

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 14 July 2014

All minutes are subject to confirmation at a subsequent meeting.

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at Manly Council, Manly Library and Seaforth Library and are available on
Council's website:*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 14 July 2014. The meeting commenced at 7.36pm.

PRESENT

Her Worship, The Mayor, Jean Hay AM, who presided
Councillor C Bingham
Councillor H Burns
Councillor C Griffin
Councillor J Griffin
Councillor A Heasman, Deputy Mayor
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 Freeston, Ruach Ministries.

APOLOGIES

MOTION (Burns / Heasman)

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

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

Against the Resolution: Nil.

90/14 RESOLVED: (Burns / Heasman)

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

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, 02 June 2014, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

91/14 **RESOLVED: (Le Surf / Bingham)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 02 June 2014, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Mr David Barr	Street Tree Inventory update

SUSPENSION OF STANDING ORDERS (Pickering /Heasman)

That Standing Orders be suspended to consider items of public interest being: Mayoral Minute Report No. 7 – Queens Birthday Honours 2014; Notice of Motion Report No. 26 – Cycle route from Seaforth to Manly CBD via the Burnt Bridge Creek shared path.

92/14 RESOLVED: (Pickering / Heasman)

That Standing Orders be suspended to consider items of public interest being: Mayoral Minute Report No. 7 – Queens Birthday Honours 2014; Notice of Motion Report No. 26 – Cycle route from Seaforth to Manly CBD via the Burnt Bridge Creek shared path.

Notice of Motion Report No. 27

Reduction in Shark Meshing Program netting days (MC/14/80508)

The following person addressed the meeting on this item:

Sharnie Connell - In support of the item

Councillor Cathy Griffin moved that Manly Council:

MOTION (C Griffin / Bingham)

1. Support a 30% reduction in the number of shark mesh program (SMP) netting days along Manly Ocean Beach, delaying the installation of the SMP nets from 1 September to 1 October and withdrawing the nets on 1 April the following year;
2. Requests the NSW Dept of Fisheries trial non lethal alternatives to shark meshing along the Manly Ocean beach;
3. Implement measures to reduce the perception of risk to the community by any reduction in beach meshing days;
4. Write to the Hon Mike Baird, NSW Premier and Member for Manly, Rob Stokes the Minister for Planning and Environment, Robyn Parker the Minister for Primary Industries and Fisheries stating why Manly Council supports the reduction in shark mesh netting days and the trialling of non lethal alternative measures; and

5. Write to the Sydney Coastal Council Group and seek member councils support to reduce the shark mesh netting days and the trialling of non lethal alternative measures.

AMENDMENT (Pickering / Heasman)

1. Write to the Hon Mike Baird, MP, NSW Premier and Member for Manly; Rob Stokes, MP, Minister for the Environment; Katrina Hodgkinson, MP, Minister for Primary Industries and the Sydney Coastal Council Group requesting and/or seeking support for a Review of the NSW Shark Meshing program at the end of the 2014 meshing season;
2. Requests the Shark Meshing Program Review considers non-lethal alternatives to shark meshing and a reduction in beach meshing days on meshed NSW beaches; and
3. Requests the Shark Meshing Program Review considers measures to reduce the perception of risk to the community by any reduction in beach meshing days.

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

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

With the voting being equal the Mayor exercised her casting vote for the **amendment** and declared it **Won**.

MOTION (Pickering / Heasman)

1. Write to the Hon Mike Baird, MP, NSW Premier and Member for Manly; Rob Stokes, MP, Minister for the Environment; Katrina Hodgkinson, MP, Minister for Primary Industries and the Sydney Coastal Council Group requesting and/or seeking support for a Review of the NSW Shark Meshing program at the end of the 2014 meshing season;
2. Requests the Shark Meshing Program Review considers non-lethal alternatives to shark meshing and a reduction in beach meshing days on meshed NSW beaches; and
3. Requests the Shark Meshing Program Review considers measures to reduce the perception of risk to the community by any reduction in beach meshing days.

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

Against the Resolution: Nil.

93/14 RESOLVED: (Pickering / Heasman)

1. Write to the Hon Mike Baird, MP, NSW Premier and Member for Manly; Rob Stokes, MP, Minister for the Environment; Katrina Hodgkinson, MP, Minister for Primary Industries and the Sydney Coastal Council Group requesting and/or seeking support for a Review of the NSW Shark Meshing program at the end of the 2014 meshing season;
2. Requests the Shark Meshing Program Review considers non-lethal alternatives to shark meshing and a reduction in beach meshing days on meshed NSW beaches; and
3. Requests the Shark Meshing Program Review considers measures to reduce the perception of risk to the community by any reduction in beach meshing days.

RESUMPTION OF STANDING ORDERS (Pickering / Heasman)

That Standing Orders be resumed.

94/12 RESOLVED: (Pickering / Heasman)

That Standing Orders be resumed.

Councillor Griffin left the Chamber.

MAYORAL MINUTES

Mayoral Minute Report No. 7

Queen's Birthday Honours 2014 (MC/14/81525)**Moved that:**

The Mayor writes to the Manly LGA Honours recipients congratulating them on their awards.

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

Against the Resolution: Nil

95/14 RESOLVED: (Hay AM)

The Mayor writes to the Manly LGA Honours recipients congratulating them on their awards.

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

Councillor C Griffin returned to the Chamber .

NOTICES OF MOTION

Notice of Motion Report No. 26

Cycle route from Seaforth to Manly CBD via the Burnt Bridge Creek shared path (MC/14/80501)

Councillor Cathy Griffin moved that Manly Council:

MOTION (C Griffin / Burns)

That Council refer the matter to the General Manager.

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

Against the Resolution: Nil.

96/14 RESOLVED: (C Griffin / Burns)

That Council refer the matter to the General Manager.

Notice of Motion Report No. 28

Replica Royal Surfboard (MC/14/80509)
Councillor Candy Bingham moved that:

MOTION (Bingham / Burns)

That Council research the protocol of commissioning a full size replica of the surfboard presented to their Royal Highnesses the Duke & Duchess of Cambridge during their historic and significant visit to Manly, as a memento of their visit.

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

Against the Resolution: Councillors Le Surf,

97/14 RESOLVED: (Bingham / Burns)

That Council research the protocol of commissioning a full size replica of the surfboard presented to their Royal Highnesses the Duke & Duchess of Cambridge during their historic and significant visit to Manly, as a memento of their visit.

The following Notice of Motion was withdrawn

Notice of Motion Report No. 29

Manly Art Gallery and Museum Planning (MC/14/80666)

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 9

Items For Brief Mention (MC/14/63151)

1. Complaints made to the General Manager

Received	Nature of complaint	Status
Nil		

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
79/14	02 June	Notice of Motion Report 23 - Boundary Markers for Leased Footpath Areas	That Manly progressively install permanent outdoor seating boundary markers.	In progress
69/14	12 May	Notice of Motion Report 21 - Kenneth Road Traffic Conditions	This be referred back to the Traffic Committee to review the traffic speed limits and determine the accuracy of the boundary fence in situ via a survey	Speed change request is with RMS. Northern boundary works in progress, survey completed.

68/14	12 May	Notice of Motion Report 17 - Changes to Garbage Collection Times, Market Lane	Council staff investigate and prepare a report on garbage collection times in the shared pedestrian areas of Market Lane.	In progress for August OM.
66/14	12 May	Notice of Motion Report 20 - Noise mitigation measures for Manly Cove	Noise around Manly Cove.	Outgoing correspondence completed. Report In progress for August OM.
65/14	12 May	Notice of Motion 19 - Formation of the Little Manly Park Landscaping Group	Council refer the following item to the next Public Domains Committee	Item will be referred to the Public Domains C'tee when designs are agreed to.
29/14	10 Mar	Notice of Motion Report 7 - Ausgrid Street Tree Removal & Pruning	Council prepares a motion to the LG Conference in October to this effect.	Motion lodged. Complete
10/14	10 Feb	Clock to be Replaced on Manly Surf Pavilion	That Councillor Burns consult with the General Manager of the Manly Surf Club regarding their plans for installing a new clock on the facade of the building.	In progress

3. Tabled Documents

Date	Author	Subject
6 June	Mark Maloney Regional Projects Manager, Sydney NSW Trade & Investment – Crown Lands Division, Sydney NSW Government	Email reply to Council's letter regarding Council Resolution to support the objections raised by the Precinct Committee.
3 Jun 14	Mark I Paterson AO Secretary NSW Government – Trade & Investment	Ausgrid tree pruning procedures
11 June	Mike Baird State Member for Manly	Reply to Council's letter concerning homelessness and affordable housing.
11 June	Mike Baird State Member for Manly	Reply to Council's letter concerning Container Deposit Legislation
11 June	Mike Baird State Member for Manly	Reply to Council's letter concerning funding for NSW public libraries.
13 June	Troy Grant MP Minister for Hospitality, Gaming & Racing, Minister for the Arts NSW Government	Reply to Council's letter concerning funding for NSW public libraries.
20 June	Troy Grant MP Minister for Hospitality, Gaming & Racing, Minister for the Arts NSW Government	Further letter to Council's letter concerning funding for NSW public libraries.
16 June	Ross Woodward Chief Executive Office of Local Government	14-14 Circular to Councils Managing owner compliance with the strict control requirements provided by the Companion Animals Act for dangerous, menacing and restricted dogs
16 June	The Hon Jillian Skinner MP Minister for Health Minister for Medical Research NSW Government	Thank you to Manly Council for its ongoing commitment to the health of its community.
18 June	Kerrie Mather	Sydney Airport's Environment Strategy 2013 –

	Chief Executive Office Sydney Airport Corporation Ltd	2018 has been approved by the Australian Government and is available for download at: http://www.sydneyairport.com.au/corporate/community-environment-and-planning/environment/policy-and-strategy.aspx
30 June	Ross Woodward Chief Executive Office of Local Government	14-15 Circular to Councils Reminder – Councils to help improve property addresses and signage
30 June	Ross Woodward Chief Executive Office of Local Government	14-17 Circular to Councils Comparative Information on NSW Local Government 2012-13
30 June	Mike Baird State Member for Manly	Noise from the Manly Wharf Precinct and its impact on residents around Manly Cove
30 June 14	Ross Woodward Chief Executive Office of Local Government NSW Government	Circular to Councils No. 14-18 Increase to companion animal registration fees in line with CPI
2 July 14	Mike Baird MP State Member for Manly	North Head Wastewater Treatment Plant odours and Letter from Sydney Water regarding a voluntary audit undertaken.
4 July 14	The Hon Rob Stokes MP Minister for the Environment The Hon Paul Toole MP Minister for Local Government	Ministerial Circular M14/04 NSW government support for the 2014 garage sale trail.

4. Manly Lagoon Catchment Coordination Committee

Manly Council will assume the auspice of this joint Councils Committee from August 2014. The General Manager has approached Clr Burns and he has agreed to Chair the Committee

MOTION (Heasman / J Griffin)

That Item For Brief Mention reports 1, 2, and 3 be received and noted.

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

Against the Resolution: Nil.

98/14 RESOLVED: (Heasman / J Griffin)

That Item For Brief Mention reports 1, 2, and 3 be received and noted.

MOTION (Le Surf/ Heasman)

That Clr Burns be appointed as Chair of the Manly Lagoon Catchment Coordination Committee.

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

Against the Resolution: Nil.

99/14 RESOLVED: (Le Surf / Heasman)

That Clr Burns be appointed as Chair of the Manly Lagoon Catchment Coordination Committee.

REPORTS OF COMMITTEES

Report Of Committees Report No. 19

Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/14/68702)

MOTION (Le Surf / Burns)

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

1. Manly Lagoon Catchment Coordinating Committee	13 March 2014
2. Public Domains Working Group	30 April 2014
3. Harbour Foreshores & Coastline Management Advisory Committee	13 May 2014
4. Community Environment Advisory Committee	14 May 2014
5. Meals on Wheels Advisory Committee	14 May 2014
6. Economic Development & Tourism Advisory Committee	15 May 2014
7. Manly Sister Cities Advisory Committee	28 May 2014
8. Manly Local Traffic Committee	2 June 2014
9. Audit & Risk Advisory Committee	4 June 2014
10. Sports & Recreational Facilities Advisory Committee	6 June 2014
11. Meals on Wheels Advisory Committee	11 June 2014
12. Community Safety & Place Management Advisory Committee	12 June 2014
13. Art & Culture Advisory Committee	17 June 2014
14. Heritage & Local History Advisory Committee	2 July 2014
15. Manly Arts Festival Working Group	2 July 2014

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

Against the Resolution: Nil

100/14 RESOLVED: (Le Surf / Burns)

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

1. Manly Lagoon Catchment Coordinating Committee	13 March 2014
2. Public Domains Working Group	30 April 2014
3. Harbour Foreshores & Coastline Management Advisory Committee	13 May 2014
4. Community Environment Advisory Committee	14 May 2014
5. Meals on Wheels Advisory Committee	14 May 2014
6. Economic Development & Tourism Advisory Committee	15 May 2014
7. Manly Sister Cities Advisory Committee	28 May 2014
8. Manly Local Traffic Committee	2 June 2014
9. Audit & Risk Advisory Committee	4 June 2014
10. Sports & Recreational Facilities Advisory Committee	6 June 2014
11. Meals on Wheels Advisory Committee	11 June 2014
12. Community Safety & Place Management Advisory Committee	12 June 2014
13. Art & Culture Advisory Committee	17 June 2014
14. Heritage & Local History Advisory Committee	2 July 2014
15. Manly Arts Festival Working Group	2 July 2014

Councillor Pickering left the Chamber

Report Of Committees Report No. 20

Minutes for notation by Council - Waste Advisory Committee - 2 April 2014. (MC/14/68268)

This report was dealt with at the Waste Advisory Committee meeting of 2 April 2014 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

General Business – Beach Cleansing

The Committee would like to pass on their appreciation to all staff members who manually litter pick Shelley Beach.

The Committee also noted the amount of litter left daily, including the high volume of cigarette butts in and around the BBQ areas, and more importantly the impact of this on the environment and the cost of its daily removal.

The Committee requests that Council consider the removal of the BBQs for a trial period and assess the impact that this has on the behaviour of visitors to Shelley Beach.

MOTION (Le Surf / J Griffin)

That the minutes of the Waste Advisory Committee meeting on 14 May 2014 be received and noted including the following;

General Business – Beach Cleansing

The Committee recommend to the General Manager that:

1. The amount/volume of rubbish collected through our beach raking activities is included in reports to Council; and
2. *The removal of BBQs at Shelley Beach for a trial period and the assessment of visitor behaviours to be placed on the Public Domains Advisory Committee agenda at the next meeting.*

Council receive and note the Committee's recommendation but take no further action on point 2 of its recommendation.

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

Against the Resolution: Nil.

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

101/14 RESOLVED: (Le Surf / J Griffin)

That the minutes of the Waste Advisory Committee meeting on 14 May 2014 be received and noted including the following;

General Business – Beach Cleansing

The Committee recommend to the General Manager that:

1. The amount/volume of rubbish collected through our beach raking activities is included in reports to Council; and

2. *The removal of BBQs at Shelley Beach for a trial period and the assessment of visitor behaviours to be placed on the Public Domains Advisory Committee agenda at the next meeting.*

Council receive and note the Committee's recommendation but take no further action on point 2 of its recommendation.

Councillor Pickering returned to the Chamber.

Report Of Committees Report No. 21

Minutes for notation by Council - Community Environment Advisory Committee - 11 June 2014 (MC/14/76734)

MOTION (C Griffin / Heasman)

That the minutes of the Community Environment Advisory Committee meeting of 11 June 2014 be received and noted, including the following;

ITEM 9 - CABBAGE TREE BAY ISSUES - Updates From – Friends of Cabbage Tree Bay (FOCTB) Working Group

b. CSIRO National Marine Debris Study

Although this report will not be available until August, some of its major findings were recently highlighted in various media, eg that the largest concentration of marine debris on any Australian beach was to be found on Shelly Beach.

The Committee expressed concern that perhaps Shelly Beach Manly might have been confused with a Shelly Beach elsewhere and questioned the method of data collection which determined the concentration of marine debris on beaches.

ITEM 9 - CABBAGE TREE BAY ISSUES - Updates From – Friends of Cabbage Tree Bay (FOCTB) Working Group

d. BBQ area at Shelly Beach:

The Committee discussed the BBQs, their location and the litter that is left by some parties after a BBQ. The Committee considers that changes to the rear of the beach be made to enhance the environment and recreational value of the area.

It was agreed that the temporary hessian fence and the garden beds did not appear to be working at preventing the dune form naturally and it was suggested that this method of landscaping be reconsidered.

The Committee enquires as to whether the International School pays for the use of the area.

ITEM 11 – MANLY COUNCIL COMMUNITY ENVIRONMENT COMMITTEE 25th YEAR

The Committee discussed options regarding the celebration of the 25th Year of operation of the Manly Council Community Environment Committee. Some ideas were canvassed such as a civic reception and dinner inviting previous members and Chairs to such an event, creating a book etc and it was decided to discuss in detail at the next meeting.

ITEM 12 - COMMITTEE MEMBERSHIP

The Committee supports the applications of Jon Panic and Janne Seletto and welcomes them to the next meeting.

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

Against the Resolution: Nil.

102/14 RESOLVED: (C Griffin / Heasman)

That the minutes of the Community Environment Advisory Committee meeting of 11 June 2014 be received and noted, including the following;

ITEM 9 - CABBAGE TREE BAY ISSUES - Updates From – Friends of Cabbage Tree Bay (FOCTB) Working Group

The Committee recommends to the General Manager:

That given the CSIRO final report will not be released until August, that Council write to CSIRO to request written clarification that:

- Shelly Beach Manly is the beach with the most marine debris; and
- a brief extract of the method of data collection and results as it relates to Shelly Beach,

ITEM 9 - CABBAGE TREE BAY ISSUES - Updates From - Friends of Cabbage Tree Bay (FOCTB) Working Group**d. BBQ area at Shelly Beach:**

That the Committee recommend to the General Manager that a masterplan be developed in consultation with the Environment Committee members and community who are interested in improving the area.

Council considers the health of the Coral Flame tree adjacent to the BBQ area.

ITEM 11 – MANLY COUNCIL COMMUNITY ENVIRONMENT COMMITTEE 25th YEAR

The Committee recommends to the General Manager that the information be noted.

ITEM 12 - COMMITTEE MEMBERSHIP

The Committee recommends to the General Manager that Council write to the applicants and advise them of their successful applications.

Report Of Committees Report No. 22

**Minutes for notation by Council - Public Domains Advisory Committee - 18 June 2014
(MC/14/78976)**

MOTION (Burns / Heasman)

That the minutes of the Public Domains Advisory Committee meeting on 18 June 2014 be received and noted including;

ITEM 6 SEAFORTH TAFE – DA54/2014 – PRESENTATION

- i) That the General Manager receive the Minutes of the Public Domains Committee meeting of 18 June 2014; and
- ii) That the internal layout plans for the community areas of 1600 sq. metres and the requests for clarification on items be provided to a meeting to be held in the first week of July (date to be advised).

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

Against the Resolution: Nil.

103/14 RESOLVED: (Burns / Heasman)

That the minutes of the Public Domains Advisory Committee meeting on 18 June 2014 be received and noted including;

ITEM 6 SEAFORTH TAFE – DA54/2014 – PRESENTATION

- i) That the General Manager receive the Minutes of the Public Domains Committee meeting of 18 June 2014; and
- ii) That the internal layout plans for the community areas of 1600 sq. metres and the requests for clarification on items be provided to a meeting to be held in the first week of July (date to be advised).

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 19

Development Applications Being Processed During July 2014 (MC/14/63139)

SUMMARY

Development applications being processed during July 2014.

MOTION (Le Surf / J Griffin)

THAT the information be received and noted.

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

Against the Resolution: Nil.

104/14 RESOLVED: (Le Surf / J Griffin)

THAT the information be received and noted.

Environmental Services Division Report No. 20

List of LEC Appeals Relating to Development Applications during July 2014 (MC/14/63144)

MOTION (Le Surf / J Griffin)

THAT the information be noted.

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

Against the Resolution: Nil.

105/14 RESOLVED: (Le Surf / J Griffin)

THAT the information be noted.

Environmental Services Division Report No. 21

Report on Local Exemptions from the Codes SEPP (MC/14/76683)

SUMMARY

This report provides an update on Council's proposal to the Department of Planning and Infrastructure for three (3) specific exclusion areas from the *Exempt and Complying Code SEPP 2008* (Codes SEPP).

MOTION (C Griffin / Le Surf)

THAT Council note the above report.

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

Against the Resolution: Nil.

106/14 RESOLVED: (C Griffin / Le Surf)

THAT Council note the above report.

Environmental Services Division Report No. 22

LEP Proposal for Local Area Land Exclusion in Relation to Boarding Houses (MC/14/79641)

MOTION (Heasman / Le Surf)

1. That Council note the above report and concur with the findings of the report including the proposed local exclusion area and supporting evidence for the area.
2. That Council approach the Department of Planning and Environment with the report, enabling the Department to review the local exclusion area and supporting evidence in preparation for drafting a local provision for the MLEP 2013.
3. That on receipt of the Department's agreement in principle, Council submits a Planning Proposal to the Department of Planning and Environment for a Gateway Determination, enabling Council to make the LEP under delegation.

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

Against the Resolution: Nil.

107/14 RESOLVED: (Heasman / Le Surf)

1. That Council note the above report and concur with the findings of the report including the proposed local exclusion area and supporting evidence for the area.
2. That Council approach the Department of Planning and Environment with the report, enabling the Department to review the local exclusion area and supporting evidence in preparation for drafting a local provision for the MLEP 2013.
3. That on receipt of the Department's agreement in principle, Council submits a Planning Proposal to the Department of Planning and Environment for a Gateway Determination, enabling Council to make the LEP under delegation.

Environmental Services Division Report No. 23

Report on Draft Development Control Plan for former Seaforth TAFE site (MC/14/79740)

MOTION (Le Surf / J Griffin)

That Council,

1. Support the proposed Draft DCP for the former Seaforth TAFE site.
2. Exhibit the Draft DCP for the former Seaforth TAFE site and consult with the community on this proposed amendment for a period of twenty-eight (28) days.

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

Against the Resolution: Nil.

108/14 RESOLVED: (Le Surf / J Griffin)

That Council,

1. Support the proposed Draft DCP for the former Seaforth TAFE site.
2. Exhibit the Draft DCP for the former Seaforth TAFE site and consult with the community on this proposed amendment for a period of twenty-eight (28) days.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 13

Report on Council Investments as at 31 May 2014 and as at 30 June 2014 (MC/14/56591)

MOTION (Le Surf / Heasman)

That: the statement of Bank Balances and Investment Holdings as at 31 May 2014 and as at 30 June 2014 be received and noted.

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

Against the Resolution: Nil.

109/14 RESOLVED: (Le Surf / Heasman)

That: the statement of Bank Balances and Investment Holdings as at 31 May 2014 and as at 30 June 2014 be received and noted.

QUESTIONS WITHOUT NOTICE**QWN39/14 Councillor Bingham - Council Logo's**

Would the General Manager provide legal advice as to why it is necessary to use two logos on all Council materials promoting Manly as "Surf City". Would it be possible to decide on one logo, namely Surf City, Manly, Australia and use just the one for future materials?

At the request of the Mayor the General Manager advised that he has asked the graphic staff to review and act on the issue.

QWN40/14 Councillor Pickering - Clontarf Marina

Enquired regarding the conditions the JRPP imposed on the development?

At the request of the Mayor the Deputy General Manager advised that all conditions have been approved by the JRPP and that they sent a copy to the applicant and the Consent has been issued.

QWN41/14 Councillor Heasman - Ausgrid and contractors

Would the General Manager clarify the feasibility of Manly Council sub-contracting pruning services to Ausgrid?

At the request of the Mayor the General Manager advised that Council is not set up to undertake the work in question and irrespectively of what the contracting arrangements are there is a statutory requirement for electricity suppliers to clear vegetation from the wires by a certain distance.

QWN42/14 Councillor J Griffin - Lighting Plaza

Would the General Manager be able to provide an update or status report on the possibility of further lighting in Manly Plaza.

At the request of the Mayor the General Manager advised that Council cannot install decorative lighting until there is an agreement from the adjoining buildings.

QWN43/14 Councillor Burns - Council Services

Has Council received any approaches from external entities to take over Council services such as childcare, waste etc?

At the request of the Mayor the General Manager advised that Council is regularly approached by independent / private sector entities in relation to taking over services.

QWN44/14 Councillor Burns

Do we receive any rates or income from the Sydney Federation Trust site including the residential buildings?

At the request of the Mayor the General Manager advised anything north of the stone gate is State Government land and not ratepayers of Manly Council.

QWN45/14 Councillor C Griffin - EOI on the Farmers Market

Would the General Manager provide an update on the progress of the Farmers Market EOI for Manly Plaza?

At the request of the Mayor the General Manager advised Council had received two proposals and are currently assessing them.

QWN46/14 Councillor C Griffin - Carbon Tax

What will be the impact on the Manly Council as a result of the repeal of the Carbon tax.

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

CLOSE

The meeting closed at [10.10pm](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [11 August 2014](#).

MAYOR

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