

## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly  
on:

**Monday 14 March 2016**

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

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 14 March 2016. The meeting commenced at 7.30pm.

## PRESENT

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

## ALSO PRESENT

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

## OPENING PRAYER

The Opening Prayer was given by Pastor Ian Freestone from Ruach Ministries.

## APOLOGIES

### MOTION (Bingham / J Griffin)

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

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

**Against the Motion:** Nil.

### 17/16 RESOLVED: (Bingham / J Griffin)

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

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

## CONFIRMATION OF MINUTES

### MOTION (Le Surf / Heasman)

That copies of the Minutes of the Ordinary Meeting held on Monday, 08 February 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

**18/16 RESOLVED: (Le Surf / Heasman)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 08 February 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

## CONFIRMATION OF MINUTES

### MOTION (Le Surf / Heasman)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 07 March 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

**19/16 RESOLVED: (Le Surf / Heasman)**

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 07 March 2016, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

## PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Mark Houston	Moreton Bay Fig Trees in Bower Street Reserve
David Parsons	Governance
Roger Freney	Tribute to former Councillor Yvonne Rowse AM
Philip Young	Manly Precincts have met and wish to present our resolutions
Jan Ritchie	Community Consultation

## Suspension of Standing Orders

### MOTION (Le Surf / Heasman)

That Standing Orders be suspended to allow for consideration of items of public interest and that **Notice of Motion Report No. 10** – *Manly Council reject the Warringah Council Proposal for a single Northern Beaches Council* and **Notice of Motion Report No. 11** – *Manly Council Amalgamation Communication and Community Engagement Strategy* be heard consecutively and the **General Manager's Report 3** – *Warringah Council's Mega Council Merger Proposal* be brought forward and discussed at the same time.

### AMENDMENT (C Griffin / Bingham)

That Standing Orders be suspended to allow for consideration of items of public interest and that **Notice of Motion Report No. 10** – *Manly Council reject the Warringah Council Proposal for a single Northern Beaches Council* be heard separately and **General Manager's Report 3** – *Warringah Council's Mega Council Merger Proposal* and **Notice of Motion Report No. 11** – *Manly Council Amalgamation Communication and Community Engagement Strategy* be heard consecutively

**For the Amendment:** Councillors Burns, Heasman, Bingham, J Griffin and C Griffin

**Against the Amendment:** Councillors Pickering, Le Surf and Hay AM

The **Amendment** became the **motion**.

### MOTION (C Griffin / Bingham)

That Standing Orders be suspended to allow for consideration of items of public interest and that **Notice of Motion Report No. 10** – *Manly Council reject the Warringah Council Proposal for a single Northern Beaches Council* be heard separately and **General Manager's Report 3** – *Warringah Council's Mega Council Merger Proposal* and **Notice of Motion Report No. 11** – *Manly Council Amalgamation Communication and Community Engagement Strategy* be heard consecutively

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

**Against the Motion:** Nil.

### 20/16 RESOLVED: (C Griffin / Bingham)

That Standing Orders be suspended to allow for consideration of items of public interest and that **Notice of Motion Report No. 10** – *Manly Council reject the Warringah Council Proposal for a single Northern Beaches Council* be heard separately and **General Manager's Report 3** – *Warringah Council's Mega Council Merger Proposal* and **Notice of Motion Report No. 11** – *Manly Council Amalgamation Communication and Community Engagement Strategy* be heard consecutively

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### MATTER OF URGENCY

Councillor Bingham raised a matter of urgency and the Chairperson ruled that the matter was not of an urgent nature.

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Notice of Motion Report No. 9

**Changes to Bus stops and routes via Sydney Road and Belgrave Street (MC/16/30582)**

The following person addressed the meeting on this item:

In support                      John Steggall

**Councillor Cathy Griffin moved:**

**MOTION (C Griffin / Bingham)**

That:

Manly Council write to the State Transit Authority (STA) outlining the proposed changes to Sydney Rd resulting from the proposed Manly Oval Car Park. In this correspondence Manly Council seek advice from the STA of any possible changes to the bus routes that may be planned by the STA that could have an impact on the location of any arrangements for entry to and exit from the proposed Manly Oval Car Park - including a roundabout in Sydney Road. The Council to also request the STA to seek comments from the STA on the potential impact on traffic flows and bus routing as a consequence of having entry ramps into and exit ramps from the Oval Car Park.

**AMENDMENT (J Griffin / Heasman)**

That upon receipt of complying selective tenders that Manly Council write to the RMS regarding entry and exit points and ask for feedback in relation to the impact on STA bus routes and operations.

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

**Against the Amendment:** Councillors Burns, Bingham, C Griffin and Hay AM

*With the vote being equal the Mayor exercised her casting vote against the amendment and declared it **Lost**.*

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

**MOTION (C Griffin / Bingham)**

That:

Manly Council write to the State Transit Authority (STA) outlining the proposed changes to Sydney Rd resulting from the proposed Manly Oval Car Park. In this correspondence Manly Council seek advice from the STA of any possible changes to the bus routes that may be planned by the STA that could have an impact on the location of any arrangements for entry to and exit from the proposed Manly Oval Car Park - including a roundabout in Sydney Road. The Council to also request the STA to seek comments from the STA on the potential impact on traffic flows and bus routing as a consequence of having entry ramps into and exit ramps from the Oval Car Park.

**For the Motion:**                      Councillors Burns, Bingham, Pickering, C Griffin and Hay AM

**Against the Motion:**                Councillors Heasman, Le Surf and J Griffin

**21/16 RESOLVED: (C Griffin / Bingham)**

That:

Manly Council write to the State Transit Authority (STA) outlining the proposed changes to Sydney Rd resulting from the proposed Manly Oval Car Park. In this correspondence Manly Council seek advice from the STA of any possible changes to the bus routes that may be planned by the STA that could have an impact on the location of any arrangements for entry to and exit from the proposed Manly Oval Car Park - including a roundabout in Sydney Road. The Council to also request the STA to seek comments from the STA on the potential impact on traffic flows and bus routing as a consequence of having entry ramps into and exit ramps from the Oval Car Park.

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Notice of Motion Report No. 10

**Manly Council reject the Warringah Council proposal for a single northern beaches council. (MC/16/30466)**

The following person addressed the meeting on this item:

Against: Ian Nicholas

**Councillor Cathy Griffin moved that:**

**MOTION (C Griffin / Burns)**

That Manly Council reject the Warringah Council proposal for a single northern beaches council.

1. Manly Council prepare and submit a submission to the Boundary Commission in response to the Warringah Council proposal that;
  - a. does NOT SUPPORT a single council on the northern beaches,
  - b. does SUPPORT the desire for the majority of Manly LGA residents to retain its local identity and that Manly Council not merge or amalgamate with any other council,
2. This submission be made before the nominated deadline addressing the following factors (with the exception of h) listed in section 263(3) of the Local Government Act, outlining the negative impacts of the proposal for a single council on the residents of Manly LGA.
  - a. the financial advantages or disadvantages of the proposal to the residents and ratepayers of the areas concerned;
  - b. the community of interest and geographic cohesion in the existing areas and in any proposed new area;
  - c. the existing historical and traditional values in the existing areas and the impact of change on them;
  - d. the attitude of the residents and ratepayers of the areas concerned;
  - e. the requirements of the area concerned in relation to elected representation for residents and ratepayers at the local level, the desirable and appropriate relationship between elected representatives and ratepayers and residents and such other matters as considered relevant in relation to the past and future patterns of elected representation for that area;
  - f. the impact of the proposal on the ability of the council to provide adequate, equitable and appropriate services and facilities;
  - g. the impact of the proposal on the employment of the staff by the council;
  - h. the impact of the proposal on any rural communities in the resulting area;
  - i. the desirability (or otherwise) of dividing the resulting area or areas into wards



- j. the need to ensure that the opinions of each of the diverse communities of the resulting area or areas are effectively represented; and
- k. any other factors relevant to the provision of efficient and effective local government in the existing and proposed new areas.

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

**Against the Motion:** Nil.

**22/16 RESOLVED: (C Griffin / Burns)**

That Manly Council reject the Warringah Council proposal for a single northern beaches council.

1. Manly Council prepare and submit a submission to the Boundary Commission in response to the Warringah Council proposal that;
  - a. does NOT SUPPORT a single council on the northern beaches,
  - b. does SUPPORT the desire for the majority of Manly LGA residents to retain its local identity and that Manly Council not merge or amalgamate with any other council,
2. This submission be made before the nominated deadline addressing the following factors (with the exception of h) listed in section 263(3) of the Local Government Act, outlining the negative impacts of the proposal for a single council on the residents of Manly LGA.
  - a. the financial advantages or disadvantages of the proposal to the residents and ratepayers of the areas concerned;
  - b. the community of interest and geographic cohesion in the existing areas and in any proposed new area;
  - c. the existing historical and traditional values in the existing areas and the impact of change on them;
  - d. the attitude of the residents and ratepayers of the areas concerned;
  - e. the requirements of the area concerned in relation to elected representation for residents and ratepayers at the local level, the desirable and appropriate relationship between elected representatives and ratepayers and residents and such other matters as considered relevant in relation to the past and future patterns of elected representation for that area;
  - f. the impact of the proposal on the ability of the council to provide adequate, equitable and appropriate services and facilities;
  - g. the impact of the proposal on the employment of the staff by the council;
  - h. the impact of the proposal on any rural communities in the resulting area;
  - i. the desirability (or otherwise) of dividing the resulting area or areas into wards
  - j. the need to ensure that the opinions of each of the diverse communities of the resulting area or areas are effectively represented; and
  - k. any other factors relevant to the provision of efficient and effective local government in the existing and proposed new areas.

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Notice of Motion Report No. 15

**Swim Centre Detailed Report on Construction Progress (MC/16/31006)**

The following person addressed the meeting on this item:

In Support                      Alison Dodd

**Councillor Hugh Burns moved:**

**MOTION (Burns/ Pickering)**

That the General Manager provides a comprehensive report to Councillors and the public on the construction of the ABC Swim centre extensions.

The report is to include but not be limited to:

- 1) The expected opening date of the complex;
- 2) Details of both the existing retained facilities and the newly competed facilities;
- 3) The total budget for the works to expected completion;
- 4) All variations to the budget, as approved and not yet approved/resolved;
- 5) An update on site remediation matters;
- 6) Public attendance by quarter, over the last 5 years, as a base line for patronage expansion;  
and
- 7) The draft marketing and promotion plan for the new facilities.

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

**Against the Motion:**              Nil.

**23/16        RESOLVED:        (Burns / Pickering)**

That the General Manager provides a comprehensive report to Councillors and the public on the construction of the ABC Swim centre extensions.

The report is to include but not be limited to:

- 1) The expected opening date of the complex;
- 2) Details of both the existing retained facilities and the newly competed facilities;
- 3) The total budget for the works to expected completion;
- 4) All variations to the budget, as approved and not yet approved/resolved;
- 5) An update on site remediation matters;
- 6) Public attendance by quarter, over the last 5 years, as a base line for patronage expansion;  
and
- 7) The draft marketing and promotion plan for the new facilities.

\*\*\*\*\*

**GENERAL MANAGERS DIVISION**

General Managers Division Report No. 3

**Warringah Council's Mega Council Merger Proposal (MC/16/32274)**

The following person addressed the meeting on this item:

Against: Digby Hughes

**MOTION (Le Surf / Burns)**

That:

1. Council allocate \$20,000 from its existing budgets to communicate to the community, and to represent their case against a 'mega council', proposed by Warringah Council; and
2. In its submission to the delegate, Council sets out factually the community's overwhelming rejection of any 'mega council' merger proposal. It will also demonstrate that such a proposition will damage if not destroy the democratic and community interest of our residents and that a 'mega council' is incapable of delivering prosperity to present and future generations of our residential and business communities.

**AMENDMENT (C Griffin / Burns)**

That Council:

1. In its submission regarding the Warringah Council Proposal, to the delegate, Council sets out factually the community's overwhelming rejection of any 'mega council' merger proposal. It will also demonstrate that such a proposition will damage if not destroy the democratic and community interest of our residents and that a 'mega council' is incapable of delivering prosperity to present and future generations of our residential and business communities; and
2. Write to Woollahra Council congratulating them on their current legal action and allocating \$20,000 to assist with legal enquiries to assist such actions.

**For the Amendment:** Councillor C Griffin

**Against the Amendment:** Councillors Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin and Hay AM

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

**FORESHADOWED AMENDMENT (Pickering /Bingham)**

That:

1. Council allocate \$10,000 from its existing budgets to communicate to the community, and to represent their case against a 'mega council', proposed by Warringah Council; and
2. In its submission to the delegate, Council sets out factually the community's overwhelming rejection of any 'mega council' merger proposal. It will also demonstrate that such a proposition will damage if not destroy the democratic and community interest of our residents and that a 'mega council' is incapable of delivering prosperity to present and future generations of our residential and business communities.

**For the Foreshadowed Amendment:** Councillors Bingham, Pickering and Hay AM

**Against the Foreshadowed Amendment:** Councillors Burns, Heasman, Le Surf, J Griffin and C Griffin

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

**MOTION (Le Surf / Burns)**

That:

1. Council allocate \$20,000 from its existing budgets to communicate to the community, and to represent their case against a 'mega council', proposed by Warringah Council; and
2. In its submission to the delegate, Council sets out factually the community's overwhelming rejection of any 'mega council' merger proposal. It will also demonstrate that such a proposition will damage if not destroy the democratic and community interest of our residents and that a 'mega council' is incapable of delivering prosperity to present and future generations of our residential and business communities.

**For the Motion:** Councillors Burns, Heasman, Pickering, Le Surf and J Griffin

**Against the Motion:** Councillors Bingham, C Griffin and Hay AM

**24/16 RESOLVED: (Le Surf / Burns)**

That:

1. Council allocate \$20,000 from its existing budgets to communicate to the community, and to represent their case against a 'mega council', proposed by Warringah Council; and
2. In its submission to the delegate, Council sets out factually the community's overwhelming rejection of any 'mega council' merger proposal. It will also demonstrate that such a proposition will damage if not destroy the democratic and community interest of our residents and that a 'mega council' is incapable of delivering prosperity to present and future generations of our residential and business communities.

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Notice of Motion Report No. 11

**Manly Council Amalgamation Communication and Community Engagement Strategy  
(MC/16/30859)**

*This Item was withdrawn from the agenda.*

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**RESUMPTION OF STANDING ORDERS (Le Surf /Heasman)**

That Standing Orders be resumed.

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

**Against the Motion:** Nil.

**25/16 RESOLVED: (Le Surf / Heasman)**

That Standing Orders be resumed.

**NOTICES OF MOTION**

Notice of Motion Report No. 8

**Ticketless/gateless parking system (MC/16/30089)**

**Councillor Candy Bingham moved that:**

**MOTION (Bingham / C Griffin)**

That the General Manager provides a report to Council on the provision of gateless and ticketless car park system in the Whistler Street, Peninsula and Pacific Waves car parks for which a tenderer was appointed by Council in September 2015.

The report should include a timeframe for the supply, installation and expected operation of the system together with expected ongoing costs for its operation.

**For the Motion:** Councillors Burns, Heasman, Bingham, Pickering, J Griffin, C Griffin and Hay AM

**Against the Motion:** Le Surf

**26/16 RESOLVED: (Bingham / C Griffin)**

That the General Manager provides a report to Council on the provision of gateless and ticketless car park system in the Whistler Street, Peninsula and Pacific Waves car parks for which a tenderer was appointed by Council in September 2015.

The report should include a timeframe for the supply, installation and expected operation of the system together with expected ongoing costs for its operation.

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Notice of Motion Report No. 12

**Seaview Street Undergrounding of Electricity Wiring (MC/16/30868)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / )**

**That:**

1. Council investigate re-establishing with Ausgrid a program of undergrounding power in principal streets in Manly, particularly focusing on streets with major tree canopy cover, which wires are interfering with;
2. negotiations with Ausgrid should include documenting cost sharing arrangements and agreements on asset write-off, redeployment and replacement costs (and labour) based on actual costs to Ausgrid with no mark-up. The benefit to Ausgrid of maintenance cost savings (no tree trimming) should also be factored in; and
3. Council explore ways to fund its contribution for the works by means of seeking grants, resident levies (means tested for pensioners) or general contributions from rates and charges (say fixed budget amount every year).

***Due to the lack of a Seconder the Motion lapsed.***

\*\*\*\*\*

Notice of Motion Report No. 13

**Replacement Fountain in Gilbert Park Celebrating Manly Council (MC/16/30928)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / Bingham )**

That Manly Council investigate the options for replacement of the fountain in Gilbert Park the appropriate size and design, prominently incorporating the current Manly Council "shield" logo as part of its appearance for posterity.

To ensure low maintenance costs the fountain should be designed to be easy to clean and maintain, vandal and theft proof, and be constructed of materials to last 100 years (e.g. accessible pump, concealed copper and bronze plumbing and no exposed concrete).

**For the Motion:** Councillors Burns and Bingham

**Against the Motion:** Councillors Heasman, Pickering, Le Surf, J Griffin, C Griffin and Hay  
AM

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

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Notice of Motion Report No. 14

**Restoration of Hayes Lamp (1877 Council Incorporation Monument) (MC/16/31004)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / C Griffin)**

That:

1. A replacement lamp standard be investigated for commissioning by Council for the restoration of Hayes Lamp (1877 Council Incorporation Monument): and
2. The matter be referred to the Heritage Committee's May meeting for consideration and a staff report be prepared to include costing for this meeting.

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

**Against the Motion:** Nil.

**27/16 RESOLVED: (Burns / C Griffin)**

That:

1. A replacement lamp standard be investigated for commissioning by Council for the restoration of Hayes Lamp (1877 Council Incorporation Monument): and
2. The matter be referred to the Heritage Committee's May meeting for consideration and a staff report be prepared to include costing for this meeting.

\*\*\*\*\*

Notice of Motion Report No. 16

**Consultation Policy to Apply to All Manly Council Public Works (MC/16/31017)**

**Councillor Hugh Burns moved:**

**MOTION (Burns / Bingham)**

That Councillors to receive a briefing directly from the General Manager on notification of public works procedures.

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

**Against the Motion:** Nil.

**28/16 RESOLVED: (Burns / Bingham)**

That Councillors to receive a briefing directly from the General Manager on notification of public works procedures.

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**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 3

**Items For Brief Mention (MC/16/22016)****1. Complaints made to the General Manager**

Nil.

**2. Notices of Motion status report.**

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution Précis	Status
	8 Feb	Notice of Motion Report No. 7 - Link Planned Condamine Street Commuter Carpark to Manly Swim Centre	That the General Manager explore collaborative arrangements with Transport for NSW on the use of any Park and Ride facilities associated with B.line to meet the parking demands for Council's events and facilities.	Council has corresponded with Transport for NSW relaying Council's resolution. Awaiting response.
11/16	8 Feb	Notice of Motion Report No. 6 - Countdown For Pedestrians at Wharf Traffic Lights	That Manly Council writes to the Local member, Minister for Roads and RMS to ensure pedestrian countdown times are added to the Manly Wharf traffic lights and request that Manly be included in the initial roll out.	Initial advice received is that this crossing does not meet the RMS warrant for countdown timers. Matter being further investigated.
165/16	14 Dec	Notice of Motion Report No. 57 - Numbering All Council Light Fittings	That Council request that the General Manager place an identifier on Council owned light poles.	Audit process is underway matter being progressed.
164/15	14 Dec	Notice of Motion Report No. 56 - Wharf Forecourt	☐ Investigate forecourt fountain and shelter in relation to possible restoration and operation, etc.	Not feasible for renovation to progress and council in dispute over ownership of sculpture.
162/15	14 Dec	Notice of Motion Report No. 54 - Change Of Location For Major Community Events	Evaluation and review of the Manly Christmas Concert.	Report has been prepared.
142/15	9 Nov	Notice of Motion Report No. 49 - Refurbishment of Fairy Bower Pool	Actions to refurbish Fairy Bower Pool.	Upgrade design to be discussed with precinct and Council Executive <i>Scope of works and quotations being reviewed</i>

**MOTION (Le Surf / Heasman)**

That the Items For Brief Mention reports be received and noted.

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

**Against the Motion:** Nil.

**29/16 RESOLVED: (Le Surf / Heasman)**

That the Items For Brief Mention reports be received and noted.



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**REPORTS OF COMMITTEES**

Report Of Committees Report No. 4

**Minutes for Notation by Council - Special Purpose Advisory Committees without recommendations of a significant nature. (MC/16/30087)****MOTION (Pickering / Le Surf)**

That the following Special Purpose Advisory Committee minutes are tabled at the meeting for formal notation:

1. Manly Ferry & Wharf Liaison Working Group – 26 November 2016
2. Community Safety & Place Management Advisory Committee – 11 February 2016
3. Surf Club Liaison Working Group – 16 February 2016
4. Waste Advisory Committee – 17 February 2016

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

**Against the Motion:** Nil.

**30/16 RESOLVED: (Pickering / Le Surf)**

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

1. Manly Ferry & Wharf Liaison Working Group – 26 November 2016
2. Community Safety & Place Management Advisory Committee – 11 February 2016
3. Surf Club Liaison Working Group – 16 February 2016
4. Waste Advisory Committee – 17 February 2016

\*\*\*\*\*

Report Of Committees Report No. 5

**Minutes for Notation by Council - Community Environment Advisory Committee - 10 February 2016 (MC/16/28303)****MOTION (Burns / Bingham )**

That the minutes of the Community Environment Advisory Committee meeting on 10 February 2016 be received and noted, including the following items:

**ITEM 5 'STAND UP FOR NATURE' – NATURE CONSERVATION COUNCIL CAMPAIGN TO PROTECT BIODIVERSITY**

Manly Council should write to Mr. Baird to seek his commitment to do whatever is in its power to protect existing biodiversity laws and build on them for even more effective laws to fulfill the Government's election promise to enhance outcomes for nature.

**For the Motion:** Councillors Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and

**Against the Motion:** Hay AM

**31/16 RESOLVED: (Burns / Bingham)**

That the minutes of the Community Environment Advisory Committee meeting on 10 February 2016 be received and noted, including the following items:

**ITEM 5 'STAND UP FOR NATURE' – NATURE CONSERVATION COUNCIL CAMPAIGN TO PROTECT BIODIVERSITY**

Manly Council should write to Mr. Baird to seek his commitment to do whatever is in its power to protect existing biodiversity laws and build on them for even more effective laws to fulfill the Government's election promise to enhance outcomes for nature.

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**ENVIRONMENTAL SERVICES DIVISION**

Environmental Services Division Report No. 6

**Balgowlah Grey-headed Flying-fox Camp Management Plan (MC/16/10942)****MOTION (Burns / C Griffin)**

That:

1. Council adopt the 'Balgowlah Grey-headed Flying-fox Camp Management Plan' as presented;
2. Write to neighbouring Councils and the Botanical Gardens, alerting them of the increases in flying foxes at the Manly camp and remind them of shared responsibilities to ensure adequate habitat across the Northern Beaches for these endangered animals; and
3. Provide all the agencies noted with a copy of the subject report.

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

**Against the Motion:** Nil.

**32/16 RESOLVED: (Burns / C Griffin)**

That:

1. Council adopt the 'Balgowlah Grey-headed Flying-fox Camp Management Plan' as presented;
2. Write to neighbouring Councils and the Botanical Gardens, alerting them of the increases in flying foxes at the Manly camp and remind them of shared responsibilities to ensure adequate habitat across the Northern Beaches for these endangered animals; and
3. Provide all the agencies noted with a copy of the subject report.

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**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 4

**January and February Investment Reports (MC/16/9232)****MOTION (Le Surf / J Griffin)**

That: the statement of Bank Balances and Investment Holdings as at 29 February 2016 be received and noted.

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

**Against the Motion:** Nil.

**33/16 RESOLVED: (Le Surf / J Griffin)**

That: the statement of Bank Balances and Investment Holdings as at 29 February 2016 be received and noted.

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**QUESTIONS WITHOUT NOTICE****QWN10/16 Councillor Bingham - Ticketless parking metres**

How does Council propose to overcome the current problems with the ticketless parking metres? Will people who have been incorrectly fined be waived from those fines?

*At the request of the Mayor the General Manager advised that anyone that has a disputed fine may write to Council and it will be reviewed. There were a couple of issues with parking along the beach front but the issues have now been resolved.*

**QWN11/16 Councillor Bingham - Policy for closing public toilets**

Why are the public toilets along the ocean front being closed before sunset when so many people are still using the area? What is the Council's current time policy for the closing of public toilets?

*At the request of the Mayor the General Manager advised that the public toilets are normally closed at 10.00pm so this incident will be reviewed.*

**QWN12/16 Councillor Pickering** - Graffiti on Burnt Creek deviation barriers

Can Council work with the RMS to reduce the Graffiti on the noise reduction barriers along Burnt Bridge Creek?

*At the request of the Mayor the General Manager advised that Council was aware of the problem and have raised the issue with the Police. The RMS have now installed a CCTV system around the area.*

*In the long term the only answer to avoid this problem is to increase vegetation and that would discourage offenders, in the short term the area needs to be monitored.*

**QWN13/16 Councillor Burns** - Number of Precincts

How many precincts are currently in operation?

*At the request of the Mayor the General Manager advised that there are seven operating Precincts.*

**QWN14/16 Councillor Burns** - Sydney Water

Has Council receive any update on Marine Parade matters from Sydney Water?

*At the request of the Mayor the General Manager advised that Sydney Water have come to the realisation that their sewer is under the pathway and secondly Sydney Water are going to give Council certification with regards the existing infrastructure being fit for purpose in relation to the drainage across Fairy Bower Lane.*

**QWN15/16 Councillor C Griffin** - Seawall at 40 Baskets Beach

Why did Council decide to complete the seawall at 40 Baskets Beach when it was not on the priority list in the Management Plan/

*At the request of the Mayor the General Manager advised that the extension to the seawall was undertaken to ensure that the total area that was subject inundation from time to time from wave action, is able to be maintained to a certain standard.*

**QWN16/16 Councillor C Griffin** - Clarence Street Bridge

Why was the Clarence Street Bridge closed?

*At the request of the Mayor the General Manager advised that the bridge was closed in December for an inspection by an external engineer and following that assessment Council required more details on the structure of the bridge. More than-80% of the bridge was unserviceable so Council decided to close the bridge and repair or look at options for replacing the bridge in due course.*

**CONFIDENTIAL COMMITTEE OF THE WHOLE**

General Managers Division Report No. 4

**Tender for the Supply of Fitness Equipment (MC/16/32577)**

*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****MOTION (Burns / Heasman)**

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

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

**Against the Motion:** Nil.

**34/16 RESOLVED: (Burns / Heasman)**

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

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**OPEN COUNCIL RESUMED**

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

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General Managers Division Report No. 4

**Tender for the Supply of Fitness Equipment (MC/16/32577)**

**MOTION (Le Surf / Heasman)**

That Council resolve to proceed as discussed in Closed Session.

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

**Against the Motion:** Councillor C Griffin

**35/16 RESOLVED: (Le Surf / Heasman)**

That Council resolve to proceed as discussed in Closed Session.

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**CLOSE**

The meeting closed at [12.05am Tuesday 15 March 2016](#).

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

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**MAYOR**

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