

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

7 December 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)
Hewitt, M (Director, Environmental Planning & Community)
Taylor, B (Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Munn, L (Manager, Reserves & Recreation)
Pigott, A (Manager, Planning and Assessment)
Johnston, S (Acting Manager, Commercial Property & Projects)
Pang, J (Manager, Catchment Management & Climate Change)
Jones, M (Chief Financial Officer)
Angles, G (Manager, Customer Service and Information)
William-Smith, P (Economic Development Coordinator)
Tramonte, J (Landscape Architect)
Lawler, S (Principal Officer, Reserves & Recreation)
Stagni, T (Local Infrastructure Coordinator)
McPherson, S (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 9.03pm, recommenced at 10.29pm and concluded at 10.30pm.
2. The Connecting Communities Committee Meeting commenced at 9.04pm and concluded at 9.43pm.
3. The Natural Environment Committee Meeting commenced at 9.44pm 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 White declared a less than significant non pecuniary interest in Item C8.2 – Update on Church Point Precinct 1: McCarrs Creek Road Realignment and New Car Park and elected to remain in the meeting and to take part in the discussion and voting on this item. The reason provided by Cr White was:

*"I do not use the Church Point car park and have not done so for 3 plus years.
I have a boat and car parking at Bayview".*

3.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 16 November 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

C8.2 – Update on Church Point Precinct 1: McCarrs Creek Road Realignment and New Car Park – with the leave of the Council Ms Jennifer Cullen and Ms Karen Lambert addressed the meeting speaking against the recommendation on this item. Mr Bill Gye (on behalf of Scotland Island Residents Association), Mr Michael Weiner (on behalf of West Pittwater Community Association) and Mr David Hegarty (on behalf of Scotland Island Residents Association), addressed the meeting speaking in support of the recommendation on this item.

C9.6 – Minutes of the Pittwater Traffic Committee Meeting held on 10 November 2015:

TC4.5 – Wandearah Avenue / Wanawong Road, Avalon – Proposed Give Way Controls and Double Separation Lines - with the leave of the Council Mr Warwick Werner and Mr Michael Baxter addressed the meeting speaking on this item.

5.0 Councillor Questions with Notice

Nil.

6.0 Mayoral Minutes

C6.1 Mayoral Minute – Vale Harvey Rose

COUNCIL DECISION

1. That in honour of Harvey Rose's achievements for Pittwater Council an annual Emeritus Mayor Harvey Rose Poetry Prize be established with an annual donation of \$500 from the Mayoral Donation Fund.
2. That the prize be administered through Mona Vale Library's annual writing competition which would expand to include a poetry section alongside its current short story section.

(Cr Townsend)

7.0 Business by Exception

COUNCIL DECISION

That Items C8.1, C9.1, C9.4, C9.5, C10.1, C10.4 and C10.5 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Ferguson)

8.0 Council Meeting Business

C8.1 Ordinary Council Meeting Schedule 2016

COUNCIL DECISION (By Exception)

That the schedule at Attachment 1 for proposed ordinary Council meetings in 2016 be confirmed.

(Cr Hegarty / Cr Ferguson)

C8.2 Update on Church Point Precinct 1: McCarrs Creek Road Realignment and New Car Park

COUNCIL DECISION

1. That Council note:
 - a) The success of Council's Local Infrastructure Renewal Scheme funding application for the project, in particular the specific requirements for commencement and completion dates.
 - b) The findings and recommendations of the Church Point Parking Demand Management Review prepared by GTA Consultants.
 - c) The legal advice in relation to the current Native Title Claim.
 - d) The Environmental Impact Assessment undertaken by Pittwater Council under Part 5 of the EP&A Act based on the Review of Environmental Factors (REF) prepared by Arcadis.
 - e) The conditions identified in the Environmental Impact Assessment that are to be incorporated into the tender documentation for the project.
 - f) The revised cost estimate and the funding model proposed to finance the McCarrs Creek Road realignment, seawall and new car park project.
2. That Council support the commencement of the McCarrs Creek Road realignment and new car park project based on the proposed financing model recommended in this report.
3. That design and construct tenders be invited for the McCarrs Creek Road realignment, seawall and new car park project.
4. That prior to completion of the project, Council call for Expressions of Interest for the annual licence of up to 60 individual spaces within the new car park based on the annual fees outlined in Section 4.6.3 of this report.
5.
 - a). That recommendation 1, 3, 4, 7, 12, 14 and 15 outlined in Attachment 6 of the report in relation to parking configuration, restrictions and signage be supported in principle and opened to the community for comment before returning to Council for review and referred back to the Traffic Committee.
 - b). That the review seek to optimise the Church Point parking permit through availability of overnight parking within the 2 main car park areas.
6. That a report be brought to Council in April 2016 in relation to the Schedule of Fees and Charges proposed for the draft delivery program and budget 2016/2017 and the potential for a memorandum of understanding in relation to Church Point car parking fees.

7. That Council progress discussions with the Crown in relation to the land ownership arrangements related to the future realignment of McCarrs Creek Road and new car park.
8. That Council commence the formal road opening/closure processes under Roads Act 1993 related to the future realigned McCarrs Creek Road and new car park.

(Cr Griffith / Cr White)

Notes:

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

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

2. The following unsuccessful amendment moved by Cr Young lapsed for want of a seconder:

"1. That Council note:

- a) The success of Council's Local Infrastructure Renewal Scheme funding application for the project, in particular the specific requirements for commencement and completion dates.*
- b) The findings and recommendations of the Church Point Parking Demand Management Review prepared by GTA Consultants.*
- c) The legal advice in relation to the current Native Title Claim.*
- d) The Environmental Impact Assessment undertaken by Pittwater Council under Part 5 of the EP&A Act based on the Review of Environmental Factors (REF) prepared by Arcadis.*
- e) The revised cost estimate and the funding model proposed to finance the McCarrs Creek Road realignment, seawall and new car park project.*

- 2. That due to the significant financial risk of this project and the lack of net community benefit Council not support the commencement of the McCarrs Creek Road realignment and new car park until the project has undergone an independent review.*

- 3. That exclusive use of 50% of the Church Point Reserve car park by Church Point Permit holders from 6am to 6pm be referred to the Traffic Committee for consideration as soon as practicable.*

- 4. That the Traffic Committee review the parking in Eastview Road, Baroona Street and Quarter Sessions Road to improve safety".*

3. Cr White declared a less than significant non pecuniary interest in Item C8.2 – Update on Church Point Precinct 1: McCarrs Creek Road Realignment and New Car Park and elected to remain in the meeting and to take part in the discussion and voting on this item. The reason provided by Cr White was:

*"I do not use the Church Point car park and have not done so for 3 plus years.
I have a boat and car parking at Bayview".*

Procedural Motion (COUNCIL DECISION)

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

(Cr Millar / 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 McTaggart / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

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

(Cr Ferguson / Cr Hegarty)

Notes:

1. The Council Meeting adjourned at 9.03pm and the Connecting Communities Committee Meeting commenced at 9.04pm.
2. Cr Millar assumed the Chair.
3. Cr White left the meeting at 9.04pm and did not return.

Connecting Communities Committee

9.0 Connecting Communities Committee Business

C9.6 Minutes of the Pittwater Traffic Committee Meeting held on 10 November 2015**COMMITTEE RECOMMENDATION**

1. That the Traffic Committee recommendations contained in the Minutes of the Meeting held on 10 November 2015 be adopted, except for item TC4.5 – Wandearah Avenue / Wanawong Road, Avalon – Proposed Give Way Controls and Double Separation Lines.
2. That item TC4.5 – Wandearah Avenue / Wanawong Road, Avalon – Proposed Give Way Controls and Double Separation Lines be deferred and referred back to the Traffic Committee to further discuss and consider the comments made at the Council meeting of 7 December 2015, in relation to extending the double white lines in Wanawong Road, Avalon (to a total of 35m in length).

(Cr Townsend / Cr Ferguson)

C9.1 Code of Conduct Complaints Statistics**COUNCIL DECISION (By Exception)**

That the information in the report be noted.

(Cr Hegarty / Cr Ferguson)

C9.2 Tender T09/15 - Construction of a Skate Park Facility at Kitchener Park, Mona Vale**COMMITTEE RECOMMENDATION**

1. That pursuant to clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the Tender from Convic Pty Ltd for the construction of Stage 1 of the Kitchener Park Skate Facility at a cost of \$1,129,000.
2. That upon receipt of Council resolution the unsuccessful tenderers be notified of the tender outcome and thanked for their participation.
3. That Council approve an additional allocation of \$50,000 from General Reserves (for a contingency allowance) to be included in the December budget review.

(Cr Griffith / Cr Ferguson)

C9.3 Avalon Beach Bowling & Recreation Club, Bowling Green Lane, Avalon - Proposed new consolidated lease for Clubhouse, Green No.2 and Green No.3

COMMITTEE RECOMMENDATION

1. That a new consolidated lease agreement with Avalon Beach Bowling & Recreation Club which incorporates the Clubhouse, Green No 2 and Green No 3 be entered into.
2. That the draft consolidated lease be placed on Public Exhibition for 40 days and a report be brought back to Council on the outcomes.
3. That, upon settlement, the reclassification of Green No.3 (Lot 2 DP 517185) from Operational to Community be placed on Public Exhibition for 28 days and a report be brought back to Council on the outcomes.

(Cr Griffith / Cr Grace)

C9.4 Report on Conference Attendance - Bike Futures Sydney Conference (Cr Townsend, Cr Ferguson)

(COUNCIL DECISION) By Exception

That the information provided in the report be noted.

(Cr Hegarty / Cr Ferguson)

C9.5 Report on Conference Attendance - Parks and Leisure Conference 2015 (Cr Ferguson)

COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Hegarty / Cr Ferguson)

C9.7 Minutes of the Connecting Communities Reference Group Meeting held on 4 November 2015

COMMITTEE RECOMMENDATION

1. That Council notes the Minutes of the Connecting Communities Reference Group Meeting held on 4 November 2015 that relate to the discussion on:
 - Access and Linkages - Mona Vale Place Plan
 - Demography of Pittwater
 - Survey Discussion Points.

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

Access and Linkages – Mona Vale Place Plan

- That Council consider the placement of an access ramp at Mona Vale Post Office
- That Council address the water pooling issues at Bungan Road Carpark.

(Cr Ferguson / Cr Millar)

Procedural Motion (COUNCIL DECISION)

That the Connecting Communities Committee Meeting be closed and the Natural Environment Committee Meeting now commence.

(Cr Townsend / Cr Hegarty)

Notes:

1. The Connecting Communities Committee Meeting concluded at 9.43pm and the Natural Environment Committee Meeting commenced at 9.44pm.
2. Cr Millar remained in the Chair.

Natural Environment Committee

10.0 Natural Environment Committee Business

C10.1 Stormwater Management Strategy 2015 - 2019

COUNCIL DECISION (By Exception)

That the Stormwater Management Strategy 2015 – 2019 (as tabled at the meeting) be endorsed.

(Cr Hegarty / Cr Ferguson)

C10.2 Public Toilet Facilities and Garbage Bin at Kalang Road Elanora Heights

COMMITTEE RECOMMENDATION

1. That Council staff enter into discussions with commercial and body corporate entities within the Kalang Road Elanora Heights commercial centre to explore lease arrangements for public access to toilet facilities.
2. That Council notes the provision of a garbage bin is to be installed mid-December 2015.

(Cr McTaggart / Cr Townsend)

Note:

The following unsuccessful motion was moved by Cr Griffith and seconded by Cr Grace:

- “1. That Council staff enter into discussions with commercial and body corporate entities within the Kalang Road Elanora Heights commercial centre to explore lease arrangements for public access to toilet facilities.*
- 2. That Council notes the provision of a garbage bin is to be installed mid-December 2015.*
- 3. That Council consider the park next to the Preschool for a public toilet facility.*
- 4. That Council explore the possibility of a compact self-cleaning unit next to the pedestrian crossing on the eastern side of Kalang Road”.*

C10.3 Northern Beaches Flood & Coastal Storm Education Strategy update

COMMITTEE RECOMMENDATION

That the progress of actions completed under the Northern Beaches Flood & Coastal Storm Education Strategy 2012-2016 be noted.

(Cr Griffith / Cr Ferguson)

C10.4 Minutes of the McCarrs Creek, Mona Vale & Bayview Flood Study Community Working Group on 5 November 2015

COUNCIL DECISION (By Exception)

That the information provided in the report on the Minutes of the McCarrs Creek, Mona Vale & Bayview Flood Study Community Working Group be noted.

(Cr Hegarty / Cr Ferguson)

C10.5 Minutes of the Avalon to Palm Beach FRMS&P Working Group 12 November 2015 Meeting Report

COUNCIL DECISION (By Exception)

That the information provided in the report on the minutes of the Avalon to Palm Beach Floodplain Risk Management Study and Plan Working Group be noted.

(Cr Hegarty / Cr Ferguson)

C10.6 Minutes of the Natural Environment Reference Group Meeting held on 11 November 2015
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COMMITTEE RECOMMENDATION

1. That Council note the Minutes of the Natural Environment Reference Group Meeting held on 11 November 2015 that relate to the discussion on:
 - Boomerang Bags Avalon
 - Waste Management Operations & Education Update
 - Pittwater Community Gardens Update
 - Cannes Reserve Flying-fox Maintenance
 - Discussion Points Survey Results.
2. The Group further addressed the following issues under Emerging Business:
 - Wood Smoke Update
 - Sydney Water – Wastewater Notices on Beaches
 - Tree Preservation Strategy Across Pittwater.

(Cr Townsend / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

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

(Cr Townsend / Cr Hegarty)

Notes:

1. The Natural Environment Committee Meeting concluded at 10.28pm and the Council Meeting recommenced at 10.29pm.
2. Cr Millar remained in the Chair.

Council Meeting

11.0 Adoption of Connecting Communities Committee Recommendations

COUNCIL DECISION

That the recommendations of the Connecting Communities Committee on Items C9.2, C9.3, C9.6 and C9.7 comprising all Council members except Cr White be, and are hereby, adopted.

(Cr Townsend / Cr Ferguson)

12.0 Adoption of Natural Environment Committee Recommendations

COUNCIL DECISION

That the recommendations of the Natural Environment Committee on Items C10.2, C10.3 and C10.6 comprising all Council members except Cr White be, and are hereby, adopted.

(Cr Ferguson / Cr McTaggart)

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 10.29PM ON
MONDAY, 7 DECEMBER 2015**