



## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 12 March 2012**

*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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    Property Matter - 40 Stuart Street, Little Manly

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 12 March 2012. The meeting commenced at 7:38 PM.

**PRESENT**

Her Worship, The Mayor, Councillor Jean Hay AM, who presided  
Councillor B Aird  
Councillor H Burns  
Councillor L Elder  
Councillor C Griffin  
Councillor A Heasman  
Councillor A Le Surf, Deputy Mayor  
Councillor Dr P Macdonald OAM  
Councillor R Morrison  
Councillor D Murphy  
Councillor M Norek (arrived at 7.48pm)  
Councillor C Whitting

**ALSO PRESENT**

Henry Wong, General Manager  
Stephen Clements, Deputy General Manager, Executive Manager, Landuse & Sustainability  
Ross Fleming, Deputy General Manager, People, Place & Infrastructure  
Anthony Hewton, Executive Manager, Corporate Support Services  
Secretariat Officer

**OPENING PRAYER**

The Opening Prayer was presented by Father John Hannon, St Mary's.

**APOLOGIES**

Nil

**DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

Nil.

**CONFIRMATION OF MINUTES****MOTION (Whitting / Burns)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 13 February 2012, 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.

22/12      **RESOLVED: (Whitting / Burns)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 13 February 2012, 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 Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird, Burns and Macdonald  
**Against the Resolution:** Nil.

## PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Trudy Van Der Straaten	Traffic and congestion issues in and around Roseberry Street and neighbouring areas.
Tom Klein	40 Stuart Street Manly
David Parsons	Little Manly Area

*Councillor Norek entered the Chamber at 7.48pm*

## MAYORAL MINUTES

Mayoral Minute Report No. 4

### The 2012 Australian Open of Surfing - A Celebration of Manly's Surf and Beach Culture

## PUBLIC ADDRESSES

The following person addressed the meeting on this item:

In support of the Motion: Superintendent Dave Darcy – Manly Local Area Commander

## MOTION (Hay)

### That Council Congratulate and thank:

1. The Office of Premier and Cabinet, the Minister for Tourism, Minister for Transport, and the Local Member for their support to host the Australia Open and Surfing at Manly;
2. Destination NSW, the event sponsor Hurley and Billabong, and IMG International who managed the event, for their organisation of, and the care and attention paid to delivering Australian Open of Surfing at Manly;
3. Superintendent Dave Darcy and his staff, and Mr Steven Elliot of the Transport Management Centre, for the excellent job they did during the Australian Open of Surfing, and
4. Council staff for providing expert guidance and other support provided to the running of 2012 Australian Open of Surfing at Manly.

23/12 **RESOLVED: (Hay)**

### That Council Congratulate and thank:

1. The Office of Premier and Cabinet, the Minister for Tourism, Minister for Transport, and the Local Member for their support to host the Australia Open and Surfing at Manly;
2. Destination NSW, the event sponsor Hurley and Billabong, and IMG International who managed the event, for their organisation of, and the care and attention paid to delivering Australian Open of Surfing at Manly;
3. Superintendent Dave Darcy and his staff, and Mr Steven Elliot of the Transport Management Centre, for the excellent job they did during the Australian Open of Surfing, and
4. Council staff for providing expert guidance and other support provided to the running of 2012

Australian Open of Surfing at Manly.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald  
**Against the Resolution:** Nil.

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Mayoral Minute Report No. 5

### **The 2011 Japanese Natural Disaster and Destructive Tsunami**

#### **MOTION (Hay)**

**That:**

We remember Japan's natural disaster of one year ago and send our best wishes to all those who are still affected and continue in their recovery process.

24/12      **RESOLVED (Hay)**

**That:**

We remember Japan's natural disaster of one year ago and send our best wishes to all those who are still affected and continue in their recovery process.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald  
**Against the Resolution:** Nil.

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Mayoral Minute Report No. 6

### **Manly-Freshwater is Officially a World Surfing Reserve**

#### **PUBLIC ADDRESSES**

The following person addressed the meeting on this item:

In support of the Motion:                      Superintendent Dave Darcy - Manly Local Area Command

#### **MOTION (Hay)**

That Council thanks:

1. Her Excellency Professor Marie Bashir AC CVO Governor of NSW, for officiating at the dedication of Manly-Freshwater as a World Surfing Reserve, and for the gracious occasional address she gave to the citizens that gathered on this local and national historical moment;
2. Mr Kelly Slater, Ambassador for World Surfing Reserves and 11 times world surfing champion, and Mr Brad Famer, Chair of National Surfing Reserves, for co-officiating the dedication;
3. The Hon Mike Baird for nominating Manly-Freshwater as a National and World Surfing Reserve, and

4. Members of the Manly-Freshwater World Surfing Reserve Steering Committee and council staff for their guidance and organisation of the dedication ceremony.
5. Save the Waves Coalition for establishing the Global World Surfing Reserves Program.

25/12      **RESOLVED: (Hay)**

That Council thanks:

1. Her Excellency Professor Marie Bashir AC CVO Governor of NSW, for officiating at the dedication of Manly-Freshwater as a World Surfing Reserve, and for the gracious occasional address she gave to the citizens that gathered on this local and national historical moment;
2. Mr Kelly Slater, Ambassador for World Surfing Reserves and 11 times world surfing champion, and Mr Brad Famer, Chair of National Surfing Reserves, for co-officiating the dedication;
3. The Hon Mike Baird for nominating Manly-Freshwater as a National and World Surfing Reserve, and
4. Members of the Manly-Freshwater World Surfing Reserve Steering Committee and council staff for their guidance and organisation of the dedication ceremony.
5. Save the Waves Coalition for establishing the Global World Surfing Reserves Program.

**For the Resolution:**            Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:**    Nil.

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#### **SUSPENSION OF STANDING ORDERS      (Griffin / Aird)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No. 10 – Installation of Baby Change Tables in Public Toilets near Council Playgrounds, Notice of Motion Report No. 11 – Estimates for reconstruction of the Harbour Boardwalk opposite West Esplanade to restore the “Wonder Pool”.

**For the Resolution:**            Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:**    Nil.

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#### **NOTICES OF MOTION**

Notice of Motion Report No. 10

#### **Installation of Baby Change Tables in Public Toilets near Council Playgrounds**

The following person addressed the meeting on this item:

In support of the Motion:            Michelle Yeates

**Councillor Craig Whitting moved:**

That:

1. Manly Council undertake a report that investigates the installation of more Baby Change Tables in public toilets near Council Playgrounds, Reserves and within Manly's CBD.
2. The report be brought back to the next Ordinary Council Meeting highlighting all possible locations where Baby Change Tables can be easily installed.

**MOTION (Whitting / Norek)**

1. That Manly Council undertake a report that investigates the installation of more Baby Change Tables in public toilets near Council Playgrounds, Reserves and within Manly's CBD.
2. That the report be brought back to the next Ordinary Council Meeting highlighting all possible locations where Baby Change Tables can be easily installed.
3. That Council provide educational signage.

**AMENDMENT (Griffin / Aird)**

That Manly Council undertake a report that investigates the installation of baby change tables at the Queenscliff Playground.

**For the Amendment:** Councillors Heasman and Griffin

**Against the Amendment:** Councillors Hay, Elder, Whitting, Murphy, LeSurf, Morrison, Norek, Aird, Burns and Macdonald

The **Amendment** was declared **Lost**.

**26/12 RESOLVED: (Whitting / Norek)**

1. That Manly Council undertake a report that investigates the installation of more Baby Change Tables in public toilets near Council Playgrounds, Reserves and within Manly's CBD.
2. That the report be brought back to the next Ordinary Council Meeting highlighting all possible locations where Baby Change Tables can be easily installed.
3. That Council provide educational signage.

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

**For the Resolution:** Councillors Hay, Elder, Whitting, Murphy, LeSurf, Morrison, Norek, Aird, Burns and Macdonald

**Against the Resolution:** Councillors Heasman and Griffin

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Notice of Motion Report No. 11

**Estimates for reconstruction of the Harbour Boardwalk opposite West Esplanade to restore the "Wonder Pool"**

**Councillor Hugh Burns moved:**



That Manly Council examine in detail the feasibility of restoring the Harbour Pool in Manly Cove, and:

- a) conducts sufficient investigation via the State archives, Port Jackson & Manly Steamship Co (PJ&MSCo) archives and photographs etc. to determine the original boardwalk design (i.e. determine is width, height and details of the piling and supporting under-structure).
- b) produces a drawing of a short section of the walkway, made in sufficient detail to enable a firm cost estimate to be produced to replace the entire structure, generally to its original appearance.(The design of the replacement structure should allow for inclusion of modern materials providing the original heritage appearance is maintained - eg original timber piles be replaced by steel and concrete piles, the steel anti-shark rodding be replaced by more environment friendly stretched rope meshing and that an unimpeded penguin access corridor to the nesting location on the western side of Manly wharf be included as part of the proposed design.)
- c) includes a disabled wheelchair access to be provided off the walkway (generally similar to that installed at Watsons Bay harbour pool)
- d) investigates funding sources to assist any proposed construction, including availability of State and Federal Grants and their documentation requirements
- e) conducts community consultation on the proposed reconstruction to ascertain the public's interest in its replacement
- f) Subject to the results of this consultation, that Council fully design and document the proposed pool so the project can be ready to be commenced, should Council be successful with any suitable grant applications.
- g) subject to Community consultation, the recreation of the Harbour Pool be included as a core component of in the Manly 2015 town plan.

#### **MOTION (Burns / Whitting)**

That:

1. Council obtain agreement from the Roads and Maritime Services on the proposal.
2. Subject to 1 above Manly Council undertake a prefeasibility study of restoring the Harbour Pool/Boardwalk in Manly Cove, where Council:
  - a) conducts sufficient investigation via the State archives, Port Jackson & Manly Steamship Co (PJ&MSCo) archives and photographs etc. to determine the original boardwalk design (i.e. determine is width, height and details of the piling and supporting under-structure).
  - b) produces a drawing of a short section of the walkway, made in sufficient detail to enable a firm cost estimate to be produced to replace the entire structure, generally to its original appearance.(The design of the replacement structure should allow for inclusion of modern materials providing the original heritage appearance is maintained - eg original timber piles be replaced by steel and concrete piles, the steel anti-shark rodding be replaced by more environment friendly stretched rope meshing and that an unimpeded penguin access corridor to the nesting location on the western side of Manly wharf be included as part of the proposed design).
  - c) includes a disabled wheelchair access to be provided off the walkway (generally similar to that installed at Watsons Bay harbour pool)
  - d) investigates funding sources to assist any proposed construction, including availability of State and Federal Grants and their documentation requirements.
  - e) conducts community consultation on the proposed reconstruction to ascertain the public's interest in its replacement.

- f) Subject to the results of this consultation, that Council fully design and document the proposed pool so the project can be ready to be commenced, should Council be successful with any suitable grant applications.

### **AMENDMENT (Griffin / Aird)**

Manly Council develop a masterplan, in consultation with the members of the Access, Community Environment, Harbour Foreshore, and Land use Management Committees, for a holistic upgrade and improvement of Manly Cove West. This plan should have as its primary considerations the following:

1. Protection of the marine and terrestrial environment, particularly the sea grass meadows, seahorse habitat and the penguin habitats.
2. Access to the beach.
3. Safe swimming area.
4. Improved public amenities on the West esplanade.
5. The consultation could consider restoration of the Harbour pool in Manly Cove.

**For the Amendment:** Councillors Griffin and Aird

**Against the Amendment:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Burns and Macdonald

The **Amendment** was declared **Lost**.

27/12 **RESOLVED: (Burns / Whitting)**

That:

1. Council obtain agreement from the Roads and Maritime Services on the proposal.
2. Subject to 1 above Manly Council undertake a prefeasibility study of restoring the Harbour Pool/Boardwalk in Manly Cove, where Council:
  - a) conducts sufficient investigation via the State archives, Port Jackson & Manly Steamship Co (PJ&MSCo) archives and photographs etc. to determine the original boardwalk design (i.e. determine its width, height and details of the piling and supporting under-structure).
  - b) produces a drawing of a short section of the walkway, made in sufficient detail to enable a firm cost estimate to be produced to replace the entire structure, generally to its original appearance. (The design of the replacement structure should allow for inclusion of modern materials providing the original heritage appearance is maintained - eg original timber piles be replaced by steel and concrete piles, the steel anti-shark rodding be replaced by more environment friendly stretched rope meshing and that an unimpeded penguin access corridor to the nesting location on the western side of Manly wharf be included as part of the proposed design).
  - c) includes a disabled wheelchair access to be provided off the walkway (generally similar to that installed at Watsons Bay harbour pool).
  - d) investigates funding sources to assist any proposed construction, including availability of State and Federal Grants and their documentation requirements.
  - e) conducts community consultation on the proposed reconstruction to ascertain the public's interest in its replacement.
  - f) Subject to the results of this consultation, that Council fully design and document the proposed pool so the project can be ready to be commenced, should Council be successful with any suitable grant applications.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Burns and Macdonald

**Against the Resolution:** Councillors Griffin and Aird

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

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#### **RESUMPTION OF STANDING ORDERS: (Griffin / Aird)**

That Standing Orders be resumed:

28/12 **RESOLVED: (Griffin / Aird)**

That Standing Orders be resumed:

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

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Councillor Richard Morrison left the meeting at 10:57 PM

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#### **NOTICES OF MOTION**

Notice of Motion Report No. 7

#### **Amending Manly Council's LEP**

#### **Councillor Adele Heasman moved:**

That Council staff investigate the notion of amending Manly Council's LEP to include a variation on car parking within apartment blocks (residential and commercial).

The variation to include innovative ideas such as scooter parking, electric car spaces and car share schemes on apartment sites with in areas of Manly close to the CBD/public transport.

That Council staff compile a report to include the following (but not limited to):-

The pertinent issues involved:

- Advantages and Disadvantages (cost, social benefits, latest trends etc)
- How in fact the variation could be inserted into our LEP and DCP guidelines.

That the report be forwarded to the LEP/DCP Working Party for a discussion and recommendation and that any such report be then forwarded to the full Council.

#### **MOTION (Heasman / Elder)**

That Council staff investigate the notion of amending Manly Council's LEP to include a variation on car parking within apartment blocks (residential and commercial).



30/12      **RESOLVED:      (Aird / Griffin)**

That Council supports the requests of ALGA, Clean Up Australia and Boomerang Alliance in their recent letter to councillors, by ensuring that we make a submission by 30th March 2012 to the COAG Standing Council on Environment and Water on the Consultation Regulatory Impact Statement and express our strong support for a national Container Deposit Scheme.

**For the Resolution:**      Councillors Hay, Elder, Heasman, Murphy, LeSurf, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

Councillor Whitting was not in the Chamber when the voting took place.

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Notice of Motion Report No. 9

### **Special Events Waste Management**

**Councillor Barbara Aird moved:**

With regard to the "Australian Open of Surfing" event recently held in Manly, that Council writes to including photos, the Office of Premier and Cabinet, Minister for Tourism, Minister for Environment, Destination NSW, IMG International, Clean Events, Clean Events and Veolia expressing our deep concerns at the manner in which waste management was conducted, and to seek assurance that future events are run in a sustainable manner, in line with Council's "Towards Zero Waste" policy.

### **MOTION      (Aird / Griffin)**

With regard to the "Australian Open of Surfing" event recently held in Manly, that Council writes to including photos, The Office of Premier and Cabinet, Minister for Tourism, Minister for Environment, Destination NSW, IMG International, Clean Events, Events NSW and Veolia expressing our deep concerns at the manner in which waste management was conducted, and to seek assurance that future events are run in a sustainable manner, in line with Council's "Towards Zero Waste" policy.

### **AMENDMENT      (Murphy / Heasman)**

That Council assess the Australian Open waste management at the next event debriefing and look at any ways at improving the next event.

**For the Amendment:**      Councillors Hay, Elder, Heasman, Murphy, LeSurf and Norek

**Against the Amendment:** Councillors Whitting, Griffin, Aird, Burns and Macdonald

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

31/12      **RESOLVED:      (Murphy / Heasman)**

That Council assess the Australian Open waste management at the next event debriefing and look at any ways at improving the next event.

**For the Resolution:**      Councillors Hay, Elder, Heasman, Murphy, LeSurf and Norek

**Against the Resolution:** Councillors Whitting, Griffin, Aird, Burns and Macdonald

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## ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 4

### Items for Brief Mention Report

#### 1. NSW Long Term Transport Master Plan Discussion Paper released

The NSW Government is taking a new approach to transport planning, drawing on the input of the entire state to create a Long Term Transport Master Plan (the Plan) for NSW for the next 20 years. A Discussion Paper was released on 24 February 2012 to enable communities to provide input to the future of transport planning in NSW. A copy is attached to this report (as Attachment 1) and can be downloaded at [www.transportmasterplan.nsw.gov.au](http://www.transportmasterplan.nsw.gov.au)

The major challenges the Plan will face include the need to support a growing and aging population and access to jobs, the increasing cost of energy, lifestyle changes and environmental sustainability. Future approaches to transport in Sydney must provide viable alternatives to car travel, make better use of Sydney's infrastructure services and promote public transport, walking and cycling.

The Masterplan identifies a number of challenges and opportunities for transport in Sydney. Those of particular relevance to Manly in the context of the Northern Beaches include:

- The strategic bus corridor connection from the City to the Northern Beaches has been identified as being of high constraint, assuming that no additional capacity is provided.
- Consideration needs to be given to maintaining and improving existing and future ferry services on Sydney Harbour.
- The cycling networks in local communities need to be made easier to use, safer and more accessible. The development of detailed local cycling strategies provides an opportunity for Transport for NSW (TfNSW) and Councils to work together to increase the use of bicycles.
- Walking can be promoted by ensuring that destination such as public transport, shops and education are within easy walking distance of each other. The Plan will need to identify priorities for new walking links, especially in areas where walking can improve local amenity.
- The plan and the needs of this area in the context of the Northern Beaches transport were raised as a high priority issue at a recent community forum held at Dee Why RSL on 29 February 2012 as part of the NSW Government's *NSW 2021* consultations.

Transport for NSW calls for local organisations and residents to submit their comments on the Plan.

Submissions close on 27 April 2012 and could include comments on priorities for transport problems and modes, how walking and cycling can best be encouraged, barriers to using multiple transport modes and priorities for investment in Sydney's transport infrastructure.

It is recommended that Council notes the update regarding the NSW Long Term Transport Masterplan Discussion Paper and encourages submission from our community to inform the Masterplan.

#### 2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status

5/12	13 Feb	Notice of Motion - Facebook for Manly Council	That Council prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Facebook page.	In progress
06/12	13 Feb	Notice of Motion - Marine Parade Upgrade	i) That Council seeks grant funding and initiates a process similar to that for the now completed upgrade of the Ocean Beach front to enable this project to be undertaken as soon as possible.	In progress
			ii) That Council urgently addresses matters relating to repairs and maintenance, including trip hazards and potholes, graffiti and bubbler etc, including an inspection by Council's Risk Manager.	In progress
			iii) That Council bring back a report on the Natural Resources Project with NP&WS regarding Marine Parade and Cabbage Tree Bay Implementation Project.	In progress
09/12	13 Feb	Notice of Motion - Investigation and trial of LED tube replacement lighting by Manly Council	That Council:	In progress
			1. Carry out an audit of what fluorescent tubes are in its buildings and facilities to determine the life of the lamp, tube size, numbers, and usual operating hours;	
			2. Undertake a 3 month trial installation of say 20 LED tube lamps across both office (inc Library) and carpark areas;	In progress
			3. Update the Kinesis Report (presented OM 08/11/2010) to model the CO2 emission reduction from a full LED tube changeover applying to all T8 and T12 fluorescent lamps in Council premises;	In progress
			4. On satisfactory completion of the trial, Council bring back a report to consider full LED tube changeover for all T8 and T12 lamps over say a 4 year period;	In progress
			5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;	In progress
6. Investigate the availability of drop in LED replacement lamps for street lights. (currently ahead of market?).	In progress			
7/12	13 Feb	Notice of Motion – Container Deposit Scheme	1. Urgently conduct an audit of the public place bins (both recycling and general waste bins) in high use areas including East and West Esplanade, The Corso, Ocean Beach, Shelly Beach, Little Manly and Clontarf Beach Reserve at the end of a fine weekend to determine the amounts of recyclable bottles being placed in these bins.	In progress
			2. Post the results of the audit with photos on the front page of Council's website.	In progress

			3. Write to the Directors of Wesfarmers, Woolworths, Coca Cola Amatil and any other identifiable corporate entity where waste in the public bins has originated requesting them to implement a recycling program which includes a container deposit scheme or similar, which will reduce the amount of glass and plastic bottles and other recyclable items from entering the municipal waste stream.	In progress
214/11	12 Dec	Notice of Motion - Manly Tramway Loop - Trial bus Operation	That Manly Council commence community consultation on the Manly Tramway Loop Proposal by operating a Motor Omnibus service on the proposed Manly Tramway Loop Route on one weekend toward the end of February 2012.	In progress
209/11	12 Dec	Notice of Motion - Fulfilling the Vision: A new community park at Little Manly Beach	3. Budget and commence a consultation and planning process for the new parkland with a view to construction during winter, 2012.	In progress

### 3. Tabled Documents

1.	07/02/12	NSW Government Treasury Corporation	Local Infrastructure Renewal Scheme – Financial Benchmarking Assessments.
2.	08/02/12	Adrian Reresford-Wylie Chief Executive Australian Local Government Association	Revised: 2012 National General Assembly of Local Government – Discussion Paper.
3.	17/02/12	Sam Haddad Director-General	Planning circular: PS 12-002 Amendment to Infrastructure SEPP for educational establishments.
4.	20/02/12	NSW Department of Planning & Infrastructure	Local Development Performance Monitoring Report for 2010-11 is now available on the Departments website at: <a href="http://www.planning.nsw.gov.au/AboutUs/PerformanceMonitoring/tabid/74/language/en-US/Default.aspx">http://www.planning.nsw.gov.au/AboutUs/PerformanceMonitoring/tabid/74/language/en-US/Default.aspx</a>
5.	21/02/12	Dr Robert Waldersee Executive Director Corruption Prevention	Report on: Anti-corruption safeguards and the NSW planning system.
6.	28/02/12	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	That the NSW Government's Local Infrastructure Renewal Scheme (LIRS) application form for the first round has been released and is now available for download from the 'Publications' page of the Division of Local Government's website at <a href="http://www.dlg.nsw.gov.au">www.dlg.nsw.gov.au</a>



**MOTION (Griffin / Burns)**

That:

1. i) Council refers this report to the Sustainable Transport Committee for input into a submission made by Council.
- ii) the report in the business paper be forwarded to the Precinct forums and they be advised as a community group they can make submissions to the Transport masterplan discussion paper.
- iii) A link to the long term transport masterplan discussion paper be placed on the front page of the Manly Council website.
2. The Notices of Motion report be received and noted.
3. The Tabled Documents listed be received and noted.

**32/12 RESOLVED: (Griffin / Burns)**

That:

1. i) Council refers this report to the Sustainable Transport Committee for input into a submission made by Council.
- ii) the report in the business paper be forwarded to the Precinct forums and they be advised as a community group they can make submissions to the Transport masterplan discussion paper.
- iii) A link to the long term transport masterplan discussion paper be placed on the front page of the Manly Council website.
2. The Notices of Motion report be received and noted.
3. The Tabled Documents listed be received and noted.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

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**REPORTS OF COMMITTEES**

Report Of Committees Report No. 13

**Minutes for adoption by Council - Special Purpose Committee - without recommendations of a substantial nature.**

The minutes of the following Special Purpose committee meetings are tabled at this meeting.

- i) Waste Committee – 15 February 2012
- ii) Community Environment Committee – 8 February 2012
- iii) Traffic Committee – 12 December 2011
- iv) Sustainable Transport Committee - 1 December 2011
- v) Sustainable Transport Committee – 13 October 2011

**MOTION (Elder / Burns)**

That the minutes of the following Special Purpose Committee meetings be adopted.

- i) Waste Committee – 15 February 2012
- ii) Community Environment Committee – 8 February 2012
- iii) Traffic Committee – 12 December 2011
- iv) Sustainable Transport Committee - 1 December 2011
- v) Sustainable Transport Committee – 13 October 2011

**33/12 RESOLVED: (Elder / Burns)**

That the minutes of the following Special Purpose Committee meetings be adopted.

- i) Waste Committee – 15 February 2012
- ii) Community Environment Committee – 8 February 2012
- iii) Traffic Committee – 12 December 2011
- iv) Sustainable Transport Committee - 1 December 2011
- v) Sustainable Transport Committee – 13 October 2011

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

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Report Of Committees Report No. 14

**Minutes for adoption by Council - Landscape Management and Urban Design Committee - 15 February 2012**

This report was dealt with at the Landscape Management and Urban Design Committee meeting of 15 February 2012 and was listed as a Recommendation in those minutes. The item is/these items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**1. ITEM 4 LITTLE MANLY RESERVE COMMUNITY PARK IMPROVEMENTS**

In line with Council resolution No3 below of 6<sup>th</sup> February 2012 a concept plan was presented. Other associated resolutions now relevant to the project are also set out here.

“That subject to statutory and planning requirements:

1. An amount of \$400,000 is allocated in the 2012-2013 Budget for Little Manly Community Park improvements.
2. Council acts forthwith on its Resolution of 18 February 2008 and demolish 36 Stuart Street.
3. Council’s report is referred to the next LMUD meeting on 15 February 2012 and responses brought to the Planning and Strategy meeting on 5 March 2012.
4. All work necessary for the demolition of 36 Stuart Street be prepared and when the new budget is approved work is to be commenced.”

**MOTION (Elder / Macdonald)**

That the minutes of the Landscape Management and Urban Design Committee meeting on 15 February 2012 be adopted including the following items:

**ITEM 4 LITTLE MANLY RESERVE COMMUNITY PARK IMPROVEMENTS**

1. Staff produce a draft brief for the project which would then be circulated to the Committee for comment. These comments be collated by the Chair (Cr Barbara Aird) and sent back to staff for consideration regarding incorporation in the final brief.
2. The brief will include but not be limited to the following points:-
  - i. Demolish the single storey house at 36 Stuart Street to make way for public domain space in the area vacated.
  - ii. Improve access to the existing house at 34 Stuart Street from Stuart Street itself.
  - iii. The heritage listed house at 34 Stuart Street be community use i.e. refreshment room, club house etc.
  - iv. Link the public spaces created in the vicinity of No 34 and 36 Stuart Street with the existing main reserve area S/E of no 40 Stuart Street via a public boardwalk along the Little Manly Beach wall.
  - v. Reference the adopted Little Manly Coastline Management Plan and supporting documents.
3. The final brief then is submitted to Council for endorsement at its March 2012 Planning and Strategy Meeting.
4. The project be outsourced to an appropriately qualified Architect /Landscape Architect. In this regard 3 or 4 companies be selected and each paid an initial fee to provide a capability statement and produce a schematic design that responds to council's brief. These 3-4 consultants then are culled down (following a scoring process against set criteria) to one, following a presentation of their schemes to the LMUD Committee.
5. Following endorsement by Council, the successful Schematic design proposal for Community Park Improvements at Little Manly be placed on Public Exhibition and then be bought back to Council for final endorsement.

**AMENDMENT (Burns / LeSurf)**

The development of the park be halted until Council determine whether the property can be purchased.

**For the Amendment:** Councillors LeSurf and Burns

**Against the Amendment:** Councillors Hay, Elder, Heasman, Whitting, Murphy, Norek, Aird and Macdonald

The **Amendment** was declared **Lost**.

**34/12 RESOLVED: (Elder / Macdonald)**

That the minutes of the Landscape Management and Urban Design Committee meeting on 15 February 2012 be adopted including the following items:

**ITEM 4 LITTLE MANLY RESERVE COMMUNITY PARK IMPROVEMENTS**

1. Staff produce a draft brief for the project which would then be circulated to the Committee for comment. These comments be collated by the Chair (Cr Barbara Aird) and sent back to staff

for consideration regarding incorporation in the final brief.

2. The brief will include but not be limited to the following points:-
  - i. Demolish the single storey house at 36 Stuart Street to make way for public domain space in the area vacated.
  - ii. Improve access to the existing house at 34 Stuart Street from Stuart Street itself.
  - iii. The heritage listed house at 34 Stuart Street be community use i.e. refreshment room, club house etc.
  - iv. Link the public spaces created in the vicinity of No 34 and 36 Stuart Street with the existing main reserve area S/E of no 40 Stuart Street via a public boardwalk along the Little Manly Beach wall.
  - v. Reference the adopted Little Manly Coastline Management Plan and supporting documents.
3. The final brief then is submitted to Council for endorsement at its March 2012 Planning and Strategy Meeting.
4. The project be outsourced to an appropriately qualified Architect /Landscape Architect. In this regard 3 or 4 companies be selected and each paid an initial fee to provide a capability statement and produce a schematic design that respond's to council's brief. These 3-4 consultants then are culled down (following a scoring process against set criteria) to one, following a presentation of their schemes to the LMUD Committee.
5. Following endorsement by Council, the successful Schematic design proposal for Community Park Improvements at Little Manly be placed on Public Exhibition and then be bought back to Council for final endorsement.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, Norek, Aird and Macdonald

**Against the Resolution:** Councillors LeSurf and Burns

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

Councillor Griffin was not in the Chamber when the voting took place.

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Councillor Griffin returned to the Chamber.

## **ENVIRONMENTAL SERVICES DIVISION**

Environmental Services Division Report No. 7

### **Report on Cabbage Tree Bay**

#### **SUMMARY**

At Council's Ordinary Meeting dated 13 February 2012, Council resolved to seek a report on the Natural Resources Project with NSW Parks & Wildlife Service (NP&WS) regarding Marine Parade and Cabbage Tree Bay Implementation Project (06/12).

Manly Council has received from the NP&WS a grant of \$50,000 to support the implementation of a number of actions.

This report is in relation to the Council resolution OM 06/12.

**MOTION (Burns / Whitting)**

That:

- i) The report on Cabbage Tree Bay be received and noted.
- ii) Manly Council support The Day at the Bay planned for 31 March 2012.

**AMENDMENT (Griffin / Aird)**

That:

1. Council staff convene a meeting with members of the Environment and LMUD Committees to discuss points 1,2,3, and 4 of Item 4 of the LMUD Committee minutes and the improvements/plans for the Marine Parade Walkway and interpret signage for the CTBAR.
2. Manly Council support The Day at the Bay planned for 31 March 2012.

The **Amendment** was withdrawn.

**35/12 RESOLVED: (Burns / Whitting)**

That:

- i) The report on Cabbage Tree Bay be received and noted.
- ii) Manly Council support The Day at the Bay planned for 31 March 2012.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

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**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 7

**Report on Council Investments as at 31 January 2012****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 (Macdonald / Heasman)**

**That** the statement of Bank Balances and Investment Holdings as at 31 January 2012 be received and noted.

**36/12 RESOLVED: (Macdonald / Heasman)**

**That** the statement of Bank Balances and Investment Holdings as at 31 January 2012 be received and noted.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek, Griffin, Aird, Burns and Macdonald

**Against the Resolution:** Nil.

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**QUESTIONS WITHOUT NOTICE****QWN6/12 Councillor Heasman - On street parking on Balgowlah Road (Northside)**

Will the Council be reinstating full on street parking on Balgowlah Road (Northside) between Condamine Street and Roseberry Street after the completion of construction of Bunnings. The strip alongside the Bunnings development was approved for construction work between 7am to 7pm.

At the request of the Mayor the General Manager advised this matter would go to the Traffic Committee for consideration.

**QWN7/12 Councillor Heasman - Former Artworks**

Where are the former artworks that were installed in the former Queenscliff Lagoon Playground in 2002? Is it possible for the artworks to be retrieved and stored in a proper manner and used in the future perhaps in displays in conjunction with the MEC.

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

**QWN8/12 Councillor Whitting - Boy Charlton Swim Centre**

Can the General Manager please provide an update on our Boy Charlton Swim Centre, by answering the following questions.

- i) how many weeks has it been since all the pools have been operational; and
- ii) how long will it be before all the pools will be fully operational?

At the request of the Mayor the Deputy General Manager advised that the 50mtr and 25mtr pools have been operating since mid February, which is the time for the normal swim season.

The toddler pool was found not to meet NSW Health Standards for disinfestations and it was found that we would need to have a separate filtration system put in place for that pool.

**QWN9/12 Councillor Whitting - December's Ordinary Meeting**

Can the General Manager please report on December's Ordinary Meeting Resolution/Notice of Motion 39?

Can the General Manager please table a copy of the letter Council sent to NSW's Minister of Roads and Maritime Services and a copy of the Minister's Reply?

Can the General Manager also comment on part two of the resolution?

Has our local member NSW's Treasurer Mike Baird met with council staff or any staff regarding a pedestrian crossing near Pittwater Road and Balgowlah Road? If not why not, as every day this area of Manly is an accident waiting to happen?

At the request of the Mayor the General Manager advised that he was happy to table any response from the NSW Minister of Roads and Maritime Services once received however, we have only received an Interim acknowledgement that they are looking into

the matter.

The Deputy General Manager advised that he would take part 2 of the of the Resolution on notice and bring back a reply to the next Ordinary Meeting.

**QWN10/12 Councillor Murphy - State Surf Life Saving Titles**

Which area will host the State Surf Life Saving Titles – Manly or Wollongong?

At the request of the Mayor the General advised that we were unsuccessful with our bid and the State Surf Life Saving Titles will be held at Umina.

**QWN11/12 Councillor Murphy - Engraved Bricks adjacent to the Library**

Are we still selling engraved bricks outside the Library to raise money for the library or has this stopped because of 2015 and if we are, how much are they and will the existing bricks be scrapped or incorporated into 2015?

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

**QWN12/12 Councillor LeSurf - Parking Permits**

Are residents entitled to multiply parking permits, giving them access to park in multiple resident parking zones eg. Little Manly and Fairlight?

At the request of the Mayor the General Manager advised that generally residents were not able to park in multiple zones, however there may be circumstances where the same vehicle may reside at both localities.

**QWN13/12 Councillor Norek - Manly Toddler Pool**

Why was the toddler pool closed at the start of the Season – when we were under obligation from the State Government to reply within the next few months. There was a deadline why closed early

At the request of the Mayor the Deputy General Manager advised that there was no deadline. That we are working in relation to separating the reticulation of the 2 pools in response to cross contamination problem as well as a turnover water problem where the turnover rate of the large pool was determined by the turnover rate of the small pool.

**QWN14/12 Councillor Griffin - Wildlife Protection Area Signs**

Would the General Manager confirm, in writing with a map:

- a) That the revised Wildlife Protection area signs have been erected and in what locations they have been placed. If they have not been installed as previously agreed the General manager is requested to advise when and where the signs will be installed.
- b) That the Wildlife Protection Area signs on the cycle path have been replaced with the revised signs which include the area to Delwood Beach.

- c) That the 'penguins about' stencils have been painted on the scenic walkway to Delwood Beach as previously agree.
- d) That the 'Dogs on leash' signs have been installed at 'eye level' and face the 'correct way' on the Scenic Walkway to Delwood Beach and
- e) What measures are being taken by Council to ensure that dog owners comply with the requirement to have dogs on leash on the Scenic Walkway in the Section designated the 'Wildlife Protection area.'

At the request of the Mayor the General Manager advised that as far as he was aware the signs had all been replaced, however the Deputy General Manager would meet with the Penguin Wardens and walk through Council's resolution in particular the part that relates to Federation Point.

The General Manager also advised that Deputy General Manager would respond to any need for supplementary signage on the foot path.

**QWN15/12 Councillor Griffin - Long Day Care - Harbourview Centre**

Will the Council continue to provide long day care service at Harbour View Child Care Centre with hours that the parents require.

Currently the hours are from 7.15am to 6.15pm – 11 hours per day.

How can Council justify the reduction in hours when parents are prepared to pay additional fees to maintain the service.

At the request of the Mayor the General Manager advised that staff are working through issues with the small number of families that may be impacted by any changes that are made to operating hours and he is confident that a suitable conclusion can be reached.

**QWN16/12 Councillor Aird - Kiss and Ride Zone, West Esplanade Manly**

Would the Traffic Committee at its next meeting review the Loading Zone time at West Esplanade. (currently 24 hours per day, 7 days per week so as to enable a Kiss and Ride Zone to operate outside of bus Zone (currently 6am to 9am and 3pm to 7pm) and Loading Zone times.

Council, in its review of CBD parking (within approx last 2 years) Freed up all other Loading Zone space times significantly, for the benefit of the public.

At the request of the Mayor the General Manager advised he would refer this matter to the Traffic Committee for consideration.

**QWN17/12 Councillor Aird - Restoration of Damaged Ocean Beachfront Reserve**

Significant areas of grass have been adversely affected by structures, etc. During the Australian Open of Surfing. When will restoration be undertaken and will Council be fully reimbursed for associated costs?

The General Manager advised we are working with the organisers of the event and the restoration would be completed soon.



**QWN18/12 Councillor Burns - Footpath widening - South Steyne**

Would the General Manager advise on the use progress of footpath widening at South Steyne.

At the request of the Mayor the General Manager advised the footpath was widened some years ago to match the alignment in the widening scheme. Some parts of the footpath are not covered by awnings.

**QWN19/12 Councillor Burns - Public Toilets**

Would the General Manager advise which public toilets are open after 9pm.

At the request of the Mayor the General Manager advised that all public toilets except Whistler Street and Ocean Beach were closed at sunset but he would take it on notice.

**MATTERS OF URGENCY**

Councillor Aird requested that she be allowed to introduce a **Matter of Urgency** in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice. Following an outline of the matter the Mayor put the matter to the vote.

**MOTION (Aird / Macdonald)**

That in accordance with the provisions in clause 20(3) of Council's Code of Meeting Practice, the matter relating to 40 Stuart Street be considered as a **Matter of Urgency**.

37/12 **RESOLVED: (Aird / Macdonald)**

That in accordance with the provisions in clause 20(3) of Council's Code of Meeting Practice, the matter relating to 40 Stuart Street be considered as a **Matter of Urgency**.

**For the Resolution:** Councillors Whitting, Murphy, Norek, Aird, Burns and Macdonald

**Against the Resolution:** Councillors Hay, Elder, Heasman, LeSurf and Griffin

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Councillor Griffin left the Chamber declaring an interest the Matter of Urgency.

The Mayor ruled that the item was a matter of urgency and allowed it to proceed to debate.

**MOTION (Aird / Burns)**

That Manly Council consider acquisition of 40 Stuart Street Manly on the best terms and conditions in the public interest.

38/12 **RESOLVED: (Aird / Burns)**

That Manly Council consider acquisition of 40 Stuart Street Manly on the best terms and conditions in the public interest.

**For the Resolution:** Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Aird, Burns and Macdonald

**Against the Resolution:** Councillors Hay and LeSurf

Councillor Griffin was not in the Chamber when the voting took place.

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## **CONFIDENTIAL COMMITTEE OF THE WHOLE MATTERS OF URGENCY**

### **Property Matter – 40 Stuart Street, Little Manly**

*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

Human Services And Facilities Division Report No. 1

### **Tender Report - RFQ for Manly Andrew Boy Charlton, Baby & Toddlers Pool Repair Works (Contract No's. T2012/10 and T2012/11).**

*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

## **CLOSED SESSION**

39/12      **RESOLVED:**      (Aird / Heasman)

That the meeting move into Closed Session to consider the above items.

**For the Resolution:**      Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Aird, Burns and Macdonald

**Against the Resolution:**      Nil.

Councillor Griffin declared an interest in the Stuart Street matter and was not in the Chamber for these items.

## **MATTERS OF URGENCY**

### **Property Matter – 40 Stuart Street, Little Manly**

*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

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## OPEN COUNCIL RESUMED

Upon resuming into Open Council, the Chairperson advised the meeting of the following decisions made in Closed session.

## MATTERS OF URGENCY

**Property Matter – 40 Stuart Street, Little Manly**  
40/12      **RESOLVED: (Aird / Macdonald)**

That before proceeding with consideration of the acquisition of 40 Stuart Street Manly, the General Manager refer this matter to the NSW Division of Local Government under the CAPEX Review requirements.

**For the Resolution:**      Councillors Elder, Heasman, Whitting, Murphy, Morrison, Norek, Aird, Burns and Macdonald

**Against the Resolution:**      Councillors Hay and LeSurf

Councillor Griffin was not in the Chamber when the voting took place.

**Tender Report - RFQ for Manly Andrew Boy Charlton, Baby & Toddlers Pool Repair Works (Contract No's. T2012/10 and T2012/11).**

*It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.*

41/12      **RESOLVED: (Macdonald / Elder)**

That Council accepts the tenders from Wright Pools for T2012/10 and T2012/11 as resolved in the Closed Session.

**For the Resolution:**      Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Burns and Macdonald

**Against the Resolution:**      Nil.

Councillor Aird and Griffin were not in the Chamber when the voting took place.

## CLOSE

The meeting closed at 12.35am Tuesday 13 March 2012.

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 2 April 2012.

**SIGNATURE :** \_\_\_\_\_

**MAYOR**

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