



Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

2 November 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
White, I
Young, S

Officers

Ferguson, M (General Manager)
Evans, S (Director, Environmental Planning & Community)
Munn, L (Acting Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Godfrey, L (Manager, Community and Library Services)
Johnson, S (Acting Manager, Commercial Property & Projects)
Beharrell, M (Manager, Natural Environment & Education)
Pigott, A (Manager, Planning and Assessment)
Hewitt, M (Manager, Place Management)
Lawler, S (Acting Manager, Reserves & Recreation)
William-Smith, P (Economic Development Coordinator)
Stagni, T (Local Infrastructure Coordinator)
Gallery, S (Principal Officer, Governance)
McPherson, S (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 8.53pm, recommenced at 9.19pm and adjourned at 9.51pm, recommenced at 10.06pm and adjourned at 10.07pm, recommenced at 10.28pm and concluded at 10.29pm.
2. The Natural Environment Committee Meeting commenced at 8.54pm and concluded at 9.18pm.
3. The Connecting Communities Committee Meeting commenced at 9.52pm and concluded at 10.05pm.
4. The Committee of the Whole Meeting commenced at 10.08pm and concluded at 10.28pm.

Council Meeting

1.0 Apologies

Nil.

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

Cr Millar declared a less than significant non pecuniary interest in Item C10.2 – Review of Warriewood Valley Roads Masterplan and Landscape Plan and elected to remain in the meeting and to take part in the discussion and voting on this item. The reason provided by Cr Millar was:

“I live in Warriewood Valley, and as this item deals with the whole valley I consider it appropriate that I participate in debate”.

3.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 19 October 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 White)

4.0 Public Addresses

C6.1 – Mayoral Minute – Response to IPART Report – Options to Discuss – with the leave of the Council Mr Philip Jenkyn addressed the meeting speaking against the recommendation on this item. Mr Ross Smith addressed the meeting speaking in support of the recommendation on this item.

C10.2 – Review of Warriewood Valley Roads Masterplan and Landscape Plan – with the leave of the Council Mr Phillip Gatenby, Mr John Turbovich and Ms Lynne Czinner addressed the meeting speaking against the recommendation on this item.

5.0 Councillor Questions with Notice

Nil.

6.0 Mayoral Minutes

C6.1 Mayoral Minute - Response to IPART Report - Options to Discuss

COUNCIL DECISION

1. That it be noted that the Mayor and General Manager will hold further discussions with other councils and the local community to assist with Pittwater's preference selection moving forward.
2. That a Public Meeting and a Community Leaders Forum be held in November prior to 16 November 2015.
3. That a further report be brought to Council after the 16 November 2015 Community Leaders Forum and Public Meeting.
4. That Council invite The Honourable Rob Stokes MP to the Community Leaders Forum and Public Meeting.

(Cr Townsend)

Notes:

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

Aye (For)	No (Against)
Cr Ferguson	Cr Griffith
Cr McTaggart	Cr Grace
Cr Millar	Cr Hegarty
Cr Townsend	Cr Young
Cr White	

2. The following unsuccessful amendment was moved by Cr Young and seconded by Cr Hegarty:

- "1. That a Public Meeting and a Community Leaders Forum be held in November prior to 16 November 2015.*
- 2. That a further report be brought to Council to consider Council's position.*
- 3. That Council invite The Honourable Rob Stokes MP to the Community Leaders Forum and Public Meeting."*

3. A division on the amendment was duly taken resulting in the following voting:

Aye (For)	No (Against)
Cr Griffith	Cr Ferguson
Cr Grace	Cr McTaggart
Cr Hegarty	Cr Millar
Cr Young	Cr Townsend
	Cr White

4. The following unsuccessful further amendment was moved by Cr Griffith and seconded by Cr Grace:

- "1. That it be noted that the Mayor and General Manager will monitor and receive any further comments or proposals from other Councils and include such in the report back to the Council on 16 November 2015.*
- 2. That a Public Meeting and a Community Leaders Forum be held in November prior to 16 November 2015.*
- 3. That a further report be brought to Council after the 16 November 2015 Community Leaders Forum and Public Meeting.*
- 4. That Council invite The Honourable Rob Stokes, MP to the Community Leaders Forum and Public Meeting".*

5. A division on the further amendment was duly taken resulting in the following voting:

Aye (For)	No (Against)
Cr Griffith	Cr Townsend
Cr Grace	Cr Ferguson
Cr Hegarty	Cr Millar
Cr Young	Cr McTaggart
	Cr White

6. Cr Hegarty joined the Council meeting at 7.12pm.

Procedural Motion (COUNCIL DECISION)

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

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

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

(Cr Griffith / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

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

(Cr Ferguson / Cr Millar)

7.0 Business by Exception

COUNCIL DECISION

That Items C9.2, C10.1, C10.3 and C10.4 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Natural Environment Committee Meeting now commence.

(Cr Millar / Cr Hegarty)

Notes:

1. The Council Meeting adjourned at 8.53pm and the Natural Environment Committee Meeting commenced at 8.54pm.
2. Cr White assumed the Chair.

Natural Environment Committee

10.0 Natural Environment Committee Business

C10.1 Community Garden - Woolcott Reserve, Newport

COUNCIL DECISION (By Exception)

That Council approves the establishment of a community garden at Woolcott Reserve, Newport.

(Cr Hegarty / Cr Ferguson)

C10.2 Review of Warriewood Valley Roads Masterplan and Landscape Masterplan

COMMITTEE RECOMMENDATION

That Council adopt the Warriewood Valley Roads Masterplan (October 2015), Warriewood Valley Landscape Masterplan and Design Guidelines (Public Domain) (October 2015) as tabled and subject to the following amendments:

1. Update the fire trail concept location in Appendix D of the Roads Masterplan based on advice from the Rural Fire Service (RFS).
2. Update colour coding of the Landscape Masterplan in Section 2.0 to reflect the mix of uses that currently occur at the corner of Jacksons and Pittwater Road.
3. Update the Bicycle Strategy to more accurately reflect the Proposed Shared Path (Indicative location) through Warriewood Wetlands.

(Cr Millar / Cr White)

Note:

Cr Millar declared a less than significant non pecuniary interest in Item C10.2 – Review of Warriewood Valley Roads Masterplan and Landscape Plan and elected to remain in the meeting and to take part in the discussion and voting on this item. The reason provided by Cr Millar was:

“I live in Warriewood Valley, and as this item deals with the whole valley I consider it appropriate that I participate in debate”.

C10.3	Outcomes of Exhibition of Pittwater LGA Section 94 Contributions Plan for Residential Development
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COUNCIL DECISION (By Exception)

1. That Council repeal Pittwater Section 94 Plan 2 for Open Space, Bushland and Recreation, Pittwater Section 94 Plan 3 for Public Library Services, Pittwater Section 94 Plan 18 for Community Service Facilities and Pittwater Section 94 Plan 19 for Village Streetscapes.
2. That Council adopt the Pittwater Section 94 Contributions Plan for Residential Development.
3. That all submitters be notified in writing of Council’s decision on this matter.
4. That a notice be published in the Manly Daily notifying of the adoption of the Pittwater Section 94 Contributions Plan for Residential Development.

(Cr Hegarty / Cr Ferguson)

C10.4	Minutes of the Sydney Coastal Councils Group Annual General Meeting of 19 September 2015
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COUNCIL DECISION (By Exception)

That the Minutes of the Sydney Coastal Councils Group Annual General Meeting of 19 September 2015 be noted.

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Natural Environment Committee Meeting be closed and the Council Meeting now recommence.

(Cr White / Cr Hegarty)

Notes:

1. The Natural Environment Committee Meeting concluded at 9.18pm and the Council Meeting recommenced at 9.19pm.
2. Cr Townsend assumed the Chair.

8.0 Council Meeting Business

C8.1 Notice of Motion - Impacts of the redesigned CBD Bus Network - (Motion submitted by Cr Millar)

COUNCIL DECISION

1. That Council individually and through SHOROC makes a second submission to IPART's review of Public Transport Fares.
2. That Council writes to the Transport for NSW CBD Coordination Unit, representing the concerns of Pittwater commuters, advocating for a review to reinstate some northern beaches bus routes to continue through to Railway Square.
3. That Council writes to the Pittwater Local Member, the Hon Rob Stokes MP, seeking support and providing a copy of the submission and letter mentioned in Point 2 above.
4. That Council writes to the Minister for Transport, Andrew Constance explaining the difficulties faced by the Northern Beaches residents as to both costs and convenience with the new system.

(Cr Millar / Cr Ferguson)

C8.2 Councillor Delegates to Special Joint and External Committees Report

COUNCIL DECISION

That the following appointments be adopted:

1.0 SPECIAL PITTWATER COMMITTEES

- 1.1 That Council appoint the following Councillors to the **Pittwater Council Traffic Committee** for the period November 2015 to September 2016:

Delegate: Cr Young
Alternative Delegate: Cr Hegarty

- 1.2 That Council appoint the following Councillors to the **Coastal Zone Management Community Working Group** for the period November 2015 to September 2016:

Delegate: Cr Townsend
Alternative Delegate: Cr Griffith

- 1.3 That Council appoint the following Councillors to the **McCarrs Creek, Mona Vale and Bayview Flood Study Community Working Group** for the period November 2015 to September 2016:

Delegate: Cr Ferguson
Alternative Delegate: Cr Young

- 1.4 That Council appoint the following Councillors to the **Avalon to Palm Beach Floodplain Risk Management Study and Plan Community Working Group** for the period November 2015 to September 2016:

Delegate: Cr McTaggart
Alternative Delegate: Cr Grace

- 1.5 That Council appoint the following Councillors to the **Audit and Risk Committee** for the period October 2015 to September 2016:

Delegate: Cr Hegarty
Delegate: Cr Millar
Alternative Delegate: Cr Grace

- 1.6 That Council appoint the following Councillors to the **Enliven Pittwater Committee** for the period October 2015 to September 2016:

Cr Townsend
Cr Griffith
Cr Ferguson

2.0 JOINT COMMITTEES

- 2.1 That Council appoint the following Councillors to the **Manly, Warringah & Pittwater Local Emergency Management Committee** for the period November 2015 to September 2016.

Delegate: Cr McTaggart
Alternative Delegate: Cr White

- 2.2 That Council endorse the resolution made at the Council Meeting held on 1 September 2015 that Cr Griffith (delegate) and Cr Young (alternative delegate) be appointed to serve on the **Sydney Coastal Council Group Inc.** for the period November 2015 to September 2016.

Delegate: Cr Griffith
Alternative Delegate: Cr Young

- 2.3 That Council appoint the following Councillors to the **Warringah Pittwater State Emergency Service Advisory Committee** for the period November 2015 to September 2016:

Cr McTaggart
Cr White

- 2.4 That Council appoint the following Councillors to the **Warringah Pittwater Bush Fire Risk Committee** for the period November 2015 to September 2016:

Delegate: Cr White
Alternative Delegate: Cr McTaggart

- 2.5 That Council appoint the following Councillor to the **Warringah Pittwater Services Agreement – Liaison Committee** for the period November 2015 to September 2016:

Cr Townsend

- 2.6 That Council appoint the following Councillors to the **Narrabeen Lagoon Floodplain Risk Management Working Group** for the period November 2015 to September 2016:

Cr Townsend

Cr Griffith

Cr Millar

- 2.7 That Council appoint the following Councillor to the **Kimbriki Sub-Committee** for the period November 2015 to September 2016:

Cr Ferguson

- 2.8 That Council appoint the following Councillor to the **Ingleside Community Reference Group** for the period November 2015 to September 2016:

Cr Hegarty

3.0 EXTERNAL COMMITTEES

- 3.1 That Council appoint the following Councillors to the **Floodplain Management Association** for the period November 2015 to September 2016:

Cr Townsend

Cr Griffith

- 3.2 That Council appoint the following Councillors to the **Roads & Traffic Consultative Forum** for the period November 2015 to September 2016:

Delegate: Cr Young

Alternative Delegate: Cr Hegarty

- 3.3 That Council endorse the resolution made at the Council Meeting held on 1 September 2015 that Cr White (delegate) and Cr Griffith (alternative delegate) be appointed to serve on the **Greater Sydney Local Land Services Local Government Advisory Group**. for the period November 2015 to September 2016:

Delegate: Cr White

Alternative Delegate: Cr Griffith

- 3.4 That the Council appoint the following Councillor to the **Public Libraries NSW – Metropolitan Association Inc.** for the period November 2015 to September 2016:

Delegate: Cr Hegarty

- 3.5 That Council appoint the following Councillors to the **Joint Regional Planning Panel (JRPP)** for the period November 2015 to September 2016:

Delegate: Cr Townsend
Delegate: Cr Hegarty
Alternative Delegate: Cr Griffith
Alternative Delegate: Cr Young

- 3.6 That Council appoint the following Councillors to the **Club Grants Committee** for the period November 2015 to September 2016:

Delegate: Cr Hegarty
Alternative Delegate: Cr Millar

- 3.7 That Council appoint the following Councillor to **The Friends of the Bible Garden Memorial Inc.** for the period November 2015 to September 2016:

Cr Grace

4.0 DIRECTORSHIPS/BOARDS & COMPANIES

- 4.1 That the Mayor & General Manager be confirmed as Pittwater Council's delegates to the **SHOROC Board** for the period November 2015 to September 2016.
- 4.2 That Mrs Shirley Phelps be appointed as Council's delegate to the **Northern Beaches Indoor Sports Centre Board** for the period November 2015 to September 2016.

(Cr Millar / Cr Ferguson)

C8.3	Legal Advice - Obligations of Councillors and Council Staff regarding resolutions of the Council
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COUNCIL DECISION

That the legal advice be noted.

(Cr Townsend / Cr Grace)

Procedural Motion (COUNCIL DECISION)

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

(Cr McTaggart / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That the Council Meeting be adjourned and the Connecting Communities Committee Meeting now commence.

(Cr Ferguson / Cr Millar)

Notes:

1. The Council Meeting adjourned at 9.51pm and the Connecting Communities Committee Meeting commenced at 9.52pm.
 2. Cr Millar assumed the Chair.
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Connecting Communities Committee

9.0 Connecting Communities Committee Business

C9.1 Draft Tourism In Pittwater - Emerging Issues Paper

COMMITTEE RECOMMENDATION

That Council adopt the final Draft Tourism in Pittwater - Emerging Issues Paper (as tabled), as the first emerging issues paper of the Pittwater Economic Development Plan, Working Locally – Connecting Globally.

(Cr Townsend / Cr Ferguson)

C9.2 Tender T04/15 - Cleaning of Council Offices

COUNCIL DECISION (By Exception)

1. That pursuant to Clause 178(1) of the Local Government (General) Regulation 2005, that the tender received from Quad Services Pty Ltd in the amount of \$189,060.64 be accepted for a two (2) year period with two (2) optional extensions of one (1) year each available upon successful performance.
2. That the General Manager and Mayor be authorised to execute contracts.
3. That upon receipt of Council resolution the unsuccessful tenderers be notified of the tender outcome and thanked for their participation.

(Cr Hegarty / Cr Ferguson)

C9.3	Expression of Interest Evaluation E06/15 - Construction of a Skate Park - Kitchener Park Mona Vale
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COMMITTEE RECOMMENDATION

1. That pursuant to Clause 166 of the Local Government (General) Regulation 2005, that the expressions of interest received from Convic Skate Parks Pty Ltd, Precision Skate Parks Pty Ltd and VFG Skateparks be invited to submit tenders for the construction of a skate park at Kitchener Park, Mona Vale.
2. That upon receipt of Council resolution the unsuccessful respondents be notified of the expression of interest outcome and thanked for their participation.
(Cr Griffith / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

That the Connecting Communities Committee Meeting be closed and the Council Meeting now recommence.

(Cr White / Cr Griffith)

Notes:

1. The Connecting Communities Committee Meeting concluded at 10.05pm and the Council Meeting recommenced at 10.06pm.
2. Cr Townsend assumed the Chair.

Council Meeting

11.0	Adoption of Connecting Communities Committee Recommendations
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COUNCIL DECISION

That the recommendations of the Connecting Communities Committee on Items C9.1 and C9.3 comprising all Council members be, and are hereby, adopted.

(Cr Millar / Cr Griffith)

12.0	Adoption of Natural Environment Committee Recommendations
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COUNCIL DECISION

That the recommendation of the Natural Environment Committee on Item C10.2 comprising all Council members be, and is hereby, adopted.

(Cr Griffith / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That Council resolve into Committee of the Whole and that in the public interest and in accordance with Section 10A(2) of the local Government Act, 1993, the public and press be excluded from the meeting to consider Item C13.1. Section 10A(2)(d) permits the Committee to close the meeting to consider:

(a) *Personnel matters concerning particular individuals.*

(Cr White / Cr Hegarty)

Notes:

1. The Council meeting adjourned at 10.07pm.
2. The General Manager advised the meeting that he had received no written submissions from the public seeking to address the Committee on whether the meeting should be closed to consider Item C13.1. The Chairperson invited those in attendance to make verbal representations to the Committee on whether the meeting should be closed to consider Item C13.1. There were no requests to make a verbal representation.
3. Council resolved into Committee of the Whole at 10.08pm with the press and public excluded to consider the report on Item C13.1.

Committee of the Whole

13.0	Confidential Items
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C13.1 Appointment of New Directors

COMMITTEE RECOMMENDATION

That the report and the confidential verbal update from the General Manager be noted.

(Cr White / Cr Griffith)

Procedural Motion (COUNCIL DECISION)

That the Committee of the Whole Meeting be concluded and the Council Meeting now recommence.

(Cr Grace / Cr Griffith)

Notes:

1. The Committee of the Whole Meeting concluded at 10.27pm and the Council Meeting recommenced at 10.28pm.
 2. Cr Townsend remained in the Chair.
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Council Meeting

8.0 Council Meeting Business

Note:

The Chair determined that the following Motion was a Matter of an Urgent Nature.

COUNCIL DECISION

That the following Motion be dealt with as a Matter of an Urgent Nature.

(Cr Millar / Cr Ferguson)

C8.4	Matter of an Urgent Nature – Local Government New South Wales Board Elections
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COUNCIL DECISION

That Cr Hegarty be commended on her re-election as Director, Metropolitan / Urban on the Local Government New South Wales Board.

(Cr White / Cr Young)

14.0	Adoption of the Committee of the Whole Recommendation
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COUNCIL DECISION

That the recommendation of the Committee of the Whole on Item C13.1 comprising all Council members be, and is hereby, adopted.

(Cr Townsend / Cr Ferguson)

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 10.29PM ON MONDAY
2 NOVEMBER 2015**