

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 10 February 2014

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

TABLE OF CONTENTS

Item	Page No.
PRESENT	3
APOLOGIES	3
DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST	3
CONFIRMATION OF MINUTES	4
Ordinary Meeting - 9/12/2013	4
Extraordinary Meeting of Council - 28/01/2014	4
Planning and Strategy Committee - 3/02/2014.....	4
PUBLIC FORUM	5
MAYORAL MINUTES	5
Mayoral Minute Report No. 2 Australia Day Honours 2014	5
NOTICES OF MOTION	6
Notice of Motion Report No. 3 Water Polo Pool at Manly Swim Centre	6
Notice of Motion Report No. 2 Relocation of Staff Parking in Whistler St Car park	8
Notice of Motion Report No. 4 Manly Whistler Street Carpark Basement Remediation	8
Notice of Motion Report No. 5 Clock to be Replaced on Manly Surf Pavilion.....	9
ITEMS FOR BRIEF MENTION	10
Item For Brief Mention Report No. 2 Items For Brief Mention	10
REPORTS OF COMMITTEES	11
Report Of Committees Report No. 4 Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature.....	11
Report Of Committees Report No. 5 Minutes for notation by Council - Community Environment Advisory Committee - 11 December 2013	12
Report Of Committees Report No. 6 Minutes for notation by Council - Community Safety & Place Management Advisory Committee - 12 December 2013.....	14
ENVIRONMENTAL SERVICES DIVISION	16
Environmental Services Division Report No. 3 Progress Towards the Community Carbon Emission Target for Manly LGA.	16
CORPORATE SERVICES DIVISION	17

Corporate Services Division Report No. 3	
Second Quarter Report (1 October to 31 December 2013) – Progress with Four Year Delivery Program 2013-2017, Operational Plan 2013-2014 and Budget 2013-2014	17
Corporate Services Division Report No. 4	
Report on Council Investments as at 31 December 2013	18
Corporate Services Division Report No. 5	
Report on Council Investments as at 31 January 2014	18
CIVIC AND URBAN SERVICES DIVISION	19
Civic and Urban Services Division Report No. 1	
LM Graham Reserve off Leash Dog Walking Area	19
Civic and Urban Services Division Report No. 2	
Surface Flooding at Kenneth and Balgowlah Roads	21
QUESTIONS WITHOUT NOTICE	22

The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 10 February 2014. 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, Deputy Mayor
Councillor A Le Surf

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 presented by Rev. Graham Perry, Balgowlah Uniting Church.

APOLOGIES

MOTION (Burns / Bingham)

Apologies were tendered on behalf of Councillor Stephen Pickering for non-attendance.

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

Against the Resolution: Nil.

3/14 RESOLVED: (Burns / Bingham)

Apologies were tendered on behalf of Councillor Stephen Pickering for non-attendance.

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, 09 December 2013, 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 Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

4/14 RESOLVED: (Le Surf / Heasman)

That copies of the Minutes of the Ordinary Meeting held on Monday, 09 December 2013, 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 (Extraordinary Meeting)**MOTION (Le Surf / Heasman)**

That copies of the Minutes of the Extraordinary Meeting of Council held on Tuesday, 28 January 2014, 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 Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

5/14 RESOLVED: (Le Surf / Heasman)

That copies of the Minutes of the Extraordinary Meeting of Council held on Tuesday, 28 January 2014, 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, 03 February 2014, 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 Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

6/14 RESOLVED: (Le Surf / Heasman)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 03 February 2014, 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 Barr	Intention of Ausgrid to remove trees in six streets
John Kissane	General issues with the redevelopment of Andrew Boy Charlton Pool
Jacqueline French	36 Stuart Street, Manly

MAYORAL MINUTES

Mayoral Minute Report No. 2

Australia Day Honours 2014 (MC/14/14645)

I would like the Council to acknowledge and formally congratulate the following residents of the Manly Local Government area who were awarded 2014 Australia Day Honours.

Medal (OAM) of the Order of Australia in the General Division:

Ms Susan Sacker OAM

Former Mayor of Manly Ms Susan Sacker OAM. For service to people with a mental illness, to local government, and to the community of Manly.

Mr Peter Anthony Sheedy OAM

Mr Peter Anthony Sheedy OAM of Manly. For service to engineering, particularly in the field of non-destructive testing.

Mr David John Epper OAM

Mr David John Epper OAM of Manly. For service to children affected by the autism spectrum, and to the community.

Mr Barry John O'Brien OAM

Mr Barry John O'Brien OAM of Balgowlah Heights. For service to the community through a variety of charitable organisations, and to the media industry.

MOTION (Hay AM)

That a letter is written on behalf of Council to the above recipients offering Council's congratulations for their 2014 Australia Day Honours awards in acknowledgement of their service to the community.

Council acknowledge the late Sue Halmagyi who was honoured with the Medal of the Order of Australia for service to conservation and the environment. Sue was the recipient of the Manly Environment Centre's 2013 Eco Award. Sue's long involvement with bush care groups led to the founding of the North Head Sanctuary Foundation Nursery.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

7/14 RESOLVED: (Hay AM)

That a letter is written on behalf of Council to the above recipients offering Council's congratulations for their 2014 Australia Day Honours awards in acknowledgement of their service to the community.

Council acknowledge the late Sue Halmagyi who was honoured with the Medal of the Order of Australia for service to conservation and the environment. Sue was the recipient of the Manly Environment Centre's 2013 Eco Award. Sue's long involvement with bush care groups led to the founding of the North Head Sanctuary Foundation Nursery.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

SUSPENSION OF STANDING ORDERS (Heasman / Le Surf)

That Standing Orders be suspended to consider items of public interest being: Notice of Motion Report No. 3 Water Polo Pool at Manly Swim Centre.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

8/14 RESOLVED: (Heasman / Le Surf)

That Standing Orders be suspended to consider items of public interest being: Notice of Motion Report No. 3 Water Polo Pool at Manly Swim Centre.

NOTICES OF MOTION

Notice of Motion Report No. 3

Water Polo Pool at Manly Swim Centre (MC/14/13200)

The following person addressed the meeting on this item:

Miriam Rihani In support

Debbie Watson Against (via letter submitted to the Mayor)

Councillor Candy Bingham moved that:

The Development Application process for the proposed Water Polo Pool at the Andrew Boy Charlton Swim Centre be put on hold until a full business case on how the pool will be funded and operated has been presented to a full meeting of Council.

MOTION (Bingham / Burns)

That:

1. the Development Application process for the proposed Water Polo Pool at the Andrew Boy Charlton Swim Centre be put on hold until a full business case on how the pool will be funded and operated has been presented to a full meeting of Council; and
2. a report be brought back to Council after consulting with stakeholders on the proposed operational plan for the Swim Centre.

AMENDMENT (Aird / C Griffin)

That:

1. Council delays the issuing of the tender for construction for the Leisure Centre and deferral of the DA for the Water Polo Pool until a process of genuine and meaningful consultation between Councillors, Precincts, Public Domains Committee, Access Committee and Community Stakeholders is undertaken; and
2. a report be brought back to Council after consulting with stakeholders on the proposed operational plan for the Swim Centre.

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

Against the Amendment: Councillors Heasman, Le Surf, J Griffin and Hay

*With the voting being equal the Mayor exercised her casting vote against the **Amendment** and declared it **LOST**.*

MOTION (Bingham / Burns)

That:

1. the Development Application process for the proposed Water Polo Pool at the Andrew Boy Charlton Swim Centre be put on hold until a full business case on how the pool will be funded and operated has been presented to a full meeting of Council.
2. a report be brought back to Council after consulting with stakeholders on the proposed operational plan for the Swim Centre.

For the Resolution: Councillors Aird, Burns, Bingham and C Griffin

Against the Resolution: Councillors Heasman, Le Surf, J Griffin and Hay

*With the voting being equal the Mayor exercised her casting vote against the **Motion** and declared it **LOST**.*

RESUMPTION OF STANDING ORDERS (Heasman / Le Surf)

That Standing Orders be resumed.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

9/14 RESOLVED: (Heasman / Le Surf)

That Standing Orders be resumed.

Notice of Motion Report No. 2

Relocation of Staff Parking in Whistler St Car park (MC/14/13194)

Councillor Candy Bingham moved:

The General Manager immediately relocate the Council's staff parking spaces from the first floor of the Whistler Street car park to the top level of that car park, or to the National building, to allow improved public car parking access.

MOTION (Bingham / Burns)

That the General Manager immediately relocate the Council's staff parking spaces from the first floor of the Whistler Street car park to the top level of that car park, or to the National building, to allow improved public car parking access.

For the Resolution: Councillors Burns and Bingham

Against the Resolution: Councillors Aird, Heasman, Le Surf, J Griffin, C Griffin and Hay

The **Motion** was put and declared **LOST**.

Notice of Motion Report No. 4

Manly Whistler Street Carpark Basement Remediation (MC/14/13566)

Councillor Hugh Burns moved that:

1. Council immediately prepare construction plans for the necessary remedial works so as to be able to reopen the basement level of Whistler Street Carpark as soon as practicable. The plans are to be prepared on the basis of the minimum most cost efficient works to make the basement comply with the necessary requirements. In addition a cost estimate based on the plans is to be prepared and a construction plan with timeline is to be prepared; and
2. The plans are to be completed for submission to the March 2014 Ordinary Meeting of Council.

MOTION (Burns / Bingham)

That:

1. Council immediately prepare options for the necessary remedial or alternative use works for this space so as to be able to reopen the basement level of Whistler Street Carpark as soon as practicable. The plans are to be prepared on the basis of the minimum most cost efficient works to make the basement comply with the necessary requirements; and
2. The plans are to be completed for submission to the March 2014 Ordinary Meeting of Council.

AMENDMENT (C Griffin / Heasman)

That the General Manager investigate some alternate uses for the basement level of the Whistler Street Carpark and bring a report back to Council.

For the Amendment: Councillors Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Amendment: Councillors Aird and Burns

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

MOTION (C Griffin / Burns)

That the General Manager investigate some alternate uses for the basement level of the Whistler Street Carpark and bring a report back to Council.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

10/14 RESOLVED: (C Griffin / Heasman)

That the General Manager investigate some alternate uses for the basement level of the Whistler Street Carpark and bring a report back to Council.

Notice of Motion Report No. 5

Clock to be Replaced on Manly Surf Pavilion (MC/14/13572)

Councillor Hugh Burns moved that:

1. The original clock be refitted to the remaining brick wall on the first floor at the southern end on the building. If the removed clock has been disposed of or is otherwise lost or damaged, then a replica of the clock fitted to the 1938 building be recreated and fitted instead. (It is a fairly simple design.);
2. The matter also be referred to Council's Heritage Committee; and
3. The works be completed for the 2014 summer surf season.

MOTION (Burns / Hay AM)

That:

Councillor Burns consult with the General Manager of the Manly Surf Club regarding their plans for installing a new clock on the facade of the building.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

11/14 RESOLVED: (Burns / Hay AM)

That:

Councillor Burns consult with the General Manager of the Manly Surf Club regarding their plans for installing a new clock on the facade of the building.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 2

Items For Brief Mention (MC/13/145106)**1. Complaints made to the General Manager:**

Received	Nature of complaint	Status
August	Code of Conduct	Being assessed
October	Code of Conduct	Being assessed

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
225/13	9 Dec	NoM No. 79	Rectification of Flooding problems in the vicinity of Kenneth and Balgowlah Roads	Complete - Report to OM 10 Feb
219/13	9 Dec	NoM No. 77	Additional Seating and Bike and Clothes Racks	Concept sketches to Public Domains Committee scheduled 19 February.
178/13	14 Oct	NoM No. 68	Provision of bus shelter at Condamine Street Hop, Skip and Jump bus terminal	Contractors notified. A date for installation TBC.

3. Tabled Documents

Date	Author	Subject
3 Feb 14	The Hon Don Page MP Minister for Local Government Minister for North Coast The Hon Katrina Hodgkinson MP Minister for primary Industries Minister for Small Business	Ministerial Circular 14-01 Release of the government response to the Companion Animals Taskforce

MOTION (Le Surf / J Griffin)

That reports 1, 2 and 3 be received and noted.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

12/14 RESOLVED: (Le Surf / J Griffin)

That reports 1, 2 and 3 be received and noted.

REPORTS OF COMMITTEES

Report Of Committees Report No. 4

Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/14/6869)

The following Special Purpose Advisory Committee meeting minutes are tabled at this meeting:

1. Audit & Risk Advisory Committee – 6 November 2013
2. Harbour Foreshores & Coastline Management Advisory Committee – 12 November 2013
3. Economic Development & Tourism Advisory Committee – 28 November 2013
4. Sustainable Transport Advisory Committee – 5 December 2013
5. Sports Facilities Advisory Committee – 6 December 2013
6. Manly Local Traffic Committee – 9 December 2013
7. Art & Culture Advisory Committee – 10 December 2013

MOTION (Le Surf / Heasman)

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

1. Audit & Risk Advisory Committee – 6 November 2013
2. Harbour Foreshores & Coastline Management Advisory Committee – 12 November 2013
3. Economic Development & Tourism Advisory Committee – 28 November 2013
4. Sustainable Transport Advisory Committee – 5 December 2013
5. Sports Facilities Advisory Committee – 6 December 2013
6. Manly Local Traffic Committee – 9 December 2013
7. Art & Culture Advisory Committee – 10 December 2013

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

13/14 RESOLVED: (Le Surf / Heasman)

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

1. Audit & Risk Advisory Committee – 6 November 2013
2. Harbour Foreshores & Coastline Management Advisory Committee – 12 November 2013
3. Economic Development & Tourism Advisory Committee – 28 November 2013
4. Sustainable Transport Advisory Committee – 5 December 2013
5. Sports Facilities Advisory Committee – 6 December 2013
6. Manly Local Traffic Committee – 9 December 2013
7. Art & Culture Advisory Committee – 10 December 2013

Report Of Committees Report No. 5

Minutes for notation by Council - Community Environment Advisory Committee - 11 December 2013 (MC/14/13080)

These reports were dealt with at the Community Environment Advisory Committee meeting of 11 December 2013 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 8 Council Property at 34 Stuart Street

Committee members expressed their concern at the proposal to move the Manly Environment Centre to 34 Stuart Street. The Committee believes that the Manly Environment Centre should remain as a shopfront in the Central Business District as per the requirements previously agreed to. Council should consider accommodation of other community groups at this property.

2. ITEM 9 Sydney Water Issues

a. Sydney Coastal Councils and the Future of Sewage Treatment in Sydney

This Committee supports the work of Sydney Coastal Councils and its advocacy for ending ocean outfalls.

15 Coastal Councils have agreed to conduct a scoping exercise in February with a Workshop in March to discuss the future of Sewage Treatment in Sydney.

Lloyd Keen tabled a paper by the Australian Academy of Technological Sciences and Engineering "Water Recycling – Time for a New Paradigm to Preserve a Valuable Resource". This concludes that Sydney will run out of water in the next ten years and re-use will be essential. Copies will be sent out to the Committee.

b. North Head WWTP REF for Replacement of Odour Scrubber

MEC prepared and forwarded submission on behalf of Manly Council and this Committee by the extended closing date of 22nd November. Copies have been forwarded to the Local Member and Manager for Infrastructure, EPA.

Sydney Water have advised that this submission will be part of the Decisions Report which will become available in the new year.

A number of Precinct Groups have expressed their concern to Council staff about the inadequacy of the plans detailed in the REF and have requested that Council take their concerns to the Local Member.

3. ITEM 10 Cabbage Tree Bay Issues Updates

• Friends of Cabbage Tree Bay

Over 49 new people signed up on Ocean Care Day.

Volunteer Program and End of Year Thank You

New volunteers are being followed up.

The Volunteer Program is having a positive effect on people's behaviour.

As a MEC Volunteer Thank You, Dave Thomas from Ecodivers will conduct a snorkeling tour for them which will be followed by a morning tea at LeKiosk.

• Designated Swimming Zone

Council should confirm with RMS the area that Manly Council has authority over as this appears to be a large portion of the Cabbage Tree Bay Aquatic Reserve and therefore Manly Council may be able to manage the process of exhibiting the proposal and implementing it itself. (This information is in the LEP document maps). RMS could then

be asked to implement the proposal for the area that they control which appears to be in the centre of the Aquatic Reserve.

MOTION (Le Surf / Burns)

That the minutes of the Community Environment Advisory Committee meeting on 11 December 2013 be received and noted:

1. ITEM 8 Council Property at 34 Stuart Street

The Committee recommends to the General Manager:

- Is concerned at the proposal to move the Manly Environment Centre to 34 Stuart Street
- Believes that the Manly Environment Centre should remain as a shopfront in the Central Business District as per the requirements previously agreed to.

Requests that Council consider the accommodation of other community groups at this property.

2. ITEM 9 Sydney Water Issues

That Council write to the local member to express the concerns of a number of Precincts that the REF Odour Scrubber Proposal is a totally inadequate solution to a significant long term problem which has been the subject of an Ombudsman's Report.

In order to clarify the issue and what it means for Manly, Lloyd Keen will raise these matters at the Joint Precincts Forum in the new year.

3. ITEM 10 Cabbage Tree Bay Issues Updates

- That the committee continues to seek that Cabbage Tree Bay be a designated swimming zone within the Reserve boundary.
- That Council develop a proposal with RMS for exhibition
- That Council investigate Council Rangers being given an exchange of powers with RMS (as already exists with Fisheries).

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

14/14 RESOLVED: (Le Surf / Burns)

That the minutes of the Community Environment Advisory Committee meeting on 11 December 2013 be received and noted:

1. ITEM 8 Council Property at 34 Stuart Street

The Committee recommends to the General Manager:

- Is concerned at the proposal to move the Manly Environment Centre to 34 Stuart Street
- Believes that the Manly Environment Centre should remain as a shopfront in the

Central Business District as per the requirements previously agreed to.

Requests that Council consider the accommodation of other community groups at this property.

2. ITEM 9 Sydney Water Issues

That Council write to the local member to express the concerns of a number of Precincts that the REF Odour Scrubber Proposal is a totally inadequate solution to a significant long term problem which has been the subject of an Ombudsman's Report.

In order to clarify the issue and what it means for Manly, Lloyd Keen will raise these matters at the Joint Precincts Forum in the new year.

3. ITEM 10 Cabbage Tree Bay Issues Updates

- That the committee continues to seek that Cabbage Tree Bay be a designated swimming zone within the Reserve boundary.
- That Council develop a proposal with RMS for exhibition
- That Council investigate Council Rangers being given an exchange of powers with RMS (as already exists with Fisheries).

Report Of Committees Report No. 6

Minutes for notation by Council - Community Safety & Place Management Advisory Committee - 12 December 2013 (MC/14/13675)

These reports were dealt with at the Community Safety & Place Management Advisory Committee meeting of 12 December 2013 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 3.5 Manly Courthouse/Police Station Refurbishment Update

A letter received from Michael Talbot, Assistant Director General for Court and Tribunal Services was tabled at this meeting. It stated that the court will be opening on the 6th January 2014, outlines the upgraded facilities that will be provided at the court and confirmed that all matters requiring more than a one day hearing will be heard at the Downing Centre as was prior to the court renovation. In response to the matter of the loss of ½ a Magistrate the letter stated:

"The Chief Magistrate regularly monitors changes in workloads at its various sitting locations, and reviews the allocation of magistrates to ensure the optimum use of the courts resources."

This matter was discussed and the following issues raised:

- The impact on the local community having matters over 1 day being heard at Downing Street, in particular AVOs and domestic violence issues.
- An impact assessment/review of the loss of a magistrate and the closure of North Sydney and Hornsby courts

2. ITEM 7 LATE NIGHT MANLY WORKING GROUP – MARKET LANE SATURDAYS

The Committee was updated on the latest events at Market Lane Saturdays. Unfortunately due to inclement weather 3 of the last 5 events were cancelled, but the last 2 events; the Movember Rap Up and the skateboarding night quickly gathered momentum, with good crowds and positive feedback. It was noted that the final Market Lane Saturday was this

Saturday night. The night has a Christmas theme with carol singers, stalls, a snow machine and a top local band. The Committee members were encouraged to come down and support the event.

The Committee expressed their gratitude to Sarah O'Brien and council staff for the excellent job they have done in organising the Market Lane Saturdays. The events have been seen as a great success, bringing a different vibe and demographic to Manly and the committee fully support the continuation of such "pop up" events for next financial year. It was felt that improved accessibility of Manly Council's social media pages for promotion and marketing would assist any future events. The Committee endorsed a budget bid application for the Market Lane Saturday's events to continue in 2014.

3. ITEM 9 COMMUNITY MURAL PROJECT AT HARRIS FARM

Cam Wall from the Manly Youth Council gave a short presentation on the background to the painting of the mural at Harris Farm and highlighted many of the positive outcomes of the project. Kate Munro, Manly Council Youth Development Officer, proposed Cam Wall as the youth representative for the Community Safety and Place Management Committee a position that has been vacant for some time.

MOTION (Le Surf / Heasman)

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 12 December 2013 be received and noted:

1. ITEM 3.5 Manly Courthouse/Police Station Refurbishment Update

That the letter be tabled at the next council meeting and the Committee monitors the impact of the changes and further advises the Local State Member and the Attorney General of any issues.

2. ITEM 7 LATE NIGHT MANLY WORKING GROUP – MARKET LANE SATURDAYS

The Committee recommends to the General Manager and Council that Ms Sarah O'Brien and Manly Council staff are thanked for their commitment to the Market Lane Saturday events. The Committee recommends to the General Manager and Council that support for Market Lane Saturday Program continues in 2014 and the above comments be noted.

3. ITEM 9 COMMUNITY MURAL PROJECT AT HARRIS FARM

The Committee recommends to the General Manager that Mr Cam Wall be approved as the youth representative on the committee.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

15/14 RESOLVED: (Le Surf / Heasman)

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 12 December 2013 be received and noted:

1. ITEM 3.5 Manly Courthouse/Police Station Refurbishment Update

That the letter be tabled at the next council meeting and the Committee monitors the impact of the changes and further advises the Local State Member and the Attorney General of any issues.

2. ITEM 7 LATE NIGHT MANLY WORKING GROUP – MARKET LANE SATURDAYS

The Committee recommends to the General Manager and Council that Ms Sarah O'Brien and Manly Council staff are thanked for their commitment to the Market Lane Saturday events. The Committee recommends to the General Manager and Council that support for Market Lane Saturday Program continues in 2014 and the above comments be noted.

3. ITEM 9 COMMUNITY MURAL PROJECT AT HARRIS FARM

The Committee recommends to the General Manager that Mr Cam Wall be approved as the youth representative on the committee.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 3

**Progress Towards the Community Carbon Emission Target for Manly LGA. (MC/14/13700)
SUMMARY**

Council resolved to achieve a 25% carbon emission reduction from Council's 2000 level by 2020.

In order to achieve and exceed this target, Council engaged Kinesis to undertake a Carbon Emissions Reduction Project (CERP). As part of the CERP, progress against the corporate and a similar community target has been monitored (using the best available data) and strategies to achieve these targets developed.

A *Manly LGA 2011/12 Community Carbon Footprint Report* (Attachment 1) prepared by Kinesis indicates a **6% reduction** in emissions generated per person across the LGA from 2009/10 to 2011/12.

MOTION (C Griffin / Burns)

THAT Council:-

1. Receives and notes the *Manly LGA 2011/12 Community Carbon Footprint Report*.
2. Continues to monitor progress against the Manly LGA carbon emission reduction target.
3. Updates and finalises the Draft Manly Community Climate Action Plan (renamed Manly LGA Carbon Emission Reduction Strategy and Action Plan).
4. Uses the results of the attached *Manly LGA 2011/12 Community Carbon Footprint Report* and future carbon footprint reports for the LGA to focus future Programs to deliver targeted and effective action.
5. Integrates relevant recommendations and outcomes of the Finalised Manly LGA Carbon Emission Reduction Strategy and Action Plan into Council Programs and relevant Council initiatives.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

16/14 RESOLVED: (C Griffin / Burns)

THAT Council:-

1. Receives and notes the *Manly LGA 2011/12 Community Carbon Footprint Report*.
2. Continues to monitor progress against the Manly LGA carbon emission reduction target.
3. Updates and finalises the Draft Manly Community Climate Action Plan (renamed Manly LGA Carbon Emission Reduction Strategy and Action Plan).
4. Uses the results of the attached *Manly LGA 2011/12 Community Carbon Footprint Report* and future carbon footprint reports for the LGA to focus future Programs to deliver targeted and effective action.
5. Integrates relevant recommendations and outcomes of the Finalised Manly LGA Carbon Emission Reduction Strategy and Action Plan into Council Programs and relevant Council initiatives.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 3

Second Quarter Report (1 October to 31 December 2013) – Progress with Four Year Delivery Program 2013-2017, Operational Plan 2013-2014 and Budget 2013-2014 (MC/14/12486)**SUMMARY**

This report provides the second progress report on Council's Four Year Delivery Program 2013-2017 and One Year Operational Plan 2013-14 for the period 1 October to 31 December 2013, in accordance with the requirements of section 404(5) of the *Local Government Act, 1993*.

Attached is a detailed matrix and graphs showing Council's progress in the second quarter of its 2013-2017 Delivery Program as adopted by Council in 4 June 2013.

Quarterly Financial Review Reports for the quarter ending 31 December 2013, including variation recommendations are also discussed and detailed in the Attachments.

MOTION (Heasman / Le Surf)

THAT:

1. The second quarterly report for the 2013-14 Operational Plan and progress report with the second year of Council's Delivery Program 2013-2017 be received and noted.
2. The Financial Statement for the quarter ended 31 December 2013, including the revised estimates and recommended variations contained within the report, be adopted.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

17/14 RESOLVED: (Heasman / Le Surf)

THAT:

1. The second quarterly report for the 2013-14 Operational Plan and progress report with the second year of Council's Delivery Program 2013-2017 be received and noted.
2. The Financial Statement for the quarter ended 31 December 2013, including the revised estimates and recommended variations contained within the report, be adopted.

Corporate Services Division Report No. 4

Report on Council Investments as at 31 December 2013 (MC/13/145110)

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 / J Griffin)

That: the statement of Bank Balances and Investment Holdings as at 31 December 2013 be received and noted.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

18/14 RESOLVED: (Le Surf / J Griffin)

That: the statement of Bank Balances and Investment Holdings as at 31 December 2013 be received and noted.

Corporate Services Division Report No. 5

Report on Council Investments as at 31 January 2014 (MC/14/12864)

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 (J Griffin / Le Surf)

That: the statement of Bank Balances and Investment Holdings as at 31 January 2014 be received and noted.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

19/14 RESOLVED: (J Griffin / Le Surf)

That: the statement of Bank Balances and Investment Holdings as at 31 January 2014 be received and noted.

CIVIC AND URBAN SERVICES DIVISION

Civic and Urban Services Division Report No. 1

LM Graham Reserve off Leash Dog Walking Area (MC/14/9924)

SUMMARY

At the Ordinary Meeting of Council on the 9th September 2013, Council resolved as follows:

1. *Council defer installation of the proposed fencing along the boundary of Kenneth Road at LM Graham Reserve to allow time for stakeholder consultation; and*
2. *A Working Party, meeting monthly, is established to prioritise the list of outcomes from the public stake holder meeting of the 5th September 2013.*
3. *The Minutes of its meetings shall be provided to Council;*
4. *The Working Party shall consist of one representative from: Ivanhoe Park Precinct Community Forum; the Brookvale Soccer Club; the Cricket club; Dog Owners, and Council;*
5. *The Working Party shall provide a final report with recommendations, for reporting to the Council at its February 2014 meeting; and*
6. *The final draft report with recommendations is to be referred to the Public Domains Committee for comment.*

The outcomes and recommendations subsequently made by the working party for LM Graham Reserve off Leash Dog Walking Area, are the subject of this report.

MOTION (Le Surf / Bingham)

That:

1. During all training periods or matches for sports at LM Graham Reserve:
 - a) Dogs are to be on a lead at all prescribed times. (*Dogs under effective control*) *Companion Animals Act. except within the allocated off leash dog fenced area*
 - b) Each game and booked training times and dates are to be displayed at all entry gates to LM Graham reserve by the respective sporting groups.
 - c) A notice to Dog Owners is placed on the Ivanhoe Park Precinct Notice board and at the Canteen facility, for information on the matches and training periods.
 - d) That a fenced area be installed on the southern side of the reserve along Balgowlah Road, and the installation of water source, seating and bins be provided for use as an off leash area during all training and sporting fixtures. (This fenced area is presented as two options in the attached annexure).
 - e) An agreed plan and roster for managing the collection and the removal of dog faeces is provided, managed, and endorsed by dog groups with the respective sporting clubs.

- f) That the canteen area be fenced to create separation from the main reserve and from the fenced dog exercise area.
 - g) That orange safety mesh is used to protect the wicket table during the cricket season.
 - h) Council to review the information signage ensuring the education and awareness of non-local users of the reserve.
 - i) Information is provided on the Council web site and by sporting and dog owners groups on their web sites.
 - j) Review the placement of bins near the canteen because this attracts dog poo bag dispensing.
 - k) Ongoing and consistent provision of dog poo bags in the Council's bin equipment.
 - l) Professional dog walking groups are informed that they must register with Council and pay fees in accordance with the adopted fees and charges schedule.
 - m) That the outcomes from the working party agreement be reviewed twice per year at the change of sporting season to ensure communication channels are open.
2. That the Working Party is thanked for their contribution to the LM Graham Reserve solutions as outlined and recommended to Council.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

20/14 RESOLVED: (Le Surf / Bingham)

That:

1. During all training periods or matches for sports at LM Graham Reserve:
- a) Dogs are to be on a lead at all prescribed times. (*Dogs under effective control*) Companion Animals Act. *except within the allocated off leash dog fenced area*
 - b) Each game and booked training times and dates are to be displayed at all entry gates to LM Graham reserve by the respective sporting groups.
 - c) A notice to Dog Owners is placed on the Ivanhoe Park Precinct Notice board and at the Canteen facility, for information on the matches and training periods.
 - d) That a fenced area be installed on the southern side of the reserve along Balgowlah Road, and the installation of water source, seating and bins be provided for use as an off leash area during all training and sporting fixtures. (This fenced area is presented as two options in the attached annexure).
 - e) An agreed plan and roster for managing the collection and the removal of dog faeces is provided, managed, and endorsed by dog groups with the respective sporting clubs.
 - f) That the canteen area be fenced to create separation from the main reserve and from the fenced dog exercise area.
 - g) That orange safety mesh is used to protect the wicket table during the cricket season.
 - h) Council to review the information signage ensuring the education and awareness of non-local users of the reserve.
 - i) Information is provided on the Council web site and by sporting and dog owners groups on their web sites.
 - j) Review the placement of bins near the canteen because this attracts dog poo bag dispensing.
 - k) Ongoing and consistent provision of dog poo bags in the Council's bin equipment.

- l) Professional dog walking groups are informed that they must register with Council and pay fees in accordance with the adopted fees and charges schedule.
 - m) That the outcomes from the working party agreement be reviewed twice per year at the change of sporting season to ensure communication channels are open.
2. That the Working Party is thanked for their contribution to the LM Graham Reserve solutions as outlined and recommended to Council.

At 10.39pm the Mayor, Councillor Hay vacated the Chair and Clr Heasman assumed the Chair.

At 10.45pm Councillor Heasman vacated the Chair and the Mayor Councillor Hay resumed the Chair.

Civic and Urban Services Division Report No. 2

Surface Flooding at Kenneth and Balgowlah Roads (MC/13/148301)

SUMMARY

At the Ordinary Meeting of 9 December 2013 Council resolved that:

- i) *Council urgently addresses the on-going flooding problems in the vicinity of Kenneth Road, Balgowlah Road and surrounding streets such as Golf, Rolf and Alexander Sts which in the last few weeks alone has caused the closure of these streets for several hours at a time, and*
- ii) *Staff bring back a progress report to the next Ordinary Meeting of Council, such a report will identify the causes and rectification measures necessary, projected budget and timeline for the necessary works to eliminate the flooding.*

The flooding area referred to is identified in the **Manly Lagoon Flood Study – Flood Planning Levels Report RN 2069.006.02 August 2013**, as being within the flood prone area.

The flooding area referred to is identified in the **Interim Policy – Flood Prone Land 2013** Administrative Guidelines for Development and Use of land within the Flood Planning Level (FPL) area.

Within this flood prone area effective flooding precautions are carried out to minimise the extent and effects of flooding experienced during storm events

To eliminate the act of flooding in the low lying areas, Council would have to design and construct a series of very large tanks underground to capture the rainfall in the shortest possible time and pump the captured water to Manly Lagoon. The estimated funds required are estimated at \$4 million plus the ongoing maintenance costs.

MOTION (Heasman / Le Surf)

That:

1. Council receives and notes the report;
2. the draft budget 2014/2015 to include additional funds for drainage maintenance to be carried out in known critical flood prone areas; and
3. bring a report back to Council on this matter after 18 months.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Le Surf, J Griffin, C Griffin and Hay

Against the Resolution: Nil.

21/14 RESOLVED: (Heasman / Le Surf)

That:

1. Council receives and notes the report;
2. the draft budget 2014/2015 to include additional funds for drainage maintenance to be carried out in known critical flood prone areas; and
3. bring a report back to Council on this matter after 18 months.

QUESTIONS WITHOUT NOTICE**QWN1/14 Councillor Bingham - Council's Audio System**

Could Council possibly upgrade the audio system in the gallery area as members of the public attending meetings have difficulty hearing the debate?

At the request of the Mayor the General Manager advised that the existing system was upgraded recently, however Council staff will review current operation of the system. It may be that the Councillors need to speak more directly into the microphone or turn the volume up on the control panel.

QWN2/14 Councillor Heasman - Signage at North Harbour Reserve

What is the time frame for changing the signage at North Harbour Reserve to make it clear that trainers are **not** permitted to use the area for fitness groups?

At the request of the Mayor the General Manager advised that he would take the question on notice.

QWN3/14 Councillor Heasman - Maintenance of Bubblers and Filters

Has the problem with bubblers been rectified?

At the request of the Mayor the General Manager advised that this problem had been rectified.

QWN4/14 Councillor Burns - Letter to Ms Brain

Would Council provide all Councillors with a copy of Council's response sent to Judy Brain?

At the request of the Mayor Anthony Hewton Councils' Executive Manager, Corporate Support Services advised that correspondence was recently sent to Ms Brain and if she decides to share this response, that is her prerogative.

QWN5/14 Councillor Burns - Legal Advice on Stuart Street

Would Council please advise on the Legal Advice on Stuart Street as per Question with Notice send to Council prior to the meeting?

At the request of the Mayor, Anthony Hewton Councils' Executive Manager, Corporate Support Services advised that Councils in-house solicitor had prepared correspondence which was recently sent.

QWN6/14 Councillor Burns - Fines

Would the General Manager advise how many cautions and fines have been issued in the last 5 years for matters involving food handling at food outlets in the municipality?

At the request of the Mayor the General Manager advised that the food traders are doing well in terms of observing relevant standards. The Deputy General Manager, Landuse and Sustainability shall provide further information to Councillor Burns.

QWN7/14 Councillor Aird - Backpackers using Swim Centre Car Park

Would Council consider renewing the signage at the Swim Centre carpark to avoid backpackers and overnight parking in the area as there have been several complaints of backpackers staying overnight and hanging their washing on the fence? The parking signs currently show 6P and therefore it doesn't address the problem of overnight parking.

At the request of the Mayor the General Manager advised that all Council car park areas are not for overnight stays. The General Manager also advised that he would take the "no parking overnight" signage as a request for actioning.

QWN8/14 Councillor Aird - 2015

Would the General Manager clarify the figures put up on an overhead at the Councillors Workshop, regarding the 2015 car park at the oval? It is said there would be a net increase in the parking but I didn't get clarification on what that would be.

At the request of the Mayor the General Manager advised he would take this on notice.

CLOSE

The meeting closed at 11.05pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 10 March 2014.

MAYOR

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