



PITTWATER COUNCIL

Pittwater Council Minutes

Council Meeting

held at Mona Vale Memorial Hall, Mona Vale
on

19 May 2014

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)
Pigott, A (Acting Director, Environmental Planning & Community)
Hunt, C (Director, Urban & Environmental Assets)
Lawrence, W (Manager, Administration & Governance)
Stagni, T (Senior Strategic Planner)
Reid, P (Manager, Corporate Strategy & Commercial)
Jones, M (Chief Financial Officer)
Tasker, P (Administration Officer/ Minute Secretary)

Council Meeting

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Notes:

1. The Council Meeting commenced at 6.30pm and adjourned at 6.53pm, recommenced at 9.21pm and concluded at 9.22pm.
2. The Sustainable Towns and Villages Committee Meeting commenced at 6.54pm and concluded at 9.07pm.
3. The Leading and Learning Committee Meeting commenced at 9.08pm and concluded at 9.20pm.

Council Meeting

1.0 Public Forum

Nil.

2.0 Resident Questions

Question 1 – Ms Marcia Rackham

The community based Heritage Study Working Group provided items for possible inclusion on the updated Heritage Studies Report. Why is this report taking so long to come before Council?

Answer:

The General Manager responded that Council staff are working with the Heritage Consultants to finalise this report and it will be coming to Council in July, that is within the next two months.

Question 2 – Ms Marcia Rackham

9 Fern Creek Road Warriewood was set aside by the previous Council to increase park space in the Warriewood Valley and was paid for by the residents S94 contributions. Does this Council believe that this park design will enable children to fly kites, kick balls and the like or, once again, are we losing out to developers?

Answer:

The General Manager responded that the subject land was secured in 2008 for the purpose of establishing a large local park, and the land was classified as 'Operational Land' to ensure flexibility of land use to achieve the best outcome following Sector Masterplanning. The General Manager refuted the allegation that residents were losing out to developers. The proposal before Council would result in a significant increase in useable open space when combined with the creek buffer land. However, as the proposal is before Council it is not appropriate to discuss it further until after tonight's debate.

3.0 Apologies

Nil

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

1. Cr Millar declared a less than significant non pecuniary interest in Item C12.1 – 9 Fern Creek Road Warriewood Proposed Land Swap – and elected to remain in the meeting and take part in discussion and voting on this item. The reason provided by Cr Millar was:-

“I live in Warriewood Valley. The discussion and debate will have no impact on my property.”

2. Cr Millar declared a less than significant non pecuniary interest in Item C12.2 – Orchard Street Warriewood Proposed Sales – and elected to remain in the meeting and take part in discussion and voting on this item. The reason provided by Cr Millar was:-

“I live in Orchard Street. The discussion and debate will have no impact on my property.”

5.0 Confirmation of Minutes

COUNCIL DECISION

That the Minutes of the Council Meeting held on 5 May 2014 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 Millar / Cr White)

6.0 Public Addresses

C12.1 – 9 Fern Creek Road Warriewood – Proposed Land Swap – with the leave of the Council Ms Nadia Toumi, Mr Chris Hornsby (President, Warriewood Residents Association) and Ms Jennifer Donaldson (Secretary, Warriewood Residents Association) addressed the meeting speaking against the recommendation on this item.

7.0 Councillor Questions with Notice

Nil.

8.0 Mayoral Minutes

Nil.

9.0 Business by Exception

COUNCIL DECISION

That Items C11.2, C11.4 and C11.5 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Griffith / Cr Hegarty)

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 Hegarty / Cr Millar)

Notes:

1. The Council Meeting adjourned at 6.53pm and the Sustainable Towns and Villages Committee Meeting commenced at 6.54pm.
2. Cr Griffith assumed the Chair.

Sustainable Towns and Villages Committee

12.0 Sustainable Towns and Villages Committee Business

C12.1 9 Fern Creek Road Warriewood - Proposed Land Swap

COMMITTEE RECOMMENDATION

1. That Council give in principle support for the development of a large local park in Sector 9 of Warriewood Valley.
2. That the General Manager enter into discussions with surrounding land owners with a view to achieving an understanding of the possibilities within that area.
3. That Lot 5 // DP 736961 be valued at its highest and best use.
4. That at the conclusion of discussions, and before reaching a final agreement, the General Manager is to report back to Council.
5. That in parallel to the General Manager's negotiations that community consultation is undertaken with residents of Warriewood Valley and any other interested parties with regard to a large local park.

(Cr Griffith / Cr Ferguson)

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 McTaggart)

Procedural Motion (COUNCIL DECISION)

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

(Cr Griffith / Cr Millar)

Notes:

1. The following unsuccessful amendment was moved by Cr Grace and seconded by Cr Millar:
 - "1. That pending Council holding a public meeting in relation to the future use of 9 Fern Creek Road Warriewood that Council suspend present negotiations.*
 - 2. On completion of the public meeting Council assess the various options arising from that meeting and bring back a report to Council as soon as possible."*
2. Cr Millar declared a less than significant non pecuniary interest in this item. She elected to remain in the meeting and to take part in discussion and voting. The reason provided by Cr Millar was:-

"I live in Warriewood Valley. The discussion and debate will have no impact on my property."

C12.2 Orchard Street Warriewood - Proposed Sales

COMMITTEE RECOMMENDATION

1. That the Council owned land at Nos 2A and 6A Orchard Street Warriewood, be sold to the adjoining land owner(s) for the sale prices listed below and these lots then become part of the relevant Sector 9 component of the Warriewood Valley Urban Land Release:
 - o Sale of 2A Orchard Street for the sum of \$220,000
 - o Sale of 6A Orchard Street for the sum of \$110,000
2. That the General Manager be authorised to sign all associated legal documentation under power of attorney.
3. That the sale proceeds once received be utilised on road and footpath improvements at Oak Street North Narrabeen and this be included in Council's Delivery Program and associated budget.

(Cr Millar / Cr Ferguson)

Note:

Cr Millar declared a less than significant non pecuniary interest in this item. She elected to remain in the meeting and take part in discussion and voting. The reason provided by Cr Millar was:-

"I live in Orchard Street. The discussion and debate will have no impact on my property."

C12.3 Minutes of the Ingleside Community Reference Group Meeting held on 16 April 2014

COMMITTEE RECOMMENDATION

That the Minutes of the Ingleside Community Reference Group meeting of 16 April 2014 be noted.

(Cr Townsend / Cr Grace)

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 Grace)

Notes:

1. The Sustainable Towns and Villages Committee Meeting concluded at 9.07pm and the Leading and Learning Committee Meeting commenced at 9.08pm.
2. Cr Hegarty assumed the Chair.

Leading and Learning Committee

11.0 Leading and Learning Committee Business

C11.1 Quarterly Budget Review Statement for the Quarter Ending 31 March 2014

COMMITTEE RECOMMENDATION

1. That the financial results for the period ending 31 March 2014 be noted.
2. That the Projected Budget incorporating all amendments as detailed in this report be adopted.

(Cr Grace / Cr Griffith)

C11.3 Loan Borrowings

COMMITTEE RECOMMENDATION

1. That in accordance with Council's 2013 - 2017 Delivery Program and Budget and subsequent Budget Reviews, Council authorises borrowings totalling \$3,000,000 in order to fund the following:

a. Council's Capital Improvements Program	\$1,000,000
b. Sydney Lakeside Holiday Park Capital Program	\$1,000,000
c. Renovations to Avalon Beach Community and Surf Life Saving Club	\$1,000,000
2. That the General Manager be authorised to finalise quotes and accept the most financially advantageous loan/s from the lending market.
3. That the Seal of Council be affixed to all relevant documentation if necessary.

(Cr Grace / Cr Ferguson)

C11.2 Investment Balances as at 30 April 2014

COUNCIL DECISION (By Exception)

That the information provided in the report be noted.

(Cr Griffith / Cr Hegarty)

C11.4	Warringah Rugby Club - Result of Public Exhibition Deed of Licence for Pittwater Rugby Park
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COUNCIL DECISION (By Exception)

1. That the Deed of Licence between Pittwater Council and Warringah Rugby Club for the use of Pittwater Rugby Park from the date of signing this Deed of Licence until 2016, including the option of an additional 1 year until 2017, be approved.
2. That the General Manager be authorised to sign the Deed of Licence.

(Cr Griffith / Cr Hegarty)

C11.5	Local Government Managers Association National Congress - Melbourne Victoria - 30 April to 2 May 2014
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COUNCIL DECISION (By Exception)

That Councillor Townsend's report on the LGMA National Congress be noted.

(Cr Griffith / Cr Hegarty)

Procedural Motion (COUNCIL DECISION)

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

(Cr White / Cr Ferguson)

Notes:

1. The Leading and Learning Committee Meeting concluded at 9.20pm and the Council Meeting recommenced at 9.21pm.
2. Cr Townsend resumed the Chair.

Council Meeting

13.0	Adoption of Leading and Learning Committee Recommendations
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COUNCIL DECISION

That the recommendations of the Leading and Learning Committee on Items C11.1 and C11.3 comprising all Council members be, and are hereby, adopted.

(Cr Grace / Cr Griffith)

14.0	Adoption of Sustainable Towns and Villages Committee Recommendations
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COUNCIL DECISION

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

(Cr White / Cr Grace)

Notes:

1. Cr Millar declared a less than significant non pecuniary interest in Item C12.1 – 9 Fern Creek Road Warriewood Proposed Land Swap – and elected to remain in the meeting and take part in discussion and voting on this item. The reason provided by Cr Millar was:-

“I live in Warriewood Valley. The discussion and debate will have no impact on my property.”

2. Cr Millar declared a less than significant non pecuniary interest in Item C12.2 – Orchard Street Warriewood Proposed Sales – and elected to remain in the meeting and take part in discussion and voting on this item. The reason provided by Cr Millar was:-

“I live in Orchard Street. The discussion and debate will have no impact on my property.”

**THERE BEING NO FURTHER BUSINESS
THE MEETING CONCLUDED AT 9.22PM
ON MONDAY 19 MAY 2014.**