

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 8 February 2016

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:*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 8 February 2016. 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 A Heasman
Councillor A Le Surf
Councillor S Pickering

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 Rev. Matt Wilcoxon of All Saints' Anglican Church, Balgowlah.

APOLOGIES

MOTION (Le Surf / Burns)

That the apology received from Councillor J Griffin, be accepted and leave be granted.

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

Against the Motion: Nil.

1/16 RESOLVED: (Le Surf / Burns)

That the apology received from Councillor J Griffin, be accepted and leave be granted.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

CONFIRMATION OF MINUTES

MOTION (Le Surf / Heasman)

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 December 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,
C Griffin and Hay AM

Against the Motion: Nil.

2/16 RESOLVED: (Le Surf / Heasman)

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 December 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.

CONFIRMATION OF MINUTES

MOTION (Le Surf / Heasman)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 February 2016, 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,
C Griffin and Hay AM

Against the Motion: Nil.

3/16 RESOLVED: (Le Surf / Heasman)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 February 2016, 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
David Parsons	Governance

MAYORAL MINUTES

Mayoral Minute Report No. 1

Australia Day Honours List (MC/16/10902)

MOTION (Hay AM)

That a letter is written on behalf of Council offering Council's congratulations for their 2016 Australia Day Honours awards in acknowledgement of their service to the community.

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

Against the Motion: Nil.

4/16 RESOLVED: (Hay AM)

That a letter is written on behalf of Council offering Council's congratulations for their 2016 Australia Day Honours awards in acknowledgement of their service to the community.

SUSPENSION OF STANDING ORDERS (Pickering / Heasman)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No. 3 – Review of Council’s Notification and Communication Processes

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

Against the Motion: Nil.

5/16 RESOLVED: (Pickering / Heasman)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No. 3 – Review of Council’s Notification and Communication Processes

Notice of Motion Report No. 3

Review of Council’s Notification & Communication Processes (MC/16/13077)

The following person addressed the meeting on this item:

In support Brian Fitzgerald

Councillor Candy Bingham moved that:

MOTION (Bingham / Aird)

1. That the General Manager initiates an internal review of Council’s notification and communication processes in relation to civic works, and prepares a report and recommendations for Councillors on how this process can be improved; and
2. That the review include the recent upgrade of Rialto Lane where the lack of notification and timely communication to affected residents and businesses was an issue.

AMENDMENT (Pickering / Heasman)

That the General Manager initiates an internal review of Council’s notification and communication processes in relation to civic works in Rialto Lane, and prepares a report and recommendations for Councillors on how this process could have been improved.

For the Amendment: Councillors Heasman, Pickering, Le Surf and Hay AM

Against the Amendment: Councillors Aird, Burns, Bingham and C Griffin

With the voting being equal, the Mayor exercised her casting vote for the **Amendment** and declared it **Carried** and the **Amendment** became the **Motion**.

MOTION (Bingham / Aird)

That the General Manager initiates an internal review of Council's notification and communication processes in relation to civic works in Rialto Lane, and prepares a report and recommendations for Councillors on how this process could have been improved.

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

6/16 RESOLVED: (Pickering / Heasman)

That the General Manager initiates an internal review of Council's notification and communication processes in relation to civic works in Rialto Lane, and prepares a report and recommendations for Councillors on how this process could have been improved.

RESUMPTION OF STANDING ORDERS (Pickering / Heasman)

That Standing Orders be resumed.

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

7/16 RESOLVED: (Pickering / Heasman)

That Standing Orders be resumed.

NOTICES OF MOTION

Notice of Motion Report No. 1

Update and Public Display of LM Graham Reserve Masterplan (MC/16/12720)

Councillor Candy Bingham moved that:

MOTION (Bingham / Burns)

1. The General Manager initiates the updating of the 2010 draft Masterplan and Action Plan for LM Graham Reserve to reflect the council's current plans for the facility; and
2. The updated Masterplan and Action Plan be readily available on the Council's website, and copies distributed to the major users of the Reserve.

AMENDMENT (Aird / Burns)

1. The General Manager initiates the updating of the 2010 draft Masterplan and Action Plan for LM Graham Reserve to reflect the council's current plans for the facility; and
2. The updated Masterplan and Action Plan be readily available on the Council's website, and copies distributed to the major users of the Reserve; and

3. That LM Graham Working Group be reformed to review the changes that have occurred and are proposed to the 2011 adopted Master Plan.

For the Amendment: Councillors Aird and Burns

Against the Amendment: Councillors Heasman, Bingham, Pickering, Le Surf, C Griffin and Hay AM

The **Amendment** was put and declared **lost**.

MOTION (Bingham / Burns)

1. The General Manager initiates the updating of the 2010 draft Masterplan and Action Plan for LM Graham Reserve to reflect the council's current plans for the facility; and
2. The updated Masterplan and Action Plan be readily available on the Council's website, and copies distributed to the major users of the Reserve.

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

Against the Motion: Councillors Aird

8/16 RESOLVED: (Bingham / Burns)

1. The General Manager initiates the updating of the 2010 draft Masterplan and Action Plan for LM Graham Reserve to reflect the council's current plans for the facility; and
2. The updated Masterplan and Action Plan be readily available on the Council's website, and copies distributed to the major users of the Reserve.

Notice of Motion Report No. 2

Public Notification of DAs for 2015 Plan (MC/16/13069)

Councillor Candy Bingham moved that:

MOTION (Bingham / Burns)

Given the huge public interest in the outcome of the tender process for the Manly Oval Car Park and Whistler Street site, that any Development Applications lodged as a result of the current tender process will:

1. Have a public exhibition period of 28 days to allow for public submissions.
2. Notify relevant stakeholders such as Council's Precinct Forums, sporting groups, and affected retailers.
3. Have copies of the DA readily available for viewing in hard copy and on Council's website, and to inform the public via council's E-News.

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

Against the Motion: Nil.

9/16 RESOLVED: (Bingham / Burns)

Given the huge public interest in the outcome of the tender process for the Manly Oval Car Park and Whistler Street site, that any Development Applications lodged as a result of the current tender process will:

1. Have a public exhibition period of 28 days to allow for public submissions.
2. Notify relevant stakeholders such as Council's Precinct Forums, sporting groups, and affected retailers.
3. Have copies of the DA readily available for viewing in hard copy and on Council's website, and promoted via Council's E-News.

Notice of Motion Report No. 4

Scenic Walkway Beautification (MC/16/13760)

Councillor Hugh Burns moved:

MOTION (Burns / Aird)

That Councillor Burns refer a list of items for consideration to the Manly Scenic Walkway Committee in relation to this matter.

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

Against the Motion: Nil.

10/16 RESOLVED: (Burns / Aird)

That Councillor Burns refer a list of items for consideration to the Manly Scenic Walkway Committee in relation to this matter.

Notice of Motion Report No. 5

Kiosk In Short Street Plaza (MC/16/13772)

Councillor Hugh Burns withdrew his Notice of Motion.

Notice of Motion Report No. 6

Countdown For Pedestrians at Wharf Traffic Lights (MC/16/13778)

Councillor Hugh Burns moved:

MOTION (Burns / Heasman)

That Manly Council writes to the Local member, Minister for Roads and RMS to ensure pedestrian countdown times are added to the Manly Wharf traffic lights and request that Manly be included in the initial roll out.

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

Against the Motion: Nil.

11/16 RESOLVED: (Burns / Heasman)

That Manly Council writes to the Local member, Minister for Roads and RMS to ensure pedestrian countdown times are added to the Manly Wharf traffic lights and request that Manly be included in the initial roll out.

Notice of Motion Report No. 7

Link Planned Condamine Street Commuter Carpark to Manly Swim Centre (MC/16/13796)

Councillor Hugh Burns moved that Council:

MOTION (Burns / Heasman)

That the General Manager explore collaborative arrangements with Transport for NSW on the use of any Park and Ride facilities associated with B.line to meet the parking demands for Councils' events and facilities.

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

Against the Motion: Councillor C Griffin

12/16 RESOLVED: (Burns / Heasman)

That the General Manager explore collaborative arrangements with Transport for NSW on the use of any Park and Ride facilities associated with B.line to meet the parking demands for Councils' events and facilities.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 2

Items For Brief Mention (MC/16/9265)**MOTION (Burns / Le Surf)**

That the Items For Brief Mention Reports 1, 2 and 3 be received and noted.

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

Against the Motion: Nil.

13/16 RESOLVED: (Burns / Le Surf)

That the Items For Brief Mention Reports 1, 2 and 3 be received and noted.

REPORTS OF COMMITTEES

Report Of Committees Report No. 2

Minutes for Notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/16/13732)**MOTION (Le Surf / Burns)**

That the Minutes of the following Special Purpose Advisory Committee meeting be noted.

1. Sustainable Transport Advisory Committee 10 December 2015

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

Against the Motion: Nil.

14/16 RESOLVED: (Le Surf / Burns)

That the Minutes of the following Special Purpose Advisory Committee meeting be noted.

1. Sustainable Transport Advisory Committee 10 December 2015

HUMAN SERVICES AND FACILITIES DIVISION

Human Services And Facilities Division Report No. 1
Community Street Art in Manly (MC/16/11325)

MOTION (Pickering / Burns)

That Council:

1. Receives and notes this report;
2. Engages with MAGM staff and with professional artists to work with a team from the community to produce community based street art in Manly2015 public spaces and selected laneways;
3. Consider a budget bid in the 2016-2017 report to promote, engage and foster community art projects; and
4. Also refer this matter to the Public Domains Committee for their contribution with respect to this item.

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

Against the Motion: Nil.

15/16 RESOLVED: (Pickering / Burns)

That Council:

1. Receives and notes this report;
2. Engages with MAGM staff and with professional artists to work with a team from the community to produce community based street art in Manly2015 public spaces and selected laneways;
3. Consider a budget bid in the 2016-2017 report to promote, engage and foster community art projects; and
4. Also refer this matter to the Public Domains Committee for their contribution with respect to this item.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 1

December 2015 Investment Report (MC/16/9230)**MOTION (Le Surf / Pickering)**

That the statement of Bank Balances and Investment Holdings as at 31 December 2015 be received and noted.

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

Against the Motion: Nil.

16/16 RESOLVED: (Le Surf / Pickering)

That the statement of Bank Balances and Investment Holdings as at 31 December 2015 be received and noted.

QUESTIONS WITHOUT NOTICE**QWN1/16 Councillor Bingham - Manly West Park**

What is the latest on the proposal to make Manly West park dog friendly?

At the request of the Mayor, the General Manager advised Manly West is part of Burnt Bridge Creek catchment.

Council has installed a sedimentation pond in the Park, and as part of that work also installed the fence. The fence in question is not contiguous so there are issues associated with allowing leash free dogs to use the area. The General Manager also advised that both he and the Deputy General Manager are looking at ways to improve the amenity in relation to this.

QWN2/16 Councillor Bingham - Upgrade of Manly Wharf

Would the General Manager rewrite to the Minister for Transport and Infrastructure in relation to his letter of 18 December regarding the upgrade of Manly Wharf, requesting that he actually answer our question in relation to allocation of funds for the upgrade of Manly Wharf?

At the request of the Mayor, the General Manager advised that he would attend to this matter.

QWN3/16 Councillor Heasman - Trip Hazard - Condamine Street

Would Council please take urgent steps to prevent a possible pedestrian accident as a result of a narrow footpath and exposed tree roots adjacent to the path between Griffiths Street and the traffic lights at the Condamine Street Stockland entry?

At the request of the Mayor, the General Manager advised that he would attend to this matter.

QWN4/16 Councillor Burns - Amplified music

Would the General Manager advise if there is any restriction on amplified music in Council parks? There are ongoing problems in relation to gatherings at Shelly Beach.

At the request of the Mayor, the General Manager advised that Council does not permit amplified music on its reserves and any issue with this should be reported directly to the duty rangers.

QWN5/16 Councillor Burns - Sound Quality in the Art Gallery

Are there any plans to upgrade the speakers at the Art Gallery to improve the sound quality for special events?

At the request of the Mayor, the General Manager advised that the problem was frequency equalisation in the room not the speakers. The speakers are micro distributed across the room to avoid active feedback and Council staff/contractors are continuing to work on this to provide a better outcome for the venue.

QWN6/16 Councillor Aird - Pedestrian Crossing

Would the General Manager please advise when works would start to standardise the pedestrian crossing in Whistler Street?

At the request of the Mayor the General Manager advised that the works would commence on Wednesday evening.

QWN7/16 Councillor Aird - Renewal of Parking Permits

Would the General Manager advise what form of identification residents need to provide to renew their parking permits, as Council recently issued a letter to residents reminding them that parking permits are due to expire and that proof of residency would be required, however this letter did not state what form of identification was required?

At the request of the Mayor, the General Manager advised he would look into this issue.

QWN8/16 Councillor C Griffin - Little Manly Dinghy Storage

When will the works on the Little Manly Dinghy storage commence? Will the Council be communicating the scope of works and when it will start advising immediate neighbours and how many notices will be placed on the site?

At the request of the Mayor, the General Manager advised that the project will be notified appropriately.

CLOSE

The meeting closed at [10.30pm](#).

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 14 March [2016](#).

MAYOR

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