



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

18 July 2011

Commencing at 6.30pm.

ATTENDANCE

Members

Rose, H (Mayor & Chairperson)
Townsend, J (Deputy Mayor)
Dunbar, B
Giles, P
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)
Mulroney, J (Community Engagement Officer)
Munn, L (Manager, Reserves, Recreation & Building Services)
Shaw, M (Manager, Urban Infrastructure)
Kwok, R (Civil Design & Traffic Engineer)
Davies, P (Principal Officer, Strategy, Investigation & Design)
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 6.46pm, recommenced at 7.59pm and concluded at 8.00pm.
2. The Planning an Integrated Built Environment Committee Meeting commenced at 6.47pm and concluded at 7.31pm.
3. The Governance Committee Meeting commenced at 7.32pm and concluded at 7.58pm.

Council Meeting

1.0 Public Forum

2.0 Resident Questions

Question 1 - Mr Gavin Butler

Is the special rate variation a permanent change to the rate base?

Answer:

The General Manager advised that yes, the special rate variation is a permanent change to the rate base.

Question 2 - Mr Gavin Butler

If this is so why has the implication that it will only last 10 years been used?

Answer:

The General Manager responded that analysis to date has been on a 10 year timeframe due to Council's Long Term Financial Model. At some time in the future Council will undertake further forward assessments for works to be incorporated.

3.0 Apologies

COUNCIL DECISION

That apologies be received and accepted from Cr Grace and leave of absence be granted from the Council Meeting held on 18 July 2011.

(Cr Hegarty / Cr Giles)

4.0	Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts
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Cr White declared a less than significant non-pecuniary interest in Item C11.2 - Scotland Island Road Reserve and Stormwater Drainage Strategies, remained in the meeting and took part in discussion and voting on this item. The reason provided by Cr White was:

"Live in area."

5.0	Confirmation of Minutes
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COUNCIL DECISION

That the Minutes of the Council Meeting held on 4 July 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 White / Cr Hock)

6.0	Business by Exception (All items on the Agenda)
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COUNCIL DECISION

That Items C9.1, C10.2, C10.3, C10.7 and C11.3 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
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C11.2 Scotland Island Road Reserve and Stormwater Drainage Strategies - With the leave of the Council Ms Anne Palmer addressed the meeting, speaking against this item, and Ms Carol Gye addressed the meeting, speaking in support of this item.

C11.4 Minutes of the Pittwater Traffic Committee Meeting held on 18 May 2011 - With the leave of the Council Mr Peter Birrell (on behalf of Avalon Public School P&C Association) addressed the meeting speaking in support of this item.

8.0	Mayoral Minutes - Nil
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9.0 Council Meeting Business

C9.1 2011 National General Assembly of Local Government Report

COUNCIL DECISION (By Exception)

That Councillor Rose's report be noted.

(Cr Hegarty / Cr Giles)

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Planning an Integrated Built Environment Committee meeting now commence.

(Cr Rose / Cr Giles)

Notes:

1. The Council Meeting adjourned at 6.46pm and the Planning an Integrated Built Environment Committee Meeting commenced at 6.47pm.
2. Cr Hegarty assumed the Chair.

Planning an Integrated Built Environment Committee

11.0 Planning an Integrated Built Environment Committee Business

C11.2 Scotland Island Road Reserve and Stormwater Drainage Strategies

COMMITTEE RECOMMENDATION

1. That the following three documents (as tabled at the meeting):
 - Scotland Island Road Reserve Management Strategy
 - Scotland Island Stormwater Management Strategy
 - Scotland Island Road Reserve and Stormwater Management Implementation Planbe adopted and used as the reference documents for the provision of future improvement works on Scotland Island.
2. That staff edit the reports so that they consistently match the final recommendations.

(Cr White / Cr Giles)

Note:

Cr White declared a less than significant non-pecuniary interest in Item C11.2 - Scotland Island Road Reserve and Stormwater Drainage Strategies. Cr White remained in the meeting, taking part in discussion and voting on this item. The reason provided by Cr White was:

"Live in area."

C11.4	Minutes of the Pittwater Traffic Committee Meeting held on 14 June 2011
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COMMITTEE RECOMMENDATION

That the Traffic Committee recommendations contained in the Minutes of the Meeting of 14 June 2011 be adopted.

(Cr Giles / Cr James)

C11.1	Update on Warriewood Valley Strategic Review
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COMMITTEE RECOMMENDATION

- 1 That the information contained in this report be noted.
- 2 That a report be brought back to Council on the outcomes of the Warriewood Valley Strategic Review.
- 3 That the Department of Planning & Infrastructure *Procurement Policy and Procedure* be provided in a report to Council at the meeting of 1 August 2011.

(Cr Townsend / Cr James)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr Giles)

C11.3	Pittwater Walks & Rides Strategy Masterplan - 2011 Review (Draft) - Public Exhibition
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COUNCIL DECISION (By Exception)

1. That the Pittwater Walks & Rides Strategy Masterplan – 2011 Review be placed on public exhibition for a period of one (1) month seeking comments on the proposed Walks & Rides Route Plan included in the document.
2. That following the public consultation period, a further report be presented to Council.

(Cr Hegarty / Cr Giles)

C11.5	Minutes of the Planning an Integrated Built Environment Reference Group Meeting held on 18 May 2011
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COMMITTEE RECOMMENDATION

That the Minutes of the Planning an Integrated Built Environment Reference Group meeting of 18 May 2011 be noted.

(Cr Dunbar / Cr Rose)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr Giles)

Notes:

1. The Planning an Integrated Built Environment Committee Meeting concluded at 7.32pm and the Governance Committee Meeting commenced at 7.33pm.
2. Cr Townsend assumed the Chair.

Governance Committee

10.0	Governance Committee Business
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C10.1	Investment Balances for the Month of June 2011
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COMMITTEE RECOMMENDATION

That the information provided in the report be noted, including the 2010/11 net investment return of \$ 1,521,223.

(Cr Rose / Cr Giles)

C10.2	Legal Expenditure as at 30 June 2011
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COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Giles)

C10.3 Monthly Contractors & Staff Report - May 2011

COUNCIL DECISION (By Exception)

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

(Cr Hegarty / Cr Giles)

C10.4 Sustainable Living Expo - Village Park, Mona Vale

COMMITTEE RECOMMENDATION

That to facilitate the Sustainable Living Expo, the Alcohol Prohibited Zone at Village Park Mona Vale be lifted on Sunday, 9 October 2011, from 10am to 5pm, or in the event of adverse weather an alternate date, to permit the tasting of organic wines at the Sustainable Living Expo.

(Cr White / Cr Giles)

C10.5 Expression of Interest - Special Rate Variation Community Advisory Committee

COMMITTEE RECOMMENDATION

1. That Council approve the commencement of an Expression of Interest process to appoint community members to the SRV Community Advisory Committee.
2. That Council nominate Cr Rose to participate on the panel to assess applications and decide on community representation on the Committee.
3. That Council nominate Cr Hock (North Ward), Cr Hegarty (South Ward) and Cr White (Central Ward) to participate on the SRV Community Advisory Committee.

(Cr Giles / Cr Rose)

C10.6 Policy Review - Urban & Environmental Assets Division

COMMITTEE RECOMMENDATION

1. That Council adopt the following as Draft Policies for the purposes of Public Exhibition (details as shown in **Attachments 1 and 2**):

Policies to be retained with only minor changes and reformat (Attachment 1)

Policy No.	Strategy	Policy Name	Reason for Retention
98	Recreation	Helicopter Landings on Council owned and controlled property	This Policy remains valid and does not require amendment.
111	<ul style="list-style-type: none"> Vegetation Management Town & Village Recreation 	Public Property vandalism – reward for successful prosecution	This Policy remains valid and does not require amendment.
157	<ul style="list-style-type: none"> Building Communities Recreation 	Plaques in parks and reserves	This Policy remains valid and does not require amendment.
164	Sustainability & Climate Change Co-ordination	Sustainability	This Policy remains valid and does not require amendment
169	<ul style="list-style-type: none"> Building Communities Recreation 	Open Air Cinemas on Council Controlled Land.	This Policy remains valid and does not require amendment.
174	<ul style="list-style-type: none"> Vegetation Management 	Ban on Leighton's cypress pine / Leyland cypress (xCupressocuparis Leylandii) and Pinus species	Retained subject to further investigation.
176	Sustainability & Climate Change Co-ordination	Climate Change	This Policy remains valid and does not require amendment.
178	<ul style="list-style-type: none"> Land Use Risk Management 	Geotechnical Risk Management Policy for Pittwater	This Policy remains valid and does not require amendment.

Policies to be retained with amendments and reformat (Attachment 2)

Policy No.	Strategy	Policy Name	Reason for Amendment
18	<ul style="list-style-type: none"> Business Management Recreation 	Parking – Issue of Annual Permits – Waiving of Parking Fees	Now includes Policy No 19 the reciprocal parking arrangements at North Narrabeen Rockpool carpark and North Narrabeen Beach between Pittwater Council and Warringah Council. Also deletion of the Weekender (no longer in circulation) and the addition of the Church Point Precinct information.
24	<ul style="list-style-type: none"> Beach & Coastal Recreation 	Beach Inspector – Lifeguard Service	To update information regarding lifeguard services in Pittwater.
26	<ul style="list-style-type: none"> Recreation 	Storage of Watercraft – Dinghies/Boats	To delete specific dinghy storage areas from the policy to refer to schedule to be maintained by Council staff.
30	<ul style="list-style-type: none"> Biodiversity Recreation Community Engagement, Education & Awareness 	Dog Control	To include legislation and wildlife protection areas.
37	<ul style="list-style-type: none"> Recreation Risk Management co-ordination 	Amusement devices and/or Public stands	To include legislation and insurance coverage.

Policy No.	Strategy	Policy Name	Reason for Amendment
43	<ul style="list-style-type: none"> Building Communities Recreation 	Clothing Recycling Bins on Council controlled land – Control and Regulation	To provide contact details.
52	<ul style="list-style-type: none"> Beach & Coastal Recreation 	Surf Life Saving Movement	To include Surf Life Saving Sydney Northern Beaches and access to surf clubs.
76	<ul style="list-style-type: none"> Building Communities Water Management 	Scotland Island Emergency Water Pipeline and Non-Potable Water Supply	Comprehensive changes to reflect the role of Scotland Island Residents Association (SIRA), Sydney Water and Council
84	<ul style="list-style-type: none"> Land Use & Development Recreation 	Temporary Storage on Council Reserves	To include turf species at discretion of Manager.
88	<ul style="list-style-type: none"> Beach & Coastal Recreation 	Beach and Rockpool Management	To update and include Policy No 109 Powerboat Racing.
97	<ul style="list-style-type: none"> Building Communities 	Public Collections – appeals	To update current Policy
100	<ul style="list-style-type: none"> Recreation 	Circuses	To update insurance and certification requirements.
101	<ul style="list-style-type: none"> Recreation 	Tennis Liaison Committee	To amend clauses 4 & 6.
102	<ul style="list-style-type: none"> Recreation 	Speed Restrictions – Signs on Public Reserves and Carparks	To update carparking areas.
118	<ul style="list-style-type: none"> Vegetation Biodiversity 	Significant Tree Removals	To update information and legislation.
120	<ul style="list-style-type: none"> Building Communities Recreation 	Open Air Concerts	To update
129	<ul style="list-style-type: none"> Recreation Risk management co-ordination Building Communities 	Signs – Council's Facilities	To include reference to Council branding.
154	<ul style="list-style-type: none"> Building Communities Recreation 	Smoke Free Zones around Pittwater	Inclusion of iii) within 10 metres of all children's playground equipment become smoke free areas.
163	<ul style="list-style-type: none"> Building Communities Recreation 	Banners on Public Land	This Policy remains valid however minor amendments have been made.

2. That Council revoke the following Policies (**Attachment 3**):

Policy no.	Policy Name	Reason for Revocation
19	Parking Arrangements – Reciprocal Pittwater and Warringah Councils.	The reciprocal arrangement between Warringah Council and Pittwater Council for parking at North Narrabeen Rockpool carpark and North Narrabeen Beach has been included into Policy No. 18 Parking – Issue of Annual Permits- Waiving of Parking Fees.
25	Winter Education Program	The winter education program was run by Council employed lifeguards during their downtime in the winter season. As this service is now undertaken by contractors (past 15 years) Council no longer has in-house lifeguards to run this program. Surf education programs are now run by Surf Lifesaving Sydney Northern Beaches and schools.

Policy no.	Policy Name	Reason for Revocation
54	Surf Club Buildings – Maintenance	This policy relates to the maintenance of the surf club buildings which is a lease issue.
63	Streetlighting Committee	Streetlighting is now managed administratively and does not require a Committee.
73	Emergency Water Supply – Fees	Council no longer provides this service on the basis of risk and safety. The service is currently independently provided by private contractors
74	Construction of Seawalls	This policy is superseded by P21 DCP.
75	Cemetery – Mona Vale (Turimetta)	This Policy is no longer relevant and is superseded by legislation. The Mona Vale Cemetery Plan of Management is currently being compiled and Fees and Charges are included in the Delivery Plan
79	Traffic control facilities – Traffic management – Delegations of Powers to Council from roads and Traffic Authority	The Council Policy is in conflict with the RTA Guidelines for Traffic Management under RTA delegated.
82	Traffic Generating Development – SEPP No 11 Delegation of Power to Council from Roads and Traffic Authority	SEPP 11 was repealed on 16 December 2007 and superseded by SEPP Infrastructure. Pittwater 21 DCP incorporates a provision in reference to SEPP Infrastructure in relation to traffic generating developments
85	Sportsground Facilities	This policy relates to the sporting clubs use of Council's sportsfields in the event of wet weather. Council has now taken over the allocation of sportsfields from the Sporting Union and this is now an operational issue and covered under the Hire Agreement Council has with the sporting clubs.
86	Prohibited activities on Council and Public Reserves	The Policy does not provide the power to control the use of public land - the Council is empowered under Section 632 of the Local Government Act to erect notices to control the use of public land.
87	Bushfire Control – Warringah/Pittwater Bushfire District	This policy has been superseded by a Service Level Agreement with the Rural Fire Service
90	Volunteer Bush Regeneration Guidelines	Council has a Volunteer Guidelines document that covers volunteers' activities for Council.
94	School – Community Access – use of playing fields.	This is an operational issue.
95	Sportsgrounds – Allocation of Use	Council has taken over the allocation of sportsgrounds from the Sporting Union. This policy is no longer required.
96	Film Permit Policy and Conditions	This Policy is no longer relevant as the State Government's Filming Protocol supersedes any Filming Policy adopted by Council.
99	Coastal Environment Centre – Conditions of Hire & Charges	Replaced by Fees and Charges in Management Plan
106	Transport – Regional SHOROC	Regional Transport strategy is currently being updated as a SHOROC initiative.
109	Powerboat Racing Events	Now included in Policy No 88
136	Pittwater Foreshore and Ocean front access.	Parcels of land to be listed on a Property Register identified as land for public access.

3. That Council note the following foreshadowed new and/or amalgamated policies are to be the subject of further report(s) to Council and in the interim the existing policies will remain unaltered until the new policy is adopted.

New Policy	Strategy	Reason
Tree Policy on Public Land	<ul style="list-style-type: none"> Vegetation Management Biodiversity 	Tree Policy on Public Land currently being developed
Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
<ul style="list-style-type: none"> Policy No 89 – Dieback of Trees – Awareness & Prevention Program 		

New Policy	Strategy	Reason
Trees (Disputes Between Neighbours) Act 2006 – Enforcement of Judgement and Orders of the Land & Environment Court	Vegetation Management	To state Council's response to requests from a member of the public seeking Council's enforcement of Orders issued by the Land & Environment Court. Note: Council has no statutory requirement to act

New Policy	Strategy	Reason
Pittwater Procurement Policy	<ul style="list-style-type: none"> Business Management Asset Management 	The Pittwater Procurement Policy and Guidelines are currently being developed to cover the total range of activities for procurement and disposal. These documents will in the first instance be reviewed by the Audit and Risk Committee and will then be reported to Council later this year
Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
Policy No 9 – Disposal of Council owned Plant and Equipment		
Policy No 171 – Pittwater Sustainable Purchasing		

New Policy	Strategy	Reason
Landscape Management – Public Reserves	<ul style="list-style-type: none"> Vegetation Recreation 	To effectively manage landscape attributes associated with public reserves
Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
Policy No 91 – Landscape Management		

New Policy	Strategy	Reason
Reserves, Sportsgrounds, Beaches and Headlands Booking Policy	<ul style="list-style-type: none"> Recreation Management 	The Reserves, Sportsgrounds, Beaches and Headlands Booking Policy includes minor amendments and inclusion of wet weather procedures for sporting clubs. The title has changed to include Sportsgrounds
Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
Policy No 93 – Reserves, Beaches and Headlands Booking Policy		

New Policy	Strategy	Reason
Pittwater Streetscape and Stormwater Management Policy	<ul style="list-style-type: none"> Traffic & Transport Land Use & Development Business Management Water Management Vegetation Management 	The Pittwater Streetscape and Stormwater Management Policy is currently being developed which will incorporate a range of existing Policies. These documents will in the first instance be reviewed by the business units active in managing the road reserve and stormwater infrastructure and will then be reported to Council later this year.

Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
Policy No 27 – Building Waste Containers – Placement on Public Roads		
Policy No 53 – Road Reserves Private Use of		
Policy No 58 – Vertical Utility Service Connections		
Policy No 59 – Street Levels		
Policy No 60 – Multiple Access – Special Crossings		
Policy No 61 – Contributions – New Kerb & guttering – New footpath – Non Rateable Properties		
Policy No 62 – Registration of Contractors for Construction of Special Crossings		
Policy No 64 – Access Driveways and Other Streetscape Infrastructure		
Policy No 65 – Builders Restoration fee		
Policy No 66 – Private Tree Threatening Council's Stormwater Lines		
Policy No 68 – Private Pipeline Approvals		
Policy No 70 – Subdivision Roadworks – Security Deposits and Bonds		
Policy No 72 – Numbering of Properties – Part 2 (only) – Property Numbering on Kerb		
Policy No 77 – Angle Parking on Public Roads		
Policy No 78 – Caution Children Playing in the Street		
Policy No 80 – Vehicular Access to All Roadside Development		
Policy No 81 – Construction Zone		
Policy No 91 – Landscape Management Policy		
Policy No 104 – Street Furniture & Bus shelters – Provision of Partnership with the Private Sector		
Policy No 112 – Concealed Driveways and/or Mirrors		

New Policy	Strategy	Reason
Integrated Urban Water Management	<ul style="list-style-type: none"> Water Management 	To effectively manage the urban water cycle
Incorporates the following Policies that will be retained as interim without amendment until new policy is adopted		
Policy No 67 – Watercourse Preservation		
Policy No 69 – Urban Stormwater – Integrated Policy		

New Policy	Strategy	Reason
Natural Hazards Risk Management Policy for Development in Pittwater	<ul style="list-style-type: none"> Risk Management Co-ordination Land Use & Development 	To provide an over-arching policy for the effective management of the risks related to natural hazards associated with development in Pittwater.

- That the Draft Policies as shown in Attachments 1 and 2, together with those Draft Policies identified in separate reports to Council during May and June 2011, be placed on public exhibition for a period of 28 days.
- That the following policies be amended for public exhibition purposes in accordance with the comments made in the table below:-

Policy No.	Policy Name	Comment
30	Dog Control	Aerial photograph of Mackerel Beach unleashed dog exercise area to be replaced with a map in line with the other unleashed dog exercise areas.
111	Public Property Vandalism	Amendments to the policy to increase the reward up to \$10,000. Sign in the policy is incorrect.
120	Open Air Concerts	Amended policy to add a requirement for "public liability insurance noting the interests of Pittwater Council for a minimum amount of \$20 million be provided to Council prior to the event".
154	Smoke Free Zones around Pittwater	Policy has already been approved by Council for public exhibition and should be removed from this report.

6. At the completion of the Public Exhibition, a further report facilitating adoption of the finalised Policies be made to Council.

(Cr Giles / Cr Rose)

C10.7 Minutes of SHOROC Board Meeting held on 18 May 2011

COUNCIL DECISION (By Exception)

That the Minutes of the SHOROC Board Meeting held on 18 May 2011 be noted and those matters requiring further consideration by Pittwater Council be the subject of separate reports to Council as required.

(Cr Hegarty / Cr Giles)

C10.8 Minutes of the Community Engagement & Information Reference Group Meeting of 25 May 2011

COMMITTEE RECOMMENDATION

1. That the Minutes of the Community Engagement & Information Reference Group Meeting held 25 May 2011 be noted, including the expanded list of topics to be discussed at future Community Engagement and Information Reference Group meetings.
2. That a Working Party of interested Community Engagement and Information and Natural Environment Reference Group Members be formed to further explore opportunities to promote sustainability issues via social media or by physical signage throughout the community.
3. That in conjunction with the Natural Environment Reference Group, Council facilitate feedback/promotion/structure to further the strategic aim of a carbon neutral Pittwater.

(Cr Rose / Cr Townsend)

Procedural Motion (COUNCIL DECISION)

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

(Cr Rose / Cr White)

Notes:

1. The Governance Committee Meeting concluded at 7.58pm and the Council Meeting recommenced at 7.59pm.
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, C10.4, C10.5, C10.6 and C10.8 of the Governance Committee comprising all Council members be, and are hereby, adopted.

(Cr Hegarty / Cr Giles)

13.0 Adoption of the Planning an Integrated Built Environment Committee Recommendations

COUNCIL DECISION

That the recommendations on Items C11.1, C11.2, C11.4 and C11.5 of the Planning an Integrated Built Environment Committee comprising all Council members be, and are hereby, adopted.

(Cr Hock / Cr Giles)

14.0 Councillor Questions - Nil

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 8.00PM
ON MONDAY 18 JULY 2011**