



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

19 August 2013

Commencing at 6.34pm.

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)
Cordoba, L (Principal Officer, Land Release)
Jones, M (Chief Financial Officer)
Ratnakumar, C (Financial Accountant)
Veness, G (Senior Property Officer)
Angles, G (Principal Officer, Administration)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.34pm and adjourned at 6.44pm, recommenced at 7.49pm and concluded at 7.50pm.
2. The Governance Committee Meeting commenced at 6.45pm and concluded at 7.25pm.
3. The Planning an Integrated Built Environment Committee Meeting commenced at 7.26pm and concluded at 7.48pm.

Council Meeting

1.0 Public Forum

Nil.

2.0 Resident Questions

Question 1: Mr R Smith

To the Mayor: Re the quote attributed to you in Pittwater Life July 2013 *"Mayor Townsend said the Council had legal advice that the objectors' argument that the park ... was on Crown land and therefore could not be used for parking by shoppers was not correct"*. As the General Manager has now confirmed that Council never did receive any legal advice regarding this matter do you admit your statement was not correct?

Answer:

The Mayor responded that this question has been dealt with previously and the response is on page 102 of tonight's Agenda, being that the advice to the Mayor was provided by the General Manager, that advice being that the construction of the carpark in accordance with the Plan of Management on Beeby Reserve is legal.

Question 2: Mr R Smith

To Cr White: Appendix 50 of Save Beeby Park Committee Submission to Crown Lands Minister Andrew Stoner 26 July 2013 of which all Councillors do have a copy as it is on the computer disc delivered to you recently shows a form email Councillor White circulated via emails to objectors on and around 22 June 2013 where you state:-

"Beeby Park is currently being used informally as a parking lot. The Council will formalize this and will properly drain and landscape the reserve. When this is complete there will be more than twice as many trees as there are now."

Base level maths on this therefore means even if only 55 trees were to currently exist on the site and all were removed then a minimum of 110 trees would need to be planted to result in twice the current amount. However only 70 will be planted so the maths don't add up even for this scenario. But your statement is that there will be twice as many trees as there are now.

Map 01 Existing Vegetation which is contained in the Review of Environmental Factors for the Part 5 assessment shows 161 trees are currently in Beeby Park. 55 trees to be removed leaves 106 trees remaining. Then add the 70 trees to be planted results in 176 trees at completion.

Again the maths don't add up in that twice the number of trees at completion as there are now is 2 times 161 would mean 322 trees but there will be only 176. This equates to 9% more trees at completion not 100%.

Do you admit your statement in the form email you sent out therefore was not correct?

Notes:

1. Cr Grace raised a point of order regarding the complexity of the question being put to Cr White, in that it was difficult to answer a question in this forum based on complex calculations and conclusions which may or may not be accurate.
2. The Mayor requested that Mr Smith rephrase his question in more simplified terms.

Question 2 – Mr R Smith (Rephrased)

How many trees will be on site on completion of works at Beeby Park?

Answer:

Cr White responded that he would take the question on notice.

Question 3: Mr P Walker

To the General Manager: Could you please confirm the Freedom of Information response that Council received a letter from Crown Lands dated 24 May 2013 regarding Beeby Park, stating that as the Minister has not adopted the Kitchener Park Plan of Management 2009, it is "understood to have no statutory effect on the subject Crown Land."

Answer:

The General Manager confirmed that Council had received a letter to that effect.

3.0	Apologies
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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 5 August 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 Griffith / Cr Hegarty)

6.0	Public Addresses
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Nil.

7.0	Councillor Questions on Notice
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Nil.

8.0	Mayoral Minutes
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Nil.

9.0	Business by Exception
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COUNCIL DECISION

That Items C11.3, C11.6, C11.7 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Griffith)

10.0 Council Meeting Business

Nil

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Governance Committee Meeting now commence.

(Cr White / Cr Ferguson)

Notes:

1. The Council Meeting adjourned at 6.44pm and the Governance Committee Meeting commenced at 6.45pm.
2. Cr Hegarty assumed the Chair.

Governance Committee

11.0 Governance Committee Business

C11.1 Annual Financial Reports 2012/13 - Submission to Audit

COMMITTEE RECOMMENDATION

1. That the Annual Financial Reports for 2012/13 be adopted.
2. That the Mayor, Councillor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
3. That the Annual Financial Reports for 2012/13 be referred to Council's Auditor.
4. That on receipt of the Audited Reports, a copy is forwarded to the Department of Local Government and the Australian Bureau of Statistics.
5. That Council's Auditor be invited in writing to attend the appropriate meeting to present his Report to the Council.

(Cr White / Cr Griffith)

C11.2	Quarterly Budget Review Statement for the Quarter Ending 30 June 2013
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COMMITTEE RECOMMENDATION

1. That the financial results for the period ending 30 June 2013 be noted.
2. That Council approves the Revotes of the following funds to be carried forward to the 2013/2014 Financial Year:-

IT Purchases	\$340,000 (Council Funds)
Capital works	\$2.477 Million (Funds currently held in Restricted Reserves) as per "2012/13 Proposed Revotes" Table as 2.10 of this report.

(Cr Griffith / Cr Ferguson)

C11.4	KU Children s Services Avalon - Lease Renewal
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COMMITTEE RECOMMENDATION

1. That the attached lease be approved by Council.
2. That the General Manager be authorised to execute the document on behalf of Council under power of attorney.

(Cr Millar / Cr Grace)

C11.5	Renewal of Alcohol Free Zones and Alcohol Prohibited Areas in Pittwater
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COMMITTEE RECOMMENDATION

1. That Council's existing Alcohol Free Zones and Alcohol Prohibited Areas continue until 1 October 2013
2. That the Alcohol Free Zones described in Section 2.4 of this report and displayed in **Attachment 1** be adopted by Council and will be in force from 1 October 2013 to 30 September 2017.
3. That the Alcohol Prohibited Areas described in Section 2.5 of this report and displayed in **Attachment 2** be adopted by Council and will be in force from 1 October 2013 to 30 September 2017.

(Cr Millar / Cr Townsend)

C11.3	Investment Balances as at 31 July 2013
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COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Griffith)

C11.6	Australian Local Government Association (ALGA) Conference - Canberra - 16-19 June 2013
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COUNCIL DECISION (By Exception)

That Councillor Townsend's report on the Australian Local Government Conference be noted.

(Cr Hegarty / Cr Griffith)

C11.7	Resident Questions taken on notice - 15 July 2013
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COUNCIL DECISION (By Exception)

That Council note the responses subsequently provided by the General Manager and Mayor to the resident questions taken on notice.

(Cr Hegarty / Cr Griffith)

Procedural Motion (COUNCIL DECISION)

That the Governance Committee Meeting be concluded and the Planning and Integrated Built Environment Committee Meeting now commence.

(Cr White / Cr Ferguson)

Notes:

1. The Governance Committee Meeting concluded at 7.25pm and the Planning and Integrated Built Environment Committee Meeting commenced at 7.26pm.
2. Cr Griffith assumed the Chair.

Planning an Integrated Built Environment Committee

12.0 Planning an Integrated Built Environment Committee Business

C12.1 Update on Ingleside Precinct Planning

COMMITTEE RECOMMENDATION

1. That the information in this report be noted.
2. That a further report on the progress of the Ingleside Precinct Planning be presented to Council in the second quarter of 2013-2014 including:
 - the outcome of the Expression of Interest process and selection of Community Members for the Ingleside Community Reference Group and
 - the Probity Plan for Ingleside.

(Cr Millar / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Planning an Integrated Built Environment Committee Meeting be concluded and the Council Meeting now recommence.

(Cr Ferguson / Cr Grace)

Notes:

1. The Planning an Integrated Built Environment Committee Meeting concluded at 7.48pm and the Council Meeting recommenced at 7.49pm.
2. Cr Townsend resumed the Chair.

Council Meeting

13.0 Adoption of Governance Committee Recommendations

COUNCIL DECISION

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

(Cr Ferguson / Cr Grace)

14.0 Adoption of Planning an Integrated Built Environment Committee Recommendation

COUNCIL DECISION

That the recommendation of the Planning an Integrated Built Environment Committee on Item C12.1 comprising all Council members be and is hereby adopted.

(Cr Ferguson / Cr Grace)

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 7.50PM ON
MONDAY 19 AUGUST 2013**