

COUNCIL MEETING

MINUTES

1 February 2016

Commencing at 6.32pm

held at Mona Vale Memorial Hall,
Mona Vale

M J Ferguson
General Manager



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 (Deputy General Manager, Environmental Planning & Community)
Taylor, B (Deputy General Manager, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Godfrey, L (Manager, Community and Library Services)
Pigott, A (Manager, Planning and Assessment)
Henty, A (Manager, Commercial Property & Projects)
Laing, A (Governance Support Officer)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.32pm and adjourned at 7.52pm, recommenced at 8.13pm and concluded at 8.35pm.
2. The Connecting Communities Committee Meeting commenced at 7.53pm and concluded at 8.12pm.

Council Meeting

1.0 Apologies

Nil.

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

Note:

Cr Millar declared a less than significant non-pecuniary interest in Item C9.1 – 53 Warriewood Road Warriewood – Proposed Sale of Land, 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:

“Though I live in the Warriewood Valley participating in debate and decision making will have no impact on me or my property.”

3.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 21 December 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)

FURTHER COUNCIL DECISION

That the Minutes of the Extraordinary Council Meeting held on 11 January 2016 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

C8.1 – Notice of Motion – Legality of Merger – (Motion submitted by Cr Grace) – with the leave of the Council Mr Peter Middleton addressed the meeting speaking in support of the motion.

C8.2 – Notice of Motion – Acknowledgement of Avalon Beach Place Vision Document – (Motion submitted by Cr Griffith) – with the leave of the Council Mr Peter Mayman and Mr Conrad Grayson addressed the meeting speaking in support of the motion.

5.0 Councillor Questions with Notice

Nil.

6.0 Mayoral Minutes

Nil.

7.0 Business by Exception

COUNCIL DECISION

That Item C8.3 (shown as C8.2 on the Agenda - Table of Contents) be dealt with by exception and the recommendation contained in the report for this item be adopted.

(Cr Hegarty / Cr Ferguson)

8.0 Council Meeting Business

C8.1	Notice of Motion - Legality of Merger - (Motion submitted by Cr Grace)
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COUNCIL DECISION

1. That Council obtain Counsel's advice as to the options available should it wish to test the legality as to the NSW Government procedure and position including appointing Delegates in relation to the proposed merger;
2. That such advice be made available in Confidential Session at the next or a subsequent Council meeting.

(Cr Grace / Cr Griffith)

Note:

A division was duly taken resulting in the following voting:

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

Procedural Motion (COUNCIL DECISION)

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

(Cr Hegarty / Cr Millar)

C8.2	Notice of Motion - Acknowledgement of Avalon Beach Place Vision Document - (Motion submitted by Cr Griffith)
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COUNCIL DECISION

1. That Council note the work that the Avalon Beach Core Working Group has done in preparing this document and thank those involved in its realisation.
2. That Council staff refer to this document in any future Place Making activities in relation to Avalon.

(Cr Griffith / Cr McTaggart)

C8.3 Delegations over Christmas - New Year Recess 2015/2016

COUNCIL DECISION (By Exception)

1. That Council note there were no policy making functions undertaken by the Mayor during the 2015/2016 recess period.
2. That Council note there were no regulatory functions undertaken by the delegated Committee of Council during the 2015/2016 recess period.

(Cr Hegarty / Cr Ferguson)

Procedural Motion (COUNCIL DECISION)

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

(Cr Ferguson / Cr White)

Notes:

1. The Council Meeting adjourned at 7.52pm and the Connecting Communities Committee Meeting commenced at 7.53pm.
2. Cr Millar assumed the Chair.

Connecting Communities Committee

9.0 Connecting Communities Committee Business

C9.1	53 Warriewood Road Warriewood - Proposed Sale of Land
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COMMITTEE RECOMMENDATION

1. That the General Manager be authorised:
 - To sell Council's Drainage Reserve lot at 53 Warriewood Road, Warriewood to an adjoining owner/developer with an appropriately sized drainage easement created in favour of Pittwater Council.
 - To negotiate the terms of the sale, sub-division, consolidation, easement terms and conditions, upgrade of infrastructure and sale price consistent with the Valuation Report described within the Confidential Section of this report.
 - To execute any documentation required to finalise the sale of 53 Warriewood Road, Warriewood.
2. That the valuation advice be noted and negotiations be based on this advice.
3. That in addition to the sale price, the purchaser funds all specialist costs associated with this transaction.
4. That proceeds of this sale be reported to Council together with other options for community infrastructure projects in the near vicinity.

(Cr Millar / Cr Griffith)

Note:

Cr Millar declared a less than significant non-pecuniary interest in Item C9.1 – 53 Warriewood Road Warriewood – Proposed Sale of Land, 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:

"Though I live in the Warriewood Valley participating in debate and decision making will have no impact on me or my property."

C9.2	Audit & Risk Committee - Operations Report for the period 1 January 2015 to 31 December 2015
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COMMITTEE RECOMMENDATION

That the report by the Chair of the Audit and Risk Committee be noted.

(Cr Millar / Cr Townsend)

Procedural Motion (COUNCIL DECISION)

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

(Cr Townsend / Cr Hegarty)

Notes:

1. The Connecting Communities Committee Meeting concluded at 8.12pm and the Council Meeting recommenced at 8.13pm.
2. Cr Townsend resumed the Chair.

Council Meeting

C8.4 Matter of an Urgent Nature: Council Amalgamations - KPMG Report (Motion submitted by Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

That the following item be considered as a Matter of an Urgent Nature.

(Cr Hegarty / Cr Townsend)

Note:

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

COUNCIL DECISION

That as a matter of urgency Council write to KPMG to gain clarification from them that the information provided to our community in the Merger Proposal from the State Government is in fact:

- An accurate representation of financial information contained within its full report;
- And to confirm the source of information presented in the report. Was it gained through their own investigation or were figures provided to them from the State Government?
- Should the response provide any clarification of its information that it be brought to the first available Council Meeting and that it be communicated to the community via the website as soon as possible.

(Cr Hegarty / Cr Griffith)

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 C9.2 comprising all Council members be, and are hereby, adopted.

(Cr Millar / Cr White)

Note:

Cr Millar declared a less than significant non-pecuniary interest in Item C9.1 – 53 Warriewood Road Warriewood – Proposed Sale of Land, 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:

“Though I live in the Warriewood Valley participating in debate and decision making will have no impact on me or my property.”

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 8.35PM ON
MONDAY 1 FEBRUARY 2016.**