



## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 13 February 2012**

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

*Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:  
[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 13 February 2012. The meeting commenced at 7:40 PM.

## PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM, who presided  
Councillor B Aird  
Councillor H Burns  
Councillor C Griffin  
Councillor A Heasman  
Councillor A Le Surf, Deputy Mayor  
Councillor Dr P Macdonald OAM  
Councillor D Murphy  
Councillor M Norek (arrived at 7.54)  
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, Head of Strategy, Executive Manager, Corporate Support Services  
Secretariat Officer

## OPENING PRAYER

The Opening Prayer was presented by Rev Graham Perry of the Uniting Church Balgowlah.

## APOLOGIES

Apologies were tendered on behalf of Councillor Elder, for non-attendance.

## MOTION (Macdonald / Burns)

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

## 1/12 RESOLVED: (Macdonald / Burns)

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

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

**Against the Resolution:** Nil.

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

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

That copies of the Minutes of the Ordinary Meeting held on Monday, 12 December 2011, 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.

**2/12 RESOLVED: (Whitting / Heasman)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 12 December 2011, 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, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald.

**Against the Resolution:** Nil.

Councillor Norek entered the Chamber at 7.54pm.

**MAYORAL MINUTES**

Mayoral Minute Report No. 2

**Boat and Trailer Parking on Public Roads****MOTION (Hay)**

That Council endorse the position of Woollahra Council and write to the Premier of New South Wales requesting the Minister for Roads and Ports consider amending Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of all registered trailers, boat trailers and advertising trailers in built up areas.

**3/12 RESOLVED: (Hay)**

That Council endorse the position of Woollahra Council and write to the Premier of New South Wales requesting the Minister for Roads and Ports consider amending Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of all registered trailers, boat trailers and advertising trailers in built up areas.

**For the Resolution:** Councillors Hay, Heasman, Whitting, Murphy, LeSurf, Griffin and Aird

**Against the Resolution:** Councillors Norek, Burns and Macdonald

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Mayoral Minute Report No. 3

**Call for Statewide Smoke Free Outdoor Area Legislation****MOTION (Hay)**

That Council lobby the NSW Government and write to relevant members of the legislature and Ministers calling for legislation that uniformly prohibits smoking:

1. within 10 metres of children's playgrounds;
2. within 10 metres of sporting fields;
3. in all outdoor dining areas where food is provided as part of a business;
4. in covered bus shelters and taxi ranks;
5. in Council's parks and reserves, and
6. on Harbour and Ocean beaches, lagoons, lakes and rivers.

4/12 **RESOLVED:** (Hay)

That Council lobby the NSW Government and write to relevant members of the legislature and Ministers calling for legislation that uniformly prohibits smoking:

1. within 10 metres of children's playgrounds;
2. within 10 metres of sporting fields;
3. in all outdoor dining areas where food is provided as part of a business;
4. in covered bus shelters and taxi ranks;
5. in Council's parks and reserves, and
6. on Harbour and Ocean beaches, lagoons, lakes and rivers.

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

**Against the Resolution:** Nil.

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## NOTICES OF MOTION

Notice of Motion Report No. 1

**Facebook for Manly Council**

**Councillor Mark Norek moved:**

1. Council to prepare a marketing plan on how it can best utilise a Facebook page. Then launch a Facebook page.

### Background

After attending last month's strategic workshop with Council staff and fellow councillors it became apparent that council needs to better engage and extend council's ability to communicate with its residents. It is essential to reach the younger members of the community and utilise another medium to promote the good work of council's activities.

While traditional methods of consultation such as questionnaires and public meetings are effective in reaching older, politically engaged residents, they only reach a limited number of people.

Some of the greatest benefits of using Facebook are #1 it's FREE and #2 it's easy to set-up and maintain.

Other councils have a Facebook presence such as Hornsby, Pittwater and Warringah Councils.

**MOTION (Norek / Heasman)**

That Council prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Facebook page.

**Amendment (Griffin/Burns)**

That Council provide a report outlining Councils intentions in regard to using its website as a portal for residents, ratepayers and members of the general public to undertake transactions and communication with Council its intentions of Councils need to communicate on the internet. The report should include but not limited to proposed actions in regard to Items 25, 26, 27 and 28 of the DLG Report.

**For the Amendment:** Councillors Griffin, Aird, Burns and Macdonald

**Against the Amendment:** Councillors Hay, Heasman, Whitting, Murphy, LeSurf and Norek

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

**MOTION (Norek / Heasman)**

That Council prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Facebook page.

**5/12 RESOLVED: (Norek / Heasman)**

That Council prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Facebook page.

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

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

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

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Notice of Motion Report No. 2

**Marine Parade Upgrade**

**Councillor Barbara Aird moved:**

In acknowledgement that Marine Parade (viz. Manly Surf Club to Shelly Beach) is long overdue for upgrading, that Council seeks grant funding and initiates a process similar to that for the now completed upgrade of the Ocean Beach front including consultation with Fairy Bower Precinct to enable this project to be undertaken as soon as possible.

That Council urgently addresses matters relating to repairs and maintenance, including trip hazards and potholes, graffiti and bubbler, etc.

**MOTION (Aird / Griffin)**

- 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.
- 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.

- iii) That Council bring back a report on the Natural Resources Project with NP&WS regarding Marine Parade and Cabbage Tree Bay Implementation Project.

6/12 **RESOLVED: (Aird / Griffin)**

- 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.
- 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.
- iii) That Council bring back a report on the Natural Resources Project with NP&WS regarding Marine Parade and Cabbage Tree Bay Implementation Project.

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

**Against the Resolution:** Nil.

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Notice of Motion Report No. 3

**Container Deposit Scheme**

**Councillor Barbara Aird moved:**

In view of the failure of successive N.S.W. State Governments and Federal Governments to implement a Container Deposit Scheme, that Manly Council:

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 and cans being placed in these bins.
2. Post the results of the audit with photos on the front page of Council's website.
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.

**MOTION (Aird / Griffin)**

That Council:

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.
2. Post the results of the audit with photos on the front page of Council's website.
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.

7/12 **RESOLVED:** (Aird / Griffin)

That Council:

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.
2. Post the results of the audit with photos on the front page of Council's website.
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.

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

**Against the Resolution:** Nil.

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

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Notice of Motion Report No. 4

**Details of the catch in the Shark mesh nets off Manly Beach  
Councillor Cathy Griffin moved:**

That Manly Council write to the Department of Fisheries to;

1. Confirm that Part 4 of the *Shark Meshing (Bather Protection) Program 2009-10 Annual Performance Report Prepared in accordance with the requirements of the Joint Management Agreements and associated Management Plan* has been complied with and the Observers employed in 2009 as temporary employees for the season have continued to be employed in subsequent and current seasons and have been carrying out their duties.
2. Request the details of the 'catch of target and non target species' in nets used off Manly Ocean Beach as part of the Shark Meshing Program for 2011/12.

**Background**

Specialist contractors carry out shark meshing operations. The nets are 150 metres long by 6 metres deep and have a mesh size of 60 cm. They are a 'sunk net' set below the surface in about 10 to 12 metres of water, within 500 metres of the shore.

The program extends from 1 September to 30 April each year. The nets are not in place from May to August during the majority of the whale migration season.

The nets are checked regularly by contractors for maintenance purposes and to see if there is any marine life caught in the nets. Contractors are required to free all live marine life found in the nets where it is practical and safe to do so.

Nets may not be in place on every beach every day. They are, however, currently required to be in place at each of the 51 beaches on the weekends to help minimise the risk of a shark encounter during the peak beach period (sea conditions permitting).

The location of the shark meshing nets is determined by the prevailing and forecast wind, sea conditions and currents, generally parallel to beaches near the surf clubs and patrolled swimming areas.

Rough seas can damage the nets so they are put in place only when sea and weather conditions are favourable.

### **Minimising impacts on other marine life**

While the NSW Government remains committed to its shark meshing program, it is also looking for ways to reduce the impact the nets may have on other marine life:

The program is managed under joint management agreements and a management plan. For more information go to our website:

<http://www.dpi.nsw.gov.au/fisheries>

### **MOTION (Griffin / Burns)**

That Manly Council write to the Department of Fisheries to;

1. Confirm that Part 4 of the *Shark Meshing (Bather Protection) Program 2009-10 Annual Performance Report Prepared in accordance with the requirements of the Joint Management Agreements and associated Management Plan* has been complied with and the Observers employed in 2009 as temporary employees for the season have continued to be employed in subsequent and current seasons and have been carrying out their duties.
2. Request the details of the 'catch of target and non target species' in nets used off Manly Ocean Beach as part of the Shark Meshing Program for 2011/12.

### **8/12 RESOLVED: (Griffin / Burns)**

That Manly Council write to the Department of Fisheries to;

1. Confirm that Part 4 of the *Shark Meshing (Bather Protection) Program 2009-10 Annual Performance Report Prepared in accordance with the requirements of the Joint Management Agreements and associated Management Plan* has been complied with and the Observers employed in 2009 as temporary employees for the season have continued to be employed in subsequent and current seasons and have been carrying out their duties.
2. Request the details of the 'catch of target and non target species' in nets used off Manly Ocean Beach as part of the Shark Meshing Program for 2011/12.

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

**Against the Resolution:** Nil.

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

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Notice of Motion Report No. 5

**Investigation and trial of LED tube replacement lighting by Manly Council  
Councillor Hugh Burns moved:**

That Council:

1. Carry out an audit of what fluorescent tubes are in its buildings and facilities to determine 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;
3. Update the Kinesis Report (presented OM 08/11/2010) to model the CO<sub>2</sub> emission reduction from a full LED tube changeover applying to all T8 and T12 fluorescent lamps in Council premises;
4. On satisfactory completion of the trial, proceed to roll out full LED tube changeover for all T8 and T12 lamps over say a 4 year period;
5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;
6. Investigate the availability of drop in LED replacement lamps for street lights. (currently ahead of market?).

**Background**

Manly Council owns many buildings which run large number of fluorescent lamp (mercury vapour) fittings to provide internal artificial illumination. By the nature of the Council facilities in which they are located, these fittings operate for long hours each day - typically 12 to 24 hours, 5 to 7 days per week.

**MOTION (Burns / Aird)**

That Council:

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;
3. Update the Kinesis Report (presented OM 08/11/2010) to model the CO<sub>2</sub> emission reduction from a full LED tube changeover applying to all T8 and T12 fluorescent lamps in Council premises;
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;
5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;
6. Investigate the availability of drop in LED replacement lamps for street lights. (currently ahead of market?).

9/12 **RESOLVED:** (Burns / Aird)

That Council:

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;
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;
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;
5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;
6. Investigate the availability of drop in LED replacement lamps for street lights. (currently ahead of market?).

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

**Against the Resolution:** LeSurf

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Notice of Motion Report No. 6

**Cabbage Tree Bay Aquatic Reserve Management**  
**Councillor Cathy Griffin moved:**

That Manly Council writes to the appropriate Minister and the Member for Manly requesting details on who is responsible for managing and ensuring the preservation of the Cabbage Tree Bay Aquatic Reserve. In addition seeking clarification on how many compliance officers are employed in the Manly area and for whom they work and are responsible to and what their responsibilities and duties are.

**MOTION (Griffin / Whitting)**

That Manly Council:

- i) Write to the appropriate Minister and the Member for Manly requesting details on who is responsible for managing and ensuring the preservation of the Cabbage Tree Bay Aquatic Reserve.
- ii) Seek clarification on how many compliance officers are employed in the Manly area and for whom they work and are responsible to and what their responsibilities and duties are.

10/12**RESOLVED:** (Griffin / Whitting)

That Manly Council:

- i) Write to the appropriate Minister and the Member for Manly requesting details on who is responsible for managing and ensuring the preservation of the Cabbage Tree Bay Aquatic Reserve.

- ii) Seek clarification on how many compliance officers are employed in the Manly area and for whom they work and are responsible to and what their responsibilities and duties are.

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

**Against the Resolution:** Nil.

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## ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 2

### Items For Brief Mention

#### 1. 2012 National General Assembly of Local Government – Call for Motions

Correspondence has been received from the Australian Local Government Association (ALGA) (copy attached) advising that the 2012 National General Assembly of Local Government (NGA) will be held in Canberra between 17-20 June, 2012.

ALGA has called for motions for the 2012 NGA under this year's theme "National Voice, Local Choice – Infrastructure, Planning, Services".

To be eligible for inclusion in the NGA Business Paper, motions must follow the principle:

1. Fall under one of the themes – infrastructure, Planning, Services;
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policy objectives of state and territory associations.

A Discussion Paper has been issued to assist Councils in preparing motions.

Motions have to be received by no later than 27 April, 2012.

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

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
217/11	12 Dec	Notice of Motion - Council develop a Bicycle Management Policy	That the matter be referred back to the Sustainable Transport Committee for consideration.	Pending
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.	Pending
187/11	17 Oct	Minutes for Adoption by Council - Landscape Management and Urban Design Committee	ITEM 4 MANLY2015 PROJECT That: 1. Council investigate incorporation of the tennis courts to facilitate better urban design outcome and entrance /egress to proposed Manly Oval underground car park.	Pending

			2. The LMUD committee expressed serious concerns regarding the Sydney Road and Raglan Street entrance and egress. In this regard request Council undertake detailed feasibility assessment.	Pending
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### 3. Tabled Documents

	Date	Author	Subject
1	20/01/12	The Hon Brad Hazzard MP Minister for Planning and Infrastructure Minister Assisting the Premier on Infrastructure NSW	Response to Council's letter concerning the Concept Plan for the proposed redevelopment of the Royal Far West Centre for Excellence site off South Steyne and Wentworth Street Manly
2	31/01/12	Yasmin King, Small Business Commissioner, NSW Government	Introductory letter introducing the NSW Small Business Commissioner in the newly established role.

#### MOTION (Heasman / Burns)

1. That the report on the 2012 National General Assembly of Local Government be received and noted.
2. That the Notices of Motion status report be received and noted.
3. That the Tabled Documents be received and noted.

#### 11/12 RESOLVED: (Heasman / Burns)

1. That the report on the 2012 National General Assembly of Local Government be received and noted.
2. That the Notices of Motion status report be received and noted.
3. That the Tabled Documents be received and noted.

**For the Resolution:** Councillors Hay, 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. 9

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

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

Landscape Management and Urban Design Committee – 7 December 2011.

**MOTION (Burns / LeSurf)**

That the minutes of the following Special Purpose Committee meeting be adopted:

- i) Landscape Management and Urban Design Committee – 7 December 2011.

**12/12 RESOLVED: (Burns / LeSurf)**

That the minutes of the following Special Purpose Committee meeting be adopted:

- i) Landscape Management and Urban Design Committee – 7 December 2011.

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

**Against the Resolution:** Nil.

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Report Of Committees Report No. 10

**Minutes for adoption by Council - Art & Culture Committee - 13 December 2011**

This report was dealt with at the Art & Culture Committee meeting of 13 December 2011 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**1. ITEM 4 Report – Exhibitions, acquisitions and collection**

Director MAGAM advised that:

- The art store had been reorganized and that all works had been rehung meaning that access to all works was now possible and a conservation treatment plan was to be devised.
- The cost of the Lambert painting restoration will be shared with the AGNSW which is borrowing it for an exhibition.
- The December quarterly review will highlight the need for funds to be diverted towards restoration of the collection.
- Proposed purchase acquisition of several ceramic pieces by Helen Earl.
- Proposed donation of a Mike Esson print.

**MOTION (Heasman / Burns)**

That the minutes of the Art & Culture Committee meeting on 13 December 2011 be adopted including the following items:

**ITEM 4 Report – Exhibitions, acquisitions and collection**

- i) That urgent treatment of the painting collection be implemented and that funds from the December quarterly review be diverted to provide for this treatment.
- ii) That a report on the treatment be presented at Council's first 2012 meeting.
- iii) That the Gallery Society be approached to gauge their interest in the purchase of the Helen Earl works; and that the Mike Esson print be accepted into the collection.

13/12 **RESOLVED:** (Heasman / Burns)

That the minutes of the Art & Culture Committee meeting on 13 December 2011 be adopted including the following items:

**ITEM 4 Report – Exhibitions, acquisitions and collection**

- i) That urgent treatment of the painting collection be implemented and that funds from the December quarterly review be diverted to provide for this treatment.
- ii) That a report on the treatment be presented at Council's first 2012 meeting.
- iii) That the Gallery Society be approached to gauge their interest in the purchase of the Helen Earl works; and that the Mike Esson print be accepted into the collection.

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

**Against the Resolution:** Nil.

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**GENERAL MANAGERS DIVISION**

General Managers Division Report No. 1

**Division of Local Government Better Practice Review Report - Manly Council**

**SUMMARY**

To inform the Council of the Division of Local Government's Better Practice Review of Manly Council undertaken during 2011.

**MOTION (LeSurf / Griffin)**

That Council:

- 1. Thank the Chief Executive of the Division of Local Government and his staff for the amount of work they had put into preparing the Report and for the advice and recommendations contained therein;
- 2. Note and endorse the Action Plan;
- 3. Thank Council's Divisional staff for the assistance they provided to the Division of Local Government during the review process, and
- 4. That a report on the progress be listed for the next Planning and Strategy Workshop.

14/12 **RESOLVED:** (LeSurf / Griffin)

That Council:

- 1. Thank the Chief Executive of the Division of Local Government and his staff for the amount of work they had put into preparing the Report and for the advice and recommendations contained therein;
- 2. Note and endorse the Action Plan;
- 3. Thank Council's Divisional staff for the assistance they provided to the Division of Local Government during the review process, and
- 4. That a report on the progress be listed for the next Planning and Strategy Workshop.



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

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General Managers Division Report No. 2

### **Induction Program and Timetable for New Councillors - 2012**

#### **SUMMARY**

A Councillors Induction Program is planned for the new Council following the September 2012 Local Government Election.

#### **MOTION (LeSurf / Heasman)**

That the information be received and noted.

15/12 **RESOLVED:** (LeSurf / Heasman)

That the information be received and noted.

**For the Resolution:** Councillors Hay, 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. 2

### **Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012**

#### **SUMMARY**

This report provides an update on achievements and progress of Council's Four Year Delivery Program 2011-2015 and One Year Operational Plan 2011-2012 for the period 1 October 2011 to 31 December 2011, in accordance with the requirements of the *Local Government Act, 1993*. Attached is a detailed matrix and graphs showing progress with the Delivery Program.

Quarterly Financial Review Reports for the period ending 31 December 2011, including variation recommendations is also discussed and detailed in the Attachments.

#### **MOTION (LeSurf / Heasman)**

That:

- i) The progress report with the Delivery Program 2011-2015 be received and noted.
- ii) The Financial Statement for the quarter ended 31 December 2011, including the revised estimates and recommended variations contained within the report, be adopted.

16/12 **RESOLVED:** (LeSurf / Heasman)

That:

- i) The progress report with the Delivery Program 2011-2015 be received and noted.
- ii) That the Financial Statement for the quarter ended 31 December 2011, including the revised estimates and recommended variations contained within the report, be adopted.

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

**Against the Resolution:** Nil.

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

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Corporate Services Division Report No. 3  
**General Valuation - Base Date 1st July 2011**  
**SUMMARY**

Council has received from the Valuer General's Office, the General Valuation for Manly at base date 1 July 2011.

**MOTION (Heasman / Burns)**

That the report be received and noted.

17/12 **RESOLVED:** (Heasman / Burns)

That the report be received and noted.

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

**Against the Resolution:** Nil.

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

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Corporate Services Division Report No. 4  
**Report on Council Investments as at 30 November 2011**  
**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 (LeSurf / Heasman)**

That:

The statement of Bank Balances and Investment Holdings as at 30 November 2011 be received and noted.

18/12 **RESOLVED:** (LeSurf / Heasman)

That:

The statement of Bank Balances and Investment Holdings as at 30 November 2011 be received and noted.

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

**Against the Resolution:** Nil.

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

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Corporate Services Division Report No. 5

**Report on Council Investments as at 31 December 2011****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 (LeSurf / Burns)**

That:

The statement of Bank Balances and Investment Holdings as at 31 December 2011 be received and noted.

19/12 **RESOLVED:** (LeSurf / Burns)

That:

The statement of Bank Balances and Investment Holdings as at 31 December 2011 be received and noted.

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

**Against the Resolution:** Nil.

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

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**CIVIC AND URBAN SERVICES DIVISION**

Civic and Urban Services Division Report No. 2

**Unstructured Recreational Strategy and Policy****SUMMARY**

This report recommends that Council gives public notice of its intention to adopt the draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy.

**MOTION (Griffin / Whitting)**

That:

1. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be endorsed.
2. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.

**20/12 RESOLVED: (Griffin / Whitting)**

That:

1. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be endorsed.
2. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.

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

**Against the Resolution:** Nil.

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Civic and Urban Services Division Report No. 3

**Adoption of the Ellery's Punt Reserve Landscape Masterplan****SUMMARY**

At Council's Planning and Strategy Committee meeting dated 5 September 2011, Council resolved to place the Final design of the Ellery's Punt Reserve Landscape Masterplan on public exhibition (PS106/11).

The Plan was publicly exhibited from 19 September to 14 October 2011. During this period, a public information day was also organised on 24 September 2011 to obtain direct community feedback on the Plan. Only one submission was received

The Landscape Masterplan and Urban Design (LMUD) Committee, at its meeting on 7 December

2011, reviewed the lone submission and staff response. The Committee recommends that Council adopts the Ellery's Punt Reserve Landscape Masterplan.

**MOTION (Burns / Griffin)**

That Council adopt the Ellery's Punt Reserve Landscape Masterplan.

**21/12 RESOLVED: (Burns / Griffin)**

That Council adopt the Ellery's Punt Reserve Landscape Masterplan.

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

**Against the Resolution:** Nil.

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

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**QUESTIONS WITHOUT NOTICE**

**QWN1/12 Councillor Burns - The Shell Water Feature/Fountain (Nautilus)**

What plans are there to restore the water feature/ fountain and do we have a budget to put it into service?

At the request of the Mayor the General Manager advised that the Manager Civic and Urban Services was looking into the cost of repairing the water feature/ fountain but it is going to be expensive as the plumbing is in a confined space and the pipes had perished and deteriorated. Ownership of the Shell is still in question.

**QWN2/12 Councillor Griffin - Signage**

1. Angelika Treichler, the little penguin warden asked when the signage for the Wildlife Protection (WLP) area would be installed to reach the Dalwood Beach?
2. Have Council staff actioned the request from Fairlight Precinct to lower the WLP signage to eye level.

At the request of the Mayor the General Manager advised the signage in question is extended to Dalwood Beach, the issue is about the height of the signs and the Deputy General Manager will investigate.

3. Direction of the signs – should be on both sides?

At the request of the Mayor the General Manager advised that he thought the signs were on both sides but he would double check.

**QWN3/12 Councillor Whitting - Traffic Problems**

I would like to know what has our local member, Mike Baird and Council done to fix the traffic problems at Balgowlah and Pittwater Road Manly outside Stella Maris College Annex and Harris Farm Shopping Centre.

May I remind Council that in December a unanimous resolution of this council was that as a matter

of urgency:

- “i) Council formally write to the minister of Roads and Maritime Services to request that provisions for pedestrians and cyclists to cross Pittwater road and Balgowlah Road close to the intersection be further investigated.
- ii) Council request an urgent onsite meeting with the local member”.

At the request of the Mayor the General Manager advised that Council had written to the Local Member and had received an acknowledgement on the matter from the Roads and Maritime Services. He would look into the matter and report back.

#### **QWN4/12 Councillor Whitting - Civil Liabilities Allowance Case**

Could the General Manager inform all councillors of its Civil Liabilities allowance Case? In addition , could a report please be completed outlining the financial and physical costs to date? Could both reports be presented to Councillors asap?

At the request of the Mayor the General Manager advised that he is dealing with this, however it is strictly a staffing matter. The issue of the Civil Liability Act is a state legislation introduced in 2004.

The case involves an allowance under the Civil Liability Act and is at present in the Industrial Commission and as it is an industrial matter is not reportable to Council.

#### **QWN5/12 Councillor Burns - New Brighton Hotel**

Using the veranda on the awning to trade and that they have no lease over the airspace to do that. What is the story of them using the awning, have we agreed is it going to arbitration?

At the request of the Mayor the General Manager advised the Council is working the issue through and Council is close to reaching an agreement where they will pay Council the amount in question for the airspace lease which they have relied on based on the approval they received from the Land and Environment Court.

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#### **CLOSE**

The meeting closed at 10.34pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 12 March 2012.

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**MAYOR**

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