAL RATE INCREASE

That the community be consulted on a special rate increase over the rate cap of 3% per annum in each of the four years from 2014-2015 to 2017-2018 to increase the level of services to be delivered to the community.

Councillor Gobert returned to the chamber at 8:18pm

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Cr De Luca

CARRIED

7.0 COMMUNITY DIVISION REPORTS

7.3 SCOPING REPORT ON WAYS COUNCIL CAN DEVELOP A VOLUNTEER SUPPORT UNIT

156/13 **RESOLVED**

Cr Gobert / Cr Regan

That Council adopts this volunteer scoping report and the following recommendations:

- A. Continue to work with the external volunteer network providers and investigate ways to provide support and assist their programs
- B. Using Council's new digital platform scope a volunteer portal with additional functionality such as:
 - a. A database of community volunteer organisations and their information
 - b. Calendar of volunteer opportunities
 - c. Volunteer referral service
 - d. Expansion of the Council volunteering information on the new website to fully promote opportunities at Council
- C. Implement an internal Volunteer Advisory Group to consolidate our approach across Council, share learnings, identify opportunities and monitor volunteering in Warringah
- D. Include Volunteering in the charter for the Community & Culture SRG when it reforms later in the year.
- E. Enhanced branding and promotion of existing programs within Council consistent with the new Warringah brand including uniforms and promotional collateral

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

7.4 ADOPTION OF THE PARKING PERMIT POLICY CS-PL 01

157/13 **RESOLVED**

Cr Menano-Pires / Cr Heins

That Council

- A. Adopt the revised Parking Permit Policy CS-PL 01
- B. Recognise that the policy has provisions for community groups who demonstrate community and/or volunteer service at the reserve (clause 3.5) and organisers of events at reserves (clause 3.10) to apply for permits and temporary permits respectively.

- C. That the Narrabeen Lagoon Sailing Club and other community groups be encouraged to apply for permits and temporary permits as per clauses 3.5 and 3.10 of the Parking Permit Policy.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

7.6 REQUEST TO WAIVE FEES FROM RADIO NORTHERN BEACHES FOR USE OF TERREY HILLS SENIORS AND YOUTH CENTRE

158/13 **RESOLVED**

Cr Daley / Cr De Luca

That Council waive the hire fees for the Radio Northern Beaches use of the Terrey Hills Seniors and Youth Centre from 1 May 2013 to 30 June 2013.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

7.7 INTERNAL AUDIT ANNUAL REPORT 2011-2012

159/13 **RESOLVED**

Cr Heins / Cr Menano-Pires

That Council note the Internal Audit Annual Report 2011-2012.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.0 ENVIRONMENT DIVISION REPORTS

8.1 NSW GOVERNMENT WHITE PAPER – A NEW PLANNING SYSTEM FOR NSW - COUNCIL'S SUBMISSION

160/13 RESOLVED

Cr Harrison / Cr Heins

That Council:

- A. Endorse the prepared submission on the White Paper – A New Planning System for NSW with the following additional comments:
- a. Covering Letter – Strategic Planning Framework (page 3) and Chapter 5 – Strategic Planning Framework – Key Issues (page 13) insert:
The Government has recently made an announcement (18 June 2013) that only \$20.9 million has been allocated towards the implementation of the new Planning System. Council calls on the State Government to increase the level of funding to implement the new planning system. The level of funding required to effectively implement the new system needs to be in excess of \$465 million.
 - b. Chapter 5 – Strategic Planning Framework – Alternate Solutions (page 15) insert:
The Subregional Delivery Boards will be responsible for the preparation of Subregional Delivery Plans which will be critical in setting parameters for Councils growth expectations. It is critical that local Members of Parliament are heavily involved in this process and for this reason it is recommended local Members of Parliament have compulsory membership on the Subregional Delivery Boards.
 - c. Chapter 6 – Development Assessment – Alternate Solutions (page 22) insert:
Where a property owner undertakes illegal works which improves the development potential of that land (e.g. clearing of bushland, demolition of a heritage item, etc.) and the court finds the owner guilty of that offence, then any development or application to develop the property should be suspended. The suspension period must remain in effect until such time as the Court's conditions have been met and/or the issue appropriately rectified (for example bushland rehabilitated to Council's satisfaction).
 - d. Chapter 6 – Development Assessment – Strong Support (page 24) insert:
We strongly support the provisions contained in the White Paper and draft Planning Bill relating to the introduction of criminal prosecution for breaches of the Act.
- B. Forward the endorsed submission to the Department of Planning and Infrastructure.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.2 THE LOCAL GOVERNMENT TASKFORCE, A NEW LOCAL GOVERNMENT ACT FOR NSW - COUNCIL'S SUBMISSION

161/13 RESOLVED

Cr Regan / Cr Menano-Pires

That Council endorse the prepared submission on the review of the Local Government Act and forward to the Local Government Act Taskforce.

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Cr De Luca

CARRIED

8.3 INDEPENDANT LOCAL GOVERNMENT REVIEW PANEL'S "FUTURE DIRECTIONS" DISCUSSION PAPER - COUNCIL'S SUBMISSION

162/13 RESOLVED

Cr Menano-Pires / Cr Gobert

That Council endorse the submission on the Future Directions for NSW Local Government: 20 Essential Steps Discussion Paper and forward to the Independent Local Government Review Panel.

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Cr De Luca

CARRIED

8.12 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2013

163/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Council nominates Councillors Daley, Gobert, Heins, Menano-Pires and Regan to attend the Local Government NSW Annual Conference in Sydney, to be held from 1 to 3 October 2013.
- B. The five nominated councillors attending the conference carry the 8 votes (for motions), and that if Local Government NSW determines Warringah Council has fewer voting delegates (for Board Positions) that voting delegates be determined from within the 5 delegates for motions.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.13 REPORTING OF THE COMPANION ANIMALS COMMUNITY COMMITTEE MEETING MINUTES

164/13 **RESOLVED**

Cr Daley / Cr Harrison

That the minutes and draft minutes of the Companion Animals Community Committee meetings held on 14 May 2012, 20 August 2012, 19 November 2012 and 11 February 2013 be noted.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

8.14 BOAT AND TRAILER PARKING IN WARRINGAH

165/13 **RESOLVED**

Cr De Luca / Cr Harrison

That a submission be made to the Boat Trailer Working Party with the following points:

- A. Council supports Recommendation No. 1 for delegation to be given to Councils to issue penalty notices for unregistered vehicles (both motor vehicles and trailers) on a road or road related area.
- B. Council recommends that the Impounding Act 1993 be amended to adopt the definitions of 'motor vehicle', 'trailer' and 'vehicle' from Road Transport (Safety and Traffic Management) Act 1999 for consistency and better ability to enforce restrictions under these Acts.
- C. Council supports Recommendation No. 2 that the Impounding Act 1993 be amended to include a definition of "unattended" but with an amendment to reduce the time frame from three months to six weeks.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

9.0 NOTICES OF RESCISSION

Nil

10.0 NOTICES OF MOTION

10.1 NOTICE OF MOTION NO 15/2013 - JOINT COLLABORATION OPPORTUNITIES WITH OTHER COUNCILS

166/13 RESOLVED

Cr Menano-Pires / Cr Heins

That, considering the recent released Draft Metropolitan Strategy, Planning and Local Government White Papers and their potential implications for the Warringah Local Government Area, in the interest of our Ratepayers:

- A. Council requests that the Mayor and General Manager initiate formal discussions with adjoining Councils of similar size to Warringah, namely Ku-Ring-Gai, Hornsby and Willoughby, in order to discuss joint collaboration opportunities in the areas of Procurement, Transport and others that may be applicable.
- B. A Progress Report be presented to Council, in Confidential Session if warranted, by October 2013.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

10.2 NOTICE OF MOTION NO 16/2013 - ALCOHOL AND DRUGS - ADVERTISING AND AWARENESS OF DANGERS

167/13 RESOLVED

Cr Daley / Cr Harrison

That Council write to the Federal and State Governments requesting that:

- A. Immediate action be taken to wind back alcohol related advertising and sponsorship in all its forms including mainstream and social media.
- B. Further awareness be generated in the community regarding the dangers of synthetic drugs, prescription drugs, performance enhancing drugs and illegal drugs.
- C. All donations to political parties and independent MPs by alcohol and drug companies and related industries be banned by further legislation. This to include both direct and indirect (through the back door) donations.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

11.0 QUESTIONS ON NOTICE**11.1 QUESTION ON NOTICE NO 9/2013 - EXPENDITURE ON FUNCTION ON 28 JUNE 2013 TO PRESENT COUNCIL'S NEW WEBSITE**

In accordance with Council's Code of Meeting Practice Clause 22(5) the question was deemed in order

11.2 QUESTION ON NOTICE NO 10/2013 - EXPENDITURE ON ADVERTISING OF THE NEW COUNCIL WEBSITE

In accordance with Council's Code of Meeting Practice Clause 22(5) the question was deemed in order

11.3 QUESTION ON NOTICE NO 11/2013 - COST TO CHANGE ALL EXISTING COUNCIL LOGOS TO THE NEW "W" LOGO

In accordance with Council's Code of Meeting Practice Clause 22(5) the question was deemed in order

12.0 RESPONSES TO QUESTIONS ON NOTICE**12.1 RESPONSE TO QUESTION ON NOTICE NO 6/2013 - PROPOSED KIOSK - DEE WHY BOAT SHED**

A response to the question on notice was provided in the business papers

12.2 RESPONSE TO QUESTION ON NOTICE NO 7/2013 - PROPOSED KIOSK - DEE WHY BOAT SHED STORAGE

A response to the question on notice was provided in the business papers

12.3 RESPONSE TO QUESTION ON NOTICE NO 8/2013 - COUNCIL BUSINESSES COMPETING WITH LOCAL SMALL BUSINESSES

A response to the question on notice was provided in the business papers

13.0 CONFIDENTIAL MATTERS – CLOSED SESSION

168/13 RESOLVED

Cr Regan / Cr Menano-Pires

- A. That, on the grounds and for the reasons stated below, the Council resolve into Closed Session to receive and consider the items identified as Confidential and listed on this Agenda as:

Item 13.3 RFT 2013/022 - Design Consultancy Services for Multipurpose Community Facility and Carpark at Dee Why

Matters to be Discussed During Closed Session - Section 10D

Item 13.3 RFT 2013/022 - Design Consultancy Services for Multipurpose Community Facility and Carpark at Dee Why

Grounds on which Matter Should be Considered in Closed Session – Section 10A(2)

Item 13.3 10A(2)(d(i)) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

Reason Why Matters are being considered in Closed Session – Section 10B

To preserve the relevant confidentiality, privilege or security of such information.

- B. That pursuant to Section 10A Subsections 2 & 3 and 10B of the Local Government Act 1993 (as amended), the press and public be excluded from the proceedings of the Council in Closed Session on the basis that the items to be considered are of a confidential nature.
- C. That the closure of that part of the meeting for the receipt or discussion of the nominated item or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information.
- D. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as Confidential and be withheld from access by the press and public, until such time as the reason for confidentiality has passed or become irrelevant because these documents relate to a matter specified in section 10A(2).
- E. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.

VOTING

For the resolution: Crs Daley, De Luca , Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Nil

CARRIED

NOTE: The meeting moved into closed session at 9:13pm and resumed in open session at 9:17pm

14.0 REPORT OF RESOLUTIONS PASSED BY EXCEPTION AND IN CLOSED SESSION

NOTE: The General Manager reported the resolutions on confidential matters passed by exception and in closed session:

13.1 FAMILY DAY CARE PROPOSAL

143/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Warringah Family Day Care absorb the Educators currently managed by Manly Family Day Care
- B. Manly Council's offer of a Play Session venue once per week at no charge for two years be accepted

RESOLVED BY EXCEPTION

13.2 RFT 2013/020 - CONSTRUCTION OF NARRABEEN LAGOON MULTI-USE TRAIL STAGE 2B

144/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Pursuant to Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender of Fleetwood Urban Pty Ltd for the Construction of the Narrabeen Lagoon Multi-Use Trail Stage 2B, as specified in Tender 2013/020, for the lump sum price of \$3,609,817.00 (ex GST)
- B. Pursuant to Section 377 (1) of the Local Government Act 1993, Council delegate authority to the General Manager to execute the contract with Fleetwood Urban Pty Ltd to Construct the Narrabeen Lagoon Multi-Use Trail Stage 2B, as specified in Tender 2013/020, including lump sum, contingency and provisional costs not exceeding a total value of \$3,900,000.00 (ex GST).

RESOLVED BY EXCEPTION

13.4 RFT 2013/028 - GLEN STREET THEATRE FOYER UPGRADE STAGE 1

145/13 RESOLVED

Cr Regan / Cr Menano-Pires

That:

- A. Pursuant to Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender from Keystone Projects Group Pty Ltd for RFT 2013/028 Major works to the Glen Street Theatre foyer and entry forecourt for the sum of \$1,615,123.00 excluding

GST.

- B. Pursuant to Section 377 (1) of the Local Government Act 1993, Council delegate authority to the General Manager to enter into a contract with Keystone Projects Group Pty Ltd and to approve contract variations up to the amount of \$184,877.00 excluding GST which represents an 11% contingency. This brings the total amount which can be committed under the delegation to \$ 1,800,000.00 excluding GST.

RESOLVED BY EXCEPTION

13.5 RFT T-CS-01/13 AUDITING SERVICES

146/13 RESOLVED

Cr Regan / Cr Menano-Pires

- A. That pursuant to Clause 178(1) of the Local Government (General) Regulations 2005 Council accept the tender from Hill Rogers Spencer Steer Assurance Partners to provide Auditing Services, as specified in RFT T-CS-01/13 for an initial year fee of \$83,000 plus GST (or \$78,500 plus GST if appointed by 3 or more Councils) with provision for an annual CPI increase.
- B. That pursuant to section 377(1) of the Local Government Act 1993 Council delegate authority to the General Manager to execute the contract with Hill Rogers Spencer Steer Assurance Partners to provide Auditing Services.

RESOLVED BY EXCEPTION

13.3 RFT 2013/022 - DESIGN CONSULTANCY SERVICES FOR MULTIPURPOSE COMMUNITY FACILITY AND CARPARK AT DEE WHY

169/13 RESOLVED

Cr Menano-Pires / Cr Heins

That:

- A. Pursuant to Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the tender of Francis-Jones Morehen Thorp Pty Ltd for RFT 2013/022 for Design Consultancy Services for Multipurpose Community Facility and Carpark at Dee Why, for the lump sum price of \$1,250,975.00 excluding GST (fire engineer excluded)
- B. Pursuant to Section 377 (1) of the Local Government Act 1993, Council delegate authority to the General Manager to enter into a contract with Francis-Jones Morehen Thorp Pty Ltd and to approve contract variations up to the amount of \$125,100.00 excluding GST which represents a 10% contingency. This brings the total amount which can be committed under the delegation to \$1,376,075.00 excluding GST.

VOTING

For the resolution: Crs Daley, Giltinan, Gobert, Harrison, Heins, Kerr, Menano-Pires, Moskal and Regan

Against the resolution: Cr De Luca

CARRIED

The meeting concluded at 9:20pm

This is the final page of the minutes comprising 34 pages
numbered 1 to 34 of meeting 2013/8 of Warringah Council
held on Tuesday 25 June 2013 and confirmed on Tuesday 6 August 2013

Mayor

General Manager