

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

21 February 2011

Commencing at 6.33pm



ATTENDANCE

Members

Rose, H (Mayor & Chairperson)
Townsend, J (Deputy Mayor)
Dunbar, B
Grace, B
Giles, P
Hegarty, J
Hock, P
James, D
White, I

Officers

Evans, S (Acting General Manager)
Munn, L (Acting Director, Urban & Environmental Assets)
Robins, R (Acting Manager, Administration & Governance)
Williams, A (Principal Development Officer)
Edmonds, M (Principal Development Officer)
Allen, A (Senior Development Officer)
Pigott, A (Principal Officer, Strategic Planning)
Haron, D (Senior Strategic Planner)
Beharrell, M (Manager, Natural Environment & Education)
Godfrey, L (Manager, Community, Library & Economic Development)
Hewitt, M (Social Community and Economic Co-ordinator)
Jones, M (Chief Financial Officer)
Pang, J (Team Leader, Catchment Management & Climate Change)
Hardie, P (Project Leader, Coast & Estuary Management)
Reid, P (Team Leader, Corporate Strategy & Commercial)
Mulroney, J (Community Engagement Officer, Corporate Strategy)
Lawler, S (Principal Officer, Operations)
Ward, L (Facility Manager, Pittwater Rugby Park & North Narrabeen Reserve)
Tasker, P (Administration Officer / Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.33pm and adjourned at 7.04pm, recommenced at 7.40pm and adjourned at 8.17pm, recommenced 9.40pm and concluded at 9.44pm.
2. The Planning an Integrated Built Environment Meeting commenced at 7.05pm and adjourned at 7.31pm, recommenced at 9.00pm and concluded at 9.39pm.
3. The Governance Committee Meeting commenced at 7.32pm and adjourned at 7.39pm, recommenced at 8.18pm and concluded at 8.59pm.

Council Meeting

1.0 Public Forum - Nil

2.0 Resident Questions

Question 1 - Mrs June Harley

Does this Council consider it has a duty of care to its ratepayers? Does this Council have any moral objectives?

Answer:

The Acting General Manager responded that Council seeks to ensure that citizens are safe, the local environment is preserved and that core values are applied equitably across the community.

Question 2 - Mr Phil Walker

On January 14 2010 I wrote to the General Manager regarding outstanding compliance issues in Warriewood Valley and have not had either an acknowledgement or reply. What is Pittwater Council's Policy on responding to correspondence?

Answer:

The Acting General Manager responded that Council seeks to respond to all correspondence in a timely manner. He added that, in the past, responses have been found to have been provided to persons that were claimed to be outstanding. The Acting General Manager advised he would investigate the matter and respond to Mr Walker as soon as possible.

Question 3 - Mr Kyle Hill

Is it true as per the Special Rate Variation update presented at the Council Meeting of 7 February 2011 that the Council is projecting the Council rate base, after the introduction of the special levy (should it be successful) to increase from \$30.458m to \$37.103m in the three years from 2010/2011 to 2013/14 which is actually a 22% increase?

Answer:

The Acting General Manager advised the he could not verify the accuracy of the financial figures quoted. However, it is correct that the proposed rate increase is 5%, 4% and 3% excluding CPI over the next three years if approved. The Acting General Manager stated that he was unable to provide the total figure as he could confirm the CPI's within this period. He further advised Mr Hill that two public meetings were being held (on Tuesday, 1 March, 2011 and Wednesday, 2 March, 2011) and that all residents are invited to attend to raise such questions.

Question 4 - Mr Perlich

Why don't the Councillors block all development Liberal or Labor till Mona Vale Road, Wakehurst Parkway and Mona Vale Hospital are fixed?

Answer:

The Acting General Manager responded that Council cannot ban all development but shares the concern with the lack of State Government infrastructure not being adequate for present and future development.

Question 5 - Mr Paul Johnston

What does Council intend to do in the future to protect our environment and stop future high rise development in Pittwater?

Answer:

The Mayor responded that Council has Plans of Management detailing the measures Council has in place to protect the environment of Pittwater.

The Acting General Manager added that Council has management plans, delivery plans, strategic plans and development control plans which provide a clear program to address development, maintain biodiversity, vegetation and heritage in the LGA.

3.0	Apologies - Nil
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4.0	Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts - Nil
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5.0	Confirmation of Minutes
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COUNCIL DECISION

That the Minutes of the Council Meeting held on 7 February 2011, 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 Hegarty / Cr Townsend)

6.0 Business by Exception (All items on the Agenda)

COUNCIL DECISION

That Items C10.3, C10.4, C10.5, C11.5 and C11.6 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Giles)

7.0 Public Addresses

C9.2 - Reference Group Review - With the leave of the Council, Mr Gavin Butler of the Newport Residents Association addressed the meeting speaking against the recommendation on this item.

C10.2 - Investment Balances for the months of December 2010 and January 2011 - With the leave of the Council, Mr Gavin Butler of the Newport Residents Association addressed the meeting speaking against the recommendation on this item.

C11.1 - N0594/10 - 9-11 Beaconsfield Street, Newport - Demolition of the existing structures, construction of an Infill Affordable Housing development comprising of 25 apartments, two levels of basement carparking and strata subdivision - With the leave of the Council, Ms Kylie Ferguson and Ms Denise Robertson addressed the meeting in support of the recommendation on this item.

8.0 Mayoral Minutes - Nil

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Planning an Integrated Built Environment Committee Meeting commence in order to first consider Item C11.1 - N0594/10 - 9-11 Beaconsfield Street, Newport.

(Cr James / Cr Giles)

Notes:

1. The Council Meeting was adjourned at 7.04pm and the Planning an Integrated Built Environment Committee Meeting commenced at 7.05pm.
2. Cr Hegarty assumed the Chair.

Planning an Integrated Built Environment Committee

C11.1	N0594/10 - 9-11 BEACONSFIELD STREET, NEWPORT - Demolition of the existing structures, construction of an Infill Affordable Housing development comprising of 25 apartments, two levels of basement carparking and strata subdivision
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COMMITTEE RECOMMENDATION

That the recommendation in the Development Officers Report be endorsed and Development Application N0594/10 - 9 Beaconsfield Street, Newport (Lot 30 DP1093125), 11 Beaconsfield Street, Newport (Lot 29 DP1093125) be refused for the following reasons:

1. **Inadequate Information to Assess the Development Application**

There are inconsistencies between the submitted plan documentation and insufficient information to assess solar access, impacts to trees on the subject site and adjoining sites and the proposed strata subdivision.

2. **Desired Future Character and Local Context**

The development is inconsistent with the A4.10 Newport Locality of Pittwater 21 DCP and Clause 2(3)(a)(iii), 2(3)(b) and 9 of State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development in that the development is inconsistent with the desired future character for the Newport Locality and does not satisfactorily respond to the local context.

As the development does not achieve the desired future character for the locality, the development is also inconsistent with the outcomes of controls D10.1 Character as viewed from a public place, D10.3 Scenic protection – General, D10.5 Height (excluding Newport Commercial Centre), D10.7 Front building line (excluding Newport Commercial Centre), D10.8 Side and rear building line (excluding Newport Commercial Centre) and D10.13 Site coverage - Environmentally Sensitive Land of Pittwater 21 DCP.

3. **Bulk and Visual Impact**

The development is inconsistent with Clause 2(3)(b), 2(3)(d) and 11 of State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development in that the development results in unacceptable visual bulk and mass when viewed from the street and neighbouring properties and does not maximise amenity for the benefit of its occupants and the wider community.

As the development does not minimise bulk, the development is also inconsistent with the outcomes of controls D10.8 Side and rear building line (excluding Newport Commercial Centre) and D10.13 Site coverage - Environmentally Sensitive Land of Pittwater 21 DCP.

4. **Solar Access**

The development is inconsistent with C1.4 Solar Access of Pittwater 21 DCP, RFDC Rule of Thumb for Daylight Access and Clause 2(3)(a)(i), 2(3)(e), 2(3)(d) and 15 of State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development in that development does not provide the necessary amount of daylight access to the future occupants of the development.

As the development does not provide adequate daylight access to the future occupants of the development, the development is also inconsistent with the outcomes of controls D10.8 Side and rear building line (excluding Newport Commercial Centre) and D10.13 Site coverage - Environmentally Sensitive Land of Pittwater 21 DCP.

5. **Natural Ventilation**

The development is inconsistent with the RFDC Rules of Thumb for Natural Ventilation and Clause 2(3)(a)(i), 2(3)(e), 2(3)(d) and 15 of State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development in that the development does not provide the necessary amount of natural ventilation to the future occupants of the development.

6. **Visual Privacy**

The development is inconsistent with C1.5 Visual Privacy of Pittwater 21 DCP and Clause 2(3)(d) of State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development in that the development does not optimise visual privacy for future occupants through good design and results in adverse privacy impacts to adjoining properties.

As the development does not provide reasonable level of privacy within the development site and maintain it to residential properties, the development is also inconsistent with the outcomes of control D10.8 Side and rear building line (excluding Newport Commercial Centre) of Pittwater 21 DCP.

(Cr Giles / Cr Townsend)

Note:

Division

A division was duly taken resulting in the following voting:

Aye (For)	No (Against)
Cr Rose	Nil
Cr Townsend	
Cr Dunbar	
Cr Giles	
Cr Grace	
Cr Hegarty	
Cr Hock	
Cr James	
Cr White	

Procedural Motion (COUNCIL DECISION)

That the Planning an Integrated Built Environment Committee Meeting be adjourned and the Governance Committee Meeting commence in order to consider Item C10.2 - Investment Balances for the months of December 2010 and January 2011.

(Cr Rose / Cr Giles)

Notes:

1. The Planning an Integrated Built Environment Committee Meeting was adjourned at 7.31pm and the Governance Committee Meeting commenced at 7.32pm.
2. Cr Townsend assumed the Chair.

Governance Committee

C10.2 Investment Balances for the months of December 2010 and January 2011

COMMITTEE RECOMMENDATION

That the information provided in the report be noted, including the year to date (January) net investment return of \$ 842,570.

(Cr Giles / Cr James)

Procedural Motion (COUNCIL DECISION)

That the Governance Committee Meeting be adjourned and the Council Meeting recommence in order to consider Item C9.2 - Reference Group Review.

(Cr Rose / Cr Hegarty)

Notes:

1. The Governance Committee Meeting was adjourned at 7.39pm and the Council Meeting recommenced at 7.40pm.
2. Cr Rose resumed the Chair.

Council Meeting

9.0 Council Meeting Business

C9.2 Reference Group Review

COUNCIL DECISION

- 1 That Council approve the ongoing operation of the reference groups at their current location and time.
- 2 That Council confirm the Terms of Reference.
- 3 The Council approve the expansion of membership of each reference group to 16 members which may include up to 14 community group/community organisation members and up to 4 individual members from the community.
4. That Council undertake an Expression of Interest process in late February 2011 to fill positions on each reference group.
5. That the General Manager, with the concurrence of the Chair of the relevant reference group, have the delegated authority to appoint reference group members to a group when there is a resignation.
6. That the Governance Reference Group will be renamed "Community Engagement and Information" Reference Group.

(Cr Hegarty / Cr Townsend)

Notes:

1. Dissent

Cr Grace requested that his name be recorded as having voted against the motion which was carried.

2. The following unsuccessful motion moved by Cr Grace lapsed for want of a seconder:

"That this matter be deferred for a month to enable the Governance Reference Group to meet and express their opinion on this report."

Procedural Motion (COUNCIL DECISION)

That Cr Grace be granted an extension of time to complete his address to the meeting on this item.

(Cr Rose / Cr Hegarty)

C9.1 Community Engagement Policy

COUNCIL DECISION

1. That the information provided in the report be noted.
2. That the updated Community Engagement Policy be placed on public exhibition prior to adoption.
3. That following the public exhibition period a further report be presented to Council.

(Cr Townsend / Cr Rose)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr Giles)

Notes:

1. The Council Meeting adjourned at 8.17pm and the Governance Committee Meeting recommenced at 8.18pm.
 2. Cr Townsend resumed the Chair.
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Governance Committee

10.0 Governance Committee Business

C10.1	Financial Report for the Period Ending 31 December 2010 of the 2010/2011 Financial Year
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COMMITTEE RECOMMENDATION

1. That the financial results for the period ending 31 December 2010 be noted.
2. That the Projected Budget incorporating all amendments as detailed in this report be adopted.

(Cr Townsend / Cr Giles)

C10.3	Legal Expenditure as at 31 January 2011
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COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Giles)

C10.4	Monthly Contractors and Staff Report - November and December 2010
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COUNCIL DECISION (By Exception)

1. That the information provided on the engagement of new contracts for the month of November and December 2010 as provided by the Business Unit Managers at **Attachment 1** be noted.
2. That the terminations and appointments of staff during November and December 2010 be noted.

(Cr Hegarty / Cr Giles)

C10.5	December 2010 Quarterly Management Report
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COUNCIL DECISION (By Exception)

That the Quarterly Management report for the period ending 31 December 2010 (Quarter 1) as tabled be noted.

(Cr Hegarty / Cr Giles)

Procedural Motion (COUNCIL DECISION)

That Council move to immediately consider Item C10.9 - Result of Public Exhibition of Proposed Licence Agreement between St Augustine's College & Council.

(Cr Giles / Cr Grace)

C10.9	Result of Public Exhibition of Proposed Licence Agreement between St Augustine s College & Council
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COMMITTEE RECOMMENDATION

1. That Council resolve to approve the issuing of a Licence Agreement between Council and St Augustine's College – Sydney for the use of Pittwater Rugby Park – Main Field, Field 2 & Field 4 at North Narrabeen Reserve for a period of 5 years with a 5 year option.
2. That a written Agreement be entered into with Warringah Rugby Club to guarantee security for the St Augustine's College Licence Agreement.
3. That a Condition of the written Agreement between Council and Warringah Rugby Club be that if the St Augustine's College Licence Agreement is unable to be fulfilled the payment of \$10,000 per annum for the term of the St Augustine's Licence Agreement will be reviewed by Council as per the Conditions of the Agreement.

(Cr Giles / Cr James)

Procedural Motion (COUNCIL DECISION)

That Council move to immediately consider Item C10.7 - Public Exhibition of Draft Interim Coastal Risk Management Policy for Public Buildings and Assets.

(Cr James / Cr Giles)

C10.7	Public Exhibition of Draft Interim Coastal Risk Management Policy for Public Buildings and Assets in Pittwater
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COMMITTEE RECOMMENDATION

1. That the attached Draft Interim Coastal Risk Management Policy for Public Buildings and Assets in Pittwater be placed on public exhibition for a period of 28 days.
2. That copies of this report and the Draft Policy be forwarded to the Land and Property Management Authority, Department of Environment, Climate Change and Water and the Department of Planning for their consideration and comment.
3. That a further report be brought back to Council at the close of the public exhibition period.

(Cr Giles / Cr Rose)

C10.6	Audit & Risk Committee - Operations Report for the Period 28 April 2010 to 31 December 2010
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COMMITTEE RECOMMENDATION

That the information provided in the report be noted.

(Cr Rose / Cr Townsend)

C10.8	Native Fauna Management Plan - Public Exhibition
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COMMITTEE RECOMMENDATION

1. That the Draft Native Fauna Management Plan, as tabled at the meeting, be placed on public exhibition for a period of 28 days with submissions received up to 42 days from the date of advertisement.
2. That following the public exhibition period a further report be presented to Council.

(Cr Townsend / Cr James)

Procedural Motion (COUNCIL DECISION)

That the Governance Committee Meeting be adjourned and the Planning an Integrated Built Environment Committee Meeting now recommence.

(Cr Rose / Cr Giles)

Notes:

1. The Governance Committee Meeting concluded at 8.59pm and the Planning an Integrated Built Environment Committee Meeting recommenced at 9.00pm.
 2. Cr Hegarty resumed the Chair.
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Planning an Integrated Built Environment Committee

11.0	Planning an Integrated Built Environment Committee Business
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C11.2	N0533/09 - 14A PRINCE ALFRED PARADE, NEWPORT Construct a Part 2 / Part 3 Storey Dwelling-House
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COMMITTEE RECOMMENDATION

That the recommendation in the Development Officers Report be endorsed and Development Application N0533/09 - 14A Prince Alfred Parade, Newport (Lot 172 DP 709495) Construct a Part 2 / Part 3 Storey Dwelling-House be refused for the following reasons:

1. The proposed development fails to adequately minimise both direct impacts (such as excavation) and indirect impacts (such as suspended structures) within the 12m tree protection zone of the significant Spotted Gum tree located partially on the subject site and partially on 12 Prince Alfred Parade (the 'Tree'). This is likely to affect the long term viability and structural integrity of the Tree, which is partially owned by another party who has not granted consent to the removal of the Tree.
2. The proposed development will be located a minimum of 5.6m from the centre of the trunk of the tree and will impact on approximately 28.7% of the tree protection zone, with necessary soil level changes and landscaping works at an even closer distance to the tree. This is likely to have an unacceptable detrimental impact on the future health and survival of the Tree.

3. The loss of the significant Spotted Gum tree would have an adverse impact on the Pittwater Spotted Gum Endangered Ecological Community and would result in a significant loss of remnant on-site native tree canopy cover.
4. The submitted Revised Arborist Report dated 7 December 2010 and prepared by Naturally Trees and accompanying the amended plans received in December 2010 is inadequate as it:
 - (i) Does not draw any conclusion or make comment on the long term impact on the health of the Tree from the removal of the 3 smaller tree roots together with the 3 larger roots identified as being located in the building envelope.
 - (ii) Does not consider the location of the roots to be severed (north and east of the trunk of the Tree) when weighed against the trunk lean and canopy bias of the Tree to the west in terms of the short term potential impacts on the stability of the Tree.
5. The development is not consistent with the desired future character in A4.10 of Pittwater 21 DCP for the Newport locality as it fails to sufficiently minimise bulk and scale to ensure the successful retention of the significant Spotted Gum and achieving a reasonable balance between the development of land and maintaining significant features of the natural landscape.
6. The development fails to comply with the 8.5m maximum height control and cannot benefit from the permitted height variation of 10m on steep land as it fails to satisfy the outcomes of this control and fails to be consistent with the desired future character for the Newport locality.
7. The development does not comply with the maximum site coverage control within D10.13 Site Coverage - Environmentally Sensitive Land. Furthermore, the development does not satisfy the underlying outcomes of this control, particularly in that it fails to achieve the desired future character for the Newport locality, it fails to reasonably minimise the bulk and scale of the built form sufficiently to ensure that existing vegetation is retained and to preserve and enhance the rural and bushland character of the area.
8. The development is not considered to be consistent with the controls and objectives of D10.18 'Scenic Protection Category One Areas' of Pittwater DCP 21 in that the development has not been designed to sufficiently minimise impacts on the significant Spotted Gum tree situated on the common boundary with 12 Prince Alfred Parade. The Applicant has not demonstrated that retention of this tree is possible. The siting, building form and bulk and scale of the development will compromise the visual integrity of the Site by causing the eventual removal of this tree and dominating the natural setting of the Site, particularly when viewed from Horseshoe Cove and Pittwater.
9. The development is not consistent with Aims 2(e), (g) and (k) of SEPP 71 and is contrary to Matters For Consideration 8(a), (d) and (f) of SEPP 71.
10. The Development Application has failed to adequately demonstrate, with the submission of a detailed Construction Traffic Management Plan, that the excavation and construction phase of the development can be carried out without unreasonable nuisance or disruption to neighbouring properties and the street system and that any necessary owners consent for the use of adjoining land during construction, has been obtained.

(Cr James / Cr White)

Note:

Division

A division was duly taken resulting in the following voting:

Aye (For)	No (Against)
Cr Rose	Nil
Cr Townsend	
Cr Dunbar	
Cr Giles	
Cr Grace	
Cr Hegarty	
Cr Hock	
Cr James	
Cr White	

C11.3	Submission on the Review of State Environmental Planning Policy (Affordable Rental Housing) 2009
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COMMITTEE RECOMMENDATION

1. That Council acknowledge the need for affordable rental housing in Pittwater and within SHOROC region.
2. That Council endorse and submit a detailed response to the Affordable Rental Housing SEPP Discussion Paper.
3. That Council continue to assess applications on their merit, taking into account the local area character statements and relevant development control provisions.
4. That Council request a local variation to the Affordable Rental Housing SEPP to allow in-fill and residential flat buildings for affordable rental housing only in the current shop-top and multi-unit housing areas of Pittwater where there is an agreed community expectation for medium density development and it is in close proximity to commercial centres and transport.
5. That Council continue to monitor and evaluate the progress of the Affordable Rental Housing SEPP review.
6. That Council support that in any future strategic review of Warriewood Valley that results in higher densities, that Council will seek to require 10% of any additional housing density be provided as 'affordable rental housing', managed by an appropriate Community Housing Provider in perpetuity.

(Cr Giles / Cr James)

C11.4	SEPP (Exempt & Complying Development Codes) 2008 - Amendments and Expansion
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COMMITTEE RECOMMENDATION

1. That Council note the contents of the above report in relation to the expansion of complying development.
2. That Council write to the Minister for Planning and the Shadow Minister for Planning expressing its concerns at the broadening of the provisions of the State Policy.

(Cr Rose / Cr Hock)

C11.5	Metropolitan Plan for Sydney 2036
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COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Giles)

C11.6	Suburb Name Proposal - BILGOLA to be renamed BILGOLA BEACH
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COUNCIL DECISION (By Exception)

That Council support the suburb name "*Bilgola Beach*" and that the Geographical Names Board be advised.

(Cr Hegarty / Cr Giles)

Procedural Motion (COUNCIL DECISION)

That the Planning and Integrated Built Environment Committee Meeting conclude and the Council Meeting now recommence.

(Cr Rose / Cr Giles)

Notes:

1. The Planning and Integrated Built Environment Committee Meeting concluded at 9.39pm and the Council Meeting recommenced at 9.40pm.
2. Cr Rose resumed the Chair.

Council Meeting

11.0 Adoption of the Governance Committee Recommendations

COUNCIL DECISION

That the recommendations on Items C10.1, C10.2, C10.6, C10.7, C10.8 and C10.9 of the Governance Committee comprising all Council members be, and are hereby, adopted.

(Cr Giles / Cr Townsend)

13.0 Adoption of the Planning an Integrated Built Environment Committee Recommendations

COUNCIL DECISION

That the recommendations on Items C11.1, C11.2, C11.3 and C11.4 of the Planning an Integrated Built Environment Committee comprising all Council members be, and are hereby, adopted.

(Cr Giles / Cr Hegarty)

14.0 Councillor Questions

Question 1 - Cr James

The recent PAC determination of the Meriton overall Concept Plan and Stage One Development Application contains a requirement that all residential floor levels shall be above, or not lower than, the Predicted Maximum Flood (PMF) Level.

Warriewood Valley Flood Study 2005 as amended indicates a PMF in that vicinity of 4.76m AHD, thus requiring an additional elevation of ground floor residential units as above that submitted by the applicant of between .36m and .56m.

Could Councillors be informed of these possible implications flowing from this aspect of the PAC determination:

1. In the opinion of staff will the PAC requirement for Meriton that "all floor levels" be not lower the PMF levels also flow on to constitute a precedent that Council must, or would be well advised to, follow for the determination of all other minimum residential unit floor levels in future development applications with Warriewood Valley Buffer Zones?

2. (a) In regard to prevention of downflooding or underground car parks during an extreme flood event, does the PMF minimum ground floor level requirement as imposed by PAC also extend to the relative heights of driveway threshold levels, stairway accesses, etc., for all underground Carpark and any other facilities?
- (b) Is it the view of Council Officers that this should be, or is, a minimum requirement for these structures?
- (c) If PMF is a minimum requirement for threshold of Carpark, etc., is that a precedent for any other future proposed development in the Warriewood Valley Buffer Zones?

In the event that staff are unable to provide definitive answers to the above, can appropriate responses to these specific questions be obtained?

Answer:

The Acting General Manager advised that he would take the question on notice.

Question 2 - Cr James

To assist their work in understanding the scope of the work, could Pittwater Councillor Delegates to the Joint Narrabeen Lagoon Floodplain Committee be now provided with the following documents:

- 1) Hard copy of the Study Brief for the recently awarded Narrabeen Lagoon Flood Study to WBM Oceanics
- 2) Hard copy of the outcomes of the accompanying Literature Review
- 3) Could Pittwater Council be now advised of variations to previously supplied Gantt Chart regarding the prospective timing a completion dates for each remaining stage up to and including the planned adoption of the Narrabeen Lagoon Flood Plan, conducted in accordance with the Floodplain Development Manual.
- 4) Do these documents reside within the Pittwater data bank?
- 5) Is Pittwater required under the terms of the relevant MOU with Warringah to firstly obtain Warringah Council consent prior to release of these specified documents for its appointed Councillor Delegates to the Joint Narrabeen Floodplain Committee?
- 6) Did Pittwater Council contribute an equal sum of money to that provided by Warringah Council for the contracted Flood Study?

Answer:

The Acting General Manager advised that he would take this question on notice.

Question 3 – Cr Townsend

I have been asked a number of questions by residents that indicate that there is some confusion in the community over the detail of the Special Rate Variation. People that I have spoken to are broadly in agreement about the need for this initiative but many have said that they don't quite understand how it will work. Another example is The Daily Telegraph reported on 16 February 2011 that Pittwater "wants 20% to balance its budget against escalating cost, ageing infrastructure and limited revenue".

To help people in the Pittwater community gain a better understanding of the details of what this initiative is, how long it will operate for and how it works, could Council staff produce a flier and webpage containing "Frequently Asked Questions" that will give clear answers to the questions that residents have about the Special Rate Variation and the associated program of works?

Some of the questions I have been asked are:

1. Please confirm the proposed special rate increase is not a replacement of the Environmental Levy of 5% but a rate increase phased in over 3 years.
2. At the end of the 3 years is the rate increase built in for evermore?
3. The reported percentage increases over the 3 years does not equate with the reported dollar figures.
4. What is the total special rate increase, excluding the CPI increases, at the end of the 3 year period between 2011 and 2014?

Answer:

The Acting General Manager advised that he would take this question on notice.

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT
9.44PM ON MONDAY 21 FEBRUARY 2011**