

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

18 April 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)
Hunt, C (Director, Urban & Environmental Assets)
Dyce, L (Acting Director, Environmental Planning & Community)
Lawrence, W (Manager, Administration & Governance)
Jones, M (Chief Financial Officer)
Eriksson, M (Principal Officer, Landscape Architect)
Davies, P (Principal Engineer, Strategy, Investigation & Design)
Edmonds, M (Principal Development Officer)
Williams, A (Principal Development Officer)
Robins, R (Principal Officer, Administration)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 6.43pm, recommenced at 8.21pm and concluded at 8.26pm.
2. The Governance Committee Meeting commenced at 6.44pm and concluded at 7.29pm.
3. The Planning an Integrated Built Environment Committee Meeting commenced at 7.30pm and concluded at 8.20pm.

Council Meeting

1.0 Public Forum - Nil

2.0 Resident Questions - Nil

3.0 Apologies - Nil

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

1. Cr Rose declared a less than significant non-pecuniary interest in Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - and took no part in discussion and voting on this item. The reason provided by Cr Rose was:

"On JRPP."

2. Cr James declared a significant non-pecuniary interest in Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - and took no part in discussion and voting on this item. The reason provided by Cr James was:

"Potential delegate to JRPP Panel on the matter."

3. Cr White declared a significant non-pecuniary interest in Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - and took no part in discussion and voting on this item. The reason provided by Cr White was:

"Parents live near."

4. Cr Hegarty declared a pecuniary interest in Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - and took no part in discussion and voting on this item. The reason provided by Cr Hegarty was:

"My mother is a neighbour of the property and is regularly notified of applications."

5. Cr Dunbar declared a significant non-pecuniary interest in Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - and took no part in discussion and voting on this item. The reason provided by Cr Dunbar was:

"Live close by."

6. Cr Townsend declared a pecuniary interest in Item C11.6 - Elanora Road North Narrabeen - Future Upgrade between Wakehurst Parkway and Woorarra Road - and took no part in discussion and voting on this item. The reason provided by Cr Townsend was:

"I am owner of residence on Elanora Road, Elanora Heights."

7. Mr Chris Hunt, Director - Urban & Environmental Assets, declared a pecuniary interest in Item C10.4 - Directors Contracts of Employment - and left the chamber during discussion on this item. The reason provided by Mr Hunt was:

"Employment contract extension."

Notes:

1. The Mayor advised the Meeting that Item C11.4 - R0001/10 23B Macpherson Street Warriewood - Draft Pittwater LEP Amendment No. 94 - would be omitted from discussion as there would now not be sufficient members to form a quorum.
2. The Mayor advised the Meeting that a speaker had registered to address the Council on this item and that the Council should still hear the speaker even though no further discussion or voting would take place.

5.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 4 April 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 White)

6.0 Business by Exception (All items on the Agenda)

COUNCIL DECISION

That Items C10.1, C10.2, C10.3, C11.1, C11.3 and C11.8 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Rose)

7.0 Public Addresses

Proceedings in Brief

C10.5 – Council consideration of Aquatic Facility Development – Market Demand and Cost of Provision – Mr Peter Birrell with the leave of the Council addressed the meeting on this item.

C11.4 – R0001/10 – 23B Macpherson Street, Warriewood – Draft Pittwater LEP Amendment No. 94 – Mr Hette Mollema with the leave of the Council addressed the meeting on this item.

Procedural Motion (COUNCIL DECISION)

That questions be allowed to staff on Item C11.4 even though the matter is unable to be considered tonight due to the lack of a quorum.

(Cr Giles / Cr White)

8.0 Mayoral Minutes - Nil

9.0 Council Meeting Business

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr Giles)

Notes:

1. The Council Meeting adjourned at 6.43pm and the Governance Committee Meeting commenced at 6.44pm.
2. Cr Townsend assumed the Chair.

Governance Committee

10.0 Governance Committee Business

C10.1 Investment Balances for the Month of March 2011

COUNCIL DECISION (By Exception)

That the information provided in the report be noted, including the year to date (March) net investment return of \$ 1,146,700.

(Cr Hegarty / Cr Rose)

C10.2 Legal Expenditure as at 31 March 2011

COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Rose)

C10.3 Monthly Contractors and Staff Report - February 2011

COUNCIL DECISION (By Exception)

1. That the information provided on the engagement of new contracts for the month of February 2011 as provided by the Business Unit Managers be noted.
2. That the terminations and appointments of staff during February 2011 be noted.

(Cr Hegarty / Cr Rose)

C10.4 Directors Contracts of Employment**COMMITTEE RECOMMENDATION**

That it be noted that the General Manager proposes to offer reappointment to Mr Steve Evans and Mr Chris Hunt to the senior staff positions of Director Environmental Planning & Community and Director Urban & Environmental Assets respectively.

(Cr Rose / Cr Giles)

Note:

Mr Chris Hunt, Director - Urban & Environmental Assets, left the meeting at 7.20pm and returned at 7.22pm, having declared a pecuniary interest in Item C10.4 - Directors Contracts of Employment. The reason provided by Mr Hunt was:

"Employment contract extension."

C10.5 Council consideration of Aquatic Facility Development - Market Demand and Cost of Provision**COMMITTEE RECOMMENDATION**

1. That Council consider the contents of this report (as tabled) in conjunction with Council's long term financial plan.
2. That Council endorse the recommendation of the consultant noting that the recommendation is:

"That Council should not consider the development of an indoor aquatic centre until at least the end of the 2017 financial year."

3. That it be noted that the report recommends that any future aquatic facility be located in the southern area of Pittwater.

(Cr Rose / Cr Giles)

C10.6 Minutes of Governance Reference Group Meeting of 23 February 2011**COMMITTEE RECOMMENDATION**

That the Minutes of the Governance Reference Group Meeting held 23 February 2011 be noted.

(Cr Grace / Cr Townsend)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr James)

Notes:

1. The Governance Committee Meeting concluded at 7.29pm and the Planning an Integrated Built Environment Committee Meeting commenced at 7.30pm.
2. Cr Hegarty assumed the Chair.

Planning an Integrated Built Environment Committee

11.0 Planning an Integrated Built Environment Committee Business

C11.1 N0019/11 - 22 Hilltop Road, Avalon - Alterations and Additions to Existing Dwelling

COUNCIL DECISION (By Exception)

That the recommendation in the Development Officers Report be endorsed and Application N0019/11 - 22 Hilltop Road, Avalon (Lot B DP 17824) for alterations and additions to the existing dwelling be granted consent under the Delegated Authority of the Development Unit subject to the conditions contained in the Draft Determination.

(Cr Hegarty / Cr Rose)

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	

C11.2	N0478/10 - 9 The Avenue, Newport - Regularisation of a Secondary Dwelling
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COMMITTEE RECOMMENDATION

That the recommendation in the Development Officer's Report be endorsed and Application N0478/10 - 9 The Avenue, Newport (Lot 21 DP 14176) Regularisation of a secondary dwelling be granted consent subject to the conditions contained in the Draft Determination.

(Cr Rose / Cr Grace)

Note:

Division

A division was duly taken resulting in the following voting:

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

C11.3	N0023/10 S82A Review Of Determination - 94 Plateau Road Bilgola Plateau - Inter-allotment Boundary Realignment
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COUNCIL DECISION (By Exception)

That the recommendation in the Development Officers Report be endorsed and Application N0023/10 S82A Review of Determination - 94 Plateau Road, Bilgola Plateau (Lots 19 & 20 DP12838) Inter-allotment boundary realignment - be granted development consent subject to the conditions contained in the Draft Determination.

(Cr Hegarty / Cr Rose)

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	

C11.4	R0001/10 - 23B Macpherson Street, Warriewood - Draft Pittwater LEP Amendment No. 94
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Note:

This item was unable to be considered by Council due to the lack of a quorum eventuating as a result of the following Councillor Conflicts of Interest:

1. Cr Rose declared a less than significant non-pecuniary interest. The reason provided by Cr Rose was:
"On JRPP."
2. Cr James declared a significant non-pecuniary interest. The reason provided by Cr James was:
"Potential delegate to JRPP Panel on the matter."
3. Cr White declared a significant non-pecuniary interest. The reason provided by Cr White was:
"Parents live near."
4. Cr Hegarty declared a pecuniary interest. The reason provided by Cr Hegarty was:
"My mother is a neighbour of the property and is regularly notified of applications."
5. Cr Dunbar declared a significant non-pecuniary interest. The reason provided by Cr Dunbar was:
"Live close by."

Council was informed at the meeting that staff will be attending to this matter administratively and in accordance with the staff recommendation in the Report.

C11.5	Update on the North Narrabeen Village Masterplan
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COMMITTEE RECOMMENDATION

1. That the information provided in the report be noted.
2. That a further status report on the North Narrabeen Village masterplan be provided to Council in February 2012.

(Cr Rose / Cr Giles)

C11.6	Elanora Road, North Narrabeen - Future Upgrade between Wakehurst Parkway and Woorarra Avenue
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COMMITTEE RECOMMENDATION

1. That the report be noted.
2. That funding opportunities for further upgrades to Elanora Road be considered on a merit basis against other competing projects considered annually as part of the Council's Delivery Plan process.

(Cr James / Cr Giles)

Note:

Cr Townsend left the meeting at 8.00pm and returned at 8.06pm, having declared a pecuniary interest in this item, and took no part in discussion or voting. The reason provided by Cr Townsend was:

"I am owner of residence on Elanora Road, Elanora Heights."

C11.7	Pittwater Road and McCarrs Creek Road - Road Infrastructure Condition Assessment for Reclassified Main Road
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COMMITTEE RECOMMENDATION

1. That the Pittwater Road/McCarrs Creek Road RTA Road Reclassification report – Road Inventory & Condition Assessment (2011) be noted.
2. That the RTA be advised of the report findings and of Council's continuing objection to the handover of these roads.
3. That the RTA continue its recent road rehabilitation works to raise the standard of the remaining substandard segments of these roads to a good condition.
4. That the General Manager continue discussions with the RTA on this matter.
5. That further representations be made to the NSW Minister for Roads regarding Council's position.

(Cr James / Cr White)

C11.8 Minutes of the Pittwater Traffic Committee Meeting held electronically on 29 March 2011

COUNCIL DECISION (By Exception)

That the Traffic Committee recommendations contained in the Minutes of the Electronic Meeting of 29 March 2011 be adopted.

(Cr Hegarty / Cr Rose)

C11.9 Minutes of the Planning an Integrated Built Environment Reference Group Meeting held on 16 February 2011

COMMITTEE RECOMMENDATION

That the Minutes of the Planning an Integrated Built Environment Reference Group meeting of 16 February 2011 be noted.

(Cr Dunbar / Cr Giles)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr Giles)

Notes:

1. The Planning an Integrated Built Environment Committee Meeting concluded at 8.20pm and the Council Meeting recommenced at 8.21pm.
2. Cr Rose resumed the Chair.

Council Meeting

12.0 Adoption of the Governance Committee Recommendations

COUNCIL DECISION

That the recommendations on Items C10.4, C10.5 and C10.6 of the Governance Committee comprising all Council members be, and are hereby, adopted.

(Cr Giles / Cr James)

13.0 Adoption of the Planning an Integrated Built Environment Committee Recommendations

COUNCIL DECISION

That the recommendations on Items C11.2, C11.5, C11.7 and C11.9 of the Planning an Integrated Built Environment Committee comprising all Council members be, and are hereby, adopted.

(Cr Giles / Cr White)

FURTHER COUNCIL DECISION

That the recommendation on Item C11.6 of the Planning an Integrated Built Environment Committee comprising all Council members with the exception of Cr Townsend be and is hereby, adopted.

(Cr Giles / Cr White)

Note:

Cr Townsend left the meeting at 8.21pm and returned at 8.22pm having declared a pecuniary interest and took no part in voting on Item C11.6. The reason provided by Cr Townsend was:

"I am owner of residence on Elanora Road, Elanora Heights."

14.0 Councillor Questions- Nil

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 8.26PM
ON MONDAY 18 APRIL 2011**