PITTWATER COUNCIL

Pittwater Council Minutes
Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

16 March 2015

Commencing at 6.30pm.

ATTENDANCE

Members

Townsend, J (Mayor & Chairperson)
Ferguson, K (Deputy Mayor)
Grace, B
Griffith, S
Hegarty, J
McTaggart, A
Millar, K
Young, S

Officers

Ferguson, M (General Manager)
Evans, S (Director, Environmental Planning & Community)
Hunt, C (Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Pigott, A (Manager, Planning and Assessment)
Williams, A (Principal Development Officer)
Mulroney, J (Manager, Community Engagement and Corporate Strategy)
Bremner, D (Community Engagement Officer)
Bramich, R (Principal Environment Officer)
McPherson, S (Administration Officer/ Minute Secretary)

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General Manager *Mayor*

Council Meeting

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General Manager *Mayor*

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General Manager *Mayor*

Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 6.57pm, recommenced at 8.57pm and concluded at 8.58pm.

2. The Sustainable Towns and Villages Committee Meeting commenced at 6.58pm and concluded at 7.53pm.

3. The Leading and Learning Committee Meeting commenced at 7.54pm and concluded at 8.56pm.

Council Meeting

1.0 Public Forum

Nil.

2.0 Resident Questions

Question 1 – Mr Phil Walker
Has Pittwater Council obtained a final Occupation Certificate for the Mona Vale Post Office Car Park (Bungan Lane) now fully used?

Answer
There has been an interim Occupation Certificate issued.

Question 2 – Mr Phil Walker
Has Pittwater Council determined the acceptable levels of Tributyltin for the beach at the Ferry Wharf at Pittwater Park, Palm Beach?

Answer
Council will liaise with the Environmental Protection Authority (EPA) to establish the appropriate levels.

3.0 Apologies

COUNCIL DECISION

That apologies be received and accepted from Cr White and leave of absence be granted from the Council Meeting held on 16 March 2015.

(Cr Hegarty / Cr Millar)

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General Manager *Mayor*

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

Nil.

5.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 2 March 2015, 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 Ferguson / Cr Millar)

6.0 Public Addresses

C12.1 – N0217/14 – 329 Barrenjoey Road, Newport – Mixed use shop top housing, additional two storeys to create six residential units, excavation to the rear to create two levels of car parking (14 spaces) internal alterations to the existing retail unit – With the leave of Council Mr David Djuric spoke against the recommendation on this item. With the leave of the Council Mr Ross Fleming spoke in support of the recommendation on this item.

7.0 Councillor Questions with Notice

Nil.

8.0 Mayoral Minutes

C8.1 Mayoral Minute - Shopping Trolley Containment System

COUNCIL DECISION

1. That Council develop a Shopping Trolley Containment System Policy for implementation across the Pittwater LGA.

2. That Council, in the interim, review its impounding fee for shopping trolleys with a view to an increase to the current fee of $100 per trolley.

(Cr Townsend)

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General Manager *Mayor*

C8.2: Mayoral Minute - Implementation of motion passed at 2014 NSW Local Government Conference - Policy to oversee installation and upgrade of electricity utilities

COUNCIL DECISION

That Council write to Premier Baird seeking immediate action on motion 64 – Electricity Poles and Utilities as submitted by Wingecarribee Shire Council and passed at the 2014 NSW Local Government Conference, should he be re-elected.

(Cr Townsend)

9.0 Business by Exception

COUNCIL DECISION

That Item C11.1 be dealt with by exception and the recommendation contained in the report for this item be adopted.

(Cr Hegarty / Cr Ferguson)

10.0 Council Meeting Business

Nil.

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Sustainable Towns and Villages Committee Meeting now commence.

(Cr Townsend / Cr Hegarty)

Notes:

1. The Council Meeting adjourned at 6.57pm and the Sustainable Towns and Villages Committee Meeting commenced at 6.58pm.

2. Cr Griffith assumed the Chair.

Sustainable Towns and Villages Committee

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General Manager *Mayor*

12.0 Sustainable Towns and Villages Committee Business

C12.1 N0217/14 - 329 Barrenjoey Road Newport - Mixed use shop top housing, additional two storeys to create six residential units, excavation to the rear to create two levels of car parking (14 spaces) and internal alterations to the existing retail unit

COMMITTEE RECOMMENDATION

That the Application be refused for the following reasons:

- Non compliance with the intent of the Newport Masterplan
- Bulk and Scale
- Acoustic Privacy
- Setback and separation with respect to the Masterplan
- Density
- Accessibility
- Building depth, and
- Not consistent with the aesthetics of the built form.

(Cr McTaggart / Cr Millar)

Notes:

1. A division was duly taken resulting in the following voting:

Aye (For)	**No (Against)**
Cr Ferguson	Nil.
Cr Griffith	
Cr Grace	
Cr Hegarty	
Cr McTaggart	
Cr Millar	
Cr Townsend	
Cr Young	

2. The following motion was moved by Cr Young and seconded by Cr Grace and was withdrawn with the consent of the seconder:

   "That this item be deferred to allow further consideration of the lack of separation between this development and any future neighbouring development".

Procedural Motion (COUNCIL DECISION)

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

(Cr Hegarty / Cr Ferguson)

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General Manager *Mayor*

C12.2 Amendment to the Pittwater Local Environmental Plan (LEP) 2014

COMMITTEE RECOMMENDATION

1. That Council note the outcome of the public exhibition of the Planning Proposal to rectify omissions on the Lot Size Map in the Pittwater LEP 2014.

2. That Council endorse and finalise the Planning Proposal to amend the Lot Size Map.

(Cr Griffith / Cr Townsend)

C12.3 Future Waste Services Collection Service Contract

COMMITTEE RECOMMENDATION

That the General Manager:

1. Initiate the necessary preparatory works for the tendering and contract process to be conducted with the assistance of a waste contract consultant.

2. Develop waste collection contract service specifications that integrate with the:
   a. SHOROC Too Good To Waste Regional Resource Recovery Strategy, and
   b. proposed Kimbriki Environmental Enterprises Pty Ltd processing facilities at Kimbriki Resource Recovery Centre, Kimbriki Road, and Terrey Hills.

3. Conduct a tender process for the provision of waste and recycling collection services to mainland and offshore domestic households plus public places within the Pittwater local government area for a contract term of seven years plus an additional two year extension.

(Cr Millar / Cr Ferguson)

C12.4 Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 18 February 2015

COMMITTEE RECOMMENDATION

1. That Council note the Minutes of the Natural Environment Reference Group Meeting held on 18 February 2015 that relate to the discussion on:

   - Steps to a Sustainable Home Update
   - Fit for the Future Update
   - 2014 Metropolitan Strategy: A plan for growing Sydney
   - Update on amendments to the Pittwater Local Environmental Plan (LEP) 2014
   - Review of Reference Groups

…… ……..
General Manager *Mayor*

2. That Council note the following reference points from that meeting:

2.1 **Steps to a Sustainable Home Update**

1. That the update on the Steps to a Sustainable Home update be noted.

2. That the reference group note the steps to the sustainable home will be launched formally through the "Ask a Sustainability Expert" event on 23 March 2015 and that a marketing program to follow.

3. That the flyer be distributed to local community via members, noticeboards, cafes, enliven and schools for maximum exposure.

2.2 **Review of Reference Groups**

The Strategic Towns & Villages Reference Group:

- Notes the summary of results provided
- Supports the renewal of the Community Reference Groups for a new two-year term commencing in May 2015
- Acknowledges a new Expression of Interest process will be undertaken and that existing members are encouraged to reapply.

(Cr Grace / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Sustainable Towns and Villages Committee Meeting be concluded and the Leading and Learning Committee Meeting now commence.

(Cr Ferguson / Cr Millar)

Notes:

1. The Sustainable Towns and Villages Committee Meeting concluded at 7.53pm and the Leading and Learning Committee Meeting commenced at 7.54pm.

2. Cr Hegarty assumed the Chair.

Leading and Learning Committee

11.0 Leading and Learning Committee Business

C11.1 Investment Balances as at 28 February 2015

COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Ferguson)

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General Manager *Mayor*

C11.2 NSW Food Authority - Scores on Doors food premises inspection program

COMMITTEE RECOMMENDATION

NO DECISION MADE

Note:

The following unsuccessful motion was moved by Cr Millar and seconded by Cr Ferguson:

"1. That the NSW Food Authority Scores on Doors program be included in the Environmental Compliance & Waste business unit service delivery, education and operational programs from 2015/2016 onwards.

2. That Council write to NSW Food Authority and the NSW Government, Minister for Primary Industries, confirming participation in the NSW Food Authority Scores on Doors program.

3. That implementation, promotion and launch of the Scores on Doors program be activated in partnership with the NSW Food Authority during the first half of the 2015/2016 financial year".

C11.3 6 month management report 2014 - 2015

COMMITTEE RECOMMENDATION

That Council notes the progress being made within the 6 months from July – December 2014 to complete actions identified within the 2014 – 2018 Delivery Program and Budget.

(Cr Griffith / Cr Townsend)

C11.4 Review of Community Reference Groups 2015

COMMITTEE RECOMMENDATION

1. That the summary of evaluation results provided be noted.

2. That the renewal of the Community Reference Groups for a new two-year term recommencing in May 2015 be noted.

3. That a public Expression of Interest process be undertaken and that existing members be encouraged to reapply.

4. That Cr Ferguson (Central Ward), Cr McTaggart (North Ward), Cr Millar (South Ward) and the two Council Directors (Director Environmental Planning & Community and Director, Urban & Environmental Assets) be appointed to review the nominations received and to appoint, for a new term, all reference groups.

(Cr Ferguson / Cr Townsend)

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General Manager *Mayor*

C11.5 Minutes of the Audit and Risk Committee Meeting held on 24 February 2015

COMMITTEE RECOMMENDATION

That the Minutes of the Audit and Risk Committee Meeting held on 24 February 2015 be noted.

(Cr Grace / Cr Townsend)

C11.6 Minutes of the Leading and Learning Reference Group Meeting held on 25 February 2015

COMMITTEE RECOMMENDATION

1. That Council note the Minutes of the Leading & Learning Reference Group Meeting held on 25 February 2015 that relate to the discussion on:
   - Enterprise Risk Management
   - Local Government Reform Update
   - Review of Reference Groups
   - Review of Leading and Learning Reference Group Reference Points

2. That Council note the following reference points from that meeting:

   2.1 **Enterprise Risk Management**
   That the members note the report and presentation and the ongoing development and implementation of an effective ERM policy and plan.

   2.2 **Review of Reference Groups**
   That the Leading and Learning Reference Group:
   - Notes the summary of results provided
   - Supports the renewal of the Community Reference Groups for a new two-year term commencing in May 2015
   - Acknowledges a new Expression of Interest process will be undertaken and that existing members are encouraged to reapply.
   - That a special process targeting students or younger people be investigated with a view to increasing youth participation in local government, thus providing an insight into issues of concern to young people.
   - That Council investigate a community initiative such as a Youth Forum or high school students conducting a Business Week Event, as a method of involving students and younger people.

(Cr Young / Cr Griffith)

Procedural Motion (COUNCIL DECISION)

That the Leading and Learning Committee Meeting be concluded and the Council Meeting now recommence.

(Cr Griffith / Cr Ferguson)

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General Manager *Mayor*

Notes:

1. The Leading and Learning Committee Meeting concluded at 8.56pm and the Council Meeting recommenced at 8.57pm.

2. Cr Townsend assumed the Chair.

Council Meeting

13.0 Adoption of Leading and Learning Committee Recommendations

COUNCIL DECISION

That the recommendations of the Leading and Learning Committee on Items C11.3, C11.4, C11.5 and C11.6 comprising all Council members be, and are hereby, adopted.

(Cr Ferguson / Cr Millar)

14.0 Adoption of Sustainable Towns and Villages Committee Recommendations

COUNCIL DECISION

That the recommendations of the Sustainable Towns and Villages Committee on Items C12.1, C12.2, C12.3 and C12.4 comprising all Council members be, and are hereby, adopted.

(Cr Ferguson / Cr Millar)

THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 8.58PM ON
MONDAY, 16 MARCH 2015

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General Manager *Mayor*