

## Minutes

### Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly  
on:

**Tuesday 6 October 2015**

*All minutes are subject to confirmation at a subsequent meeting.*

*Copies of business papers are available at the Customer Service Counters  
at Manly Council, Manly Library and Seaforth Library and are available on  
Council's website:*

*[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Tuesday 6 October 2015. The meeting commenced at 7.30pm.

## PRESENT

Her Worship, The Mayor, Jean Hay AM, who presided  
Councillor B Aird  
Councillor C Bingham  
Councillor H Burns  
Councillor C Griffin  
Councillor J Griffin  
Councillor A Heasman  
Councillor A Le Surf  
Councillor S Pickering Deputy Mayor

## ALSO PRESENT

Henry Wong, General Manager  
Stephen Clements, Deputy General Manager, Executive Manager, Landuse & Sustainability  
Beth Lawsen, Deputy General Manager, People, Place & Infrastructure  
Anthony Hewton, Executive Manager, Corporate Support Services  
Helen Lever, Manager Administration  
Secretariat Officer

## OPENING PRAYER

The Opening Prayer was given by Captain Louanne Mitchell, Manly Salvation Arm.

## APOLOGIES

Nil

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

## CONFIRMATION OF MINUTES

### MOTION (Le Surf / Burns)

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 September 2015, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

### 121/15 RESOLVED: (Le Surf / Burns)

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 September 2015, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

**PUBLIC FORUM**

NAME	SUBJECT/PUBLIC SPEAKERS
Suzanne Cairns	Dog walking regulations and to table a petition
Roger Freney	Democracy in Manly
David Parsons	Council Governance

**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 15

**Election of Deputy Mayor (MC/15/5220)****SUMMARY**

Section 231 of the *Local Government Act, 1993* empowers the Council to elect one of its members to act as Deputy Mayor for the Mayoral term or for a shorter term.

A Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of the Mayor.

The election for Deputy Mayor will be held at the Ordinary Meeting of Council on 6 October 2015.

The General Manager acting as the Returning Officer invited nominations for the office of Deputy Mayor. The Returning Officer advised that nominations were not valid unless they were made in writing by two or more Councillors and the nominee had indicated consent to the nomination also in writing.

**The Returning Officer read the nominations.**

**Councillor James Griffin** was nominated by Councillors Le Surf and Heasman.

**Councillor James Griffin** had signed the consent to the nomination.

**The Returning Officer therefore declared Councillor James Griffin duly elected as Deputy Mayor for the subject term.**

The Mayor Councillor Hay AM and the Returning Officer congratulated **Councillor James Griffin** on his election as Deputy Mayor.

**MOTION (Le Surf / Heasman)**

That:

1. Council determine the method of voting for the election of Deputy Mayor for the subject term; and
2. having determined the method of voting for the election of Deputy Mayor for the next 12 month period (pending confirmation/ announcement of the next NSW Local Government Election), the Returning Officer declared **Councillor James Griffin** Deputy Mayor for the next period.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,

**Against the Motion:** J Griffin, C Griffin and Hay AM  
Nil.

**122/15 RESOLVED: (Le Surf / Heasman)**

That:

1. Council determine the method of voting for the election of Deputy Mayor for the subject term; and
2. having determined the method of voting for the election of Deputy Mayor for the next 12 month period (pending confirmation/ announcement of the next NSW Local Government Election), the Returning Officer declared **Councillor James Griffin** Deputy Mayor for the next period.

\*\*\*\*\*

Corporate Services Division Report No. 16

**Appointment of Chairperson and Deputy Chairperson for Planning & Strategy Committee (MC/15/5218)**

**SUMMARY**

The purpose of this report is to appoint the Chairperson and Deputy Chairperson of the Principal Committee of Planning and Strategy for the next twelve month period (pending confirmation/ announcement of next NSW Local Government election).

The General Manager acting as the Returning Officer invited nominations for the Office of **Chair of the Principal Committee** being the **Planning and Strategy Committee** (P&S) The following nominations were received:

1. **Councillor Heasman** was nominated for Chairperson of the Planning and Strategy Committee by Councillors Le Surf and Pickering.  
Councillor Heasman consented to the nomination.
2. **Councillor Aird** was nominated for Chairperson of the Planning and Strategy Committee by Councillors Bingham and Burns.  
Councillor Aird consented to the nomination

*An Open Vote was then taken resulting as follows:*

In favour of Councillor Heasman

Councillor Hay  
Councillor Pickering  
Councillor Heasman  
Councillor J Griffin  
Councillor Le Surf

In favour of Councillor Aird

Councillor C Griffin  
Councillor Bingham  
Councillor Aird  
Councillor Burns

**The Returning Officer therefore declared Councillor Heasman duly elected as Chairperson of the Planning and Strategy Committee for the subject period.**

The Mayor Councillor Hay AM and the Returning Officer congratulated **Councillor Heasman** on her election as Chairperson of the Planning and Strategy Committee.

The General Manager acting as the Returning Officer invited nominations for the Office of **Deputy Chair** of the Principal Committee being the Planning and Strategy Committee (P&S). The following nominations were received:

1. **Councillor Le Surf** was nominated for Deputy Chairperson of the Planning and Strategy Committee by Councillors Heasman and Pickering. Councillor Le Surf consented to the nomination.

**MOTION (Le Surf / Heasman)**

That:

1. Council determine the voting method regarding the subject elections; and
2. having proceeded to elect a Chairperson and a Deputy Chairperson for its principal Committee of Planning and Strategy for the next period the Returning Officer declared **Councillor Heasman** the Chairperson and **Councillor Le Surf** the Deputy Chairperson for the next period.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**123/15 RESOLVED: (Le Surf / Heasman)**

That:

1. Council determine the voting method regarding the subject elections; and
2. having proceeded to elect a Chairperson and a Deputy Chairperson for its principal Committee of Planning and Strategy for the next period the Returning Officer declared **Councillor Heasman** the Chairperson and **Councillor Le Surf** the Deputy Chairperson for the next period.

\*\*\*\*\*

Corporate Services Division Report No. 17

**Financial Statements for the Year Ended 30 June 2015 (MC/15/5222)**

**SUMMARY**

Presentation of the Audited General Purpose and Special Purpose Financial Statements for the financial year ended 30 June 2015.

**MOTION (Pickering / Burns)**

That:

1. The General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2015 together with the Auditors Reports be received; and
2. Council's Auditors, Hill Rogers Spencer Steer Chartered Accountants, be thanked for their attendance.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,  
J Griffin, C Griffin and Hay AM  
**Against the Motion:** Nil.

**124/15 RESOLVED: (Pickering / Burns)**

That:

1. The General Purpose and Special Purpose Financial Statements for the Year Ended 30 June 2015 together with the Auditors Reports be received; and
2. Council's Auditors, Hill Rogers Spencer Steer Chartered Accountants, be thanked for their attendance.

## **NOTICES OF RESCISSION**

Notice of Rescission Report No. 3

**Notice of Rescission (MC/15/122846)**

**Councillor Barbara Aird, Councillor Cathy Griffin, and Councillor Hugh Burns moved:**

**MOTION (Aird / C Griffin)**

That the Council's decision of 14 September 2015 being Notice of Motion No. 40 in respect of Progress Report on Manly Swim Centre Redevelopment be and is hereby rescinded.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, J Griffin,  
C Griffin and Hay AM  
**Against the Motion:** Councillor Le Surf

**125/15 RESOLVED: (Aird / C Griffin)**

That the Council's decision of 14 September 2015 being Notice of Motion No. 40 in respect of Progress Report on Manly Swim Centre Redevelopment be and is hereby rescinded.

**MOTION (Aird / C Griffin)**

That:

In the interest of accountability, openness and transparency, that the General Manager provides a report to Council as soon as possible including:

All variations/amendments to original DA177/2013 approved December 2013.

Details in relation to each of the four "packages" adopted by Council on 11/8/14, viz.

1. Swim Centre redevelopment
2. Amenities L. M. Graham Reserve
3. Co Gen and Energy Centre
4. Extra works and provision for remediation

of:

Original budget;



Amounts spent to date;  
Related expenditure for Kenneth Road (numerous changes to traffic conditions);  
Amounts committed;  
Agreed variations;  
Total estimated cost to complete;  
Actual/revised budget;  
Estimated date of completion; also  
Council to provide an ongoing monthly financial and progress report.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,  
J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**126/15 RESOLVED: (Aird / C Griffin)**

That:

In the interest of accountability, openness and transparency, that the General Manager provides a report to Council as soon as possible including:

All variations/amendments to original DA177/2013 approved December 2013.

Details in relation to each of the four "packages" adopted by Council on 11/8/14, viz.

1. Swim Centre redevelopment
2. Amenities L. M. Graham Reserve
3. Co Gen and Energy Centre
4. Extra works and provision for remediation

of:

Original budget;  
Amounts spent to date;  
Related expenditure for Kenneth Road (numerous changes to traffic conditions);  
Amounts committed;  
Agreed variations;  
Total estimated cost to complete;  
Actual/revised budget;  
Estimated date of completion; also  
Council to provide an ongoing monthly financial and progress report.

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## NOTICES OF MOTION

Notice of Motion Report No. 45

### **Waiver of Lane Fees for Amateur Swimming Clubs (MC/15/123173)**

*Councillor Bingham withdrew her Notice of Motion.*

\*\*\*\*\*

Notice of Motion Report No. 46

**Concerns over Redevelopment of Circular Quay Ferry Wharves (MC/15/123131)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / Aird)**

That Manly Council writes to the local member and premier the Hon Michael Baird, and the Minister for Transport and the minister overseeing the *Sydney Harbour Foreshore Authority*, to express strong concerns about the nature of the wharf redevelopment currently being proposed for Circular Quay. Council notes that:-

1. Manly and its community has a major interest in Circular Quay due to it being a gateway for the ferry journey to Manly, which is used by about 6 million residents and visitors a year. In fact around half of all Sydney ferry passengers use wharf 3 at Circular Quay.
2. Council outlines its concerns that the changes will make the Circular Quay wharves less efficient for passengers, and mode interchange connection efficiency will be slowed, and thus there is a great potential to undermine the continued successful operation of this long standing public service.
3. Council raises specific concerns and objection to any redevelopment that increases the travel distance from the buses and trains to the ferry boarding points or similarly increases the distance between disembarkation and embarkation points for passenger changing ferries on different wharves.
4. Council seeks a specific commitment that the plans will allow the existing larger Manly Ferries to continue to be berthed at Circular Quay with passenger loading access to both decks, without restriction, and that suitable overrun collision protection will be included.
5. That Council also notes the mix of retail and licensed premises proposed at Circular Quay is similar to what is already at Manly Wharf, and this has demonstrably degraded the efficiency and operation of this heritage structure as a public ferry wharf for passenger amenity and a bus/ferry transport interchange, since it was modified 25 years ago. Issues include internal congestion due to narrowed walkways, and continuing loss of public spaces and walkways to "creep" maximisation of income by the lessee. Most of the buses are now located too far from the wharf. There are also safety concerns about access by emergency vehicles to the building due to narrow access ways.
6. Council seeks a specific commitment from our local member that the government will conduct proper informed community consultation with all ferry users, including Manly commuters, before making any changes to the existing Circular Quay precinct.

**AMENDMENT (C Griffin / Heasman )**

That:

1. Manly Council writes to the local member and Premier the Hon Michael Baird, and the Minister for Transport and the minister overseeing the *Sydney Harbour Foreshore Authority*, congratulating them on the announcement of the upgrade of Circular Quay and consider funding of Manly Wharf so that the public ferry transport is not compromised.
2. Council seeks a specific commitment from our local member that the State Government will conduct proper informed community consultation with all ferry users, including Manly commuters, before making any changes to the existing Circular Quay precinct.

**For the Amendment:** Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM  
**Against the:** Councillors Aird and Burns

The **Amendment** became the **Motion** was put and declared **Carried**

**MOTION (C Griffin / Heasman)**

That:

1. Manly Council writes to the local member and Premier the Hon Michael Baird, and the Minister for Transport and the minister overseeing the *Sydney Harbour Foreshore Authority*, congratulating them on the announcement of the upgrade of Circular Quay and consider funding of Manly Wharf so that the public ferry transport is not compromised.
2. Council seeks a specific commitment from our local member that the State Government will conduct proper informed community consultation with all ferry users, including Manly commuters, before making any changes to the existing Circular Quay precinct.

**For the Motion:** Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM  
**Against the Motion:** Councillors Aird and Burns

**127/15 RESOLVED: (C Griffin / Heasman)**

That:

1. Manly Council writes to the local member and Premier the Hon Michael Baird, and the Minister for Transport and the minister overseeing the *Sydney Harbour Foreshore Authority*, congratulating them on the announcement of the upgrade of Circular Quay and consider funding of Manly Wharf so that the public ferry transport is not compromised.
2. Council seeks a specific commitment from our local member that the State Government will conduct proper informed community consultation with all ferry users, including Manly commuters, before making any changes to the existing Circular Quay precinct.

\*\*\*\*\*

Notice of Motion Report No. 47

**Urgent Sprinkler Fire Protection for All Public Schools in the Manly LGA (MC/15/123142)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / Aird)**

That Manly Council writes to the local member and Premier the Hon Michael Baird, and the Minister for Education seeking a commitment to commit resources to this solution with funding in the next annual State budget to immediately begin installing sprinkler and/or fire detection systems in all public schools.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM  
**Against the Motion:** Nil.

**128/15 RESOLVED: (Burns / Aird)**

That Manly Council writes to the local member and Premier the Hon Michael Baird, and the Minister for Education seeking a commitment to commit resources to this solution with funding in the next annual State budget to immediately begin installing sprinkler and/or fire detection systems in all public schools.

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*Councillor Bingham left the Chamber.*

**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 13

**Items For Brief Mention (MC/15/114882)****1. Notices of Motion status report.**

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
130/15	14 Sept	Notice of Motion Report No. 41 - Progress Report on Balgowlah and Pittwater Roads Pedestrian Access and Management Plan	That the General Manager provides a report to next Ordinary Meeting of Council on the progress to date following Council's resolution of 9th March, 2015	Works on PAMP installation now commenced and due for completion 9 October.
129/15	14 Sep	Notice of Motion Report No. 40 - Progress Report on Manly Swim Centre Redevelopment	That financial details relating to the Manly Swim Centre development be provided by way of monthly updates in the GM's monthly report to Councillors.	Subject of Rescission Motion
128/15	14 Sep	Notice of Motion Report No. 39 - Completion of Manly Plaza, Short Street	The General Manager prepares a report to Council setting out when the Manly Plaza is expected to be completed and works outstanding	Report in progress and to be provided to Public Domain Committee
123/15	14 Sep	Notice of Motion Report No. 37 - Smoke Free Zone – Market Place & Market Lane	That the General Manager prepare a report investigating the possibility of Market Place & Market Lane becoming a designated "Smoke-Free Zone".	Report in progress
114/15	10 Aug	Notice of Motion Report No. 35 - 2014/2015 Performance of Council's car parks	The General Manager prepare and make available as soon as practicable an updated report to Council on the performance of Council's car parks.	Report in progress for Nov P&S
112/15	10 Aug	Notice of Motion Report No. 33 - Lagoon Park Lighting	Trial installation at the Pittwater Road end of Lagoon Park, two solar powered lights as a possible solution to illuminate the entire path.	Trial lighting initiative progressing, report on progress to Community Safety Committee
93/15	13 July	Notice of Motion 32 – Clearing of Former Tramway Reservation	Council sufficiently clear the former tramway line right-of-way from the Spit Terminus near	Item referred to two committees.

		from Terminus to Manly road for a Public Walking Track	Manly Road to enable the public to walk and inspect the route, including interpretive signage.	
55/15	11 May	Notice of Motion No. 19 – Community Art Project	Report on developing and supporting a Manly Community Art Project.	Draft policy completed and recommendations received for discussion of options.
25/15	9 Mar	Notice of Motion No. 13 - Digitisation of Manly Council Minutes/ Agendas	Council to progressively digitise its Council Meeting papers between 1960 and 2004.	Project expected to be delivered in coming weeks

## 2. Tabled Documents

Date	Author	Subject
2 Sep 15	Ben Taylor SHOROC Executive Director	SHOROC Board Meeting Minutes - 2 September 2015
14 Sep 15	Marcia Doheny Chief Executive Office of Local Government	Circular 15-32 Responsible Pet Ownership Grants Program – Successful Applicants in Year Two
14 Sep 15	Mike Baird MP State Member for Manly	Response from Sydney Harbour Federation Trust regarding accessible parking at North Fort Kiosk, North Head
18 Sep 15	Keith Rhoades, AFSM President Local Government NSW	LGNSW Annual Report 2014/15
25 Sep 15	Marcia Doheny Chief Executive Office of Local Government	Circular 15-33 Review of Swimming Pool Barrier Requirements
2014/15	Pecuniary Interest Register	Council's 2014/15 Return is tabled.

### MOTION (Le Surf / Burns)

- That the IFBM reports 1 and 2 be received and noted.

**For the Motion:** Councillors Aird, Burns, Heasman, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

*Councillor Bingham was not in the Chamber when the voting took place.*

### RECOMMENDATION

- That the IFBM reports 1 and 2 be received and noted.

*Councillor Bingham returned to the Chamber.*

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**REPORTS OF COMMITTEES**

Report Of Committees Report No. 26

**Minutes for Notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature (MC/15/118028)**

**MOTION (Burns / Le Surf)**

That the following Special Purpose Advisory Committee meetings are tabled at the meeting, for formal notation.

1. Manly Ferry & Wharf Monitoring Working Party – 15 September 2015
2. Manly Scenic Walkway Committee – 15 September 2015
3. Manly Local Traffic Committee – 14 September 2015
4. Community Safety & Place Management – 10 September 2015
5. Community Garden Advisory Committee – 9 September 2015
6. Meals on Wheels Advisory Committee – 9 September 2015
7. Sister Cities Advisory Committee – 26 August 2015
8. Sports & Recreational Facilities Advisory Committee – 7 August 2015
9. Economic Development & Tourism Advisory Committee – 6 August 2015
10. Manly Lagoon Catchment Coordinating Committee – 30 July 2015
11. Surf Club Liaison Working Group – 21 July 2015

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**129/15 RESOLVED: (Burns / Le Surf)**

That the minutes of the following Special Purpose Advisory Committee meetings be noted.

1. Manly Ferry & Wharf Monitoring Working Party – 15 September 2015
2. Manly Scenic Walkway Committee – 15 September 2015
3. Manly Local Traffic Committee – 14 September 2015
4. Community Safety & Place Management – 10 September 2015
5. Community Garden Advisory Committee – 9 September 2015
6. Meals on Wheels Advisory Committee – 9 September 2015
7. Sister Cities Advisory Committee – 26 August 2015
8. Sports & Recreational Facilities Advisory Committee – 7 August 2015
9. Economic Development & Tourism Advisory Committee – 6 August 2015
10. Manly Lagoon Catchment Coordinating Committee – 30 July 2015
11. Surf Club Liaison Working Group – 21 July 2015

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**RECOMMITTAL MOTION (C Griffin / Burns)**

That Item For Brief Mention Report No. 13 – Tabled Documents be recommitted for discussion.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**130/15 RESOLVED: (C Griffin / Burns)**

That Item For Brief Mention Report No. 13 – Tabled Documents be recommitted for discussion

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Report Of Committees Report No. 27

**Minutes for Notation by Council - Community Environment Advisory Committee - 9 September 2015 (MC/15/122884)****MOTION (Burns / Heasman)**

These reports were dealt with at the Community Environment Advisory Committee meeting of 9 September 2015 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

**1 ITEM 9 Management of Sharks in New South Wales Waters**

The Investment, Industry and Regional Development Committee will inquire into and report on the management of sharks and the economic impact of shark attacks on communities in NSW. It will consider the impact of shark attacks on tourism and related industries, changes in shark numbers, behaviour or habitat, adequacy of management strategies and measures to prevent shark attacks.

Comments are invited until 23 October, 2015.

**2. ITEM 10 Event to celebrate the 25th Anniversary of Community Environment Advisory Committee (summarised)**

The Committee discussed various options/ideas for the event.

**3. ITEM 14 Street Tree Management Plan – Pallets of Trees Offered by Consultant (summarised).**

The Committee would like to see the brief that went to the Consultant.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**131/15 RESOLVED: (Burns / Heasman)**

That the minutes of the Community Environment Advisory Committee meeting on 9 September 2015 be received and noted, including the following items:

**1. ITEM 9 Management of Sharks in New South Wales Waters**

The Council's Community Environment Committee has advised that the Investment Industry and Regional Development Committee will:

1. inquire into and report on the management of sharks and the economic impact of shark attacks on communities in NSW.
2. will consider the impact of shark attacks on tourism and related industries, changes in shark numbers, behaviour or habitat, adequacy of management strategies and measures to prevent shark attacks.

The Environment Committee recommends that Manly Council and the MEC make submissions by 23 October, 2015.

**2. ITEM 10 Event to Celebrate the 25th Anniversary of Community Environment Advisory Committee**

A project sheet for the event as discussed should be prepared so that the budget can be determined by the next Community Environment Committee meeting.

**3. ITEM 14 Street Tree Management Plan – Pallets of Trees Offered by Consultant**

Due to community concern, the Committee requests to see the Briefing Document and Terms of Reference for the Consultant as well as the draft Report to Council before it is presented to Council for formal adoption.

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**ENVIRONMENTAL SERVICES DIVISION**

Environmental Services Division Report No. 36

**List of LEC Appeals October 2015 relating to DAs (MC/15/122847)****SUMMARY**

A list of appeals relating to Development Applications currently listed with the Land and Environment Court.

**MOTION (Le Surf / J Griffin)**

That the information be received and noted.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**132/15 RESOLVED: (Le Surf / J Griffin)**

That the information be received and noted.

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Environmental Services Division Report No. 37

**Development Applications Processed for the month of September 2015 (MC/15/119770)**

**SUMMARY**

Development applications being processed during September 2015.

**MOTION (Le Surf / J Griffin)**

THAT the information be received and noted.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,  
J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**133/15 RESOLVED: (Le Surf / J Griffin)**

THAT the information be received and noted.

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Environmental Services Division Report No. 38

**Proposed Amendment to Manly Development Control Plan 2013 (MC/15/120707)**

**SUMMARY**

This report recommends various amendments to be made to the Manly Development Control Plan (DCP) 2013 to introduce new principles in relation to designing for safety. It is recommended that Council exhibit the draft amendments as supported by the Manly LEP/DCP Working Group at its meeting on 22<sup>nd</sup> September 2015.

**MOTION (Le Surf / Heasman)**

That:

1. Council resolve to amend Manly Development Control Plan 2013; and
2. Council exhibit the proposed amendments as reported for a period of twenty-eight (28) days.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J  
Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**134/15 RESOLVED: (Le Surf / Heasman)**

That:

1. Council resolve to amend Manly Development Control Plan 2013; and
2. Council exhibit the proposed amendments as reported for a period of twenty-eight (28) days.

\*\*\*\*\*

Environmental Services Division Report No. 39

**Proposed Rezoning of Manly Industrial Estate, Balgowlah, from Zone IN2 light Industrial, to Zone B6 Enterprise Corridor - Studies Conducted (MC/15/122848)**

**MOTION (Le Surf / Heasman)**

That:

Council publically exhibit the Planning Proposal to amend the Manly LEP 2013 to rezone land from Zone IN2 Light Industrial to Zone B6 Enterprise Corridor at the Manly Industrial Estate, Balgowlah, incorporating the relevant associated studies, as per the Gateway Determination

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**135/15 RESOLVED: (Le Surf / Heasman)**

That:

Council publically exhibit the Planning Proposal to amend the Manly LEP 2013 to rezone land from Zone IN2 Light Industrial to Zone B6 Enterprise Corridor at the Manly Industrial Estate, Balgowlah, incorporating the relevant associated studies, as per the Gateway Determination

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Corporate Services Division Report No. 18

**Report on Council Investments as at 30 September 2015 (MC/15/5226)**

**SUMMARY**

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

**MOTION (Le Surf / Pickering)**

**That:** the statement of Bank Balances and Investment Holdings as at 30 September 2015 be received and noted.

**For the Motion:** Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

**Against the Motion:** Nil.

**136/15 RESOLVED: (Le Surf / Pickering)**

**That:** the statement of Bank Balances and Investment Holdings as at 30 September 2015 be received and noted.

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**QUESTIONS WITHOUT NOTICE****QWN58/15 Councillor Burns** - Restoration of Council building facade in Belgrave Street

Would the General Manger provide and update on the restoration of the side awning of Council' town hall building in Belgrave Street?

*At the request of the Mayor the General Manager advised that this project had been delayed due to a problem with the contractor and the flashing. As this is only a small job it should now be finished within the next few months to the original facade.*

**QWN59/15 Councillor Burns** - Street Tree Management Report

Would the General Manager advise the time frame for lodging the Street Tree Management Report?

*At the request of the General Manager advised that the plan was still going through consultation, however the substance of the report is finished*

**QWN60/15 Councillor Aird** - Manly Oval Car Park & Whistler Street EOI's

- a) On 10 August 15 (Ordinary Meeting) Council resolved that "the General Manager provide information to the public about the EOI outcome and a report come back to the next Council meeting" Why has a report not yet come back to Council? When will it?

*At the request of the Mayor the General Manger advised that the EOI's were put to Council and in that resolution, Council asked for certain actions that still currently are in progress. The report will therefore be presented when all information is available.*

- b) What was the cost to Council for providing all of the information referred above, including the full page ads placed in the Manly Daily newspapers during August/ September?

*At the request of the Mayor the General Manger advised that we had 2 or 3 full page advertisements which would have cost about \$2,000 to \$3,000.*

**QWN61/15 Councillor Aird** - Letter from Joint Precincts

A letter was lodged from Joint Precincts at Council on 7 September signed by chairs of Clontarf, Ivanhoe, Ocean Beach, Fairlight & Northern Harbour Precincts addressed to the Mayor and Councillors. To date I have not received a copy of this letter and wondered why? Could I be provided with a copy?

*At the request of the Mayor the General Manager advised that written submissions are administrative matters. I am not aware of any correspondence to Council that has not been distributed.*

**QWN63/15 Councillor C Griffin - Remove Bindi**

Is Council's Parks and Reserves staff going to remove the bindi from Little Manly Beach Park, East Esplanade, Gilbert Park & 36 Stuart Street?

*At the request of the Mayor the General Manager advised that eradication was difficult. As this Council has a no chemical policy we will just have to keep it mowed and low.*

**QWN64/15 Councillor Bingham - Sculpture at The Bower swimming pool**

Would the General Manager undertake the necessary maintenance to the female figures sculpture at The Bower swimming pool, which is covered in a white substance that detracts from the sculptures themselves?

*At the request of the Mayor the General Manager advised that he would refer the matter to the Art & Culture Committee for action.*

**QWN65/15 Councillor Bingham - Permits to commercial dog walkers**

Would the General Manager review the decision to restrict the issue of permits to commercial dog walkers in the area, and at LM Graham Reserve, following extensive feedback from local dog owners who use these services?

*At the request of the Mayor the Deputy General Manager advised that Council has adopted a position and also fees in relation to this matter. It is also important to remember that the limit of dogs that one person can legally walk with is set by legislation.*

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**CLOSE**

The meeting closed at [10.16pm](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [9 November 2015](#).

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**MAYOR**

\*\*\*\*\* **END OF MINUTES** \*\*\*\*\*