



Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

17 August 2015

Commencing at 6.30pm.

ATTENDANCE

Members

Townsend, J (Mayor & Chairperson)
Ferguson, K (Deputy Mayor)
Grace, B
Griffith, S
Hegarty, J
McTaggart, A
Millar, K
White, I
Young, S

Officers

Ferguson, M (General Manager)
Evans, S (Director, Environmental Planning & Community)
Hunt, C (Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Reid, P (Manager, Corporate Strategy & Commercial)
Johnston, S (A/Principal Officer, Corporate Strategy & Commercial)
Jones, M (Chief Financial Officer)
Godfrey, L (Manager, Community and Library Services)
Hewitt, M (Manager, Place Management)
William-Smith, P (Economic Development Coordinator)
Anwar, E (Urban Designer)
Gallery, S (Principal Officer, Governance)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

TABLE OF CONTENTS

Item No	Item	Page No
Council Meeting		
1.0	Public Forum	5
2.0	Resident Questions	5
3.0	Apologies	5
4.0	Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts	6
5.0	Confirmation of Minutes	6
6.0	Public Addresses	6
7.0	Councillor Questions with Notice	6
8.0	Mayoral Minutes	7
9.0	Business by Exception	7
10.0	Council Meeting Business	7
Leading and Learning Committee		
11.0	Leading and Learning Committee Business	8
C11.3	Draft Property Management Policy	8
C11.4	Minutes of the Dog Control Policy No 30 Review Working Group Meeting of 7 July 2015	9
C11.1	Investment Balances as at 31 July 2015	9
C11.2	Tender T01/15 SHOROC - Hygiene Services Manly, Mosman and Pittwater Councils and the City of Ryde	9
Sustainable Towns and Villages Committee		
12.0	Sustainable Towns and Villages Committee Business	10
C12.2	Tourism In Pittwater - Emerging Issues Paper	10
C12.3	Enliven Pittwater Progress Report	10
C12.1	Imagine Mona Vale - Engagement Summary for Mona Vale Place Plan	11
C12.4	Telstra Pocket Park - New Licence	11

Item No	Item	Page No
Council Meeting		
13.0	Adoption of Leading and Learning Committee Recommendations	12
14.0	Adoption of Sustainable Towns and Villages Committee Recommendations	12
Committee of the Whole		
15.0	Committee of the Whole Business	13
C15.1	Acceptance of a Gift of Land - Confidential	13
Council Meeting		
16.0	Adoption of the Committee of the Whole Recommendation	14

Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 6.38pm, recommenced at 7.39pm and adjourned at 7.40pm, recommenced at 8.17pm and concluded at 8.18pm.
2. The Leading and Learning Committee Meeting commenced at 6.39pm and concluded at 7.13pm.
3. The Sustainable Towns and Villages Committee Meeting commenced at 7.14pm and concluded at 7.38pm.
4. The Committee of the Whole Meeting commenced at 7.41pm and concluded at 8.16pm.

Council Meeting

1.0 Public Forum

Nil.

2.0 Resident Questions

Question 1 – Ms Marita Macrae (Pittwater Natural Heritage Association)

Will Pittwater Council initiate a working group representing all stakeholders, charged with the task of developing a regional, landscape scale plan with appropriate road crossings for fauna connectivity between all the reserves and national parks in the Ingleside area: Ingleside Chase Reserve, Katandra Bushland Sanctuary, Ku-ring-gai Chase and Garigal National Parks?

Response:

The General Manager responded that this was a very important issue and that Council has acquired other lands to ensure wildlife corridors throughout this region. Council could facilitate a Working Group as suggested however a better alternative would be for the RMS to form the group as a reference point for its environmental studies. The membership of that Working Group could include our partners in the Ingleside Land Release as well as other stakeholders.

3.0 Apologies

Nil.

4.0	Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts
------------	---

Nil.

5.0	Confirmation of Minutes
------------	--------------------------------

COUNCIL DECISION

That the Minutes of the Council Meeting held on 3 August, 2015, copies of which were circulated to all Councillors be and are hereby confirmed as a true and accurate record of the proceedings of that meeting.

(Cr Ferguson / Cr Millar)

6.0	Public Addresses
------------	-------------------------

Nil.

7.0	Councillor Questions with Notice
------------	---

Question 1 – Cr McTaggart:

I refer to the Allen Avenue Bilgola Beach pay and display car park. Can the General Manager explain why Council rangers or staff have taken no action to remove the steel frame from the pay and display parking place given that the frame has been in the same location since December 2014?

Can the General Manager also explain why the registered trailer U56617 has not been fined for not displaying a valid parking sticker noting that the trailer has been in the same pay and display space since December 2014?

Response:

Council values the vital role that the surf lifesaving clubs provide to our community. A strong partnership exists between the surf lifesaving clubs and Council, which involves regular negotiations on ensuring an appropriate use of parking facilities. Council does not issue fines to surf lifesaving clubs, although does provide an allocation of resident parking stickers as part of this process.

The Bilgola Surf Lifesaving Club has located a trailer and associated steel frame in the carpark, occupying two car parking spaces. The steel frame is a fitting for the trailer and is used to convey surf boards and other surf lifesaving equipment for carnivals and repairs. On occasion, the steel frame is removed to allow the trailer to be used for general purposes by the Surf Lifesaving Club caretaker. The trailer is usually fitted with a resident parking sticker, which the caretaker finds to be stolen on a regular basis.

Following discussions with rangers, Bilgola Surf Lifesaving Club has agreed to fit a further resident parking sticker to the trailer and to have the steel frame refitted to the trailer.

Question 2 – Cr McTaggart

Regarding resident requests to resolve drainage problems at the end of John Street Avalon, will the General Manager organise a site visit of staff and interested Councillors to see firsthand the problem and provide Councillors with a possible solution?

Response:

The northern ends of John Street and Joseph Street are low lying and the piped stormwater discharges to the extensive Careel Bay mudflats. The mudflats are higher than the pipe inverts and as such the outlets are partially submerged. The difficulty is finding a 'desire line' through the mangrove area to achieve a longer tail out to drain.

The Director of Urban and Environmental Assets, Mr Chris Hunt, has walked the area with Cr McTaggart and site levels have been taken to better predict what may be possible. On-site, the view was that the John Street outlet could possibly be linked to the Joseph Street outlet via a swale, and then concentrate on one tail out swale that also needs to have the least impact on the mangroves.

The April storms caused a diversion of resources and staff will now revisit what may be possible noting the site and environmental constraints and logistics at this location. It should be noted that a further influence is high tide levels that can cause a surcharge from stormwater pits.

A site visit can be organised for any Councillors who are interested.

8.0 Mayoral Minutes

Nil.

9.0 Business by Exception

COUNCIL DECISION

That Items C11.1, C11.2, C12.1 and C12.4 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Ferguson)

10.0 Council Meeting Business

Nil.

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Leading and Learning Committee Meeting now commence.

(Cr Millar / Cr Ferguson)

Notes:

1. The Council Meeting adjourned at 6.38pm and the Leading and Learning Committee Meeting commenced at 6.39pm.
 2. Cr Hegarty assumed the Chair.
-

Leading and Learning Committee

11.0 Leading and Learning Committee Business

C11.3 Draft Property Management Policy

COMMITTEE RECOMMENDATION

That the draft Property Management Policy be placed on public exhibition for a period of 28 days with a further report to Council to consider submissions received.

(Cr McTaggart / Cr White)

Note:

The following unsuccessful motion was submitted by Cr Young and seconded by Cr Griffith:

That the Draft Policy and workflow diagrams be amended prior to public exhibition as follows:

1. *That at 6) Professional Services*

i) *Valuations*

The wording in line 2 be changed to:

Council Officers will engage two registered Valuers

2. *That at 8) Property Transaction Types*

i) *Sale of Council Owned Land*

*dot point 6, the word **Generally** be removed to read:*

Council will not sell property which has future development potential for community facilities or commercial return

ii) *under Land Swaps*

*dot point 2, the word **two** be added, to read:*

Two independent valuations will be undertaken in all instances

3. *That the draft Property Management Policy be placed on public exhibition for a period of 28 days with a further report to be brought to Council to consider submissions received.*

C11.4	Minutes of the Dog Control Policy No 30 Review Working Group Meeting of 7 July 2015
--------------	--

COMMITTEE RECOMMENDATION

That the Minutes of the Dog Control Policy Review Working Group meeting from 7 July 2015 be noted.

(Cr White / Cr Griffith)

C11.1	Investment Balances as at 31 July 2015
--------------	---

COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Ferguson)

C11.2	Tender T01/15 SHOROC - Hygiene Services Manly, Mosman and Pittwater Councils and the City of Ryde
--------------	--

COUNCIL DECISION (By Exception)

1. That pursuant to Clause 178(1) of the Local Government (General) Regulation 2005, that the tender submitted by Enviro-LCS Pty Ltd, in the amount of \$59,249.83 inc GST, be accepted to provide hygiene services for a two (2) year period with three (3) optional extensions of one (1) year each available upon successful performance.
2. That upon receipt of resolutions from the participating Councils unsuccessful tenderers be notified by SHOROC of the tender outcome and thanked for their participation.
3. That the unsuccessful tenderers be notified of the tender outcome and thanked for their participation.

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Leading & Learning Committee Meeting be concluded and the Sustainable Towns and Villages Committee Meeting now commence.

(Cr Ferguson / Cr Griffith)

Notes:

1. The Leading and Learning Committee Meeting concluded at 7.13pm and the Sustainable Towns and Villages Committee Meeting commenced at 7.14pm.
2. Cr Griffith assumed the Chair.

Sustainable Towns and Villages Committee

12.0 Sustainable Towns and Villages Committee Business

C12.2 Tourism in Pittwater - Emerging Issues Paper

COMMITTEE RECOMMENDATION

1. That the Draft Tourism in Pittwater - Emerging Issues Paper be placed on public exhibition between 20 August and 20 September 2015.
2. That following the public exhibition period a further report is brought back to Council outlining submissions received.

(Cr McTaggart / Cr Townsend)

C12.3 Enliven Pittwater Progress Report

COMMITTEE RECOMMENDATION

1. That Council note the progress the Enliven Pittwater strategy achieved over the past six months.
2. That Council notes that an expression of interest for two community representatives for the Enliven Pittwater Leadership Group will be advertised in mid-August 2015 and will be for a period of 28 days.
3. That Council send letters of appreciation to the two community participants retiring from the Enliven Pittwater Leadership Group.

(Cr Griffith / Cr Millar)

C12.1	Imagine Mona Vale - Engagement Summary for Mona Vale Place Plan
--------------	--

COUNCIL DECISION (By Exception)

1. That Council note the outcomes and feedback within the Imagine Mona Vale – Engagement Summary document.
2. That the Imagine Mona Vale – Engagement Summary document be placed on Council's website and distributed to key stakeholders.

(Cr Hegarty / Cr Ferguson)

C12.4	Telstra Pocket Park - New Licence
--------------	--

COUNCIL DECISION (By Exception)

That a 20 year licence for the Telstra Pocket Park (Lot 1 DP 555463 Old Pittwater Road, Mona Vale) be endorsed.

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Sustainable Towns and Villages Committee Meeting be concluded and the Council Meeting now recommence.

(Cr Millar / Cr Ferguson)

Notes:

1. The Sustainable Towns and Villages Committee Meeting concluded at 7.38pm and the Council Meeting recommenced at 7.39pm.
2. Cr Townsend resumed the Chair.

Council Meeting

13.0	Adoption of Leading and Learning Committee Recommendations
-------------	---

COUNCIL DECISION

That the recommendations of the Leading and Learning Committee on Items C11.3 and C11.4 comprising all Council members be and are hereby adopted.

(Cr Ferguson / Cr Young)

14.0	Adoption of Sustainable Towns and Villages Committee Recommendations
-------------	---

COUNCIL DECISION

That the recommendations of the Sustainable Towns and Villages Committee on Items C12.2 and C12.3 comprising all Council members be and are hereby adopted.

(Cr Griffith / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That Council resolve into Committee of the Whole and that in the public interest and in accordance with Section 10A(2)(d) of the Local Government Act, 1993, the public and press be excluded from the meeting to consider Item C15.1. Section 10A(2)(d) permits the Committee to close the meeting to consider:

- (d) *Commercial information of a confidential nature that would, if disclosed:-*
- *prejudice the commercial position of the person who supplied it; or*
 - *confer a commercial advantage on a competitor of the Council; or*
 - *reveal a trade secret;*

(Cr Hegarty / Cr Griffith)

Notes:

1. The Council Meeting adjourned at 7.40pm.
2. The General Manager advised the meeting that he had received no written submissions from the public seeking to address the Committee on whether the meeting should be closed to consider Item C15.1. The Chairperson invited those in attendance to make verbal representations on whether the meeting should be closed to consider Item C15.1. There were no requests to make a verbal representation.
3. Council resolved into Committee of the Whole at 7.41pm with the press and public excluded to consider the report on Item C15.1.

Committee of the Whole

15.0 Committee of the Whole Business

C15.1 Acceptance of a Gift of Land - Confidential

COMMITTEE RECOMMENDATION

1. That Council agree in principle to accept the gift of land (Lot2/24B and 3/24C) from the local resident as defined in her Will (dated 5 December 2006).
2. On transfer of this land it remains in existing zone (RU2) and is classified as operational land in accordance with s31 of Local Government Act (1993).
3. On transfer of this land a report will be brought to Council to determine the future use of the land.

(Cr Griffith / Cr Townsend)

Notes:

1. A division was duly taken resulting in the following voting:

Aye (For)	No (Against)
Cr Ferguson	Cr Young
Cr Griffith	
Cr Grace	
Cr Hegarty	
Cr McTaggart	
Cr Millar	
Cr Townsend	
Cr White	

2. The following amendment moved by Cr Young lapsed for want of a seconder:

1. *That Council agree in principle to accept the gift of land (Lot2/24B and 3/24C) from the local resident as defined in her Will (dated 5 December 2006).*
2. *On transfer of this land it is classified as Community land in accordance with s31 of Local Government Act (1993).*
3. *On transfer of this land a report will be brought to Council to determine the future use of the land.*

Council Meeting

Procedural Motion (COUNCIL DECISION)

That the Committee of the Whole Meeting be concluded and the Council Meeting now recommence.

(Cr Ferguson / Cr White)

Notes:

1. The Committee of the Whole Meeting concluded at 8.16pm and the Council Meeting recommenced at 8.17pm.
2. Upon resumption into Open Council the General Manager reported that the following recommendation on Item C15.1 had been formulated by the Committee of the Whole in Closed Session.

16.0 Adoption of the Committee of the Whole Recommendation

COUNCIL DECISION

That the recommendation of the Committee of the Whole on Item C15.1 comprising all Council members be and is hereby adopted.

(Cr Griffith / Cr Millar)

Note:

A division was duly taken resulting in the following voting:

Aye (For)

Cr Ferguson
Cr Griffith
Cr Grace
Cr Hegarty
Cr McTaggart
Cr Millar
Cr Townsend
Cr White

No (Against)

Cr Young

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT
8.18PM ON MONDAY 17 AUGUST 2015**