



# **Minutes**

## **Council Meeting**

held at Mona Vale Memorial Hall on

**18 August 2014**

Commencing at 6.33pm

## **ATTENDANCE**

Townsend, J (Mayor & Chairperson)

Ferguson, K (Deputy Mayor)

Grace, B

Griffith, S

Hegarty, J

McTaggart, A

White, I

Young, S

### **Officers**

Ferguson, M (General Manager)

Evans, S (Director, Environment Planning & Community)

Hunt, C (Director, Urban & Environmental Assets)

Lawrence, W (Manager, Administration and Governance)

Walker, L (Administration and Insurance Officer)

Jones, M (Chief Financial Officer)

Pigott, A (Manager, Planning & Assessment)

Williams, A (Principal Development Officer)

Baartz, P (Senior Officer, Procurement & Fleet)

# Council Meeting

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**Notes:**

1. The Council Meeting commenced at 6.33pm and adjourned at 6.55pm, recommenced at 7.19pm and concluded at 7.37pm.
2. The Leading and Learning Committee Meeting commenced at 6.56pm and adjourned at 7.03pm, recommenced at 7.14pm and concluded at 7.18pm.
3. The Sustainable Towns and Villages Committee Meeting commenced at 7.04pm and concluded at 7.13pm.

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## **Council Meeting**

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### **1.0 Public Forum**

Nil.

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### **2.0 Resident Questions**

#### **Mr Phil Walker – Question 1**

Could you please confirm Pittwater Councils response to a Freedom of Information request is correct, stating there is “No Information” regarding the Mayor’s statement that the Queen’s photo was removed administratively?

**Answer:**

Yes.

#### **Mr Phil Walker – Question 2**

Could you please confirm that the correspondence from your office is correct, stating that the Queen’s Photo was removed following an oral request by the Mayor?

**Answer:**

Yes.

#### **Ms Marcia Rackham – Question 3**

Will submissions regarding the Heritage Study and Community Gardens be made available online to Pittwater residents?

**Answer:**

These documents are currently still on exhibition with the draft Community Guidelines closing on 25 August 2014 and the Heritage Study closing on 13 September 2014. Submissions will be made available to residents once the exhibition period has been finalised and the results have been compiled with a report coming back to Council. This is however subject to Council obligations under the Privacy Legislation.

**Marcia Rackham – Question 4**

Could Council please make available submissions regarding the draft Recreational and Open Space Strategy as a matter of transparency to the residents of Pittwater?

**Answer:**

Council may consider proactively releasing the submissions regarding the draft recreational and open space strategy subject to privacy considerations. In reference to making these documents available on the website. In the interests of public transparency submissions may be made available in full on our website or in hardcopy at Council offices. It may also be accessed by public requests under the Government Information (Public Access) Act 2009 (NSW).

**Mr Bill Thomson – Question 5**

Would Council consider amending its Air Pollution Policy, before the coming October Conference as affirming of its determination to reduce wood fire pollution in Pittwater?

**Answer:**

There is no intention to report on this matter prior to the conference in October. We will await the outcome and then give consideration to the matter in any review of policies and the DCP.

**Mr Bill Thomson – Question 6**

Would Council consider amending the “No Open Burning” section of its Air Pollution Policy to specifically ban open pit fires, chimineas along with the existing ban on incinerators and back yard burning as it applies under NSW Pollution Legislation?

**Answer:**

Council’s guidelines for a Policy Review would need to be followed. Council will await the lead from the EPA and will consider any policy position at that time.

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**3.0 Apologies****COUNCIL DECISION**

That apologies be received and accepted from Cr Millar and leave of absence be granted from the Council Meeting held on 18 August 2014.

(Cr Hegarty / Cr Young)

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

Cr Grace declared a Less than Significant Non-Pecuniary Interest in Item C11.5 – Open Swim Series 2014/2015 and took part in the discussion and voting on this item. The reason provided by Cr Grace was:

*“Reserve acting member of Whale Beach Surf Life Saving Club. Active member for many years (although have not yet paid this years fee) am able to act objectively”.*

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## **5.0 Confirmation of Minutes**

### **COUNCIL DECISION**

That the Minutes of the Council Meeting held on 4 August 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 Grace / Cr Hegarty)

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## **6.0 Public Addresses**

**C11.5 – Ocean Swim Series 2014/2015** - with the leave of the Council Mr Warren Young addressed the meeting speaking in support of this item.

**C12.1 – N0097/14 – 78 Prince Alfred Parade, Newport – Swimming Pool and Associated Landscaping** – with the leave of the Council Mr Vaughan Milligan addressed the meeting speaking in support of this item.

**C12.2 – N0378/23 – 11 Corniche Road, Church Point - S82A Reconsideration of application for demolition of the existing dwelling and the construction of a new dwelling and swimming pool** – with the leave of the Council Mr James De Soyres addressed the meeting speaking in support of this item.

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## **7.0 Councillor Questions with Notice**

Nil.

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## **8.0 Mayoral Minutes**

Nil.

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## **9.0 Business by Exception**

### **COUNCIL DECISION**

That Items C11.1, C11.3, C11.4, C11.6, C11.7, C11.8 and C12.3 be dealt with by exception and the recommendations contained in the reports for these items be adopted.

(Cr Hegarty / Cr Griffith)

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## **Procedural Motion (COUNCIL DECISION)**

That the Council Meeting be adjourned and the Leading and Learning Committee Meeting now commence.

(Cr Ferguson / Cr Grace)

### **Notes:**

1. The Council Meeting adjourned at 6.55pm and the Leading and Learning Committee Meeting commenced at 6.56pm.
  2. Cr Townsend remained in the Chair.
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## **Leading and Learning Committee**

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### **11.0 Leading and Learning Committee Business**

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#### **C11.1 Investment Balances for the Month of July 2014**

##### **COUNCIL DECISION (By Exception)**

That the information provided in the report be noted.

(Cr Hegarty / Cr Griffith)

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#### **C11.3 Annual Financial Statements 2013-14 - Submission To Auditor**

##### **COUNCIL DECISION (By Exception)**

1. That the Annual Financial Reports for 2013/14 be adopted.
2. That the Mayor, Councillor, General Manager and Chief Financial Officer be authorised to sign the necessary Financial Statements.
3. That the Annual Financial Reports for 2013/14 be referred to Council's Auditor.
4. That on receipt of the Audited Reports, a copy is forwarded to the Department of Local Government and the Australian Bureau of Statistics.
5. That Council's Auditor be invited in writing to attend the appropriate meeting to present his Report to the Council.

(Cr Hegarty / Cr Griffith)



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<b>C11.4</b>	<b>Tender T01/14SHOROC - Provision of cash collection services to Pittwater, Manly, Mosman and Willoughby City Councils</b>
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**COUNCIL DECISION (By Exception)**

1. That pursuant to Clause 178(1) of the Local Government (General) Regulation 2005, the tender received from ECS International Security for the provision of cash collection services as per the tendered schedule of rates be accepted for commencement of services post 1 September 2014.
2. That the Executive Officer of SHOROC be authorised to execute contracts on Pittwater Council's behalf.
3. That the unsuccessful tenderers be notified of the tender outcome and thanked for their participation.

(Cr Hegarty / Cr Griffith)

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<b>C11.5</b>	<b>Ocean Swim Series 2014/15</b>
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**COMMITTEE RECOMMENDATION**

1. That Council assist the organisers to promote their event through the normal communication channels (community noticeboard, local magazines, e-newsletter, calendar of events, website, Mayoral Column, social media, media releases).
2. That Council assist with any layout and design of promotional materials.
3. That Council waive any fees associated with erection of banners advertising the event.
4. That Council provide \$5000 towards advertising expenses for this event.

(Cr Hegarty / Cr Ferguson)

**Notes:**

1. The following unsuccessful motion moved by Cr Griffith lapsed for want of a seconder:
  - "1. That Council assist the organisers to promote their event through the normal communication channels (community noticeboard, local magazines, e-newsletter, calendar of events, website, Mayoral Column, social media, media releases).
  2. That Council assist with any layout and design of promotional materials.
  3. That Council waive any fees associated with erection of banners advertising the event.
  4. That Council provide \$5000 towards advertising expenses for this event.
  5. That given Council's financial contribution to this event, Council Policy No 18: Parking – Issue of Annual Permits – Waiving of Parking Fees not apply to the 2014 Ocean Swim Series and that the policy be amended accordingly for future Ocean Swim Series events".

2. Cr Grace declared a Less than Significant Non-Pecuniary Interest in this Item and remained in the meeting and took part in the discussion and voting on this item. The reason provided by Cr Grace was:

*“Reserve acting member of Whale Beach Surf Life Saving Club. Active member for many years (although have not yet paid this years fee) am able to act objectively”.*

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<b>C11.6</b>	<b>Report on Velo-City Global Conference, Adelaide 27 - 30 May 2014</b>
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**COUNCIL DECISION (By Exception)**

That the attached report be noted.

(Cr Hegarty / Cr Griffith)

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<b>C11.7</b>	<b>Arts and Culture Awards &amp; Summit, 26 - 27 May 2014</b>
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**COUNCIL DECISION (By Exception)**

That the attached report be noted.

(Cr Hegarty / Cr Griffith)

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<b>C11.8</b>	<b>Report on Australian Local Government Association (ALGA) National General Assembly (NGA)</b>
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**COUNCIL DECISION (By Exception)**

That the attached report be noted.

(Cr Hegarty / Cr Griffith)

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**Procedural Motion (COUNCIL DECISION)**

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

(Cr Hegarty / Cr Ferguson)

**Notes:**

1. The Leading and Learning Committee Meeting adjourned at 7.03pm and the Sustainable Towns and Villages Committee Meeting commenced at 7.04pm.
2. Cr Griffith assumed the Chair.

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## Sustainable Towns and Villages Committee

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### 12.0 Sustainable Towns and Villages Committee Business

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#### C12.1 N0097/14 - 78 Prince Alfred Parade, Newport - swimming pool and associated landscaping

##### COMMITTEE RECOMMENDATION

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application N0097/14 for the construction of a swimming pool and associated landscaping at 78 Prince Alfred Parade, Newport subject to the conditions of consent contained within the draft determination.

(Cr White / Cr Ferguson)

**Note:**

A division was duly taken resulting in the following voting:

<b>Aye (For)</b>	<b>No (Against)</b>
Cr Ferguson	Nil
Cr Griffith	
Cr Grace	
Cr Hegarty	
Cr McTaggart	
Cr Townsend	
Cr White	
Cr Young	

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#### C12.2 N0378/13 - 11 Corniche Road, Church Point NSW 2105 - S82A Reconsideration of application for demolition of the existing dwelling and the construction of a new dwelling and swimming pool

##### COMMITTEE RECOMMENDATION

That the S82A Reconsideration of Development Application N0378/13 at 11 Corniche Road, Church Point NSW 2105 for the demolition of an existing dwelling, construction of a new dwelling and swimming pool be approved subject to the conditions contained in the Draft Determination.

(Cr White / Cr McTaggart)

**Note:**

A division was duly taken resulting in the following voting:

<b>Aye (For)</b>	<b>No (Against)</b>
Cr Ferguson	Nil.
Cr Griffith	
Cr Grace	
Cr Hegarty	
Cr McTaggart	
Cr Townsend	
Cr White	
Cr Young	

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<b>C12.3</b>	<b>N0044/14 - 3 Cook Terrace, Mona Vale NSW 2103 - Subdivision of an existing detached dual occupancy</b>
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**COUNCIL DECISION (By Exception)**

That application N0044/14 at 3 Cook Terrace, Mona Vale NSW 2103 for the subdivision of an existing detached dual occupancy be granted **development consent** subject to the inclusion of the prescribed conditions of consent within Part A and the following amended condition of consent be incorporated into the Draft Determination:

- F7** Appropriate easements **and rights of carriageway** are to be created where service lines, drainage lines **or driveways** pass through private property other than the lot which they benefit. This can be advised through the registration of the Plan of Subdivision.

(Cr Hegarty / Cr Griffith)

**Note:**

Voting by exception was unanimous.

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**Procedural Motion (COUNCIL DECISION)**

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

(Cr Townsend / Cr Griffith)

**Notes:**

1. The Sustainable Towns and Villages Committee Meeting concluded at 7.13pm and the Leading and Learning Committee Meeting recommenced at 7.14pm.
2. Cr Townsend assumed the Chair.

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<b>Leading and Learning Committee</b>
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## **11.0            Leading and Learning Committee Business**

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### **C11.2            Quarterly Budget Review Statement for the Quarter Ending 30 June 2014**

#### **COMMITTEE RECOMMENDATION**

1. That the financial results for the period ending 30 June 2014 be noted.
2. That Council approves the Revote of Reserve funds of \$4.092 million for major works (as per item 2.9 of this Report) to be carried forward to the 2014/2015 Financial Year.
3. That Council approves the Revote of General funds to be carried forward to the 2014/2015 Financial Year for the following items:
  - IT Purchases                      \$100,000
  - Plant Purchases                      \$129,557

(Cr Griffith / Cr Hegarty)

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#### **Procedural Motion (COUNCIL DECISION)**

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

(Cr Ferguson / Cr Hegarty)

#### **Notes:**

1. The Leading and Learning Committee Meeting concluded at 7.18pm and the Council Meeting recommenced at 7.19pm.
2. Cr Townsend remained in the Chair.

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## **Council Meeting**

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## **10.0 Council Meeting Business**

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### **C10.1 Notice of Motion - Pittwater Unleashed Report**

#### **COUNCIL DECISION**

1. That Council staff review the submission from the "Pittwater Unleashed" group and prepare a report to Council responding to the issues raised and present to Council at the first meeting in November 2014.
2. That research into how other coastal metropolitan Councils deal with dog access to beaches be included within the report and develop a framework for best practice.
3. Council staff report the condition of both Rowland Reserve and Careel Bay unleashed areas and make recommendations on how to improve the amenity for both dogs and dog owners.

(Cr White / Cr McTaggart)

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### **13.0 Adoption of Leading and Learning Committee Recommendations**

#### **COUNCIL DECISION**

That the recommendations of the Leading and Learning Committee on Items C11.2 and C11.5 comprising all Council members be, and are hereby, adopted.

(Cr Hegarty / Cr Griffith)

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### **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 and C12.2 comprising all Council members be, and are hereby, adopted.

(Cr Ferguson / Cr Grace)

**THERE BEING NO FURTHER BUSINESS  
THE MEETING CONCLUDED AT 7.37PM ON  
MONDAY, 18 AUGUST 2014**