



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

7 February 2011

Commencing at 6.30pm

ATTENDANCE

Members

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

Officers

Ferguson, M (General Manager)
Evans, S (Director, Environmental Planning & Community)
Munn, L (Acting Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Jones, M (Chief Financial Officer)
Reid, P (Team Leader, Corporate Strategy & Commercial)
Mulroney, J (Community Engagement Officer)
Rawe, S (Manager, Corporate Development & HR)
Payne, J (Manager, Urban Infrastructure)
Pang, J (Team Leader, Catchment Management & Climate Change)
Cordoba, L (Principal Officer, Land Release)
Haron, D (Senior Strategic Planner)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

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Note:

The Council Meeting commenced at 6.30pm and concluded at 7.55pm.

Council Meeting

1.0 Apologies - Nil

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

Cr White declared a less than significant non-pecuniary interest in Item C7.3, Notice of Motion - Legal Advice on Decision of PAC handed down 25 January 2011 Warriewood Valley, and Item C7.4, Planning Assessment Commission decision on the Part 3A Project Application for 14-18 Boondah Road Warriewood, remained in the meeting and took part in discussion and voting on these items. The reason provided by Cr White was:-

"Items do not relate to the decision making process of Meriton's Development in Warriewood therefore no significance."

3.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 20 December 2010, 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 Giles)

4.0 Business by Exception (All items on the Agenda)

COUNCIL DECISION

That Items C7.8, C7.9 and C9.1 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Giles)

5.0	Public Addresses - Nil
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6.0	Mayoral Minutes - Nil
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7.0	Council Meeting Business
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C7.1	NOTICE OF MOTION - Change of Mayoral Election Date (Motion submitted by Cr Dunbar)
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COUNCIL DECISION

That the Mayoral Election for 2011 be held on 5 September 2011 rather than 19 September 2011.

(Cr Dunbar / Cr Giles)

C7.2	NOTICE OF MOTION - Establishment of a Coastal Risk Investigation Area in Narrabeen Creek, Warriewood Valley (Motion submitted by Cr David James)
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COUNCIL DECISION

That Council resolves to implement and conform forthwith with the Director General's Requirement 14, issued 23 December 2009 in regard to Major Project 09_0162, by declaring and putting in place all necessary measures to ensure that all of Narrabeen Creek and its environs, as situated at or below 4.0m AHD (natural ground level) be investigated in the terms covered by **NSW Coastal Planning Guideline: Adapting to Sea Level Rise; Investigation Areas 2.3** to determine the degree of Coastal Risk that may, upon further examination, attach to these areas.

(Cr James / Cr Giles)

Procedural Motion (COUNCIL DECISION)

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

(Cr Hegarty / Cr Grace)

C7.3 NOTICE OF MOTION - Legal advice on decision of PAC handed down 25 January 2011 - Warriewood Valley

(Motion submitted by Cr Jacqueline Townsend)

COUNCIL DECISION

That Council seek urgent independent legal advice from Michael Astill of Blake Dawson on the following:

1. Is there standing to challenge the decision of PAC?
2. Is there merit to make a Class 4 challenge to set aside the validity of the decision?
3. What, if any, steps should Council take to protect itself from further applications similar to that submitted by Meriton Apartments Pty Limited?
4. Such other related questions that the General Manager considers appropriate.

(Cr Townsend / Cr Hegarty)

C7.4 Planning Assessment Commission decision on the Part 3A Project Application for 14-18 Boondah Road Warriewood

COUNCIL DECISION

That the decision by the Planning Assessment Commission to the Major Project Application at 14-18 Boondah Road Warriewood be noted.

(Cr Rose / Cr James)

C7.5 Special Rate Variation Update

COUNCIL DECISION

1. That Council adopt the draft 10-year, \$38 million works program that will form part of the Special Rate Variation Application.
2. That the Special Rate Application process be opened for community consultation till 11 March 2011.
3. That Council note that the finalised Special Rate Application and the themes from the community consultation be brought back to Council for final consideration on 21 March 2011.

(Cr Giles / Cr James)

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)

C7.6	Draft Pittwater Asset Management Policy - Public Exhibition
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COUNCIL DECISION

That the draft Pittwater Asset Management Policy be placed on public exhibition for a period of 30 days after which time a further report will be brought back to Council.

(Cr Grace / Cr Giles)

C7.7	Breastfeeding Policy
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COUNCIL DECISION

That the draft Breastfeeding Policy be adopted.

(Cr Townsend / Cr Giles)

C7.8	Supply & Delivery Industrial Hardware Tender T70111SHOROC
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COUNCIL DECISION (By Exception)

1. That the tender from Cromwell Pty Ltd for the supply and delivery of Industrial Hardware (T70111) for a period of two (2) years for the period 1 January 2011 to 31 December 2012 be accepted. A one (1) year option may be taken up based on satisfactory performance by the successful tenderer.
2. That the General Manager be authorised to affix the Council Seal on the contract documents, if required.

(Cr Hegarty / Cr Giles)

C7.9	Supply & Delivery of Stationery and Ancillary Items - SHOROC Tender/Acceptance - Tender T20111/SHOROC
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COUNCIL DECISION (By Exception)

1. That the tender from Corporate Express Australia for the supply and delivery of Stationery and Ancillary Items (T20111SHOROC) for a period of two (2) years for the period 1 January 2011 to 31 December 2012 be accepted.
2. That the General Manager be authorised to affix the Council Seal on the contract documents, if required.

(Cr Hegarty / Cr Giles)

Community, Recreation and Economic Development Committee

8.0	Community, Recreation and Economic Development Committee Business - Nil
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Natural Environment Committee

9.0	Natural Environment Committee Business
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C9.1	Minutes of the Sydney Coastal Councils Group Ordinary & Special Meetings of 4 December 2010
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COUNCIL DECISION (By Exception)

That the Minutes of the SCCG Ordinary & Special Meetings of 4 December (appended as **Attachment 1**) be noted.

(Cr Hegarty / Cr Giles)

Council Meeting

10.0	Adoption of Community, Recreation and Economic Development Committee Recommendations - Nil
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11.0	Adoption of Natural Environment Committee Recommendations - Nil
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12.0	Councillor Questions - Nil
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**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 7.55PM
ON MONDAY 7 FEBRUARY 2011**