



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

21 September 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)
Gallery, S (Principal Officer, Governance)
McPherson, S (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
C12.1	Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 19 August 2015	7
10.0	Council Meeting Business	7
C10.1	Election of Mayor - 2015/2016 Mayoral Term	8
C10.2	Election of Deputy Mayor - 2015/2016 Mayoral Term	8
C10.3	Notice of Motion - Fit for the Future - Legal Advice - Cr Grace	9
Leading and Learning Committee		
11.0	Leading and Learning Committee Business	10
C11.1	Appointment of Principal Committees and Reference Groups 2015	10
C11.2	Councillor Expenses Policy No 145	11
C11.3	Report on Conference Attendance - 2nd Affordable Housing Summit - Cr Ferguson and Cr Townsend	11
C11.4	Minutes of the Avalon to Palm Beach Floodplain Risk Management Study & Plan Working Group 3 September 2015 Meeting Report	12

Item No	Item	Page No
C11.5	Minutes of the Leading and Learning Reference Group Meeting held on 26 August 2015	12
Council Meeting		
13.0	Adoption of Leading and Learning Committee Recommendations	13

Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 7.14pm, recommenced at 8.00pm and concluded at 8.01pm.
2. The Leading and Learning Committee Meeting commenced at 7.15pm and concluded at 7.59pm.

Council Meeting

1.0 Public Forum

Nil.

2.0 Resident Questions

Question 1 – Marcia Rackham

The Aurora Building at Mona Vale is largely affected by rain with a large puddle developing at the entrance on each occasion, could the General Manager please rectify this problem puddle before someone is injured?

Answer:

Council is currently working with the contractor in regards to this development and they are working on a solution to this problem and it is expected to be rectified in the near future.

Question 2 – Marcia Rackham

What is our Council proposing to do during this period to reaffirm to the 56,370 people (89% of Pittwater population) the message that we are Fit for the Future?

Answer

Council has received a letter from Pittwater Forever who are supporting Council at present and are in the process of scheduling a meeting with the Mayor to discuss a number of community events they would like conduct in regards to this matter.

The meeting will be with the Mayor Cr Townsend, Gavin Butler and Tony Tinney.

3.0 Apologies

Nil.

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

5.0	Confirmation of Minutes
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COUNCIL DECISION

That the Minutes of the Council Meeting held on 7 September 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 White)

6.0	Public Addresses
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C10.3 – Notice of Motion – Fit for the Future – Legal Advice – Cr Grace – with the leave of the Council Mr Chris Hornsby, Mr Storm Jacklin and Mr Ian Kennedy addressed the meeting speaking in support of the recommendation on this item.

7.0	Councillor Questions with Notice
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Question 1 – Cr Millar

When will the construction of the road and footpath in Garden Street opposite the 23b McPherson Street development begin and be completed?

Response:

Garden St opposite the 23b McPherson Street development - The design has been prepared for the half width reconstruction of Garden Street as well as the return into MacPherson and the roundabout at the intersection of Garden Street and MacPherson Street. The contract documentation process has commenced with the aim of calling tenders and accepting a successful tenderer by the last Council meeting this year, with construction to occur over the first half of 2016.

Question 2 – Cr Millar

When will the construction of the new bridge and footpath over the flood prone area of McPherson Street begin and be completed?

Response:

Macpherson Street - Design and contract documentation process continues with the aim of accepting a successful tenderer to construct MacPherson Street between Boondah Road and Warriewood Road as well as the roundabout at the intersection of MacPherson Street and Warriewood Road and return to Vuko Place. The timing is to have the MacPherson Street project ready to commence construction as soon as possible after works in Garden St have been completed.

8.0 Mayoral Minutes

Nil.

9.0 Business by Exception

COUNCIL DECISION

That Item C12.1 be dealt with by exception and the recommendation contained in the report for this item be adopted.

(Cr Hegarty / Cr Ferguson)

C12.1 Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 19 August 2015

COUNCIL DECISION (By Exception)

1. That Council note the Minutes of the Sustainable Towns and Villages Reference Group Reference Group Meeting held on 20 May 2015 that relate to the discussion.
2. That Council note, in particular, the following Reference Points from that meeting:
 - 2.2 Member Presentation on Roadkill and Fauna Connectivity
 1. The Reference Group thanked Mr David Palmer, Pittwater Natural Heritage Association for his presentation on this item.
 2. That the group supports the creation of a working group to develop a plan for road crossings and fauna corridors across Mona Vale Road and the Ingleside precinct and that RMS be approached as the lead agency.
 - 2.3 Bike Plan Workshop
 1. That the verbal update by Ms Michelle Carter, Road Safety Officer on the bike plan and the discussions recorded during the workshop be noted.
 2. Members are encouraged to circulate the Bike Plan Survey to their networks.
 3. That members be provided with an update at the Sustainable Towns and Villages Reference Group meeting in November.

(Cr Hegarty / Cr Ferguson)

Note:

This matter was considered by Council by exception and as a consequence Council did not resolve into the Sustainable Towns and Villages Committee to consider this item.

10.0 Council Meeting Business

C10.1 Election of Mayor - 2015/2016 Mayoral Term

COUNCIL DECISION

1. That nominations be called for candidates for the Office of Mayor for the 2015/2016 Mayoral Term.
2. That in the event that two or more candidates accept nomination for the Office of Mayor, Council conduct the election of Mayor for the 2015/2016 Mayoral Term by open voting.
3. That an election be held in accordance with the provisions of the Local Government (General) Regulation 2005.

(Cr Grace / Cr Young)

Proceedings in Brief

1. Cr Townsend vacated the Chair at this juncture.
2. The Manager, Administration and Governance, was nominated as the Returning Officer by the General Manager.
3. The Returning Officer called for nominations for the Office of Mayor for the 2015/2016 Mayoral Term and the following nominations were received:

**Cr Townsend
Cr Hegarty**

Notes:

1. The Returning Officer took the floor and conducted the election for Mayor by way of open voting.
2. The Returning Officer declared Cr Townsend elected as Mayor five votes to four votes upon the show of hands.
3. Cr Townsend assumed the Chair.

C10.2 Election of Deputy Mayor - 2015/2016 Mayoral Term

COUNCIL DECISION

1. That nominations be called for candidates for the Office of Deputy Mayor for the 2015/2016 Mayoral Term.
2. That in the event of two or more candidates accepting nomination for the Office of Deputy Mayor, Council conduct the election of Deputy Mayor for the 2015/2016 Mayoral Term open voting.
3. That an election be held in accordance with the provisions of the Local Government (General) Regulation 2005.

4. That the Deputy Mayor be elected for the full 2015/2016 Mayoral Term.

(Cr Ferguson / Cr Grace)

Proceedings in Brief

1. The Manager, Administration and Governance, was nominated as the Returning Officer by the General Manager.
2. The Returning Officer called for nominations for the Office of Deputy Mayor for the 2015/2016 Mayoral Term and the following nominations were received:

**Cr Ferguson
Cr Griffith**

Notes:

1. The Returning Officer took the floor and conducted the election for Deputy Mayor by way of open voting.
2. The Returning Officer declared Cr Ferguson elected as Deputy Mayor five votes to four votes upon the show of hands.

C10.3	Notice of Motion - Fit for the Future - Legal Advice - Cr Grace
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COUNCIL DECISION

1. That Council obtains further legal advice, as a matter of urgency, from Counsel as to the rights, obligations, duties and responsibility of staff and Councillors in relation to resolutions that have been adopted by Councillors.
2. That such advice include the future conduct of staff and Councillors in relation to the implementation of such resolutions
3. That such advice include as to whether staff and Councillors, in performance of their responsibility, are able to express a contrary view as to any such resolution.
4. That such advice take into account any Local Government Act or Regulations, Council's Code of Conduct, any State Government Code of Conduct and any other relevant regulation or decisions.

(Cr Grace / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That Cr Grace be granted an extension of 2 minutes to enable him to finish his address to the meeting on this item.

(Cr Millar / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

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

(Cr Townsend / Cr Young)

Notes:

1. The Council Meeting adjourned at 7.14pm and the Leading and Learning Committee Meeting commenced at 7.15pm.
2. Cr Hegarty assumed the Chair.

Leading and Learning Committee

11.0 Leading and Learning Committee Business

C11.1 Appointment of Principal Committees and Reference Groups 2015

COMMITTEE RECOMMENDATION

1. That the following four (4) Principal Committees, comprising all Councillors, with a quorum of five members, be appointed with the functions and meeting cycles as outlined in paragraph 3.2.2 of this report:
 - Connecting Communities Committee
 - Natural Environment Committee
 - Leading and Learning Committee
 - Sustainable Towns and Villages Committee
2. That the following four (4) Reference Groups, be reappointed in accordance with the Charters provided at Attachments 1 to 4 of this report:
 - Connecting Communities Reference Group
 - Natural Environment Reference Group
 - Leading and Learning Reference Group
 - Sustainable Towns and Villages Reference Group
3. That Chairperson to each Principal Committee and each Reference Group for the period October 2015 to September 2016 remain as per the previous term.

(Cr Young / Cr Griffith)

Note:

The following unsuccessful motion was moved by Cr Townsend and seconded by Cr Millar:

- “1. That the following four (4) Principal Committees, comprising all Councillors, with a quorum of five members, be appointed with the functions and meeting cycles as outlined in paragraph 3.2.2 of this report:
 - Connecting Communities Committee
 - Natural Environment Committee
 - Leading and Learning Committee
 - Sustainable Towns and Villages Committee
2. That the following four (4) Reference Groups, be reappointed in accordance with the Charters provided at Attachments 1 to 4 of this report:
3. Connecting Communities Reference Group
 - Natural Environment Reference Group
 - Leading and Learning Reference Group
 - Sustainable Towns and Villages Reference Group
4. That Council reappoints the chairpersons currently residing on the Leading & Learning and Connecting Communities principal committees and Cr White be appointed as Chairperson of the Sustainable Towns and Villages Committee and Cr Griffith be appointed Chairperson of the Natural Environment Committee.
5. That the Reference Group Chairpersons remain as previously appointed for the 2014/2015 term.

C11.2	Councillor Expenses Policy No 145
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COMMITTEE RECOMMENDATION

1. That the Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors, be placed on public exhibition for a period of 28 days, subject to the minor amendments suggested to *“Procedures for processing of expenses incurred”*.
2. At the completion of the Public Exhibition period a further report be brought to Council with details of submissions received.

(Cr Townsend / Cr Millar)

C11.3	Report on Conference Attendance - 2nd Affordable Housing Summit - Cr Ferguson and Cr Townsend
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COMMITTEE RECOMMENDATION

That the information provided in the report be noted.

(Cr Townsend / Cr Ferguson)

C11.4	Minutes of the Avalon to Palm Beach Floodplain Risk Management Study & Plan Working Group 3 September 2015 Meeting Report
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COMMITTEE RECOMMENDATION

That the information on the Minutes of the Avalon to Palm Beach Floodplain Risk Management Study & Plan Working Group be noted.

(Cr McTaggart / Cr White)

C11.5	Minutes of the Leading and Learning Reference Group Meeting held on 26 August 2015
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COMMITTEE RECOMMENDATION

1. That Council note the Minutes of the Leading & Learning Reference Group Meeting held on 26 August 2015 that relate to the discussion on:
 - The Audit & Risk Committee and the Internal Audit Function
 - Review and Public Exhibition of the Climate Change Policy No. 176
 - Storm Experiences and Communication
 - Reference Group Priorities Workshop
 - Business Arising: 2015 Submission – A R Bluett Memorial Award
2. That Council note the following reference points from that meeting:
 - 2.1 Review and Public Exhibition of the Climate Change Policy No. 176
 - That the revised Climate Change Policy No. 176 and the revised Climate Action Plan Framework currently on public exhibition be noted by the Leading & Learning Reference Group.
 - That Pittwater Council proactively introduce incentives / initiatives for its residents to mitigate climate change.
 - 2.2 2015 Submission – The A R Bluett Memorial Award
 - That staff be congratulated on the quality of the submission document.
 - 2.3 Storm Experiences and Communication
 - That Council staff be congratulated on their rapid response during the recent storms, for both assistance on the ground and communication throughout the event.
 - That Council consider a longterm strategy in regard to the safety and viability of street trees, including the assessment and safe removal of vulnerable trees where appropriate.

(Cr Young / Cr Griffith)

Procedural Motion (COUNCIL DECISION)

That the Leading and Learning Committee Meeting be closed and the Council Meeting now recommence.

(Cr Millar / Cr Griffith)

Notes:

1. The Leading and Learning Committee Meeting concluded at 7.59pm and the Council Meeting recommenced at 8.00pm.
 2. Cr Townsend assumed the Chair.
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Council Meeting

13.0 Adoption of Leading and Learning Committee Recommendations**COUNCIL DECISION**

That the recommendations of the Leading and Learning Committee on Items C11.1, C11.2, C11.3, C11.4 and C11.5 comprising all Council members be, and are hereby, adopted.

(Cr Ferguson / Cr White)

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 8.01 PM ON MONDAY
21 SEPTEMBER 2015**