

## Minutes

### Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly  
on:

**Monday 14 October 2013**

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

*Copies of business papers are available at the Customer Service Counters  
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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 14 October 2013. The meeting commenced at 7.33pm.

## PRESENT

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

## ALSO PRESENT

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

## OPENING PRAYER

The Opening Prayer was presented by Father Taylor, St Mary's Catholic Church Manly.

## APOLOGIES

Nil

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

| <b>Name:</b>        | <b>Item Number:</b>                                                                                                 | <b>Nature of Interest:</b>                              |
|---------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Clr Barbara Aird    | ESD Report No 30 –<br>Proposed Exhibition of<br>Amendment to Manly LEP<br>Plan 2013 – Rezoning of<br>Pacific Parade | Lives in Pacific Parade.                                |
| Clr Steve Pickering | ESD Report No. 32 –<br>Development Applications<br>Being processed during<br>October 2013                           | Lives next door to 41 Wanganella subject<br>to DA151/13 |

**CONFIRMATION OF MINUTES****MOTION (Le Surf / J Griffin)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 09 September 2013, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting with the exception of (Matter of Urgency) raised by Cllr Bingham but not accepted by the Chair . This matter to be referred to DLG for advice.

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

**Against the Resolution:** Nil.

**166/13 RESOLVED: (Bingham / Burns)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 09 September 2013, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting with the exception of (Matter of Urgency) raised by Cllr Bingham but not accepted by the Chair . This matter to be referred to DLG for advice.

**PUBLIC FORUM**

| <b>NAME</b>      | <b>SUBJECT/PUBLIC SPEAKERS</b>                                                                                                                                                                                  |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dr Beth McDonald | Update Councillors on progress of LM Graham Working party between Dog Owners, Residents and Rates Payers, Council and Sporting Groups. Important issues to be raised regarding "inaction" rather than "action". |
| David Parsons    | Governance                                                                                                                                                                                                      |
| Karen Pitt       | Land Acquisition (Just Terms Compensation) Act 1991                                                                                                                                                             |
| Judy Brain       | Save Little Manly Beach Foreshore v Manly Council Court Case in Land 78 Environment Court on 24 & 25 September 2013                                                                                             |

\*\*\*\*\*

**MAYORAL MINUTES****Mayoral Minute Report No. 15****Council Rejects Telstra Tower (MC/13/121491)**

The following persons addressed the meeting on this item:

In support of the Motion: Michael Peters

**MOTION (Hay AM)**

That:

- i) Telstra be advised in writing that Council will not be granting tenure for a mobile phone tower anywhere on the site of the Balgowlah Bowling Club.
- ii) That Council write to the Federal Member for Warringah, The Hon Tony Abbott, Prime Minister and Minister of Community, Hon Malcolm Turnbull highlighting the issues articulated by the Chair of the Balgowlah Heights Precinct.

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

**Against the Resolution:** Nil.

**166/13 RESOLVED: (Hay AM)**

That:

- i) Telstra be advised in writing that Council will not be granting tenure for a mobile phone tower anywhere on the site of the Balgowlah Bowling Club.
- ii) That Council write to the Federal Member for Warringah, The Hon Tony Abbott, Prime Minister and Minister of Community, Hon Malcolm Turnbull highlighting the issues articulated by the Chair of the Balgowlah Heights Precinct.

\*\*\*\*\*

Mayoral Minute Report No. 12

**Manly Andrew Boy Charlton Swim Centre Redevelopment - Water Polo Pool Proposal (MC/13/120393)****MOTION (Hay AM)**

That Council explore the possibility and funding opportunity to provide a water polo pool in the Manly Andrew Boy Charlton Swim Centre to complement the existing pools and those in the proposed indoor facility.

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

**167/13 RESOLVED: (Hay AM)**

That Council explore the possibility and funding opportunity to provide a water polo pool in the Manly Andrew Boy Charlton Swim Centre to complement the existing pools and those in the proposed indoor facility.

\*\*\*\*\*

## NOTICES OF RESCISSION

Notice of Rescission Report No. 4

### **Re-zoning of Stuart Street Manly (MC/13/120662)**

The following persons addressed the meeting on this item:

In support of the Motion: Jacqueline French

**Councillors Cathy Griffin, Barbara Aird, and Hugh Burns moved:**

“That the Council’s decision of 9 September 2013 being Environment Services Division Report No. 17 in respect of Re-zoning of Stuart Street Manly be and is hereby rescinded.”

### **MOTION (C Griffin / Aird )**

That the Council’s decision of 9 September 2013 being Environment Services Division Report No. 17 in respect of Re-zoning of Stuart Street Manly be and is hereby rescinded.”

### **AMENDMENT (Le Surf / Pickering)**

That this Rescission Motion be deferred to allow Council to seek legal advice before the next Ordinary Meeting to consider its options.

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

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

### **MOTION (Le Surf / Pickering)**

That this Rescission Motion be deferred to allow Council to seek legal advice before the next Ordinary Meeting to consider its options.

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

**168/13 RESOLVED: (Le Surf / Pickering)**

That this Rescission Motion be deferred to allow Council to seek legal advice before the next Ordinary Meeting to consider its options.

\*\*\*\*\*

**SUSPENSION OF STANDING ORDERS (Hay AM / Heasman)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion No 63 – Manly Swim Centre – deferral of DA 177/2013 for consideration of the inclusion of a water polo pool; Notice of Motion Report No. 62 – Online Engagement Tools; Corporate Services Division Report No. 23 – Election of Deputy Mayor; Corporate Services Division Report No.24 Appointment of Chairperson and Deputy Chairperson for Planning and Strategy; Notice of Motion Report No. 64 - Clarification of TCorp's Assessment of Manly 2015 Plan; Notice of Motion Report No. 70 – Unacceptable massive increase in multi modal weekly ticket price; Notice of Motion Report No 71 – High Pressure Water Clean of Sydney Road Plaza.

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

**Against the Resolution:** Nil.

**169/13 RESOLVED: (Hay AM / Heasman)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion No 63 – Manly Swim Centre – deferral of DA 177/2013 for consideration of the inclusion of a water polo pool; Notice of Motion Report No. 62 – Online Engagement Tools; Corporate Services Division Report No. 23 – Election of Deputy Mayor; Corporate Services Division Report No.24 Appointment of Chairperson and Deputy Chairperson for Planning and Strategy; Notice of Motion Report No. 64 - Clarification of TCorp's Assessment of Manly 2015 Plan; Notice of Motion Report No. 70 – Unacceptable massive increase in multi modal weekly ticket price; Notice of Motion Report No 71 – High Pressure Water Clean of Sydney Road Plaza.

\*\*\*\*\*

**NOTICES OF MOTION****Notice of Motion Report No. 63****Manly Swim Centre - deferral of DA 177/2013 for consideration of the inclusion of a water polo pool (MC/13/119060)**

The following persons addressed the meeting on this item:

In support of the Motion: Henry Joyce – President, Manly Warringah Water Polo

**Councillor Cathy Griffin moved that:**

1. Manly Council defer the DA 177/2013 for the Manly Swim Centre.
2. Amend plans to include an international standard waterpolo pool and exhibit for consultation.
3. Manly Council provide updated detailed financial plan or 'business case' for exhibition with the amended plans for the new Swim Centre. This should include scenarios for comparison with and without an international waterpolo pool as well as including options for self managing and outsourcing activities, programmes and operations.
4. Manly Council conduct detailed consultation with stakeholders.
5. Re exhibit amended plans including Swim centre management options.



**MOTION (C Griffin / Aird)****That:**

1. Manly Council defer the DA 177/2013 for the Manly Swim Centre;
2. Amend plans to include an international standard waterpolo pool and exhibit for consultation;
3. Manly Council provide updated detailed financial plan or 'business case' for exhibition with the amended plans for the new Swim Centre. This should include scenarios for comparison with and without an international waterpolo pool as well as including options for self managing and outsourcing activities, programmes and operations;
4. Manly Council conduct detailed consultation with stakeholders; and
5. Re exhibit amended plans including Swim centre management options.

**For the Resolution:** Councillors Aird, Burns and J Griffin

**Against the Resolution:** Councillors Heasman, Bingham, Pickering, Le Surf and Hay

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

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

\*\*\*\*\*

**Notice of Motion Report No. 62****Online Engagement Tools (MC/13/110956)****Councillor James Griffin moved:**

That Council explore the use of 'online engagement tools' as part of the standard operating procedure for community consultation undertaken by Manly Council.

**MOTION (J Griffin / Pickering)**

That Council explore the use of 'online engagement tools' as part of the standard operating procedure for community consultation undertaken by Manly Council.

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

**Against the Resolution:** Councillor C Griffin

**170/13 RESOLVED: (J Griffin / Pickering)**

That Council explore the use of 'online engagement tools' as part of the standard operating procedure for community consultation undertaken by Manly Council.

\*\*\*\*\*

The Mayor, Councillor Hay vacated the Chair at 10.43pm and Councillor Le Surf assumed the Chair.

\*\*\*\*\*

Councillor Le Surf vacated the Chair at 10.46pm and the Mayor, Councillor Hay assumed the Chair.

\*\*\*\*\*

Corporate Services Division Report No. 23  
**Election of Deputy Mayor (MC/13/105134)**  
**SUMMARY**

Section 231 of the *Local Government Act, 1993* empowers the Council to elect one of its members to act as Deputy Mayor for the Mayoral term or for a shorter term.

A Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of the Mayor.

The election for Deputy Mayor will be held at the Ordinary Meeting of Council on 14 October 2013.

**MOTION (Le Surf / Pickering)**

1. That Council elect a Deputy Mayor for the period to **October 2014**.
2. That Council determine the method of voting for the election of Deputy Mayor for the 2013/2014 term.

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

**Against the Resolution:** Councillor Burns

**171/13 RESOLVED: (Le Surf / Pickering)**

1. That Council elect a Deputy Mayor for the period to **October 2014**.
2. That Council determine the method of voting for the election of Deputy Mayor for the 2013/2014 term.

The General Manager acting as the Returning Officer invited nominations for the office of Deputy Mayor. The Returning Officer advised that nominations were not valid unless they were made in writing by two or more Councillors and the nominee had indicated consent to the nomination also in writing.

Two nominations were received. The Returning Officer read the nominations.

1. Councillor Heasman was nominated by Councillor Le Surf and Councillor Pickering  
Councillor Heasman had signed the consent to the nomination.
2. Councillor Aird was nominated by Councillor C Griffin and Councillor Bingham.  
Councillor Aird had signed the consent to the nomination.

An Open Vote was then taken resulting as follows:

In favour of Councillor Heasman

Councillor Hay  
Councillor Pickering  
Councillor Heasman  
Councillor J Griffin  
Councillor Le Surf

In favour of Councillor Aird

Councillor C Griffin  
Councillor Bingham  
Councillor Aird  
Councillor Burns

**The Returning Officer therefore declared Councillor Heasman duly elected as Deputy Mayor for the period to October 2014.**

The Mayor Councillor Hay AM and the Returning Officer congratulated Councillor Heasman on her election as Deputy Mayor.

\*\*\*\*\*

Corporate Services Division Report No. 24

**Appointment of Chairperson and Deputy Chairperson for Planning and Strategy (MC/13/105135)**

**SUMMARY**

The purpose of this report is to appoint the Chairperson and Deputy Chairperson of the Principal Committee of Planning and Strategy.

**MOTION (Le Surf / Pickering)**

1. That Council determine the voting method authorised in the report regarding the election of the Deputy Mayor report.
2. That Council proceed to elect a Chairperson and a Deputy Chairperson for its Principal Committee of Planning and Strategy for the period to October 2014.

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

**Against the Resolution:** Councillor Burns

**172/13 RESOLVED: (Le Surf / Pickering)**

1. That Council determine the voting method authorised in the report regarding the election of the Deputy Mayor report.
2. That Council proceed to elect a Chairperson and a Deputy Chairperson for its Principal Committee of Planning and Strategy for the period to October 2014.

The General Manager acting as the Returning Officer invited nominations for the Office of Chair of the Principal Committee being the Planning and Strategy Committee (P&S) The following nominations were received:

1. Councillor Pickering was nominated for Chairperson of the Planning and Strategy Committee by Councillor J Griffin and Councillor Hay. Councillor Pickering consented to the nomination.
2. Councillor C Griffin was nominated for Chairperson of the Planning and Strategy Committee by Councillor Bingham and Councillor Aird. Councillor C Griffin consented to the nomination.

An Open Vote was then taken resulting as follows:

In favour of Councillor Pickering

Councillor Hay  
Councillor Pickering  
Councillor Heasman  
Councillor J Griffin  
Councillor Le Surf

In favour of Councillor C Griffin

Councillor C Griffin  
Councillor Burns  
Councillor Aird  
Councillor Bingham

**The Returning Officer therefore declared Councillor Pickering duly elected as Chairperson of the Planning and Strategy Committee for the period to October 2014.**

The Mayor Councillor Hay AM and the Returning Officer congratulated Councillor Pickering on his election as Chairperson of the Planning and Strategy Committee.

The General Manager acting as the Returning Officer invited nominations for the Office of Deputy Chair of the Principal Committee being the Planning and Strategy Committee (P&S). The following nominations were received:

1. Councillor Le Surf was nominated for Deputy Chairperson of the Planning and Strategy Committee by Councillor Heasman and Councillor Hay. Councillor Le Surf consented to the nomination.

**The Returning Officer therefore declared Councillor Le Surf duly elected unopposed as Deputy Chairperson of the Planning and Strategy Committee for the period to October 2014.**

The Mayor Councillor Hay and the Returning Officer congratulated Councillor Le Surf on his election as Deputy Chairperson of the Planning and Strategy Committee.

\*\*\*\*\*

Notice of Motion Report No. 64

**Clarification of TCorp's Assessment of Manly 2015 Plan (MC/13/119092)**  
**Councillor Candy Bingham moved that:**

1. Council print in the Manly Council News column in the Manly Daily on Saturday October 19th notification of the withdrawal from Council's previously published Manly 2015 'Fact Sheet' and associated documents the claim that the Manly 2015 proposal "Has been independently assessed by TCorp (The New South Wales Treasury Corporation)", together with a full explanation of the reasons for the withdrawal, and an unreserved apology.
2. A letter be sent to all precinct groups notifying them of this change.
3. All printed brochures with the same claim be withdrawn from public distribution.

**MOTION (Bingham / Burns)**

**That:**

- 1) Council print in the Manly Council News column in the Manly Daily on Saturday October 19th notification of the withdrawal from Council's previously published Manly 2015 'Fact Sheet' and associated documents the claim that the Manly 2015 proposal "Has been independently assessed by TCorp (The New South Wales Treasury Corporation)", together with a full explanation of the reasons for the withdrawal, and an unreserved apology.
- 2) Council write to the Local member Mike Baird and apologise for misrepresenting the TCorp assessment on the 2015 Brochure.

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

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

**Motion** was put and declared **lost**

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Notice of Motion Report No. 70

**Unacceptable massive increase in multi modal weekly ticket price (MC/13/119258)**

**Councillor Barbara Aird moved that:**

Manly Council calls on the NSW State Government to urgently address this unacceptable situation by reducing the weekly multi modal travel ticket increase, to a figure in line with the CPI, as recommended by IPART in Dec.2012.

**MOTION (Aird / Burns)**

Manly Council calls on the NSW State Government to urgently address this unacceptable situation by reducing the weekly multi modal travel ticket increase, to a figure in line with the CPI, as recommended by IPART in Dec.2012.

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

**Against the Resolution:** Nil.

**173/13 RESOLVED: (Aird / Burns)**

Manly Council calls on the NSW State Government to urgently address this unacceptable situation by reducing the weekly multi modal travel ticket increase, to a figure in line with the CPI, as recommended by IPART in Dec.2012.

\*\*\*\*\*

Notice of Motion Report No. 72

**Lobbying of the State Government to Improve the Opal Card Ticketing System (MC/13/119368)**

**Councillor Hugh Burns moved that:**

That Council writes to other nearby Metropolitan Councils including those served by Ferries and Warringah Council to gain support to form a common view that:-

1. the Opal card system be reformed to include a zone based flat weekly ticket option (like Melbourne's Myki).
2. The Opal system be reformed to based on fares that are independent of travel mode, thus enabling passengers to freely mode change without fare penalty.(i.e. Bus to City is same cost as Ferry to City in Manly's case)
3. That the Opal single trip pricing be revised to be based on the existing 10trip ticket prices not the single cash fare prices (particularly for ferry fares).
4. That no penalties are applied if the passenger fails to touch off and they are within a (new suggested) zone based fare on the Opal card
5. That if a passenger fails to touch off in electronic purse mode (as existing) that the full fare for the trip then charged is included in the day or weekly cap. (i.e. confirm this is the case and if not change it)

That Council write to the local Member for Manly and the Minister for Transport noting the Opal Card fare issues and outlining the case that there is a need for urgent reform as outlined above.

Secondly that the Council write to the local Member for Manly and the Minister for Transport to request that the MyMulti equivalent of a magnetic stripe Green Travelpass is urgently reintroduced (say a "MyMulti Manly" with the same zone boundaries as the old ticket) for residents of Manly at a weekly, monthly and yearly fee as the CPI adjusted Green travel pass cost of \$48 from 2010. (The Opal card solution recently offered is so complex and restrictive with credits, it appears to be designed to put people off actually using it and it also discriminates against those that continue to use the magnetic stripe ticket system.)

**MOTION (Burns / Heasman)**

That Council writes to other nearby Metropolitan Councils including those served by Ferries and Warringah Council to gain support to form a common view that:-

1. the Opal card system be reformed to include a zone based flat weekly ticket option (like Melbourne's Myki).
2. The Opal system be reformed to based on fares that are independent of travel mode, thus enabling passengers to freely mode change without fare penalty.(i.e. Bus to City is same cost as Ferry to City in Manly's case)
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5. That if a passenger fails to touch off in electronic purse mode (as existing) that the full fare for the trip then charged is included in the day or weekly cap. (i.e. confirm this is the case and if not change it)

That Council write to the local Member for Manly and the Minister for Transport noting the Opal Card fare issues and outlining the case that there is a need for urgent reform as outlined above.

Secondly that the Council write to the local Member for Manly and the Minister for Transport to request that the MyMulti equivalent of a magnetic stripe Green Travelpass is urgently reintroduced (say a "MyMulti Manly" with the same zone boundaries as the old ticket) for residents of Manly at a weekly, monthly and yearly fee as the CPI adjusted Green travel pass cost of \$48 from 2010. (The Opal card solution recently offered is so complex and restrictive with credits, it appears to be designed to put people off actually using it and it also discriminates against those that continue to use the magnetic stripe ticket system.)

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

**Against the Resolution:** Nil.

**174/13 RESOLVED: (Burns / Heasman)**

That Council writes to other nearby Metropolitan Councils including those served by Ferries and Warringah Council to gain support to form a common view that:-

1. the Opal card system be reformed to include a zone based flat weekly ticket option (like Melbourne's Myki).
2. The Opal system be reformed to based on fares that are independent of travel mode, thus enabling passengers to freely mode change without fare penalty.(i.e. Bus to City is same cost as Ferry to City in Manly's case)

3. That the Opal single trip pricing be revised to be based on the existing 10 trip ticket prices not the single cash fare prices (particularly for ferry fares).
4. That no penalties are applied if the passenger fails to touch off and they are within a (new suggested) zone based fare on the Opal card
5. That if a passenger fails to touch off in electronic purse mode (as existing) that the full fare for the trip then charged is included in the day or weekly cap. (i.e. confirm this is the case and if not change it)

That Council write to the local Member for Manly and the Minister for Transport noting the Opal Card fare issues and outlining the case that there is a need for urgent reform as outlined above.

Secondly that the Council write to the local Member for Manly and the Minister for Transport to request that the MyMulti equivalent of a magnetic stripe Green Travelpass is urgently reintroduced (say a "MyMulti Manly" with the same zone boundaries as the old ticket) for residents of Manly at a weekly, monthly and yearly fee as the CPI adjusted Green travel pass cost of \$48 from 2010. (The Opal card solution recently offered is so complex and restrictive with credits, it appears to be designed to put people off actually using it and it also discriminates against those that continue to use the magnetic stripe ticket system.)

\*\*\*\*\*

#### **RESUMPTION OF STANDING ORDERS (Hay AM / Heasman)**

That Standing Orders be resumed.

#### **175/13 RESOLVED: (Hay AM / Heasman)**

That Standing Orders be resumed.

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

**Against the Resolution:** Nil.

\*\*\*\*\*

Notice of Motion Report No. 65

#### **Record of Answers to Questions Without Notice (MC/13/119106)**

**Councillor Candy Bingham moved that:**

With the view to providing a public record of outcomes from questions asked without notice at Council meetings by Councillors, that:

Council adopt the practice of all questions and answers being recorded in the minutes of the meeting, or of the subsequent meeting if matters are taken on notice.

#### **MOTION (Bingham / Aird )**

With the view to providing a public record of outcomes from questions asked without notice at Council meetings by Councillors, **that:**

Council adopt the practice of all questions and answers being recorded in the minutes of the meeting, or of the subsequent meeting if matters are taken on notice.

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

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

\*\*\*\*\*

Notice of Motion Report No. 66

**Snap Send Solve Mobile Phone Application (MC/13/119114)**  
**Councillor Candy Bingham moved:**

As a means to simplify the process by which people can report matters that require Council's attention, it is recommended that:

The General Manager investigate the implementation of the use of the Snap Send Solve free mobile app and report back to Council how this could be integrated into Council's current customer services.

**MOTION (Bingham / J Griffin)**

As a means to simplify the process by which people can report matters that require Council's attention, it is recommended **that**:

The General Manager investigate the implementation of the use of the Snap Send Solve free mobile app and report back to Council how this could be integrated into Council's current customer services.

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

**Against the Resolution:** Nil.

**176/13 RESOLVED: (Bingham / J Griffin)**

As a means to simplify the process by which people can report matters that require Council's attention, it is recommended **that**:

The General Manager investigate the implementation of the use of the Snap Send Solve free mobile app and report back to Council how this could be integrated into Council's current customer services.

\*\*\*\*\*



Notice of Motion Report No. 67

**Removal Abandoned Bicycles (MC/13/119124)**

**Councillor Cathy Griffin moved that:**

Manly Council remove the abandoned bicycles from the bike racks in and around the Manly CBD, including the Manly Wharf, Belgrave St Bus Stop and the ocean beach front.

**MOTION (C Griffin / Burns)**

That:

Manly Council remove the abandoned bicycles from the bike racks in and around the Manly CBD, including the Manly Wharf, Belgrave St Bus Stop and the ocean beach front.

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

**Against the Resolution:** Nil.

**177/13 RESOLVED: (C Griffin / Burns)**

That:

Manly Council remove the abandoned bicycles from the bike racks in and around the Manly CBD, including the Manly Wharf, Belgrave St Bus Stop and the ocean beach front.

\*\*\*\*\*

Notice of Motion Report No. 68

**Provision of Bus Shelter at Condamine Street Hop, Skip and Jump bus terminal  
(MC/13/119227)**

**Councillor Barbara Aird moved that:**

There is high usage of buses at this location, especially by the elderly. As there is a real need for adequate shelter I therefore move that Council facilitates this expeditiously.

**MOTION (Aird / Heasman)**

There is high usage of buses at this location, especially by the elderly. As there is a real need for adequate shelter I therefore move that Council facilitates this expeditiously.

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

**Against the Resolution:** Nil.

**178/13 RESOLVED: (Aird / Heasman)**

There is high usage of buses at this location, especially by the elderly. As there is a real need for adequate shelter I therefore move that Council facilitates this expeditiously.

\*\*\*\*\*

Notice of Motion Report No. 69

**Create a Designated Swim Zone in Cabbage Tree Bay (MC/13/119228)**

**Councillor Cathy Griffin moved that:**

Manly Council commence the process, in consultation with Roads and Maritime Service, to create a 'Designated Swim Zone' in Cabbage Tree Bay.

**MOTION (C Griffin / Bingham)**

Manly Council commence the process, in consultation with Roads and Maritime Service, to create a 'Designated Swim Zone' in Cabbage Tree Bay.

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

**Against the Resolution:** Nil.

**179/13 RESOLVED: (C Griffin / Bingham)**

Manly Council commence the process, in consultation with Roads and Maritime Service, to create a 'Designated Swim Zone' in Cabbage Tree Bay.

\*\*\*\*\*

Notice of Motion Report No. 71

**High Pressure Water Clean of Sydney Road Plaza (MC/13/119345)**

**Councillor Hugh Burns moved that:**

Council urgently undertake a detailed high pressure water clean of the paving in the Sydney Road Plaza so the paving is clean and bright for the forthcoming summer tourist season. (Note that Council can hire equipment to use its own staff so the cleaning can be done fairly economically).

**MOTION (Burns / Heasman)**

Council urgently undertake a detailed high pressure water clean of the paving in the Sydney Road Plaza so the paving is clean and bright for the forthcoming summer tourist season. (Note that Council can hire equipment to use its own staff so the cleaning can be done fairly economically).

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

**Against the Resolution:** Nil.

**180/13 RESOLVED: (Burns / Heasman)**

Council urgently undertake a detailed high pressure water clean of the paving in the Sydney Road Plaza so the paving is clean and bright for the forthcoming summer tourist season. (Note that Council can hire equipment to use its own staff so the cleaning can be done fairly economically).

\*\*\*\*\*

## Items For Brief Mention

Item For Brief Mention Report No. 13

### Items For Brief Mention (MC/13/108509)

#### 1. Complaints made to the General Manager

| Received | Nature of complaint | Status         |
|----------|---------------------|----------------|
| August   | Code of Conduct     | Finalised.     |
| August   | Code of Conduct     | Being assessed |

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

The following Notices of Motion are currently in progress.

| Res No. | Meeting Date | Subject    | Resolution                                        | Status                                                                                                   |
|---------|--------------|------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| 208/12  | 10 Dec       | NoM No. 46 | Master Plan for the Ivanhoe Botanic Gardens area. | In progress.                                                                                             |
| 79/13   | 3 June       | NoM No. 28 | Plan to Protect our Street Trees                  | Report on valuation method for trees is being prepared. All other parts of this resolution are complete. |
| 134/13  | 12 Aug       | NoM No. 54 | Iconic Norfolk Island Pines Management Plan 2013  | Consultant's proposals being considered.                                                                 |
| 150/13  | 9 Sep        | NoM No. 56 | Review of scenic viewing areas area Manly         | Referred to Manly Scenic Walkway Committee.                                                              |

#### 3. Tabled Documents

|    | Date      | Author                                                                                                                                           | Subject                                                                                                                                                        |
|----|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 9 Sep 13  | Cr Keith Rhoades AFSM & Cr Ray Donald<br>Joint Presidents, Local Government NSW                                                                  | Review of Rate Exemptions                                                                                                                                      |
| 2. | 9 Sep 13  | Office of the Minister for Transport                                                                                                             | Reply to letter requesting to meet with the Minister, regarding increase in public transport fares. Meeting request declined.                                  |
| 3. | 10 Sep 13 | Cr Keith Rhoades AFSM & Cr Ray Donald<br>Joint Presidents, Local Government NSW                                                                  | Request to Premier for urgent changes to the proposed Planning Bill                                                                                            |
| 4. | 12 Sep 12 | Tracey Arthur<br>General Manager<br>Customer Relations & Government Services                                                                     | Acknowledgement and thank you for Council's letter to the Minister for Transport, the Hon Gladys Berejiklian MP, regarding increase in public transport fares. |
| 5. | 12 Sep 13 | The Hon Marie Ficarra MLC<br>Parliamentary Secretary to the Premier<br>NSW Government                                                            | Reply to letter regarding Container Deposit Scheme                                                                                                             |
| 6. | 18 Sep 13 | Dr Rodney James<br>Manager, Planning & Effectiveness<br>Marine Parks & Aquatic Reserves<br>NSW Department of Primary Industries<br>Fisheries NSW | Aquatic Reserves Notification 2013                                                                                                                             |
| 7. | 22 Sep 13 | The Hon Jillian Skinner MP<br>Member for North Shore<br>Deputy NSW Liberal Leader                                                                | Reply to letter regarding re-exhibition of the Exposure Planning Bill 2013.                                                                                    |

|     |           |                                                                                                                      |                                                                                                                                            |
|-----|-----------|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
|     |           | Minister for Health<br>Minister for Medical Research                                                                 |                                                                                                                                            |
| 8.  | 23 Sep 13 | David Elliott MP<br>Member for Baulkham Hills                                                                        | Reply to letter regarding Exposure Planning Bill 2013.                                                                                     |
| 9.  | 24 Sep 13 | The Hon Marie Ficarra MLC<br>Parliamentary Secretary to the Premier<br>NSW Government                                | Reply to letter regarding Exposure Planning Bill 2013.                                                                                     |
| 10. | 27 Sep 13 | Chris Holstein MP<br>Member for Gosford                                                                              | Reply to letter regarding re-exhibition of the Exposure Planning Bill 2013                                                                 |
| 11. | 3 Oct 13  | Cr Keith Rhoades AFSM<br>Chief Executive, Local Government<br>A Division of the Department of premier<br>and Cabinet | Media Release<br>The new Local Government NSW (LGNSW) Board has been elected at the first annual LGNSW Conference at the Sydney Town Hall. |
| 12. | 2 Oct 13  | Ross Woodward<br>Chief Executive, Local Government<br>A Division of the Department of premier<br>and Cabinet         | Circular to Council No. 13-45<br>Comparative Information on NSW Local Government 2011-12                                                   |
| 13. | 4 Oct 13  | Ross Woodward<br>Chief Executive, Local Government<br>A Division of the Department of premier<br>and Cabinet         | Circular to Council No. 13-46<br>Release of the Division's first edition of <i>locality</i>                                                |
| 14. | 4 Oct 13  | Darryl Rubiolo<br>Manager, Local Government Learning<br>Solutions<br>Local Government NSW                            | Executive Certificate for Elected Members                                                                                                  |
| 15. | 4 Oct 13  | Gladys Berjikian MP<br>Minister for Transport                                                                        | Reply to letter regarding ferry fares.                                                                                                     |
| 16. | Oct 13    | Manager Administration<br>Manly Council                                                                              | Register of Disclosures by Councillors and Designated Persons Return for the 2012/13 Financial Year.                                       |

**MOTION (Le Surf / Heasman)**

That reports 1, 2 and 3 be received and noted.

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

**Against the Resolution:** Nil.

**181/13 RESOLVED: (Le Surf / Heasman)**

That reports 1, 2 and 3 be received and noted.

\*\*\*\*\*

**REPORTS OF COMMITTEES**

Report Of Committees Report No. 28

**Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/13/112094)**

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

- i) Manly Scenic Walkway Advisory Committee – 2 July 2013
- ii) Economic Development and Tourism Advisory Committee – 22 August 2013
- iii) Manly Arts Festival Working Group – 28 August 2013
- iv) Manly Sister Cities Advisory Committee – 28 August 2013
- v) Manly Local Traffic Committee – 9 September 2013
- vi) Community Environment Advisory Committee – 11 September 2013
- vii) Meals on Wheels Advisory Committee – 11 September 2013
- viii) Community Safety & Place Management Advisory Committee – 12 September 2013
- ix) Waste Advisory Committee – 18 September 2013

**MOTION (Le Surf / J Griffin)**

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

- i) Manly Scenic Walkway Advisory Committee – 2 July 2013
- ii) Economic Development and Tourism Advisory Committee – 22 August 2013
- iii) Manly Arts Festival Working Group – 28 August 2013
- iv) Manly Sister Cities Advisory Committee – 28 August 2013
- v) Manly Local Traffic Committee – 9 September 2013
- vi) Community Environment Advisory Committee – 11 September 2013
- vii) Meals on Wheels Advisory Committee – 11 September 2013
- viii) Community Safety & Place Management Advisory Committee – 12 September 2013
- ix) Waste Advisory Committee – 18 September 2013

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

**Against the Resolution:** Councillor Aird

**182/13 RESOLVED: (Le Surf / J Griffin)**

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

- i) Manly Scenic Walkway Advisory Committee – 2 July 2013
- ii) Economic Development and Tourism Advisory Committee – 22 August 2013
- iii) Manly Arts Festival Working Group – 28 August 2013
- iv) Manly Sister Cities Advisory Committee – 28 August 2013
- v) Manly Local Traffic Committee – 9 September 2013
- vi) Community Environment Advisory Committee – 11 September 2013
- vii) Meals on Wheels Advisory Committee – 11 September 2013
- viii) Community Safety & Place Management Advisory Committee – 12 September 2013
- ix) Waste Advisory Committee – 18 September 2013

\*\*\*\*\*

Report Of Committees Report No. 29

**Minutes for adoption by Council - Manly Scenic Walkway Advisory Committee - 2 July 2013 (MC/13/111986)**

These reports were dealt with at the Manly Scenic Walkway Advisory Committee meeting of 2 July 2013 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**MOTION (Le Surf / Heasman)**

That the minutes of the Manly Scenic Walkway Advisory Committee meeting on 2 July 2013 be adopted including the following items:

**ITEM 4 REPORT – MANLY SCENIC WALKWAY COMMITTEE PROJECTS UPDATE**

The Committee recommend to the General Manager that:

- i) the report be received and noted.
- ii) the possibility of developing a smart phone app to help promote the walkway be investigated.

**ITEM 5 REPORT – NAMING OF THE UNNAMED RESERVE STUART STREET**

The Committee recommend to the General Manager that:

- i) the report was received and noted by the Committee; and
- ii) the Committee recommend to the General Manager that the Council's local Studies Historian be asked to confirm all details and history related to the Precinct recommendation.

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

**Against the Resolution:** Nil.

**183/13 RESOLVED: (Le Surf / Heasman)**

That the minutes of the Manly Scenic Walkway Advisory Committee meeting on 2 July 2013 be adopted including the following items:

**ITEM 4 REPORT – MANLY SCENIC WALKWAY COMMITTEE PROJECTS UPDATE**

The Committee recommend to the General Manager that:

- i) the report be received and noted.
- ii) the possibility of developing a smart phone app to help promote the walkway be investigated.

**ITEM 5 REPORT – NAMING OF THE UNNAMED RESERVE STUART STREET**

The Committee recommend to the General Manager that:

- i) the report was received and noted by the Committee; and
- ii) the Committee recommend to the General Manager that the Council's local Studies Historian be asked to confirm all details and history related to the Precinct recommendation.

\*\*\*\*\*

Report Of Committees Report No. 31

**Minutes for adoption by Council - Sports & Recreational Facilities Advisory Committee - 2 August 2013 (MC/13/115949)**

This report was dealt with at the Sports & Recreational Facilities Advisory Committee meeting of 2 August 2013 and was listed as a Recommendation in those minutes. The item is items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**ITEM 5 REPORT: Update on Items from Previous Meetings**

Seaforth football club representative raised the issue that the minutes of previous meetings did not reflect what was actually said, particularly in regards to lighting agreements etc.

Discussion was had regarding previously requested LUX assessment being required, the Cloud Master system, and issues with numerous lights being out on fields.

The Committee was generally unhappy with the lighting agreements and concerned with exposure to ongoing maintenance costs of aging infrastructure. It was discussed that Sporting Clubs believe they should be provided a certain standard of lighting and a more agreeable level of service.

Council's Bushland Management Co-ordinator, Chris Kraus informed the Committee that all lights have been repaired on the various ovals. He also advised the Committee that the LUX assessment for Seaforth Oval lighting would be further investigated and reported back to the Committee at the next meeting.

**MOTION (Hay AM / Heasman)**

That the minutes of the Sports & Recreational Facilities Advisory Committee meeting on 2 August be adopted including the following items:

**ITEM 5 REPORT: Update on Items from Previous Meetings**

That the Committee recommend to the General Manager that:

- i) the report be received and noted; and
- ii) Council undertakes LUX Assessment of Seaforth Oval lighting.

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

**Against the Resolution:** Nil.

**184/13 RESOLVED: (Hay AM / Heasman)**

That the minutes of the Sports & Recreational Facilities Advisory Committee meeting on 2 August be adopted including the following items:

**ITEM 5 REPORT: Update on Items from Previous Meetings**

That the Committee recommend to the General Manager that:

- i) the report be received and noted; and
- ii) Council undertakes LUX Assessment of Seaforth Oval lighting.

\*\*\*\*\*

**ENVIRONMENTAL SERVICES DIVISION**

*Councillor Aird left the chamber having declared an item in this report.*

Environmental Services Division Report No. 30

**Proposed Exhibition of Amendment to Manly Local Environmental Plan 2013 - Rezoning of 45 Pacific Parade (MC/13/106197)****SUMMARY**

THIS REPORT RECOMMENDS THAT COUNCIL SUPPORT THE EXHIBITION OF PROPOSAL FOR PUBLIC CONSULTATION TO AMEND THE MANLY LEP 2013 LAND USE ZONING FOR 45 PACIFIC PARADE FROM ZONE SP2 CHILDCARE CENTRE TO ZONE R1 GENERAL RESIDENTIAL AS PART OF THE LEP GATEWAY DETERMINATION PROCESS UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.

**MOTION (Heasman / J Griffin)**

THAT Council place the proposal to rezone 45 Pacific Parade (LOT 1 DP 115643) from SP2 Childcare Centre to R1 General Residential on exhibition for twenty-eight (28) days.

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

**Against the Resolution:** Nil.

**185/13 RESOLVED: (Heasman / J Griffin)**

THAT Council place the proposal to rezone 45 Pacific Parade (LOT 1 DP 115643) from SP2 Childcare Centre to R1 General Residential on exhibition for twenty-eight (28) days.

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

\*\*\*\*\*

*Councillor Aird returned to the Chamber.*

Environmental Services Division Report No. 31

**Proposed Amendment to Manly Development Control Plan 2013 – Boarding Houses (MC/13/115298)****SUMMARY**

THIS REPORT RECOMMENDS THE ADOPTION OF EXHIBITED AMENDMENTS TO MANLY DEVELOPMENT CONTROL PLAN (DCP) 2013 PROVIDING FURTHER GUIDANCE IN THE DEVELOPMENT OF BOARDING HOUSES / AFFORDABLE ACCOMMODATION FOR MANLY.

**MOTION (Heasman / Le Surf)**

THAT this report be deferred over to the next Ordinary meeting Agenda on 11 November 2013 for consideration by Council.

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

**Against the Resolution:** Nil.



**186/13 RESOLVED: (Heasman / Le Surf)**

THAT this report be deferred over to the next Ordinary meeting Agenda on 11 November 2013 for consideration by Council.

\*\*\*\*\*

*Councillor Pickering left the Chamber having declared an interest in the following item.*

Environmental Services Division Report No. 32

**Development Applications Being Processed During October 2013. (MC/13/115572)****SUMMARY**

DEVELOPMENT APPLICATIONS BEING PROCESSED DURING OCTOBER 2013.

**MOTION (Le Surf / Heasman)**

THAT the information be noted.

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

**Against the Resolution:** Nil.

**187/13 RESOLVED: (Le Surf / Heasman)**

THAT the information be noted.

*Councillor Pickering was not present when the voting took place.*

\*\*\*\*\*

*Councillor Pickering returned to the Chamber.*

Environmental Services Division Report No. 33

**A List of Current Appeals Relating to Development Applications (MC/13/115570)****SUMMARY**

A LIST OF CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATION DURING OCTOBER 2013.

**MOTION (Le Surf / J Griffin)**

THAT the information be noted.

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

**Against the Resolution:** Nil.

**188/13 RESOLVED: (Le Surf / J Griffin)**

THAT the information be noted.

\*\*\*\*\*

**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 25

**Report on Council Investments as at 30 September 2013 (MC/13/109496)****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 (Le Surf / J Griffin)**

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

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

**Against the Resolution:** Nil.

**189/13 RESOLVED: (Le Surf / J Griffin)**

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

\*\*\*\*\*

Report Of Committees Report No. 32

**Minutes for adoption by Council - Public Domains Advisory Committee - 21 August 2013. (MC/13/120559)**

This report was dealt with at the Public Domains Advisory Committee meeting of 21 August 2013 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.

**ITEM 4 Confirmation of Minutes of 19 June 2013**

Confirmation of minutes of 19<sup>th</sup> June 2013 was confirmed with the following amendment.

**Divisional Manager's Note:**

The minutes of the Public Domains Committee 19<sup>th</sup> June 2013 were considered and approved by the General Manager. The minutes of the 19 June meeting were reported to Council at the Ordinary Meeting on 15<sup>th</sup> July 2013. Subsequently at the Public Domains Committee on the 21 August 2013 the Committee requested an amendment to Item 10 of 19 June Minutes – Little Manly Reserve regarding Stuart Street properties. This amendment made on 21 August 2013 by the Public Domains Committee appeared as item 4 in the Minutes of the Public Domains Committee meeting for the 21 August 2013.

**MOTION (Aird / Heasman)**

That the minutes of the Public Domains Advisory Committee meeting on 21 August 2013 be adopted including the following items:

**ITEM 4 Confirmation of Minutes of 19 June 2013**

The minutes of 19<sup>th</sup> June 2013, are to read as follows:

***If there was no other alternative then the Committee recommends to the General Manager for his consideration;***

As Council owns both lots, it therefore has the capacity to subdivide each of the lots such that:

1. The reduced area of each of the two residential lots meets the DCP density requirements for residential allotments on the Eastern Hill and to enable their adequate development.
2. The heritage listed corner house be retained with suitable curtilage.
3. The remainder of the subdivided allotments adjacent to the foreshore be maximised in area and kept as Council owned Open Space land for public use.

There is no reason to rush this important decision which needs full investigation to find the best way forward.

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

**Against the Resolution:** Nil.

**190/13 RESOLVED: (Aird / Heasman)**

That the minutes of the Public Domains Advisory Committee meeting on 21 August 2013 be adopted including the following items:

**ITEM 4 Confirmation of Minutes of 19 June 2013**

The minutes of 19<sup>th</sup> June 2013, are to read as follows:

***If there was no other alternative then the Committee recommends to the General Manager for his consideration;***

As Council owns both lots, it therefore has the capacity to subdivide each of the lots such that:

1. The reduced area of each of the two residential lots meets the DCP density requirements for residential allotments on the Eastern Hill and to enable their adequate development.
2. The heritage listed corner house be retained with suitable curtilage.
3. The remainder of the subdivided allotments adjacent to the foreshore be maximised in area and kept as Council owned Open Space land for public use.

There is no reason to rush this important decision which needs full investigation to find the best way forward.

**QUESTIONS WITHOUT NOTICE****QWN54/13 Councillor Bingham - Seaforth TAFE**

When will Councillors receive a full written report on various matters in relation to the Seaforth TAFE site, including the expenditure to date, as resolved by Council 15<sup>th</sup> July, 2013 (No 125/13) and raised again by me under Items for Brief Mention Report No 12 at the Ordinary meeting on September 2013?

*At the request of the Mayor the General Manager advised the report was in tonight's the Confidential Agenda and also matters tabled by Mr Hewton.*

**QWN55/13 Councillor Bingham - Parking**

I note that in Council's 2015 Plan Briefing Bulletins dated 5<sup>th</sup> September and 4<sup>th</sup> October it states:

*"Bitzios has been commissioned by Council to undertake a detailed Parking Demand Study for the Manly CBD .... Etc"*

At the Planning & Strategy Meeting on 5/8/13 Council resolved:

ii) the proposed brief to consultants for the Demand analysis Study to evaluate car parking requirements for the Manly CBD be submitted to the Council for approval by the full council, before its commissioning;

Why have Councillors not seen the brief for this report before it was commissioned as clearly stated in this resolution?

*At the request of the Mayor the General Manager advised that the Demand Study referred to in the Minutes relate to the usage of Council's existing four car parks. The brief for this study will be provided in a report to Council.*

**QWN56/13 Councillor Burns - Stuart Street**

How much of 40 Stuart Street have we currently paid off? and how much have we collected in Section 94 Contributions for the Stuart Street properties?

*At the request of the Mayor the General Manager advised that as we had only just purchased the property we would not have paid off any more than the 1<sup>st</sup> years interest. We have not received Section 94 Contributions for 40 Stuart Street.*

**QWN57/13 Councillor Burns - Previous QWN 48/13**

Would the General Manager provide more detailed answers to QWN 48/13? I asked for more information and little more information.

At the request of the Mayor the General Manager advised that the cost of each information session for Manly 2015 was approximately \$3,000 per session and there were 5 sessions. This cost included venue hire and the venue was only used twice.

**QWN58/13 Councillor Aird - On-Line Rate Notices**

What action is Council taking to progress the Resolution to provide the facility for on-line receipt of Rate Notices?

*At the request of the Mayor the General Manager advised that he had responded to the same question last month advising that the supplier is in Administration. Council staff are working with various other suppliers to find a feasible solution.*

**QWN59/13 Councillor Aird - CBD Garbage Collection**

Private garbage collections are causing traffic disruption/problems especially along Ocean Front (eg on weekday mornings at 9am blocking traffic for a significant time for people trying to drive to work)?

*At the request of the mayor the General Manager advised that Council have an*

*exclusion time of no collection before 7am in the CBD because of noise complaints but will ask the Manager of Waste Services to contact all contractors to make sure they are aware mindful of the one way streets where you can't overtake and arrange for those to be picked up first.*

**QWN60/13 Councillor C Griffin** - Raised a staffing matter.

*At the request of the Mayor the General Manager advised that Mr Hewton was dealing with this and that all matters as far as the General Manager was aware have been acquitted. Council were not aware of any external agencies being involved.*

## **CONFIDENTIAL COMMITTEE OF THE WHOLE**

Civic and Urban Services Division Report No. 5

### **Tender T2014-01: Tender for the Supply of Building Services (MC/13/115579)**

*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.*

General Managers Division Report No. 15

### **Progress Report on Property Matter (MC/13/120649)**

*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 (Heasman / Hay AM)**

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

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

**Against the Resolution:** Nil.

### **191/13 RESOLVED: (Heasman / Hay AM)**

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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Civic and Urban Services Division Report No. 5

**Tender T2014-01: Tender for the Supply of Building Services (MC/13/115579)**

**MOTION (Heasman / Pickering)**

Progressed as discussed in closed session.

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

**Against the Resolution:** Nil.

**192/13 RESOLVED: (Heasman / Pickering)**

Progressed as discussed in closed session.

\*\*\*\*\*

General Managers Division Report No. 15

**Progress Report on Property Matter (MC/13/120649)**

**MOTION (Heasman / Bingham)**

Progressed as discussed in closed session.

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

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

**193/13 RESOLVED: (Heasman / Bingham)**

Progressed as discussed in closed session.

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## CLOSE

The meeting closed at [12.35am Tuesday 15 October 2013](#).

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [11 November 2013](#).

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**MAYOR**

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