

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 12 August 2013

All minutes are subject to confirmation at a subsequent meeting.

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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	3
Ordinary Meeting - 15/07/2013	3
Planning and Strategy Committee - 5/08/2013.....	4
Notice of Motion Report No. 50 New 3G/ 4G Telecommunication Towers (including infrastructure upgrades) within the Balgowlah Heights Precinct, and wider Manly area	4
Notice of Motion Report No. 53 Planting of Norfolk Island Pine	7
Notice of Motion Report No. 54 Iconic Norfolk Island Pines Management Plan 2013	8
MAYORAL MINUTES	10
Mayoral Minute Report No. 9 Local Infrastructure Renewal Scheme – Round 2	10
Mayoral Minute Report No. 10 Stuart Street, Little Manly – Dinghy Storage Area	11
NOTICES OF MOTION	11
Notice of Motion Report No. 47 Dinghy Storage.....	11
Notice of Motion Report No. 48 Review of 2012/2013 Capital Works Program.....	13
Notice of Motion Report No. 49 Clarification of Proposed Traffic & Street Closure plans for Manly2015	13
Notice of Motion Report No. 51 Repairs to Little Manly Gasworks Park	15
Notice of Motion Report No. 52 Amalgamation.....	15
ITEMS FOR BRIEF MENTION	16
Item For Brief Mention Report No. 10 Items For Brief Mention	16
REPORTS OF COMMITTEES	18
Report Of Committees Report No. 25 Minutes for adoption by Council - Special Purpose Advisory Committee without recommendations of a significant nature.....	18

ENVIRONMENTAL SERVICES DIVISION 19
 Environmental Services Division Report No. 24
 Development Control Plan 2013 Amendment 2 - Boarding Houses 19

CORPORATE SERVICES DIVISION..... 20
 Corporate Services Division Report No. 17
 Report on Council Investments as at 31 July 2013 20

QUESTIONS WITHOUT NOTICE 21

The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 12 August 2013. The meeting commenced at 7.31pm.

PRESENT

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

ALSO PRESENT

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

OPENING PRAYER

The Opening Prayer was presented by Reverend Graham Perry, Balgowlah Uniting Church.

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

CONFIRMATION OF MINUTES

MOTION (Le Surf / Bingham)

That copies of the Minutes of the Ordinary Meeting held on Monday, 15 July 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, Pickering, Le Surf, J Griffin, C Griffin and Hay.

Against the Resolution: Nil.

129/13 RESOLVED: (Le Surf / Bingham)

That copies of the Minutes of the Ordinary Meeting held on Monday, 15 July 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**MOTION (Le Surf / Bingham)**

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 05 August 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, Pickering, Le Surf, J Griffin, C Griffin and Hay.

Against the Resolution: Nil.

130/13 RESOLVED: (Le Surf / Bingham)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 05 August 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.

SUSPENSION OF STANDING ORDERS (Aird / Hay)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No. 50 - New 3G/4G Telecommunication towers (including infrastructure upgrades) within the Balgowlah Heights Precinct, and wider manly area, Notice of Motion Report No. 53 – Planting of Norfolk island Pine, Notice of Motion Report 54 – Iconic Norfolk Island Pines Management Plan 2013.

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

Against the Resolution: Nil.

131/13 RESOLVED: (Aird / Hay)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No. 50 - New 3G/4G Telecommunication towers (including infrastructure upgrades) within the Balgowlah Heights Precinct, and wider manly area, Notice of Motion Report No. 53 – Planting of Norfolk island Pine, Notice of Motion Report 54 – Iconic Norfolk Island Pines Management Plan 2013.

Notice of Motion Report No. 50

New 3G/ 4G Telecommunication Towers (including infrastructure upgrades) within the Balgowlah Heights Precinct, and wider Manly area (MC/13/94729)

The following person addressed the meeting on this item:

In support of the Motion: David Burns

Councillor Barbara Aird moved that:

In view of the expected intention for Telstra to lodge a DA to install a 30m tall steel telecommunications tower for expanded voice and data mobile phone coverage at either of the two alternative Telstra sites (Balgowlah Heights Bowling Club or Nolan Reserve), that:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.
3. Council purchase a 'hand-held' Electromagnetic Emissions (EME) measurement meter calibrated to ISO-17025 international standards by a third party certification organisation to verify that existing telecommunication antennas and towers are operating within the claimed radiation performance guidelines. Council is requested to make available the hand-held meter to the various precinct committees via a loan system to enable the measurement of EME's from the front of relevant homes within 0-50m, 50-100, 100-200m, and 200-300m radius of all existing telecommunication antennas and towers, including publishing the street based results in the Manly Daily to inform all residents.
4. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
5. Erect warning signs in Council managed parks and fields where a telecommunications antenna or tower are within 0-50m, 50-100m, 100-200m, and 200-300m radius.
6. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

MOTION (Aird / Burns)

That:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.
3. Council purchase a 'hand-held' Electromagnetic Emissions (EME) measurement meter calibrated to ISO-17025 international standards by a third party certification organisation to verify that existing telecommunication antennas and towers are operating within the claimed radiation performance guidelines. Council is requested to make available the hand-held meter to the various precinct committees via a loan system to enable the measurement of EME's from the front of relevant homes within 0-50m, 50-100, 100-200m, and 200-300m radius of all existing telecommunication antennas and towers, including publishing the street based results in the Manly Daily to inform all residents.

4. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
5. Erect warning signs in Council managed parks and fields where a telecommunications antenna or tower are within 0-50m, 50-100m, 100-200m, and 200-300m radius.
6. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

AMENDMENT (Pickering / J Griffin)

That:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.
3. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
4. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

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

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

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

MOTION (Pickering / J Griffin)

That:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.

3. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
- .
4. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

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

Against the Resolution: Councillor Burns

132/13 RESOLVED: (Pickering / J Griffin)

That:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.
3. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
- .
4. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

Notice of Motion Report No. 53

Planting of Norfolk Island Pine (MC/13/94747)

The following person addressed the meeting on this item:

In support of the Motion: Evelyn Shervington

Councillor Cathy Griffin moved that:

Manly Council immediately plant a large Norfolk Island pine near 19 Addison Road to replace the large fig that was removed approximately 6 months ago.

MOTION (C Griffin / Burns)

That Manly Council immediately plant a large Norfolk Island pine opposite number 19 Addison Road to replace the large fig that was removed approximately 6 months ago.

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

Against the Resolution: Nil.

133/13 RESOLVED: (C Griffin / Burns)

That Manly Council immediately plant a large Norfolk Island pine opposite number 19 Addison Road to replace the large fig that was removed approximately 6 months ago.

Notice of Motion Report No. 54

Iconic Norfolk Island Pines Management Plan 2013 (MC/13/94752)

Councillor Cathy Griffin moved that:

Manly Council update and implement the actions in the updated Norfolk Island Pine Management Plan by December 2013. The following should be completed immediately as a matter of urgency.

1. Replace or reinstate the existing and missing identification number plates on the Norfolk Island Pines on the Ocean beachfront.
 - a. Separately identify and register/number the Norfolk Island, Cook Island and other Pines in the plan.
 - b. Include all the Norfolk Island and other pine trees in the CBD (including Darley Rd, Ashburner St, Victoria Pde, and Wentworth Ave) and East and West Esplanades in this Management Plan.
2. Inspect, record and determine maintenance work required to upgrade, improve, repair, fertilise, water, and protect the Norfolk and Cook Island Pine trees in the plan and complete actions by December 2014. Document ongoing care and maintenance requirements in a work schedule for the next five years and beyond.
3. Distribute the updated plan and list of actions and projected work plan/schedule to the Little Manly & Corso Precincts.

MOTION (C Griffin / Burns)

That Council:

1. Replace or reinstate the existing and missing identification number plates on the Norfolk Island Pines on the Ocean beachfront.
 - a. Separately identify and register/number the Norfolk Island, Cook Island and other Pines in the plan.
 - b. Include all the Norfolk Island and other pine trees in the CBD (including Darley Road, Ashburner St, Victoria Pde, and Wentworth Ave) and East and West Esplanades in this Management Plan.
2. Inspect, record and determine maintenance work required to upgrade, improve, repair, fertilise, water, and protect the Norfolk and Cook Island Pine trees in the plan and complete actions by December 2014. Document ongoing care and maintenance requirements in a work schedule for the next five years and beyond.

3. Distribute the updated plan and list of actions and projected work plan/schedule to the Little Manly & Corso Precincts.

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

Against the Resolution: Nil.

134/13 RESOLVED: (C Griffin / Burns)

That Council:

1. Replace or reinstate the existing and missing identification number plates on the Norfolk Island Pines on the Ocean beachfront.
 - a. Separately identify and register/number the Norfolk Island, Cook Island and other Pines in the plan.
 - b. Include all the Norfolk Island and other pine trees in the CBD (including Darley Road, Ashburner St, Victoria Pde, and Wentworth Ave) and East and West Esplanades in this Management Plan.
2. Inspect, record and determine maintenance work required to upgrade, improve, repair, fertilise, water, and protect the Norfolk and Cook Island Pine trees in the plan and complete actions by December 2014. Document ongoing care and maintenance requirements in a work schedule for the next five years and beyond.
3. Distribute the updated plan and list of actions and projected work plan/schedule to the Little Manly & Corso Precincts.

RESUMPTION OF STANDING ORDERS (Aird / Hay AM)

That Standing Orders be resumed.

135/13 RESOLVED: (Aird / Hay AM)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

MAYORAL MINUTES

Mayoral Minute Report No. 9

Local Infrastructure Renewal Scheme – Round 2 (MC/13/95466)

The Mayor Cllr Hay AM moved that:

1. Council thank The Hon Mr Don Page, Minister for Local Government, for approving Council's LIRS Round 2 funding for the Manly Oval Stormwater Detention Infrastructure Project, and accepts the 3% interest subsidy for the project.
2. Council authorise the General Manager to execute LIRS Round 2 document to secure the interest subsidy offered to Council, and
3. Staff be congratulated for Council's competitive success in receiving approval for the LIRS Round 2 project.

MOTION (Hay AM)

That:

1. Council thank The Hon Mr Don Page, Minister for Local Government, for approving Council's LIRS Round 2 funding for the Manly Oval Stormwater Detention Infrastructure Project, and accepts the 3% interest subsidy for the project.
2. Council authorise the General Manager to execute LIRS Round 2 document to secure the interest subsidy offered to Council, and
3. Staff be congratulated for Council's competitive success in receiving approval for the LIRS Round 2 project.

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

Against the Resolution: Nil.

136/13 RESOLVED: (Hay AM)

That:

1. Council thank The Hon Mr Don Page, Minister for Local Government, for approving Council's LIRS Round 2 funding for the Manly Oval Stormwater Detention Infrastructure Project, and accepts the 3% interest subsidy for the project.
2. Council authorise the General Manager to execute LIRS Round 2 document to secure the interest subsidy offered to Council, and
3. Staff be congratulated for Council's competitive success in receiving approval for the LIRS Round 2 project.

Mayoral Minute Report No. 10

Stuart Street, Little Manly – Dinghy Storage Area (MC/13/95678)

The Mayor Clr Hay AM moved that:

The Council acknowledge and endorse the proposal by the General Manager.

MOTION (Hay AM)

That the Council acknowledge and endorse the proposal by the General Manager.

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

Against the Resolution: Nil.

137/13 RESOLVED: (Hay AM)

That the Council acknowledge and endorse the proposal by the General Manager.

NOTICES OF MOTION

Notice of Motion Report No. 47

Dinghy Storage (MC/13/92059)

Councillor Adele Heasman moved that:

The General Manager to bring back a report to the full Council to the September Ordinary Meeting, setting out the background and reasons for the increase in fees for dinghy storage in Manly Council's dinghy storage areas.

MOTION (Heasman / Burns)

That:

- i) the General Manager to bring back a report to the full Council to the September Ordinary Meeting, setting out the background and reasons for the increase in fees for dinghy storage in Manly Council's dinghy storage areas.
- ii) refer the following information to the Harbour Foreshores & Coastline Management Advisory Committee's next meeting.
 - a) Many Council Strategic plan for Maritime Infrastructures & Boat Storage in the Manly LGA (draft)2012, and
 - b) 2011 Baseline report of maritime Infrastructure and Boat Storage in the Manly LGA and determine the following;
 - c) Determine and prioritise immediate actions to improve the existing dinghy storage areas;
 - d) Determine medium and long term actions, including increasing the number of bays for both dinghies, kayaks and SUPs, to improve the dinghy storage area;
 - e) Determine the number of vacancies and make offers to those on the waiting lists;
 - f) Identify, notify and remove abandoned dinghies on the foreshore;
 - g) Identify opportunities for storage of additional dinghies.

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

Against the Resolution: Nil.

138/13 RESOLVED: (Heasman / Burns)

That:

- i) the General Manager to bring back a report to the full Council to the September Ordinary Meeting, setting out the background and reasons for the increase in fees for dinghy storage in Manly Council's dinghy storage areas.
- ii) refer the following information to the Harbour Foreshores & Coastline Management Advisory Committee's next meeting.
 - a) Many Council Strategic plan for Maritime Infrastructures & Boat Storage in the Manly LGA (draft)2012, and
 - b) 2011 Baseline report of maritime Infrastructure and Boat Storage in the Manly LGA and determine the following;
 - c) Determine and prioritise immediate actions to improve the existing dinghy storage areas;
 - d) Determine medium and long term actions, including increasing the number of bays for both dinghies, kayaks and SUPs, to improve the dinghy storage area;
 - e) Determine the number of vacancies and make offers to those on the waiting lists
 - f) Identify, notify and remove abandoned dinghies on the foreshore;
 - g) Identify opportunities for storage of additional dinghies.

Notice of Motion Report No. 48

Review of 2012/2013 Capital Works Program (MC/13/93755)

Councillor Candy Bingham moved that:

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.

This should specify what projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

MOTION (Bingham / Burns)

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.

This should specify what projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

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

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

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

Notice of Motion Report No. 49

Clarification of Proposed Traffic & Street Closure plans for Manly2015 (MC/13/93761)

Councillor Candy Bingham moved that:

That the General Manager arrange:

1. An updated proposal regarding the future of the 400 on-street car spaces originally destined to be removed from the Manly CBD, as part of the Manly 2015 proposal. This should include the number of on-street car spaces likely to be lost with the revised Plan and from where.
2. That the revised Traffic Plan be submitted immediately to Roads & Maritime Service (RMS) for assessment and comment. This should include proposed changes to Sydney Road with the entrance/exit to the proposed Oval Car Park and roundabout at the Eustace Street intersection; the proposed extended closure of Sydney Road from Belgrave Street to the existing plaza, and the creation of Central Avenue as a dead-end street.
3. A report clarifying the proposed closure of Sydney Road from Belgrave Street to the existing Sydney Road Plaza, and how access will be provided via Whistler Street.

MOTION (Bingham / Burns)

That the General Manager arrange:

1. An updated proposal regarding the future of the 400 on-street car spaces originally destined to be removed from the Manly CBD, as part of the Manly 2015 proposal. This should include the number of on-street car spaces likely to be lost with the revised Plan and from where.
2. That the revised Traffic Plan be submitted to Roads & Maritime Service (RMS) for assessment and comment at the appropriate time. This should include proposed changes to Sydney Road with the entrance/exit to the proposed Oval Car Park and roundabout at the Eustace Street intersection; the proposed extended closure of Sydney Road from Belgrave Street to the existing plaza, and the creation of Central Avenue as a dead-end street.
3. A report clarifying the proposed closure of Sydney Road from Belgrave Street to the existing Sydney Road Plaza, and how access will be provided via Whistler Street.

AMENDMENT (J Griffin / Pickering)

That Council defines the sequential decisions and activities involving Manly 2015 on the web site.

For the Amendment: Councillors Heasman, Bingham, Pickering, 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 (J Griffin / Pickering)

That Council defines the sequential decisions and activities involving Manly 2015 on the web site.

For the Resolution: Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay.

Against the Resolution: Councillors Aird and Burns

139/13 RESOLVED: (J Griffin / Pickering)

That Council defines the sequential decisions and activities involving Manly 2015 on the web site.

Notice of Motion Report No. 51

Repairs to Little Manly Gasworks Park (MC/13/94737)

Councillor Hugh Burns moved that:

That Council

1. conduct a detailed review and condition appraisal of Council maintained assets within this park; and
2. carry out all necessary remedial works determined by the review.

MOTION (Burns / C Griffin)

That Council

1. conduct a detailed review and condition appraisal of Council maintained assets within this park; and
2. carry out all necessary remedial works determined by the review.

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

Against the Resolution: Nil.

140/13 RESOLVED: (Burns / C Griffin)

That Council

1. conduct a detailed review and condition appraisal of Council maintained assets within this park; and
2. carry out all necessary remedial works determined by the review.

Notice of Motion Report No. 52

Amalgamation (MC/13/94744)

Councillor Cathy Griffin moved that:

Manly Council

1. Identify key stakeholders (up to 500) who engage with Council's services and survey them on matters including:
 - a) Their understanding of Manly Council's current structure and capacity to deliver services (including Childcare, Waste collection, Lifeguarding, Ranger, Swim centre etc) for local residents
 - b) Their expectations and understanding of how a bigger Council through the amalgamation would better deliver these services.
 - c) Whether or not the Manly Council, the Local Government Minister or the State Government should determine council rates.

2. That Council report to Council on the outcome of this consultation on or before 31 October 2013.

MOTION (Griffin / Heasman)

That:

1. Manly Council collaborate with Pittwater Council and invite Mosman Council to participate in developing a response on the amalgamation issue; and
2. The brief be provided to Councillors.

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

Against the Resolution: Nil.

141/13 RESOLVED: (J Griffin / Heasman)

That:

1. Manly Council collaborate with Pittwater Council and invite Mosman Council to participate in developing a response on the amalgamation issue; and
2. The brief be provided to Councillors.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 10

Items For Brief Mention (MC/13/71539)

1. Complaints made to the General Manager

In the month of August , the General Manager finalised the following complaints:

Received	Nature of complaint	Status
April	Code of Conduct	Finalised.
May	Code of Conduct	Finalised.

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
203/12	10 Dec	Mayoral Minute Report No. 12	Stuart Street Manly Properties	Public Notice is complete. LEP Amendment being considered.
208/12	10 Dec	NoM No. 46	Master Plan for the Ivanhoe Botanic Gardens area.	Draft plan will be completed over the next month.
204/12	10 Dec	NoM No. 47	Free Wi Fi Access in Manly CBD	System to be installed within 4 weeks.

202/12	10 Dec	NoM No. 11	Manly Pathway of Olympians	Implementation plan is being prepared for East Esplanade. Project planning for installation commenced.
05/13	11 Feb	NoM No. 5	Feasibility report on reinstating a mural at Lagoon Park	Completion due end of August.
40/13	8 April	NoM No. 13	Street Furniture upgrade Program	The maintenance regime has commenced and works are to be finalised by end of August.
64/13	13 May	NoM No. 21	Proposed changes to Manly Council's collection of recycling and vegetation	Referred to the Waste Committee 6/8/13.
67/13	13 May	NoM No. 26	Commonwealth's Industry Innovation Precincts Program	Local businesses contacted have not been responsive. Funding program is now closed and no further funding rounds have been announced.
81/13	3 June	NoM No. 34	Proposed \$15 million indoor facility and redevelopment of Manly Swim Centre	Information on the swim centre as resolved has been posted on Council's website. Complete.
79/13	3 June	NoM No. 28	Plan to Protect our Street Trees	Report on valuation method for trees is being prepared. All other parts of this resolution are complete.
110/13	15 July	NoM No. 39	Craig Avenue Dinghy Storage Area	Letters sent to dinghy owners. Legal advice is being obtained.
121/13	15 July	NoM No. 40	Increase capacity at the Manly Swim Centre	New swim centre is being designed and will retain the existing outdoor 50 metre and 25 metre pools, as part of the scheme.
123/13	15 July	NoM No. 36	Yellow road edge lines in areas of No stopping and No parking	Report going to the Traffic Committee.
125/13	15 July	NoM No. 35	Progress Report on Seaforth TAFE site	Report being prepared.

3. Tabled Documents

	Date	Author	Subject
1	July 2013	Local Government NSW	Councillor Professional Development Program July to December 2013 Calendar
2	15 July 2013	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 13-32 Calendar of compliance and reporting requirements 2013/14
3	31 July 2013	Ben Taylor SHOROC Executive	Northern Beaches Health Service Redevelopment – Information Package
4	31 July 2013	Jin Soo Kim Consul-General of the Consulate- General of the Republic of Korea in Sydney	Letter advising Consul-General is concluding his post in Australia.
5	1 August 2013	Gladys Berejiklian MP	Reply to Council's letter regarding

		Minister for Transport NSW Government	public transport fares and services.
6	8 August 2013	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 13-37 Council responsibilities under the Carers (Recognition) Act 2010

MOTION (Heasman / J Griffin)

That:

- i) Reports 1, 2 and 3 be received and noted; and
- ii) Council respond to the letter dated 1 August 2013, in tabled documents, received from the Minister for Transport NSW Government, reiterating our concerns about the increase in ferry fares.

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

Against the Resolution: Nil.

142/13 RESOLVED: (Heasman / J Griffin)

That:

- i) Reports 1, 2 and 3 be received and noted; and
- ii) Council respond to the letter dated 1 August 2013, in tabled documents, received from the Minister for Transport NSW Government, reiterating our concerns about the increase in ferry fares.

REPORTS OF COMMITTEES

Report Of Committees Report No. 25

Minutes for adoption by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/13/88900)

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

- i) Economic Development & Advisory Committee – 27 June 2013
- ii) Community Environment Advisory Committee - 10 July 2013

MOTION (Le Surf / Heasman)

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

- i) Economic Development & Advisory Committee – 27 June 2013
- ii) Community Environment Advisory Committee - 10 July 2013

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

Against the Resolution: Nil.

143/13 RESOLVED: (Le Surf / Heasman)

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

- i) Economic Development & Advisory Committee – 27 June 2013
- ii) Community Environment Advisory Committee - 10 July 2013

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 24

Development Control Plan 2013**Amendment 2 - Boarding Houses (MC/13/91787)****SUMMARY**

This report recommends amendments be made to Manly Development Control Plan (DCP) 2013 providing further guidance in the development of Boarding Houses / Affordable Accommodation.

MOTION (Heasman / Le Surf)

That:

1. Council resolve to amend Manly DCP 2013;
2. Council exhibit this proposed amendment for a period of twenty-eight (28) days; and
3. Council provide the web link to the fact sheets on affordable housing on the Department of Housing's web site.

AMENDMENT (Bingham /Burns)

That as a precursor to the amendment of Council's Development Control Plan in relation to Boarding Houses, a discussion paper be prepared by staff which explains the 'new generation' boarding house concept and how it applies to Manly. This should take into account:

1. What the SEPP Affordable Rental Housing policy sets out, in general terms, as the requirements for such developments.
2. The difference between Affordable Housing, Social Housing and Low Income Housing.
3. The opportunities that such new developments, with Studio Rooms rather than the old style boarding house rooms, provide the renters.
4. How car parking issues can be addressed
5. What is seen as the unique circumstances for the Manly local government area in relation to such infill developments.

This discussion paper be placed on public exhibition and circulated to the objectors to recent boarding house development applications, the precinct groups, and those who have lodged recent DA's for such developments – as well as promoted on Council's web site etc.

Public submissions be invited in response to the discussion paper.

For the Amendment: Councillors Bingham and Burns

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

The **Amendment** was declared **lost**.

MOTION (Heasman / Le Surf)

That:

1. Council resolve to amend Manly DCP 2013;
2. Council exhibit this proposed amendment for a period of twenty-eight (28) days; and
3. Council provide the web link to the fact sheets on affordable housing on the Department of Housing's web site.

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

Against the Resolution: Nil.

144/13 RESOLVED: (Heasman / Le Surf)

That:

1. Council resolve to amend Manly DCP 2013;
2. Council exhibit this proposed amendment for a period of twenty-eight (28) days; and
3. Council provide the web link to the fact sheets on affordable housing on the Department of Housing's web site.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 17

Report on Council Investments as at 31 July 2013 (MC/13/93577)

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 (Burns / Le Surf)

That: the statement of Bank Balances and Investment Holdings as at 30 July 2013 be received and noted.

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

Against the Resolution: Nil.

145/13 RESOLVED: (Burns / Le Surf)

That: the statement of Bank Balances and Investment Holdings as at 30 July 2013 be received and noted.

QUESTIONS WITHOUT NOTICE**QWN38/13 Councillor Bingham - Breakdown of budget figure**

Would the General Manager provide a breakdown of the \$33m figure shown in our budget on page 92 of the CSP under 2019/20 which I assume represents the sale of the Whistler Street car park site? That is, a breakdown of the land value, buildings and profit on sale which make up this figure.

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

QWN39/13 Councillor Bingham - General Manager's monthly report

Why is it necessary for the General Manager's Monthly report to not only be marked 'confidential' but be password protected and therefore unable to be printed or copied in any way, when clearly the information provided in this general report is not confidential. Would it be possible for future reports to be provided in a standard pdf format.

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

QWN40/13 Councillor Heasman - Removal of graffiti

Can we follow up the response Warringah Council received from their request to the State Government that they investigate ways in which Local Councils would be able to enter private property to remove graffiti. When graffiti is long term unsightly and detracting from the amenity of the area?

At the request of the Mayor the General Manager advised that on notice.

QWN41/13 Councillor Le Surf – L.E.D lighting

There are a number of street lights out in our LGA. I believe Ausgrid has announced the trial of L.E.D lights as part of a replacement program,

- i) has council made any approaches to Ausgrid to take part in this trial?
- ii) what areas are being considered for inclusion in any replacement street light program?
- iii) Is there any cost to Council to be included in this program?
- iv) Is there any timeframe to be included in this program?

At the request of the Mayor the General Manager advised that Council is part of the LED trial and there is no cost to the Council for this.

The Assessment by Ausgrid has not come through council yet however the trial has been successful.

QWN42/13 Councillor Burns - Manly 2015

Would the General Manger advise the councillors the cost of the Manly 2015 project expedited to date to include all consultancies, including appearance fees, printing of all documents and creation of web sites, venue hire and speakers costs for current round of public information/consultation.

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

QWN43/13 Councillor Burns - Seaforth TAFE

Where is the leasing of the Seaforth TAFE site upto, how long is Council prepared to wait before a reassessment on current strategy occurs, what are the total funds expended to date of: cleansing and stripping of the buildings; creating the plaza facing Sydney Road; and Real estate consulting and advertising costs?

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

QWN44/13 Councillor Aird - Manly Aquatic Centre

When will the design development be completed, when will with the DA be completed, when will the DA on public exhibition and for how long, how will comments/objections be considered and factored into the process, when will the DA be lodged with the JRPP, will the community have an opportunity for input into the JRPP determination?

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

QWN45/13 Councillor Aird - Travel

Is it correct that the Mayor and General Manager recently travelled to America? If so; what were the details of the trip, why were Councillors not informed, did any other staff travel and if so, details and details of any costs to Council.

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

CLOSE

The meeting closed at [11.32pm](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [9 September 2013](#).

MAYOR

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