

# Manly Council

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## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Tuesday 18 April 2006**

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[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*



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**TABLE OF CONTENTS**

Item	Page No.
<b>PRESENT .....</b>	<b>2</b>
<b>APOLOGIES.....</b>	<b>2</b>
<b>DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST.....</b>	<b>2</b>
<b>CONFIRMATION OF MINUTES.....</b>	<b>3</b>
<b>PUBLIC FORUM .....</b>	<b>3</b>
<b>NOTICES OF MOTION.....</b>	<b>3</b>
<b>Notice of Motion Report No. 4</b> Hospital Issues .....	3
<b>Notice of Motion Report No. 5</b> Legal Review Committee.....	4
<b>ITEMS FOR BRIEF MENTION .....</b>	<b>4</b>
<b>Item For Brief Mention Report No. 3</b> Item For Brief Mention .....	4
<b>CORPORATE SERVICES DIVISION .....</b>	<b>6</b>
<b>Corporate Services Division Report No. 7</b> Accounts - Report on Council Investments as at 31 March 2006.....	6
<b>QUESTIONS WITHOUT NOTICE .....</b>	<b>6</b>

The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Tuesday 18 April 2006. The meeting commenced at 7:57 PM.

## PRESENT

Deputy Mayor, Councillor B Aird, who presided  
Councillor S Cant  
Councillor P Daley  
Councillor J Evans  
Councillor J Hay, AM  
Councillor A Heasman  
Councillor J Lambert, AM  
Councillor R Morrison  
Councillor D Murphy  
Councillor M Norek  
Councillor B Pedersen (arrived at 8pm)

## ALSO PRESENT

Henry T Wong, General Manager  
Jim Hunter, Executive Director, Major Projects  
Ian Ellis-Jones, Council's Independent Counsel  
Rachael Levey, Minute Taker

## OPENING PRAYER

The Opening Prayer was presented by Minister John Chambers.

## APOLOGIES

Apologies were tendered on behalf of The Mayor, Councillor Dr Peter Macdonald, for non-attendance and Councillor Pedersen for lateness.

## MOTION (Hay / Lambert)

That the apology received from The Mayor, Councillor Dr Peter Macdonald and Councillor Pedersen, be accepted.

## 27/06 RESOLVED: (Hay / Lambert)

That the apology received from The Mayor, Councillor Dr Peter Macdonald and Councillor Pedersen, be accepted.

**For the Resolution:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

## CONFIRMATION OF MINUTES

### MOTION (Lambert / Hay)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 20 March 2006, 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 the Background of Mayoral Minute No. 5, MEC 15 Birthday, which requires amendment as to the date the extended Ocean outfall was commissioned relative to other events of the period.

### 28/06 RESOLVED: (Lambert / Hay)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 20 March 2006, 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 the Background of Mayoral Minute No. 5, MEC 15 Birthday, which requires amendment as to the date the extended Ocean outfall was commissioned relative to other events of the period.

**For the Resolution:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

## PUBLIC FORUM

Nil.

## NOTICES OF MOTION

Notice of Motion Report No. 4

### Hospital Issues

Councillor Heasman moved:

That Manly Council write to the Minister for Health, Mr. Hatzistergos to ask the Government to set a timeframe on design and construction of the new hospital, confirm budget allocations, and commence investigation regarding the scale of development, traffic flows, access points and upgrading of Wakehurst Parkway (both North and South of Warringah Road).

If the Mayor, Dr. Peter Macdonald, were available to meet with the Minister that the Council support that action to discuss the above concerns of the Manly Community.

### MOTION (Heasman / Lambert)

1. That Manly Council write to the Minister for Health, Mr. Hatzistergos to ask the Government to set a timeframe on design and construction of the new level 5 hospital, confirm budget allocations, and commence investigation regarding the scale of development, traffic flows, access points, upgrading of Wakehurst Parkway (both North and South of Warringah Road) and an assurance that the services at Manly and Mona Vale hospitals will continue until the completion of the new hospital.
2. If the Mayor, Dr. Peter Macdonald, were available to meet with the Minister that the Council support that action to discuss the above concerns of the Manly Community.

**29/06 RESOLVED: (Heasman / Lambert)**

1. That Manly Council write to the Minister for Health, Mr. Hatzistergos to ask the Government to set a timeframe on design and construction of the new level 5 hospital, confirm budget allocations, and commence investigation regarding the scale of development, traffic flows, access points, upgrading of Wakehurst Parkway (both North and South of Warringah Road) and an assurance that the services at Manly and Mona Vale hospitals will continue until the completion of the new hospital.
2. If the Mayor, Dr. Peter Macdonald, were available to meet with the Minister that the Council support that action to discuss the above concerns of the Manly Community.

**For the Resolution:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Councillor Morrison

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Notice of Motion Report No. 5

**Legal Review Committee**

Councillor Norek moved:

- A. That Council resolve to investigate the establishment of a Legal Review Committee to monitor and manage legal costs incurred by Council.
- B. It is proposed that all legal action to be taken or entered into by Manly Council be referred in the first instance to Council, In Session, before action is initiated.
- C. That Council invite Mr. Gerry Holmes of the Local Government Association to address Council In Session on this issue.

**MOTION (Norek / Morrison)**

That Council invite the Local Government Association to recommend a consultant to address Council with a view to investigating the establishment of a Legal Review Committee to monitor and manage legal costs.

**For the Motion:** Councillors Daley, Morrison and Norek

**Against the Motion:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Pedersen, Aird and Evans

The **Motion** was declared **Lost**.

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**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 3

**Item For Brief Mention****1. Minutes Of Meetings:**

- i. ACCESS COMMITTEE MINUTES OF MEETING HELD ON 16 MARCH

- ii MANLY ARTS FESTIVAL COMMITTEE MEETING HELD 8 MARCH 2006
- iii MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 20 MARCH 2006
- iv. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 1 MARCH 2006
- v. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 5 APRIL 2006
- vi. THE MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 8 MARCH 2006
- vii. SEAFORTH CENTENARY FESTIVAL REFERENCE GROUP HELD ON 28 FEBRUARY 2006

**2. THE FOLLOWING MINUTES CONTAIN RECOMMENDATIONS OF A SUBSTANTIAL NATURE REQUIRING FORMAL COUNCIL ADOPTION AS FOLLOWS:**

Manly Arts Festival Committee Minutes of Meeting Held on 8 March 2006

**Item Number: 4.3 Festival Opener**

The Recommendation of the Committee was to:

Council note that Lex Marinos will be opening the 2006 Manly Arts Festival.

**MOTION (Pedersen / Lambert)**

1. That the recommendations of **Minutes of Meetings, as listed in item 1**, being **1(i) to 1(vii)**, as listed above, be **adopted**.
2. That item **4.3 Festival Opener** of Manly Arts Festival Committee Minutes of Meeting held on 8 March 2006 be adopted, as recommended by the committee.

**30/06 RESOLVED: (Pedersen / Lambert)**

1. That the recommendations of **Minutes of Meetings, as listed in item 1**, being **1(i) to 1(vii)**, as listed above, be **adopted**.
2. That item **4.3 Festival Opener** of Manly Arts Festival Committee Minutes of Meeting held on 8 March 2006 be adopted, as recommended by the committee.

**For the Resolution:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

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**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 7

**Accounts - Report on Council Investments as at 31 March 2006****SUMMARY**

Latest accounting statements for the period to 31 March, 2006.

1. Statement showing general fund bank account balance as at 31 March, 2006.
2. Cash investments as at 31 March, 2006.

**MOTION (Pedersen / Lambert)**

1. That the statement of General Fund Bank Account balance as at 31 March, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 31 March, 2006 be received and noted.

**31/06 RESOLVED: (Pedersen / Lambert)**

1. That the statement of General Fund Bank Account balance as at 31 March, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 31 March, 2006 be received and noted.

**For the Resolution:** Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

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**QUESTIONS WITHOUT NOTICE****Councillor Hay:**

1. Can the General Manager provide a report to Council regarding the proposed food stalls for the Food & Wine Festival.

*At the request of the Deputy Mayor, the General Manager advised that a report will be provided to Council.*

2. Can Council confirm they intend to cut the supply of doggy bags due to cost issues?

*At the request of the Deputy Mayor, the General Manager advised that Council has no intention to alter the supply arrangements for doggy bags.*

**Councillor Heasman:**

1. Does Council check that all public access BBQs in Manly are working before major holiday periods, public holidays and weekends? What is Council's policy in relation to the maintenance of these BBQs?

*At the request of the Deputy Mayor, the General Manager advised that BBQs are cleaned daily and that further advice would be provided regarding operational checks.*

2. Are the public aware of a telephone number they can ring whilst at the Reserve to alert a Ranger/electrician to save time, eg a hotline number? (possibly a sticker near the BBQ)

*At the request of the Deputy Mayor, the General Manager advised that Council would action this request.*

**Councillor Lambert:**

1. Given substantial delays to the implementation of a number of agreed Bike Plan initiatives, as reflected in a briefing provided by staff to last Thursday's Bicycle Committee Meeting, can the General Manager provide an assurance that the funding for those agreed initiatives will not disappear at the end of the current financial year?

*At the request of the Deputy Mayor, the General Manager advised that initiatives in Victoria Parade and North Esplanade will be finished before the end of this financial year.*

2. Following on from Question 1, does the General Manager's assurance that the agreed initiatives will all be completed in the current financial year mean that the advice provided by staff last Thursday is already out of date?

*At the request of the Deputy Mayor, the General Manager advised he has recently been updated with the most current agenda.*

**Councillor Murphy:**

1. Could the General Manager please advise when the DA for signage for the fruit shop on Pittwater Road (the old car yard / tramshed) will be assessed.

*At the request of the Deputy Mayor, the General Manager advised that Council had requested additional details to be supplied with respect to the DA application and that once this information is received Council will undertake the determination process.*

**Councillor Morrisson:**

1. How many group activity permits has Council issued since the new requirements were introduced?

*At the request of the Deputy Mayor, the General Manager advised that Council had issued approximately 20 to 30 such licences.*

2. Have any permits been given to operate on the Scenic Walkway, specifically Castle Rock and Clontarf Beach. Could Council please provide this information in writing as soon as possible?

*At the request of the Deputy Mayor, the General Manager advised that this matter would be taken on notice.*



**Councillor Norek:**

1. What is Council doing to ensure commuter safety at Manly Wharf considering that two incidents of asbestos contamination have been reported in the last 6 months?

*At the request of the Deputy Mayor, the General Manager advised that Council responsibility extends to the water line only and that compliance requirements need to be adhered to by builders and WorkCover Authority.*

2. Have Council staff or Councillors used first class or business class airfares in the past year for domestic and/or international travel?

*At the request of the Deputy Mayor, the General Manager advised that he is not aware of any such airfare usage.*

**Councillor Aird:**

1. Can the General Manager please provide advice on the truck movements through Manly in relation to the North Head Treatment Plant and developments on St Patrick's Estate?

*At the request of the Deputy Mayor, the General Manager advised that Sydney Water are currently upgrading the water mains and therefore have extra need for excavation. The earth work at St Patrick's Estate is all but finished and there will be no additional truck usage at North Head.*

2. In reference to the safety issues of increased numbers of trucks on Manly roads, what is Council doing to oversee a Traffic Management Plan (TMP)? Can this information be communicated to the Precincts?

*At the request of the Deputy Mayor, the Executive Director, Major Projects advised that there has been dialogue between the truck agencies and Manly Council regarding a TPM and that these agencies will allocate additional resources for the plan. Council will communicate this information to the Precincts.*

**CLOSE**

The meeting closed at [9:49pm](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [15 May 2006](#).

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**MAYOR**

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