



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

5 August 2013

Commencing at 6.36pm.

ATTENDANCE

Members

Townsend, J (Mayor & Chairperson)
Grace, B (Deputy Mayor)
Ferguson, K
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)
Godfrey, L (Manager Community, Library & Economic Development)
Lawrence, W (Manager, Administration & Governance)
Lofts, J (Manager, Environmental Compliance)
Munn, L (Manager, Reserves, Recreation & Building Services)
Pigott, A (Acting Manager Planning and Assessment)
Shaw, M (Manager, Urban Infrastructure)
Greenow, D (Principal Development Compliance Officer)
Wilkinson, K (Senior Strategic Planner)
Tite, M (Senior Strategic Planner)
McPherson, S (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.36pm and adjourned at 8.30pm, recommenced at 9.56pm and adjourned at 9.58pm, recommenced at 10.11pm and concluded at 10.12pm.
2. The Community Recreation and Economic Development Committee Meeting commenced at 8.31pm and concluded at 9.50pm.
3. The Natural Environment Committee Meeting commenced at 9.51pm and concluded at 9.55pm.
4. The Committee of the Whole Meeting commenced at 9.59pm and concluded at 10.10pm.

Council Meeting

1.0 Apologies

Nil.

2.0 Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts

The following Councillors declared a Schedule 3A Special Disclosure of Pecuniary Interest in Item C8.1 – Draft Pittwater Local Environmental Plan 2013, having a proprietary interest in land identified in the Draft PLEP. As permitted under Section 451 of the Local Government Act, Councillors tabled their declaration forms and remained in the meeting, participating in discussion and voting on this item.

- Cr Ferguson
- Cr Griffith
- Cr Hegarty
- Cr McTaggart
- Cr Millar
- Cr Townsend
- Cr White
- Cr Young

3.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 15 July 2013 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 Millar / Cr White)

4.0 Public Addresses

C8.1 – Draft Pittwater Local Environment Plan 2013 – with the leave of the Council Ms Cathy Kubany, Ms Marcia Rackham, Ms Ursula Lang, Mr Jason Crawford, Ms Lucille Guinan and Mr Garry Eastburn addressed the meeting speaking against the recommendation on this item, and Ms Emma Links addressed the meeting speaking in support of the recommendation on this item.

C9.4 – Minutes of the Pittwater Traffic Committee Meeting held on 11 June 2013 - with the leave of the Council Ms Judy Spicer addressed the meeting speaking against the recommendation on this item, and Ms Zena Maxwell addressed the meeting speaking in support of the recommendation on this item.

5.0 Councillor Questions on Notice

Nil.

6.0 Mayoral Minutes

C6.1 Mayoral Minute - Improving Pedestrian Safety on Narrabeen Bridge

COUNCIL DECISION

1. That Council notes the response from NSW Transport, Roads & Maritime Services dated 3 July 2013.
2. That Council commence discussions with RMS to improve pedestrian safety at the bridge.
3. That Warringah Council also be advised.

(Cr Townsend)

7.0 Business by Exception

COUNCIL DECISION

That Items C9.1, C10.2 and C10.3 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr White / Cr Hegarty)

8.0	Council Meeting Business
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C8.1	Draft Pittwater Local Environmental Plan 2013
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COUNCIL DECISION

1. That the information in this report be noted.
2. That the information in the Community Engagement Outcomes Report, as tabled, be noted.
3. That the recommended changes to the draft Pittwater LEP 2013, listed in the table at Attachment 3, be endorsed.
4. That the amended draft Pittwater Local Environmental Plan 2013 written instrument and maps, as tabled, be adopted.
5. That the amended draft Pittwater LEP 2013 written instrument, maps and supporting documentation, as tabled, be forwarded to the Department of Planning & Infrastructure (DP&I) and Parliamentary Counsel for a draft opinion.
6. That once a draft opinion is received from the Department of Planning & Infrastructure (DP&I) and Parliamentary Counsel, the second public exhibition of the draft Pittwater LEP 2013 be commenced for 28 days in accordance with the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*.
7. That public notice of the second public exhibition be given in accordance with Section 66 of the *Environmental Planning and Assessment Act 1979*.
8. That written notice of the second public exhibition be given to all Pittwater land owners, registered Pittwater community groups and chambers of commerce, and relevant public authorities and State agencies.
9. That following the second public exhibition, Council shall consider a report on the outcomes of the exhibition and any submissions received.
10. That Council undertake further investigation and consultation on the appropriateness of the 1,200m² minimum subdivision lot size standard, including consultation with affected property owners and the wider Pittwater community, commencing in the first half of 2014, following the finalisation of the Pittwater LEP 2013.
11. That Council undertake a strategic review of the land use planning provisions relating to the Pittwater waterway, commencing in July 2015.

12. That the draft Pittwater LEP 2013 Height of Buildings Map, as tabled be amended to facilitate the recommendations of the Warriewood Valley Strategic Review, which permits development up to three storeys on certain land. In this regard the draft Pittwater LEP 2013 Height of Buildings Map should be amended to permit development up to 10.5m in the following sectors:

- Sector 101
- Sector 301, 302, 303
- Sector 501
- Sector 801
- Sector 901A, B, C, D, E, F & G
- Buffer Area 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l
- Buffer Area 2a
- Buffer Area 3b

13. That the draft Pittwater LEP 2013 Height of Buildings Map and Clause 4.3, as tabled, be amended in accordance with the current provisions of the Pittwater 21 DCP clause 'D9.4 Height – General' which permits development for the purposes of shop top housing in the Mona Vale Locality (shown on DCP map No. P21DCP-D09MDCP451) to have a height of up to 10.0m where the top floor is setback 6.0m from the street frontage.

14. That Council undertake a review of the proposed zoning of the road reserve lands known as lots 28-35 DP20097 and 243-245 McCarrs Creek Road.

(Cr White / 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 unsuccessful motion moved by Cr Young lapsed for want of a seconder:

"1. That the information in this report be noted.

2. That the information in the Community Engagement Outcomes Report, as tabled, be noted.

3. That the recommended changes to the draft Pittwater LEP 2013, listed in the table at Attachment 3, be endorsed, except for the following:

1. Amend Schedule 1 (Additional permitted uses)as follows:

12 – Use of certain land at Kitchener Park, Pittwater Road, Mona Vale

(2) Development for purposes of shops is permitted with consent, where they are associated with a skate park facility and where the gross floor area does not exceed 100 square metres".

2. Amend clause C7.9 (Foreshore Area and Access)

- (2) Development consent must not be granted for development on land in the foreshore area below the foreshore building line except for the following purposes:
- (a) The alteration, **within the existing building footprint and envelope** or rebuilding of an existing building wholly or partly on land in the foreshore area below the foreshore building line, if the topography, site characteristics or other exceptional features of the site make it appropriate to do so.
 - (b) ~~the erection of a building on land in the foreshore area below the foreshore building line, if the topography, site characteristics or other exceptional features of the site make it appropriate to do so, (Deleted)~~
 - (c) development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, inground swimming pools at natural ground level, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors), **if the topography, site characteristics or other exceptional features of the site make it appropriate to do so.**

3. Amend the draft Lot Size Map by adding the following properties:

- 513, 515, 519, 523 to 535 Barrenjoey Road, Bilgola Beach
- 43 Binburra Avenue, Avalon
- 51, 52A and 52B Attunga Road, Newport
- 92, 100 and 108 Wakehurst Parkway, Elanora Heights
- 221 Whale Beach Road (Lot B DP368505), Whale Beach
- ~~231, 233, 235, 237, 239 and 243-245 McCarrs Creek Road (Lots 28-35 DP 20097), Church Point (Deleted)~~

4. Amend the Draft Land Zoning map for the following properties:

- 108 Wakehurst Parkway, Elanora Heights, E4 Environmental living
 - 7a Wakehurst Parkway (Lot 2 DP618388) – R2 Low Density Residential
 - 231, 233, 235, 237, 239 and 243-245 McCarrs Creek Road (Lots 28-35 DP20097), Church Point – **E2 Environmental Conservation**
 - **185 McCarrs Creek Road, Church Point - 9(d) to E2 Environmental Conservation”.**
4. That the amended draft Pittwater Local Environmental Plan 2013 written instrument and maps, as tabled and as amended in 3 above, be adopted.
5. That the amended draft Pittwater LEP 2013 written instrument, maps and supporting documentation, as tabled and as amended in 3 above, be forwarded to the Department of Planning & Infrastructure (DP&I) and Parliamentary Counsel for a draft opinion.
6. That once a draft opinion is received from the Department of Planning & Infrastructure (DP&I) and Parliamentary Counsel, the second public exhibition of the draft Pittwater LEP 2013 be commenced for 28 days in accordance with the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.
7. That public notice of the second public exhibition be given in accordance with Section 66 of the Environmental Planning and Assessment Act 1979.

8. *That written notice of the second public exhibition be given to all Pittwater land owners, registered Pittwater community groups and chambers of commerce, and relevant public authorities and State agencies.*
 9. *That following the second public exhibition, Council shall consider a report on the outcomes of the exhibition and any submissions received.*
 10. *That Council undertake further investigation and consultation on the appropriateness of the 1,200m² minimum subdivision lot size standard, including consultation with affected property owners and the wider Pittwater community, commencing in the first half of 2014, following the finalisation of the Pittwater LEP 2013.*
 11. *That Council undertake a strategic review of the land use planning provisions relating to the Pittwater waterway, commencing in July 2015.*
 12. *That the draft Pittwater LEP 2013 Height of Buildings Map, as tabled be amended to facilitate the recommendations of the Warriewood Valley Strategic Review, which permits development up to three storeys on certain land. In this regard the draft Pittwater LEP 2013 Height of Buildings Map should be amended to permit development up to 10.5m in the following sectors:*
 - *Sector 101*
 - *Sector 301, 302, 303*
 - *Sector 501*
 - *Sector 801*
 - *Sector 901A, B, C, D, E, F & G*
 - *Buffer Area 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k, 1l*
 - *Buffer Area 2a*
 - *Buffer Area 3b*
 13. *That the draft Pittwater LEP 2013 Height of Buildings Map and Clause 4.3, as tabled, be amended in accordance with the current provisions of the Pittwater 21 DCP clause 'D9.4 Height – General' which permits development for the purposes of shop top housing in the Mona Vale Locality (shown on DCP map No. P21DCP-D09MDCP451) to have a height of up to 10.0m where the top floor is setback 6.0m from the street frontage."*
3. The following Councillors declared a Schedule 3A Special Disclosure of Pecuniary Interest in Item C8.1 – Draft Pittwater Local Environmental Plan 2013, having a proprietary interest in land identified in the Draft PLEP. As permitted under Section 451 of the Local Government Act, Councillors tabled their declaration forms and remained in the meeting, participating in discussion and voting on this item.
- Cr Ferguson
 - Cr Griffith
 - Cr Hegarty
 - Cr McTaggart
 - Cr Millar
 - Cr Townsend
 - Cr White
 - Cr Young

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Community Recreation and Economic Development Committee Meeting now commence.

(Cr Griffith / Cr Hegarty)

Notes:

1. The Council Meeting adjourned at 8.30pm and the Community Recreation and Economic Development Committee Meeting commenced at 8.31pm.
2. Cr Millar assumed the Chair.

Community, Recreation and Economic Development Committee

9.0 Community, Recreation and Economic Development Committee Business

C9.1 SHOROC RFT 2013 027 - Supply and Application of Linemarking and Sign Posting

COUNCIL DECISION (By Exception)

1. That pursuant to Clause 178(1) of the Local Government (General) Regulation 2005, the Tenders received from:
 - Complete Linemarking Services Pty Limited
 - Workforce Road Services Pty Limited
 - Workforce Road Services Pty Limited
 - Combined Traffic Management Pty Limited
 - Atlantis Group of Companies Pty Limited
 - Hunt Civil Pty Limited

as per the tendered schedule of rates for the Supply and Application of Line Marking and Sign Posting, be accepted and that these companies be placed on a Panel for a contract period of an initial two (2) year period with a one (1) year option for extension available upon successful performance.

2. That work be made available to all panel members in the services tendered on a cheapest rate/first available basis.

(Cr White / Cr Hegarty)

C9.4	Minutes of the Pittwater Traffic Committee Meeting held on 11 June 2013
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COMMITTEE RECOMMENDATION

1. That the Traffic Committee recommendations contained in the Minutes of the Meeting of 11 June 2013 be adopted.
2. That item TC4.2 be amended as follows:
 1. Extend the existing 'No stopping' restrictions along the inside curve of the south-western corner by 6m northwards.
 2. That extending the existing 'No Stopping' restrictions on the western side of Angophora Circuit, adjacent to the driveway to no. 13 – 19 by 6m in each direction be deferred for 6 months and returned to the Traffic Committee for further consideration.
3. That the following conditions be added to the recommendation on item TC4.6:
 10. The TMP be implemented by persons with Traffic Control qualifications acceptable to RMS.
 11. That any traffic control to only be carried out by persons with appropriate Traffic Control qualifications acceptable to RMS.
 12. That barriers and signs to be used in the road closures are to be to RMS standards.

(Cr Hegarty / Cr Griffith)

C9.2	Swimming Pools Inspection Program
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COMMITTEE RECOMMENDATION

1. That the information provided in the report be noted.
2. That the enclosed draft swimming pools inspection program is placed on public exhibition for 28 days and submissions be invited from the public.
3. That following the period of public exhibition and consideration of any submissions received, the draft swimming pools inspection program be reported back to Council for further consideration.
4. That it be noted that infringement notices can be issued for up to an amount of \$550.

(Cr Griffith / Cr Hegarty)

C9.3	Policy Review - Community, Recreation & Economic Development Committee
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Procedural Motion (COUNCIL DECISION)

Cr Hegarty moved that the motion be put (Cl. 250 4(b)). The motion on being put to the meeting was carried.

(Cr Hegarty)

COMMITTEE RECOMMENDATION

1. That the following draft amended policies be endorsed for the purposes of public exhibition (as shown in **Attachment 2**):

No.	Policy Name	Amendment Proposed
18	Parking Permits – Issue of Annual Permits – Waiving of Annual Fees	Amend 6(d) to include Peninsula Living
26	Storage of Water Craft	Reformat – Consistent fonts
30	Dog Control	<ul style="list-style-type: none"> - Prohibited Areas to include Turimetta Reserve, Careel Bay Intertidal area, Irrawong Reserve to the waterfall, Ingleside Chase Reserve and Bangalley Headland Reserve to be consistent with Bicentennial Coastal Walkway plus Ingleside Close on environmental grounds -Wildlife protection area list to include Deep Creek (Foreshore) Reserve, North Narrabeen. - 21 rather than 20 bushland reserves to be consistent with list - 6 'sketches' rather than 7 to be consistent with the 'sketches'
43	Clothing Recycling Bins on Council Controlled Land	- Inclusion of (f) requiring bins to be kept clean
97	Public Collections / Appeals	Delete reference to Policy 53 in headline and point (5) as it was previously repealed.
98	Helicopter Landings on Council Owned and Controlled Property	<ul style="list-style-type: none"> - Minor re-format on page 1 - Delete on page (2) and (3) the paragraph titled 'Amendments' and 'Council Decision' as these are past decisions of Council
100	Circuses	Delete point (3) as this procedure is part of another Policy
102	Speed Restriction – Signs on Public Reserves and Carparks	'20kph' replaced by '10kph' and Bayview Park, Rowland Reserve, Avalon Golf Course carpark and Clareville Beach carpark added
120	Open Air Concerts	Clarification as to what is a concert relative to market days, festivals etc.

No.	Policy Name	Amendment Proposed
154	Smoke Free Zones around Pittwater	Section headed "Smoke Free Areas" updated to reflect early 2013 amendments to the Smoke Free Environment Act 2000.
167	Youth	Objectives simplified, reformatted and made clearer
169	Open Air Cinema Events on Council Controlled Land	Delete words after ' <i>best practice standards</i> ' in 3 rd paragraph of 'Objectives' Delete 3 rd paragraph in 'Policy Statement' Delete 3 rd dot point amended to allow operation in school holidays, unlimited in length but still be limited to 3 events per year in 'Conditions of Operation ' and replace with ' <i>No films with ratings of 'MA' or 'R' be permitted</i> ' Delete in dot point 5 all words after 'relevant' and replace with ' <i>legislation and plans</i> ' Delete 6 th dot point relating to 'first release'
190	Direct Financial Assistance Mayoral Donation Program	Delete in 2 nd paragraph in 'Policy Statement' words ' <i>which in 2010/2011 is \$6000</i> '

2. That Policy No. 43 not be endorsed for the purpose of public exhibition and be deferred for staff to undertake an audit of all charity bins located in Pittwater and refer the audit along with the proposed policy back to Council.
3. That in relation to Policy No. 30 - Dog Control the following amendments to the Policy be made:

- (i) Add Careel Bay Intertidal area and Irrawong Reserve to the waterfall to the list of Prohibited Areas with the new wording:

Dog Prohibited Areas

All beaches, Warriewood Wetlands, Turimetta Reserve, Ingleside Chase Reserve, **Careel Bay Intertidal area, Irrawong Reserve to the waterfall**, Ingleside Chase Reserve and Bangalley Headland Reserve to be consistent with Bicentennial Coastal Walkway plus Ingleside Close on environmental grounds

- (ii) Add **Deep Creek (Foreshore) Reserve, North Narrabeen** to the Wildlife Protection Areas list

4. That Policy No 154 and 169 be deferred to allow further consideration by Councillors.
5. That Policy 129 "Signs – Council Facilities" be revoked.
6. That on completion of the public exhibition period, a further report be provided to Council addressing any public submissions received.

(Cr Millar / Cr Grace)

Note:

The following amendment moved by Cr Ferguson and seconded by Cr Griffith was withdrawn:

- “1. That the following draft amended policies be endorsed for the purposes of public exhibition (as shown in **Attachment 2**):

No.	Policy Name	Amendment Proposed
18	<i>Parking Permits – Issue of Annual Permits – Waiving of Annual Fees</i>	<i>Amend 6(d) to include Peninsula Living</i>
26	<i>Storage of Water Craft</i>	<i>Reformat – Consistent fonts</i>
30	<i>Dog Control</i>	<i>- Prohibited Areas to include Turimetta Reserve, Careel Bay Intertidal area, Irrawong Reserve to the waterfall, Ingleside Chase Reserve and Bangalley Headland Reserve to be consistent with Bicentennial Coastal Walkway plus Ingleside Close on environmental grounds - Wildlife protection area list to include Deep Creek (Foreshore) Reserve, North Narrabeen. - 21 rather than 20 bushland reserves to be consistent with list - 6 ‘sketches’ rather than 7 to be consistent with the ‘sketches’</i>
43	<i>Clothing Recycling Bins on Council Controlled Land</i>	<i>- Inclusion of (f) requiring bins to be kept clean</i>
97	<i>Public Collections / Appeals</i>	<i>Delete reference to Policy 53 in headline and point (5) as it was previously repealed.</i>
98	<i>Helicopter Landings on Council Owned and Controlled Property</i>	<i>- Minor re-format on page 1 - Delete on page (2) and (3) the paragraph titled ‘Amendments’ and ‘Council Decision’ as these are past decisions of Council</i>
100	<i>Circuses</i>	<i>Delete point (3) as this procedure is part of another Policy</i>
102	<i>Speed Restriction – Signs on Public Reserves and Carparks</i>	<i>‘20kph’ replaced by ‘10kph’ and Bayview Park, Rowland Reserve, Avalon Golf Course carpark and Clareville Beach carpark added</i>
120	<i>Open Air Concerts</i>	<i>Clarification as to what is a concert relative to market days, festivals etc.</i>
154	<i>Smoke Free Zones around Pittwater</i>	<i>Section headed “Smoke Free Areas” updated to reflect early 2013 amendments to the Smoke Free Environment Act 2000.</i>
167	<i>Youth</i>	<i>Objectives simplified, reformatted and made clearer</i>

No.	Policy Name	Amendment Proposed
169	Open Air Cinema Events on Council Controlled Land	<p>Delete words after 'best practice standards' in 3rd paragraph of 'Objectives'</p> <p>Delete 3rd paragraph in 'Policy Statement'</p> <p>Delete 3rd dot point amended to allow operation in school holidays, unlimited in length but still be limited to 3 events per year in 'Conditions of Operation ' and replace with 'No films with ratings of 'MA' or 'R' be permitted'</p> <p>Delete in dot point 5 all words after 'relevant' and replace with 'legislation and plans'</p> <p>Delete 6th dot point relating to 'first release'</p>
190	Direct Financial Assistance Mayoral Donation Program	Delete in 2 nd paragraph in 'Policy Statement' words 'which in 2010/2011 is \$6000'

2. That Policy No. 43 not be endorsed for the purpose of public exhibition and be deferred for staff to undertake an audit of all charity bins located in Pittwater and refer the audit along with the proposed policy back to Council.
3. That in relation to Policy No. 30 - Dog Control the following amendments to the Policy be made:

(i) Add Careel Bay Intertidal area and Irrawong Reserve to the waterfall to the list of Prohibited Areas with the new wording:

Dog Prohibited Areas

All beaches, Warriewood Wetlands, Turimetta Reserve, Ingleside Chase Reserve, **Careel Bay Intertidal area, Irrawong Reserve to the waterfall**, Ingleside Chase Reserve and Bangalley Headland Reserve to be consistent with Bicentennial Coastal Walkway plus Ingleside Close on environmental grounds

(ii) Add **Deep Creek (Foreshore) Reserve, North Narrabeen** to the Wildlife Protection Areas list

4. That Policy No 154 and 169 be deferred to allow further consideration by Councillors.
5. That Policy 129 "Signs – Council Facilities" be revoked.
6. That on completion of the public exhibition period, a further report be provided to Council addressing any public submissions received."

Procedural Motion (COUNCIL DECISION)

That the Community Recreation and Economic Development Committee Meeting be concluded and the Natural Environment Committee Meeting now commence.

(Cr Hegarty / Cr Ferguson)

Notes:

1. The Community Recreation and Economic Development Committee Meeting concluded at 9.50pm and the Natural Environment Committee Meeting commenced at 9.51pm.
2. Cr White assumed the Chair.

Natural Environment Committee

10.0 Natural Environment Committee Business

C10.1 22nd NSW Coastal Conference - 12-15 November 2013

COMMITTEE RECOMMENDATION

That Council nominate Cr Griffith and Cr Grace as its delegates to attend the 22nd NSW Coastal Conference at Port Macquarie from 12-15 November 2013 and completed registrations for the nominated Councillors be undertaken prior to the close of early registration on 13 September 2013.

(Cr Hegarty / Cr White)

C10.2 Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 4 June 2013

COUNCIL DECISION (By Exception)

That the Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 4 June 2013 be noted.

(Cr White / Cr Hegarty)

C10.3 Minutes of the Sydney Coastal Councils Group Ordinary Meeting of 15 June 2013

COUNCIL DECISION (By Exception)

1. That the Minutes of the SCCG Ordinary Meeting of 15 June 2013 be noted.
2. That Council endorse the submission lodged with the Coastal Expert Panel under delegation by the General Manager and authorise the SCCG to distribute copies of the submission for the further information of its member councils.

(Cr White / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That the Natural Environment Committee Meeting be concluded and the Council Meeting now recommence.

(Cr Hegarty / Cr Young)

Notes:

1. The Natural Environment Committee Meeting concluded at 9.55pm and the Council Meeting recommenced at 9.56pm.
 2. Cr Townsend resumed the Chair.
-

Council Meeting

C8.2 Local Government Referendum "YES" Campaign

COUNCIL DECISION

1. That Council note the referendum will not proceed at the 7 September 2013 Federal Election.
2. That a letter be sent to the President of LGNSW requesting the return of monies paid by Pittwater Council towards the National "Yes" Campaign.

(Cr Townsend / Cr Griffith)

Procedural Motion (COUNCIL DECISION)

That Council resolve into Committee of the Whole in Closed Session and that in the public interest and in accordance with Section 10A(2)(c) of the Local Government Act, 1993, the public and press be excluded from the meeting to consider Item C13.1. Section 10A(2)(c) permits the Committee to close the meeting to consider:

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting business or proposes to conduct business.

(Cr Townsend / Cr Millar)

Notes:

1. 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 C13.1. The Chairperson invited those in attendance to make verbal representations to the committee on whether the meeting should be closed to consider item C13.1. There were no requests to make a verbal representation.
2. The Open Session of Council adjourned at 9.58pm and the Committee of the Whole Meeting commenced at 9.59pm in Closed Session.
3. Cr Townsend remained in the Chair.

Committee of the Whole

Report of Closed Session - 5 August 2013

At 9.59pm the Council resolved into Committee of the Whole, with the press and public excluded to consider the report on item C13.1. Upon resumption into Open Council the General Manager reported that the following recommendation was formulated by the Committee of the Whole in Closed Session.

13.0 Confidential Items

C13.1 Boondah Road Warriewood - Road Reconstruction

COMMITTEE RECOMMENDATION

That in lieu of the Council resolution of 4 February 2013, the alternative Agreement be executed between Pittwater Council and Meriton - this will achieve the same reconstruction outcome for Boondah Road however this will be on the basis of each Party being assigned responsibility for components of the reconstruction, carrying out and funding those works directly

(Cr Townsend / Cr White)

Procedural Motion (COUNCIL DECISION)

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

(Cr Young / Cr Ferguson)

Notes:

1. The Committee of the Whole Meeting concluded at 10.10pm and the Open Session of Council recommenced at 10.11pm.
2. Cr Townsend remained in the Chair.

Council Meeting

11.0 Adoption of Community, Recreation and Economic Development Committee Recommendations

COUNCIL DECISION

That the recommendations of the Community Recreation and Economic Development Committee on Items C9.2, C9.3 and C9.4 comprising all Council members be, and are hereby, adopted.

(Cr Ferguson / Cr Millar)

12.0 Adoption of Natural Environment Committee Recommendations

COUNCIL DECISION

That the recommendation of the Natural Environment Committee on Item C10.1 comprising all Council members be, and is hereby, adopted.

(Cr Young / Cr Griffith)

14.0 Adoption of the Committee of the Whole Recommendation

COUNCIL DECISION

That the recommendation of the Committee of the Whole on Item C13.1 comprising all Council members be, and is hereby, adopted.

(Cr Townsend / Cr White)

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 10.12PM ON MONDAY
5 AUGUST 2013**