



Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 18 July 2011

All minutes are subject to confirmation at a subsequent meeting.

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 18 July 2011. The meeting commenced at 7.43pm.

PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM, who presided
Councillor B Aird
Councillor H Burns
Councillor L Elder
Councillor C Griffin
Councillor A Heasman
Councillor A Le Surf
Councillor Dr P Macdonald OAM
Councillor D Murphy
Councillor M Norek
Councillor C Whitting

ALSO PRESENT

Henry Wong, General Manager
Anthony Hewton, Head of Strategy, Acting Executive Manager, Corporate Services
Param Rajah, Divisional Manager, Civic and Urban Services
Secretariat Officer

OPENING PRAYER

The Opening Prayer was presented by Reverend. David Barrie, All Saints Anglican Church, Balgowlah.

APOLOGIES

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

MOTION (Macdonald / Burns)

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

111/11 **RESOLVED: (Macdonald / Burns)**

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

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

Nil.

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

That copies of the Minutes of the Ordinary Meeting held on Monday, 20 June 2011, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

112/11 **RESOLVED: (Whitting / Heasman)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 20 June 2011, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

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

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday, 27 June 2011, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

113/11 **RESOLVED: (Whitting / Heasman)**

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday, 27 June 2011, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Denise Keen	Progress of Responsible Dog Owners Group in Manly
Roy Deane	"Our Harbour" Agreement and Little Manly zoning changes
David Parsons	Little Manly zoning changes

MAYORAL MINUTES

Mayoral Minute Report No. 9

Review of Police Resources by NSW Government**Summary**

In response to an invitation to make a submission to the Government's on a review of resources involving Policing in this state, I move that Manly Council strongly supports the retention of the present Manly Local Area Command.

MOTION (Hay)

That Council submit the following to the Review and also write in the same terms to the Leader of the Government in Legislative Council, Minister of Police and Emergency Services and Minister for the Hunter, by way of letter to Hon. M. B Baird, Member for Manly:

1. Manly must retain its 24 hour operational Police and Station in the Manly CBD;
2. The strength of operational Police must be significantly increased for frontline duties on Friday and Saturday nights and on public holidays in the Manly CBD;
3. While Council support proposals to merge administrative staff, any proposal to merger operational police will be strongly opposed to;
4. Any loss of permanent operational police from the Manly LGA will be opposed to, and
5. The permanent position of the Commander, held by a Commissioned Officer, who is also properly delegated to represent the Police in all business and community issues, must be located in the Manly CBD.

114/11 **RESOLVED: (Hay)**

That Council submit the following to the Review and also write in the same terms to the Leader of the Government in Legislative Council, Minister of Police and Emergency Services and Minister for the Hunter, by way of letter to Hon. M. B Baird, Member for Manly:

1. Manly must retain its 24 hour operational Police and Station in the Manly CBD;
2. The strength of operational Police must be significantly increased for frontline duties on Friday and Saturday nights and on public holidays in the Manly CBD;
3. While Council support proposals to merge administrative staff, any proposal to merger operational police will be strongly opposed to;
4. Any loss of permanent operational police from the Manly LGA will be opposed to, and
5. The permanent position of the Commander, held by a Commissioned Officer, who is also properly delegated to represent the Police in all business and community issues, must be located in the Manly CBD.

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

Against the Resolution: Nil.

SUSPENSION OF STANDING ORDERS (Griffin / Aird)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No.17 – Sensitivity Analysis Report, Notice of Motion Report No.18 – Redirection of the stormwater pipe away from Clontarf Pool, Notice of Motion Report No.19 – Manly2015, Civic and Urban Services Division Report No.7 – Draft Tree Management Policy and Tree Management Strategy and Notice of Motion Report No.20 – Manly’s iconic Norfolk Island pine trees.

115/11 **RESOLVED: (Griffin / Aird)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion Report No.17 – Sensitivity Analysis Report, Notice of Motion Report No.18 – Redirection of the stormwater pipe away from Clontarf Pool, Notice of Motion Report No.19 – Manly2015, Civic and Urban Services Division Report No.7 – Draft Tree Management Policy and Tree Management Strategy and Notice of Motion Report No.20 – Manly’s iconic Norfolk Island pine trees.

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

Against the Resolution: Nil.

NOTICES OF MOTION

Notice of Motion Report No. 17

Sensitivity Analysis Report

Councillor Craig Whitting will move:

That Manly Council provides a Sensitivity Analysis Report outlining how the purchase of Seaforth TAFE will impact Council's Asset Management Plan and Long Term Financial Plan.

The report should address the key factors or assumptions that are most likely to impact on the achievement of Council's long-term financial plan's financial targets, with reference made (brief or detailed tabular-depending on financial outcomes) on:

- Operating result
- Net financial liabilities

The report is to provide relevant material to be presented to Councillors to help inform the community. The report's aim is to be brief, easy to read and ideally less than 10 pages. Strategically focused on the points requested:

- usage options including projected revenue cashflows;
- the impact of renewal, maintenance and repair work costs;
- the impact of the repayments on principle and interest on the 10 year Community Strategic Plan;
- the impact of the increased depreciation on the 10 year community Strategic Plan;
- net financial liabilities ratio and interest cover ratio targets;
- and if the above places Council in a deficit position on the income and expenditure statement, what steps will Council take if unfavourable scenarios materialise (i.e. review service levels & timing of new projects etc).

PUBLIC ADDRESSES

The following person addressed the meeting on this item:

In support of the Motion: Donald Garth Moller

MOTION (Whitting /)

That Manly Council provides a Sensitivity Analysis Report outlining how the purchase of Seaforth TAFE will impact Council's Asset Management Plan and Long Term Financial Plan.

The report should address the key factors or assumptions that are most likely to impact on the achievement of Council's long-term financial plan's financial targets, with reference made (brief or detailed tabular-depending on financial outcomes) on:

- Operating result
- Net financial liabilities

The report is to provide relevant material to be presented to Councillors to help inform the community. The report's aim is to be brief, easy to read and ideally less than 10 pages. Strategically focused on the points requested:

- usage options including projected revenue cashflows;
- the impact of renewal, maintenance and repair work costs;
- the impact of the repayments on principle and interest on the 10 year Community Strategic Plan;
- the impact of the increased depreciation on the 10 year Community Strategic Plan;
- net financial liabilities ratio and interest cover ratio targets;
- and if the above places Council in a deficit position on the income and expenditure statement what steps will Council take if unfavourable scenarios materialise (i.e. review service levels & timing of new projects etc).

Due to the lack of a seconder the Motion lapsed.

MOTION (Aird / Macdonald)

That Council:

1. Defers exchange of contract on the purchase of Seaforth TAFE.
2. Requests an urgent meeting with Premier, Barry O'Farrell, Mike Baird, Local Member and with local Federal Member, Tony Abbott and all Northern Beaches members of parliament calling for support to reopen Seaforth TAFE college in accordance with their previous commitment.

AMENDMENT (Hay / Norek)

1. That Council's resolution of the Extraordinary meeting on 27 June 2011 to remain unchanged and that no further alternate action be taken.
2. That Council note that the matter will be further discussed with councillors at a future strategic workshop.

For the Amendment: Councillors Hay, Elder, Heasman, Murphy, LeSurf and Norek

Against the Amendment: Councillors Whitting, Griffin, Aird, Burns and Macdonald

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

116/11 **RESOLVED: (Hay / Norek)**

1. That Council's resolution of the Extraordinary meeting on 27 June 2011 to remain unchanged and that no further alternate action be taken.
2. That Council note that the matter will be further discussed with councillors at a future strategic workshop.

For the Resolution: Councillors Hay, Elder, Heasman, Murphy, LeSurf, Norek, Griffin and Burns

Against the Resolution: Councillors Whitting, Aird and Macdonald

Notice of Motion Report No. 18

Redirection of the stormwater pipe away from Clontarf Pool

Councillor Craig Whitting will move:

That Manly Council proceed with the redirection of the stormwater pipe away from Clontarf Pool.

1. That all work to be completed by November in readiness for the 2011 summer season.
2. That the design of the stormwater pipe is diverted to an existing adjacent outlet away from the Clontarf swimming enclosure.

PUBLIC ADDRESSES

The following person addressed the meeting on this item:

In support of the Motion: Phil Young

MOTION (Whitting / Burns)

That Manly Council proceed with the redirection of the stormwater pipe away from Clontarf Pool.

1. That all work to be completed by November in readiness for the 2011 summer season.
2. That the design of the stormwater pipe is diverted to an existing adjacent outlet away from the Clontarf swimming enclosure.

AMENDMENT (Murphy / Norek)

That Council invest in the installation of a gross pollutant trap on the side channel netting.

For the Amendment: Councillors Elder, Murphy, Le Surf, Norek and Hay

Against the Amendment: Councillors Heasman, Whitting, Griffin, Aird and Burns and Macdonald

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

117/11 **RESOLVED: (Whitting / Burns)**

That Manly Council proceed with the redirection of the stormwater pipe away from Clontarf Pool.

1. That all work to be completed by November in readiness for the 2011 summer season.

2. That the design of the stormwater pipe is diverted to an existing adjacent outlet away from the Clontarf swimming enclosure.

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

Against the Resolution: Councillors Elder, Murphy, Le Surf, and Hay

Notice of Motion Report No. 19

Manly2015

Councillor Hugh Burns will move:

To enable the Manly2015 proposal to be properly considered with clarity by all Manly residents:

1. Council hereby confirms that no street closures, one way conversions, or shared zones will be included on the beachfront (North and South Steyne) or the Corso via Whistler Street routes in the Manly2015 scheme
2. That this design clarification is widely promoted including by staff presentation to the Fairy Bower and Little Manly Precincts, newspaper advertising and that all public display and consultation documentation for Manly2015 is promptly amended to reflect this clarification.
3. That the closure and conversion of Sydney road to a mall between Whistler Street and the Corso be retained within the Manly2015 proposal for public comment.
4. That conversion of Whistler Street to two way traffic flow from Sydney Road to Raglan Street be undertaken if it is still proposed that Sydney road be closed between Belgrave and Whistler Street as part of the current Manly2015 proposal.

PUBLIC ADDRESSES

The following person addressed the meeting on this item:

In support of the Motion: Candy Bingham, Little Manly Precinct Chair

MOTION (Burns / Heasman)

To enable the Manly2015 proposal to be properly considered with clarity by all Manly residents:

1. A) Council hereby confirms that no street closures, one way conversions, or shared zones will be included on the beachfront (North and South Steyne)
B) or the Corso via Whistler Street routes in the Manly2015 scheme
2. That this design clarification is widely promoted including by staff presentation to the Fairy Bower and Little Manly Precincts, newspaper advertising and that all public display and consultation documentation for Manly2015 is promptly amended to reflect this clarification.
3. That the closure and conversion of Sydney Road to a mall between Whistler Street and the Corso be retained within the Manly2015 proposal for public comment.
4. That conversion of Whistler Street to two way traffic flow from Sydney Road to Raglan Street be undertaken if it is still proposed that Sydney Road be closed between Belgrave and Whistler Street as part of the current Manly2015 proposal.

AMENDMENT (Aird / Macdonald)

To enable the Manly2015 proposal to be properly considered with clarity by all Manly residents:

1. Council hereby confirms that no street closures, one way conversions, or shared zones will be included on the beachfront (North and South Steyne).
2. That this design clarification is widely promoted including by staff presentation to the Fairy Bower and Little Manly Precincts, newspaper advertising and that all public display and consultation documentation for Manly2015 is promptly amended to reflect this clarification.
3. That the closure and conversion of Sydney Road to a mall between Whistler Street and the Corso be retained within the Manly2015 proposal for public comment.
4. That conversion of Whistler Street to two way traffic flow from Sydney Road to Raglan Street be undertaken if it is still proposed that Sydney Road be closed between Belgrave and Whistler Street as part of the current Manly2015 proposal.
5. That Council delete point 6 "Beach Terrace" from the *Manly2015* concept plan.
6. That Council urgently commissions a traffic study to model the impact of the deletion of the "Beach Terrace" on local traffic flows.

For the Amendment: Councillors Griffin, Aird and Macdonald

Against the Amendment: Councillors Hay, Elder, Heasman, Whitting, Murphy, Le Surf, Norek and Burns

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

118/11 **RESOLVED: (Burns / Heasman)**

To enable the Manly2015 proposal to be properly considered with clarity by all Manly residents:

1. A) Council hereby confirms that no street closures, one way conversions, or shared zones will be included on the beachfront (North and South Steyne)
B) or the Corso via Whistler Street routes in the Manly2015 scheme.
2. That this design clarification is widely promoted including by staff presentation to the Fairy Bower and Little Manly Precincts, newspaper advertising and that all public display and consultation documentation for Manly2015 is promptly amended to reflect this clarification.
3. That the closure and conversion of Sydney Road to a mall between Whistler Street and the Corso be retained within the Manly2015 proposal for public comment.
4. That conversion of Whistler Street to two way traffic flow from Sydney Road to Raglan Street be undertaken if it is still proposed that Sydney Road be closed between Belgrave and Whistler Street as part of the current Manly2015 proposal.

For the Resolution: Councillors Elder, Heasman, Norek, Aird, Burns, Macdonald and Hay

Against the Resolution: Councillors Whitting, Griffin, Murphy and Le Surf

CIVIC AND URBAN SERVICES DIVISION

Civic and Urban Services Division Report No. 7

Draft Tree Management Policy and Draft Tree Management Strategy**SUMMARY**

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

PUBLIC ADDRESSES

The following person addressed the meeting on this item:

In support of the Motion: Evelyn Shervington

MOTION (Griffin / Burns)

That:

1. The draft Tree Management Policy and draft Tree Management Strategy be endorsed with agreed amendments.
2. The draft Tree Management Policy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.
4. That Council staff prepare budget bids for the next budget 2012/2013 for the tree planting proposals.

119/11 **RESOLVED: (Griffin / Burns)**

That:

1. The draft Tree Management Policy and draft Tree Management Strategy be endorsed with agreed amendments.
2. The draft Tree Management Policy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.
4. That Council staff prepare budget bids for the next budget 2012/2013 for the tree planting proposals.

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

Against the Resolution: Nil.

NOTICES OF MOTION

Notice of Motion Report No. 20

Manly's Iconic Norfolk Island Pine Trees

Councillor Hugh Burns will move:

That Manly Council prepare a comprehensive Norfolk Island Pine Tree Restoration Plan to identify all the locations where the pine trees were traditionally planted in the Manly LGA with a view to reinstating as many of the trees in these locations as possible.

These locations to be examined are to include but not be limited to North and South Steyne, East and West Esplanade, Wentworth Street, Pittwater Road from Golf Parade to the Eurobin Avenue (mainly concentrated near the roundabout and old tram shed at Balgowlah Road intersection).

That in any location where views might be affected, the Council liaise with the Traffic Committee, the local precinct and directly affected residents to advise and consult, including noting the considerable time taken for the trees to grow to full height (30 years).

The plan is to include a program of Council growing sufficient trees to be able to plant out re-established rows with the same age of tree (for clarity all existing remaining trees in such rows are to be retained).

MOTION (Burns / Aird)

That Council:

1. Prepare a comprehensive Norfolk Island Pine Tree Restoration Plan to identify all the locations where the pine trees were traditionally planted in the Manly LGA with a view to reinstating as many of the trees in these locations as possible.

These locations to be examined are to include but not be limited to North and South Steyne, East and West Esplanade, Wentworth Street, Pittwater Road from Golf Parade to the Eurobin Avenue (mainly concentrated near the roundabout and old tram shed at Balgowlah Road intersection).

That in any location where views might be affected, the Council liaise with the Traffic Committee, the local precinct and directly affected residents to advise and consult, including noting the considerable time taken for the trees to grow to full height (30 years).

The plan is to include a program of Council growing sufficient trees to be able to plant out re-established rows with the same age of tree (for clarity all existing remaining trees in such rows are to be retained).

2. Commission a further ongoing Pine Tree Management report to assess impact at the rectification works and to calibrate and refine the previous 5 year Plan of Management (2002-2007).
3. Test the foliage of the pine trees to determine the presence of contaminants (including but not limited to chlorine and ammonia).
4. Test and measure the air quality in close proximity of the sedimentation tanks which have increased from 4 to 6 for surfactants or other volatile organics.

AMENDMENT (Griffin / Heasman)

That:

1. Council commission a further ongoing Pine Tree Management report to assess impact at

the rectification works and to calibrate and refine the previous 5 year Plan of Management (2002-2007).

2. Council test the foliage of the pine trees to determine the presence of contaminants (including but not limited to chlorine and ammonia).
3. Council test and measure the air quality in close proximity of the sedimentation tanks which have increased from 4 to 6 for surfactants or other volatile organics.
4. The report of the 5 year Plan of Management (2002-2007) be put on the Council website.

For the Amendment: Councillors Heasman, Griffin, Macdonald and Hay

Against the Amendment: Councillors Elder, Whitting, Murphy, Le Surf, Norek, Aird and Burns

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

MOTION (Burns / Aird)

That Council:

1. Prepare a comprehensive Norfolk Island Pine Tree Restoration Plan to identify all the locations where the pine trees were traditionally planted in the Manly LGA with a view to reinstating as many of the trees in these locations as possible.

These locations to be examined are to include but not be limited to North and South Steyne, East and West Esplanade, Wentworth Street, Pittwater Road from Golf Parade to the Eurobin Avenue (mainly concentrated near the roundabout and old tram shed at Balgowlah Road intersection).

That in any location where views might be affected, the Council liaise with the Traffic Committee, the local precinct and directly affected residents to advise and consult, including noting the considerable time taken for the trees to grow to full height (30 years).

The plan is to include a program of Council growing sufficient trees to be able to plant out re-established rows with the same age of tree (for clarity all existing remaining trees in such rows are to be retained).

2. Commission a further ongoing Pine Tree Management report to assess impact at the rectification works and to calibrate and refine the previous 5 year Plan of Management (2002-2007).
3. Test the foliage of the pine trees to determine the presence of contaminants (including but not limited to chlorine and ammonia).
4. Test and measure the air quality in close proximity of the sedimentation tanks which have increased from 4 to 6 for surfactants or other volatile organics.

For the Motion: Councillors Aird and Burns

Against the Motion: Councillors Elder, Whitting, Murphy, Le Surf, Norek, Heasman, Griffin, Macdonald and Hay

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

RESUMPTION OF STANDING ORDERS (Griffin / Aird)

That Standing Orders be resumed.

120/11 RESOLVED: (Griffin / Aird)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

Notice of Motion Report No. 16

Leaching at Little Manly Point

Councillor Cathy Griffin will move:

That Council provide a detailed report on the leaching causing a blue stain in the rocks and cliff face at Little Manly Cove and provide assurance to community that this leaching is not toxic and does not present any danger to the community or environment.

This report should include but not be limited to:

1. The location, date, and time of any tests that have been carried out in the area.
2. The result of the tests and what they indicate.
3. The method of communicating the results of any tests and to whom.
4. The organisation with responsibility for determining what the blue substance is and assuring the community that the blue substance that is visible on the rockface is safe, non toxic and not polluting the environment.
5. What action, if any, has been taking to prevent the leaching and discolouration of the rockface.
6. The monitoring regime for the area.
7. The function of the pump and the maintenance regime for the pump.

MOTION (Griffin / Elder)

That Council provide a detailed report on the leaching causing a blue stain in the rocks and cliff face at Little Manly Cove and provide assurance to community that this leaching is not toxic and does not present any danger to the community or environment.

This report should include but not be limited to:

1. The location, date, and time of any tests that have been carried out in the area.
2. The result of the tests and what they indicate.
3. The method of communicating the results of any tests and to whom.

4. The organisation with responsibility for determining what the blue substance is and assuring the community that the blue substance that is visible on the rockface is safe, non toxic and not polluting the environment.
5. What action, if any, has been taking to prevent the leaching and discolouration of the rockface.
6. The monitoring regime for the area.
7. The function of the pump and the maintenance regime for the pump.

121/11 **RESOLVED: (Griffin / Elder)**

That Council provide a detailed report on the leaching causing a blue stain in the rocks and cliff face at Little Manly Cove and provide assurance to community that this leaching is not toxic and does not present any danger to the community or environment.

This report should include but not be limited to:

1. The location, date, and time of any tests that have been carried out in the area.
2. The result of the tests and what they indicate.
3. The method of communicating the results of any tests and to whom.
4. The organisation with responsibility for determining what the blue substance is and assuring the community that the blue substance that is visible on the rockface is safe, non toxic and not polluting the environment.
5. What action, if any, has been taking to prevent the leaching and discolouration of the rockface.
6. The monitoring regime for the area.
7. The function of the pump and the maintenance regime for the pump.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek and Griffin.

Against the Resolution: Nil.

Councillors Aird, Burns and Macdonald were not in the Chamber when the voting took place.

Councillor Macdonald left the meeting.

Notice of Motion Report No. 21

Collins Beach Road - Illegal Parking

Councillor Cathy Griffin will move:

That Council write to the appropriate State and Federal Ministers, including the NSW Minister for Heritage and Environment, and Mike Baird Member for Manly, as well as Federal and State Government authorities, to seek assurance that the Australian Institute of Police Management (AIPM) Development Project will adequately compensate the National Parks & Wildlife Service for

the daily illegal parking of their contractors on Collins Beach Rd for the entire period of the construction of the AIPM.

In addition, Council to seek assurance from State and Federal Ministers that the Collins Beach Rd, the damaged verges, and visitor carpark will be remediated, and that any plans for this or any work in the area be made public and community input be invited and considered.

MOTION (Griffin / Heasman)

That Council write to National Parks and Wildlife and the Administrator of the Australian Institute of Police Management advising that Council has received complaints from residents regarding the illegal parking at Collins Beach Road and asking the Australian Institute of Police Management to comply with the conditions of their development application.

122/11 **RESOLVED: (Griffin / Heasman)**

That Council write to National Parks and Wildlife and the Administrator of the Australian Institute of Police Management advising that Council has received complaints from residents regarding the illegal parking at Collins Beach Road and asking the Australian Institute of Police Management to comply with the conditions of their development application.

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

Against the Resolution: Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 10

Items for Brief Mention

1. Complaints made to the General Manager

Complaints made to the General Manager as at July 2011

Matter No.	Received	Nature of complaint	Outcome	Status
COMP2011-05-04	May 2011	Complaint re compliance matter	No breach of code of conduct found. No further action.	Finalised
COMP2010-12-03	May 2011	Request for a Review - Complaint re compliance matter	Additional information submitted was reviewed. No breach found. No further action.	Finalised
COMP2010-12-06	May 2011	Request for a Review - Complaint re compliance matter	Additional information submitted was reviewed. No breach found. No further action.	Finalised

2. Notices of Motion Status Report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
100/11	20 June 2011	Works on North Steyne stormwater outfall pipes	That: 1) Any works on the North Steyne stormwater outfall pipes be deferred pending further consultation with the surfing community.	Review brief being prepared.

			2) Following the consultation process with the surfing community and seek the opinion of Manly Hydraulics and the matter be brought back to Council for consideration.	Review brief being prepared.
84/11	9 May 2011	Combating Graffiti	That:	Pending.
			1. Manly Council investigate participating in the VandalTrak project to assist its residents acting as agents to report vandal damage, both to their own and Council property;	
			2. Council explore with local Rotary groups participation in the cleaning up and removal of graffiti on private property in the Manly area;	Pending.
			3. Council liaise with local police to explore a coordinated local and regional strategy to report, prosecute and otherwise minimise graffiti;	Pending.
			4. Council investigate electronic integration of reported vandalism to Manly Council property made to the VandalTrak web site being automatically transferred to Council's management systems, to enable staff to check and promptly rectify reported damage logged via this website; and	Pending.
			5. A report be brought back to Council within 3 months on these matters, including expected costs and savings to Council and benefits to the community amenity.	Pending.
08/11	14 February 2011	Masterplan for the site bounded by Wentworth St, Darley Rd, Victoria Pde and South Steyne	1. That design control guidelines be prepared for the site bounded by Wentworth St, Darley Rd, Victoria Pde and South Steyne from which a development control plan could be developed to address the significant access, parking, urban design, landscape and environmental planning issues on the site which Council has previously identified.	Pending.
44/10	19 April 2010	Notice of Motion - Manly Council to Investigate Resuming Provision of Street Lighting in the Manly Municipality	That Manly Council conducts an investigation and produces a report on the feasibility or taking over all or part of the street lighting in the Manly Municipality, currently run by Energy Australia at Council's expense. That such a report include but not be limited to the following items: - Identification of possible areas to be taken over including staging options and outlining selection methodology/criteria, - Identification of any additional costs or savings from taking over these assets over say a 20 year term. - Consideration of whether the transfer would assist Council to make the street lighting installation more energy efficient and likely cost savings and environmental benefits from such a change. - Consideration of whether such a transfer would enable Council to place more lighting wiring underground to make selected areas more attractive and the installations less prone to damage. - Consideration of whether there would be further cost savings from undertaking the street lighting on a regional or SHOROC based scale.	Pending.

3. Documents to be Tabled

Date	Author	Subject
08/07/11	Sydney Water	Completion of SewerFix work in Manly.
07/07/11	The Hon G Berejiklian MP Minister for Transport	Transport re Manly Ferry Service
07/07/11	Division of Local Government, Premier & Cabinet	Circular: Strengthening protections for public officials who make public interest disclosures
29/06/11	Division of Local Government, Premier & Cabinet	Circular – Conduct of elections by Councils – Amendments to the Local Government Act 1993.

29/06/11	Division of Local Government, Premier & Cabinet	Circular - Constitutional arrangements for Councils - Amendments to the Local Government Act 1993.
28/06/11	SES, Sydney Northern Region & Outgoing letter from Manly Council	Re-appointment of SES Local Controller – Manly SES Unit.
28/06/11	NSW Local Government Grants Commission	2011-12 Financial Assistance Grants.
24/06/11	Division of Local Government, Premier & Cabinet	Circular – Watershed Planning Event: Local Government - Destination 2036.
21/06/11	NSW Local Government Grants Commission	Circular – 2011-12 Financial Assistance Grants Advance Payment.
16/06/11	Division of Local Government, Premier & Cabinet	Request assistance with establishment by the NSW Government of a State wide graffiti hotline.
15/06/11	Division of Local Government, Premier & Cabinet	Email re Final Council groups for the implementation of the integrated Planning and Reporting Framework.
14/06/11	The Hon Simon Crean MP, Minister for Regional Australia, Regional Development and Local Government Minister for the Arts	Constitutional recognition of local government.
03/06/11	NSW Government, Planning and Infrastructure	Circular - Repeal of SEPP 53 Metropolitan Residential Development.
23/05/11	Local Government Association of NSW	Modernising Local Government: Consultation Report is now available on the Associations web site.

MOTION (Heasman / Elder)

1. That the information be received and noted.
2. That the information be received and noted.
3. That the documents tabled at this meeting be received and noted.

123/11 **RESOLVED: (Heasman / Elder)**

1. That the information be received and noted.
2. That the information be received and noted.
3. That the documents tabled at this meeting be received and noted.

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

Against the Resolution: Nil.

REPORTS OF COMMITTEES

Report Of Committees Report No. 27

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

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

- i) Manly Arts Festival Working Group – 22 June 2011
- ii) Waste Committee – 22 June 2011
- iii) Access Committee – 21 June 2011
- iv) Art and Culture Committee – 21 June 2011
- v) Community Safety Committee – 9 June 2011

- vi) Sustainable Transport Committee – 9 June 2011
- vii) Community Environment Committee – 8 June 2011
- viii) Meals on Wheels Committee – 8 June 2011

MOTION (Whitting / Burns)

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

- i) Manly Arts Festival Working Group – 22 June 2011
- ii) Waste Committee – 22 June 2011
- iii) Access Committee – 21 June 2011
- iv) Art and Culture Committee – 21 June 2011
- v) Community Safety Committee – 9 June 2011
- vi) Sustainable Transport Committee – 9 June 2011
- vii) Community Environment Committee – 8 June 2011
- viii) Meals on Wheels Committee – 8 June 2011

124/11 **RESOLVED: (Whitting / Burns)**

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

- i) Manly Arts Festival Working Group – 22 June 2011
- ii) Waste Committee – 22 June 2011
- iii) Access Committee – 21 June 2011
- iv) Art and Culture Committee – 21 June 2011
- v) Community Safety Committee – 9 June 2011
- vi) Sustainable Transport Committee – 9 June 2011
- vii) Community Environment Committee – 8 June 2011
- viii) Meals on Wheels Committee – 8 June 2011

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

Against the Resolution: Nil.

Report Of Committees Report No. 28

Minutes for Adoption by Council - Manly Scenic Walkway Committee - 5 July 2011

These reports were dealt with at the Manly Scenic Walkway Committee meeting of 5 July 2011 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.

1. ITEM 6 REPORT: Ellery's Punt Reserve Landscape Masterplan – Final Design

Ellery's Punt Reserve is an existing foreshore park located on the Manly Scenic Walkway adjacent to the Spit Bridge. It provides access and parking for harbour users. Historically this reserve was used as the platform for the punt crossing and the Manly tram and has heritage significance. Adjacent to the punt landing area is an eroded embankment and stormwater outlet pipe.

Preliminary Design of the Ellery's Punt Reserve Landscape Masterplan was presented to the Landscape Masterplan & Urban Design (LMUD), Harbour Foreshores & Coastline Management (HFCM), Heritage and Manly Scenic Walkway Committees during June – September 2010.

A Final Design has been prepared based on feedback from these Committees. The Masterplan is now presented to discuss and recommend to Council for public exhibition.

Development of a Landscape Masterplan for Ellery's Punt Reserve is proposed to integrate improvements to the harbour edge addressing erosion and community concerns.

Landscape Masterplan for Ellery's Punt Reserve

The main landscape elements proposed for upgrade are:

1. Formalise access to water for recreation uses.
2. Improve the visibility of the existing stormwater services to the water's edge.
3. Propose a solution to the current erosion of the existing sand embankment.
4. Investigate remaining heritage stonework and integrate this with the landscape upgrade of the foreshore.

It was communicated that this landscape plan is being developed in response to the continuing erosion issues at the site and to resolve the problem of soil erosion to the harbour foreshore area. The protection of the existing soil profile to the harbour is important to maintain.

RECOMMENDATIONS FROM COMMITTEES

Preliminary Design of the Ellery's Punt Reserve Landscape Masterplan was presented to the Landscape Masterplan & Urban Design (LMUD), Harbour Foreshores & Coastline Management (HFCM), Heritage and Manly Scenic Walkway Committees during June – September 2010 and following feedbacks were received.

LMUD Committee (dated 16 June 2010)

LMUD recommends that the landscape drawings be presented to the Heritage Committee for feedback in August.

The importance of incorporating interpretive signage was highlighted by committee members. It is recommended that the historical significance of this site is communicated to the visitors and users of the Manly Scenic Walkway.

Heritage Committee (dated 4 August 2010)

It was advised that staff have requested archaeological advice from the DoP Heritage Office. The stormwater pipe is proposed to be shortened and covered by a timber boardwalk. It is proposed to retain the archaeological remnants of the former punt, partly under water. The Committee made the following comments:

- Do not shorten the pipe as this would undermine the structures;
- Consider existing signage/plaques, including the O'Halloran monument in the area. Suggest consolidation of signage and that the Committee is included in this work;
- The Committee requested that the proposal be brought back to the Committee;
- Use appropriate timber for the marine environment; durability is preferred, and
- The site is significant as it predates the wharf at Manly and has Aboriginal significance.

Harbour Foreshores & Coastline Management Committee (dated 10 August 2010)

As the Committee was presented the plan for the first time, members requested more time to understand the Masterplan. In general, the Committee feels that the Plan is over-designed and can be made simple. They, however, contributed constructive comments and suggestions. Some of these are:

- Proposed sand embankment is a good idea;
- Proposed timber steps could become a maintenance issue later for Council as the timber steps could become slippery, and
- Retain full length of the storm water pipe to prevent soil erosion.

The Committee recommends that:

1. Mr. Carlo Bongarzoni, a member of the Committee, visit the site and submit a report on the proposed works.
2. A revised Plan is presented at the next meeting.

LMUD Committee (dated 18 August 2010)

Following a verbal report by Council staff regarding the comments other Committees had noted regarding the Ellery Punt landscape plans, the LMUD Committee members made the following comments:-

- They would like to be made aware of the Heritage Committee comments regarding the scheme;
- They prefer the proposed boardwalk to be flat as opposed to sloped towards the water's edge given the potential problem of sea growth and slipperiness, and
- They prefer the stormwater pipe outlet be left out at the end of the proposed boardwalk rather than back in at the face of the sea wall.

Manly Scenic Walkway Committee (dated 7 September 2010)

The Committee recommend to the General Manager that the following suggestions be considered for inclusion in the plan:

1. The informal path is incorporated into the design plan.
2. Continue the path to the steps below the bridge.
3. Link in pathways from Avona Crescent and Battle Boulevard.
4. Incorporate interpretive signage.
5. Look at the bigger picture of the surrounding area for a more holistic project.
6. Look at other seating possibilities.
7. Break the plan down into stages so project can be funded.

Feedback from different committees has been considered and a final design of the Masterplan has been prepared.

Mr. Carlo Bongarzoni of the Harbour Foreshore & Coastline Management Committee had a site visit with Architect Michael Biddulph on 12 October 2010 to discuss various aspects of the Masterplan.

2. ITEM 9 REPORT: 40 Baskets Beach Proposed High Tide Access Route

The issue of high tide access along the rock platform south of 40 Baskets Beach has been raised as a problem for users of the walkway. During a recent inspection of this area by the Committee, a proposed high tide access route was identified.

During periods of high tide, the rock shelf to the south of 40 Baskets Beach becomes difficult to cross due to tidal inundation. This issue had been previously addressed by placing large sandstone boulders across the shelf to act as stepping stones for users of the walkway to cross this rock shelf.

It has become apparent that this solution is not effective as track users have been creating tracks through the surrounding bush to bypass the rock shelf. This issue has been identified by the Committee as a project that Council should implement to address the problem.

An inspection of this area was undertaken by some members of the Committee on 7 June 2011. During this inspection a potential high tide bypass route was identified in the bushland that borders the rock platform.

It was identified that a narrow track exists within the bushland running parallel to the rock shelf. At the site inspection it was proposed that stairs be constructed at the northern end of the rock shelf to access this track. It was also identified that stairs are currently present on the southern side of

the track. Some minor vegetation pruning would be required to improve the accessibility of the track and the installation of signage would be required.

This was considered the most practical and cost effective solution to the access issue.

3. ITEM 10 REPORT: Manly Scenic Walkway Track Upgrade and Maintenance

The section of walking track from Ellery Punt Reserve to Fisher Bay is requiring upgrade works to improve the condition of the walking track. This section of track has deteriorated as a result of extensive public usage and weather exposure. Council is planning to upgrade this track.

The Ellery Punt Reserve to Fisher Bay section of track is the gateway to the Manly Scenic Walkway for walkers commencing from Spit Bridge, or the final destination for walkers starting at Manly. It is important that the condition of this track is of a high standard to provide a good experience for users of the walkway.

The walking track has deteriorated as a result of extensive public usage and weather exposure. As this is a very popular and important part of the Manly Scenic Walkway, upgrading of the track is required to improve the condition of the walking track and create a high quality experience for users of the walkway. The National Parks and Wildlife Service has commenced extensive upgrade work of the Dobroyd Head section of the walkway. Given the high standard of track upgrade currently being undertaken by the National parks and Wildlife Service, this has set the standard on which all other bushland sections of the walkway should be upgraded to.

It is proposed that Council will adopt a similar style of track construction as used by the National Parks and Wildlife Service. This will ensure a consistent style of walking track is used throughout bushland sections of the Manly Scenic Walkway. The general specifications of works proposed for the upgrade of approximately 90m of walking track will include:

- Built track to a width of 1200mm unless prevented by site constraints.
- Rebuild stairs using dimension sandstone blocks with blocking stones capping the tread stones. An example of this is illustrated below.
- Sandstone used in the existing stairs will be reused as edging stones with additional edging stone imported onto site as required.
- Compacted crushed sandstone will be used to provide a smooth walking track surface.

In addition to these works, replacement of the boardwalk at the western end of Sandy Bay Road will also be undertaken. The bridge deck is reaching the end of its lifespan and requires replacement.

To undertake these works it will be required to close the walking track from Sandy Bay to Ellery Punt Reserve for all or part of the duration of works. It is anticipated that this work may take up to 1 month to complete. A detour route will be put in place around the work site. Given the high usage of the track, extensive public notification will be undertaken prior to commencing the works.

Quotations will be requested from companies specialising in this type of work in July. It is intended that works will be undertaken between August and October 2011.

MOTION (Heasman / Whitting)

That the minutes of the Manly Scenic Walkway Committee meeting on 5 July 2011 be adopted including the following items:

1. ITEM 6 REPORT: Ellery's Punt Reserve Landscape Masterplan – Final Design

1. That the Ellery's Punt Reserve Landscape Masterplan Final Design be placed on public

exhibition.

2. That the benefits of the project for the local communities' enjoyment and the history of the site be acknowledged.

2. ITEM 9 REPORT: 40 Baskets Beach Proposed High Tide Access Route

That the proposed creation of a high tide access track through the bushland bordering the rock shelf be implemented.

3. ITEM 10 REPORT: Manly Scenic Walkway Track Upgrade and Maintenance

1. That the proposed upgrade of the walking track be implemented.
2. That Council endorses closure of the track from Sandy Bay to Ellery Punt Reserve for maintenance purposes.

125/11 **RESOLVED: (Heasman / Whitting)**

That the minutes of the Manly Scenic Walkway Committee meeting on 5 July 2011 be adopted including the following items:

1. ITEM 6 REPORT: Ellery's Punt Reserve Landscape Masterplan – Final Design

1. That the Ellery's Punt Reserve Landscape Masterplan Final Design be placed on public exhibition.
2. That the benefits of the project for the local communities' enjoyment and the history of the site be acknowledged.

2. ITEM 9 REPORT: 40 Baskets Beach Proposed High Tide Access Route

That the proposed creation of a high tide access track through the bushland bordering the rock shelf be implemented.

3. ITEM 10 REPORT: Manly Scenic Walkway Track Upgrade and Maintenance

1. That the proposed upgrade of the walking track be implemented.
2. That Council endorses closure of the track from Sandy Bay to Ellery Punt Reserve for maintenance purposes.

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

Against the Resolution: Nil.

Report Of Committees Report No. 29

**Minutes for Adoption by Council - Harbour Foreshores & Coastline Management Committee
- 14 June 2011**

This report was dealt with at the Harbour Foreshores and Coastline Management Committee meeting of 14 June 2011 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

ITEM 5 REDIRECTION OF THE STORMWATER PIPE AWAY FROM CLONTARF POOL

Council's Design Manager presented a report explaining concerns of the Clontarf Precinct regarding the stormwater pipe directly draining into Clontarf swimming enclosure. Clontarf Precinct members raised concern about the concentration of additional pollutant from harmful vehicle emissions on the ground from the nearby car park and being directly polluting the swimming enclosure.

As such, Urban Services' design team has completed a detailed design involving the re-direction of this stormwater pipe to an existing adjacent outlet away from swimming enclosure. Estimated cost of the redirection is \$70,000.

Water Cycle Management Team advised that the relocation of this single pipe is not to serve any significant benefit in water quality within swimming enclosure, due to upstream Middle Harbour stormwater and sewage pollution in wet weather. Based on advice and cost, staff made a recommendation not to proceed with redirection of the stormwater pipe.

Members of the Committee vehemently opposed the proposed recommendation suggesting that redirection would have immense benefit to users of Clontarf pool based on amenity and perception. Pool area will remain clean from rubbish and polluted water. Members considered option to have standard pollutant trap but indicated problems with clean up of the trap. Members considered other options of redirection but concluded that the presented design is the most practical one.

Members unanimously voiced to recommend to Council to proceed with implementation of redirection before the coming summer season.

MOTION (Burns / Whitting)

That:

1. The Committee's recommendation be received and noted;
2. Due to the significant urban catchment area upstream of Clontarf Beach that discharges into the Middle Harbour, as advised by expert professional staff of the Water Cycle Management Team, the proposal will not improve the water quality nor public health risk at this location; therefore the work cannot be justified;
3. Council note the proposed work and its \$70,000 expenditure is not provided for in the Council Adopted Delivery Program for 2011-12.

Refer to Notice of Motion Report No.18 – Redirection of stormwater pipe away from Clontarf Pool (Res No. 117/11).

126/11 **RESOLVED: (Burns / Whitting)**

That:

1. The Committee's recommendation be received and noted;

2. Due to the significant urban catchment area upstream of Clontarf Beach that discharges into the Middle Harbour, as advised by expert professional staff of the Water Cycle Management Team, the proposal will not improve the water quality nor public health risk at this location; therefore the work cannot be justified;
3. Council note the proposed work and its \$70,000 expenditure is not provided for in the Council Adopted Delivery Program for 2011-12.

Refer to Notice of Motion Report No.18 – Redirection of stormwater pipe away from Clontarf Pool (Res No. 117/11).

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

Against the Resolution: Nil.

Report Of Committees Report No. 30

Minutes for Adoption by Council - Sports Facilities Committee - 3 June 2011

These reports were dealt with at the Sports Facilities Committee meeting of 3 June 2011 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.

1. ITEM 4 Report: Update on Items from Previous Meetings

This report will update the Committee on previous items raised.

North Head – Use of Oval

The Manager Parks & Reserves outlined that a letter signed by the Mayor had gone to the Sydney Harbour Federation Trust requesting a meeting and further discussion on the use of the sporting field. The Committee outlined that there were no suitable fields in Warringah for use by Manly clubs.

The Committee raised that Council has allocated \$120,000 towards the refurbishment of a field for use during the 2015 project. This funding could easily be used to raise the standard of the North Head Oval. Along with maintenance funds spent on Manly Oval.

Up until now the major issue is the environmental protection of the bandicoots, which neglects the historical fact that Rugby has been played up at the Oval for 60 years. Also those commercial programs such as the Biggest Loser can use the grounds with no issue.

It was felt by the Committee that the use of the oval at North Head was an intricate part of the 2015 project. Crucial to its success and transition for relocation of users. The Committee felt that Council should continue to pursue this issue further.

Manly Oval Toilet Block Refurbishment

The work has now been completed. The Rugby and cricket Club are delighted with the work carried out by Manly Council. Special thanks to Council's Facilities Manager and Building Technical Manager who have completed the project in a highly professional manner.

Manly Oval Spectator seating

The old seating has been removed, and slab installed. 2 new seating modules have been ordered for installation.

PA System Manly Oval

Council has allocated funding in the 2012 budget for the installation of a P.A System at Manly Oval.

Balgowlah Oval replacement light pole

Earlier in the cricket season the pole on the southern side of the oval fell in a storm and had to be removed, the current remaining pole cannot accommodate additional light fixtures because of their age and structural integrity. This leaves a shadowing on the field that will present an issue to user groups. No existing funds are available at this point for this replacement. Seaforth Football Club has offered some assistance with costs. The estimate for replacement only as is will be \$22,000.

Blackout dates for Renovation periods.

Possible future blackout dates for renovation works:

- 4th July 2011 to 15th July 2011
- 26th September 2011 to 7th October
- 21st December 2011 to 26th January 2012
- 6th April 2012 to 22nd April 2012
- 30th June 2012 to 15th July 2012
- 22nd September 2012 to 7th October 2012
- 22nd December 2012 to 28th January 2012
- 13 April 2013 to 28th April 2013
- 30th June 2013 to 15th July 2013
- 21st September 2013 to 7th October 2013
- 21st December 2013 to 27th January 2013

Keirle Park Half Pipe Ramp

Onsite consultation with some of the regular users of the ramp has been carried out at site. Quotes have been received from 2 manufacturers of these types of ramps. There are a restricted number of manufacturers of these ramps.

Future Agenda items

- That the Parks Manager bring back to the Committee at a future meeting a concept proposal for the future reconfiguration and sizing of Balgowlah Oval for discussion. **Pending**
- That a work shop be held with sporting clubs at the end of the February meeting to work through possible water and power saving measures that could be implemented in sporting areas to help reduce Councils carbon footprint in this area. **Pending**
- Those projects such as solar offset infrastructure are looked at by Council to help offset sports lighting (e.g. Those projects such as solar offset infrastructure are looked at by Council to help offset sports lighting (E.G Solar panels on Manly oval club house roof to feed back into the grid). **Pending**

2. ITEM 5 Report LM Graham Masterplan

The LM Graham Landscape Masterplan was endorsed by Council on the 7th February 2011; the plan outlines future changes and improvements to the reserve. The implementation of the project will need to be staged in order to fund the improvements.

Councils Landscape Architect addressed the meeting to run through the final plan. A copy of the adopted Landscape Masterplan was tabled at the meeting for discussion.

The Open Space Coordinator reported that two grant applications were being prepared for the

Masterplan project, both grants can be matched on a dollar for dollar basis. \$410,000 has been allocated in Councils adopted budget for 2011/ 12 funds.

It was the general consensus of the Committee that the Suwarrow Street area at the western end of LM Grahams Reserve is an integral part of the open space area that needs to be utilized as part of stage one of the plan. In order that new infrastructure be installed in this area first, to avoid compromising the use of the field areas.

It is suggested that the storage area at the western end of the fields be moved to the eastern end temporarily because of the need for the storage area, so that new infrastructure proposed can be installed as stage one of the project. This infrastructure can then be used whilst other works is carried out.

The gate vehicle entry areas to Grahams Reserve are retained at the cult a sac at the end of Odahwarra close where the original gate entry was, and the entry at the Kenneth Road side of the oval as well.

It was raised by the Committee that on the original plans there was a storm water collection and storage tank included on the Balgowlah Road frontage to store storm water for reuse as irrigation, this needs to be included on any construction design drawings to make sure it is included in the hydraulic civil works.

MOTION (Whitting / Hay)

That the minutes of the Sports Facilities Committee meeting on 3 June 2011 be adopted including the following items:

1. ITEM 4 Report – Update on Items from Previous Meetings

That:

1. Council pursue the need for the use of the North Head Oval with the Sydney Harbour Federation Trust, as over the 2 year period it will be an intricate part of the success of the 2015 project and transition of relocating the local user clubs. Seeking further political assistance if a meeting is not agreed to by the Trust;
2. The P.A. System at Manly Oval is installed as soon as possible;
3. The replacement of lighting at Balgowlah oval is made a high priority green energy project because of related safety issues related to poor lighting during use, and
4. Block out dates nominated in the above report are used for possible renovation periods.

2. ITEM 5 Report – LM Graham Masterplan

The Committee endorse the final plan in principal. The Committee recommends that the project be considered in the following stages:

1. The Suwarrow Street compound is moved to the eastern end of the playing fields to allow the installation of new essential infrastructure, as per Landscape Master plan;
2. A temporary facility is installed on the eastern end of the fields to accommodate user needs whilst construction is carried out;
3. Demolition of the old toilet block and facilities buildings;
4. Removal of old infrastructure such as fences and site screens;

5. Civil and hydraulic works, mounding, levelling works, and irrigation works of sporting fields and wickets, and
6. The remaining infrastructure works nominated in the Landscape Master Plan.

127/11 **RESOLVED: (Whitting / Hay)**

That the minutes of the Sports Facilities Committee meeting on 3 June 2011 be adopted including the following items:

1. ITEM 4 Report – Update on Items from Previous Meetings

That:

1. Council pursue the need for the use of the North Head Oval with the Sydney Harbour Federation Trust, as over the 2 year period it will be an intricate part of the success of the 2015 project and transition of relocating the local user clubs. Seeking further political assistance if a meeting is not agreed to by the Trust;
2. The P.A. System at Manly Oval is installed as soon as possible;
3. The replacement of lighting at Balgowlah oval is made a high priority green energy project because of related safety issues related to poor lighting during use, and
4. Block out dates nominated in the above report are used for possible renovation periods.

2. ITEM 5 Report – LM Graham Masterplan

The Committee endorse the final plan in principal. The Committee recommends that the project be considered in the following stages:

1. The Suwarrow Street compound is moved to the eastern end of the playing fields to allow the installation of new essential infrastructure, as per Landscape Master plan;
2. A temporary facility is installed on the eastern end of the fields to accommodate user needs whilst construction is carried out;
3. Demolition of the old toilet block and facilities buildings;
4. Removal of old infrastructure such as fences and site screens;
5. Civil and hydraulic works, mounding, levelling works, and irrigation works of sporting fields and wickets, and
6. The remaining infrastructure works nominated in the Landscape Master Plan.

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

Against the Resolution: Nil.

Report Of Committees Report No. 31

Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011

These reports were dealt with at the Audit and Risk Committee meeting of 31 May 2011 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.

1. ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received for the meeting. Councillor Norek was absent from the meeting without apology. Councillor Norek's record of attendance at the Committee is as follows:

- 28 April 2010: Absent without apology
- 31 August 2010: Absent with apology
- 13 September 2010: Absent without apology
- 23 November 2010: Absent without apology
- 31 March 2011: Absent without apology

The Secretariat wrote to Councillor Norek informing him that he has missed three consecutive meetings and is requested to indicate if he intends to continue as a member of the Committee. This letter was tabled at the meeting. No response has been forthcoming from Councillor Norek, hence he is no longer considered to be a member of the Audit & Risk Committee.

Therefore, membership of the Audit & Risk Committee now stands at three Councillors (being Councillor Jean Hay (Mayor), Councillor Hugh Burns, and Councillor Cathy Griffin) and two independents (being John Gordon and Brian Hrnjak).

The Internal Auditor reminded the Committee that the DLG Guidelines state that a majority of the Committee membership should be independents. The Chair indicated that the current membership is suitable, and that, as Chair, if there is a split decision, he has the casting vote.

2. ITEM 7 REPORT – Impact of Revised DLG Internal Audit Guidelines

The Internal Auditor presented and spoke to his written Report on the Impact of Revised Internal Audit Guidelines. A discussion followed, including discussion on the proposed amendments/additions to Council's Audit and Risk Committee Charter, as circulated.

- Voting Membership of the Committee: it was agreed that membership of the Committee consist of:
 - Three Councillors
 - An independent external member (not a member of the Council)
 - An independent external member (an independent to be the chairperson)
- Notwithstanding the Revised DLG Guidelines the Committee wished to endorse the retention of the current Mayor (Cllr Jean Hay) as a Councillor member of the Audit and Risk Committee.

The following further points were made regarding Council's Audit & Risk Committee Charter:

- With regard to "5. Reporting" and the additional last sentence: *"The Committee will report regularly, and at least annually, to the governing body of Council on the management of risk and internal controls."*
The Chair suggested that the Committee report annually to Council after the issuing of the Financial Statements, say, in November each year. This report should also refer to the outcomes of the Committee's bi-annual review. It was also suggested that the Chair attend the

pre-Council-meeting dinner, and brief the Councillors on any contentious issues contained within the annual report.

- Cllr Burns suggested that exception reporting to Council be conducted if and when necessary.
- With regard to “6.4 Conflicts of Interest”, Cllr Burns questioned the need for the additional first paragraph. The Internal Auditor stated that it was taken directly from the DLG Guidelines.
- The Chair raised the matter of the need, if any, for the two independents to provide an annual confidential Declaration of Pecuniary Interest, and offered to provide Mr Hewton with a sample declaration for review by Council’s Counsel.

It was recommended that the Report and the Audit and Risk Committee Charter (as revised) be received and noted.

MOTION (Burns / Griffin)

That the minutes of the Audit and Risk Committee meeting on 31 May 2011 be adopted including the following items:

1. ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

That the Secretariat write to Councillor Norek informing him that he is no longer a member of the Committee.

2. ITEM 7 REPORT – Impact of Revised DLG Internal Audit Guidelines

That:

- i) The Internal Auditor’s Report on the Revised DLG Internal Audit Guidelines be received and noted;
- ii. The Audit and Risk Committee Charter (as revised) be adopted, and
- iii. Notwithstanding the Revised DLG Guidelines, the current Mayor is endorsed as a Councillor member of the Audit and Risk Committee.

128/11 **RESOLVED: (Burns / Griffin)**

That the minutes of the Audit and Risk Committee meeting on 31 May 2011 be adopted including the following items:

1. ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

That the Secretariat write to Councillor Norek informing him that he is no longer a member of the Committee.

2. ITEM 7 REPORT – Impact of Revised DLG Internal Audit Guidelines

That:

- ii) The Internal Auditor’s Report on the Revised DLG Internal Audit Guidelines be received and noted;
- ii. The Audit and Risk Committee Charter (as revised) be adopted, and
- iii. Notwithstanding the Revised DLG Guidelines, the current Mayor is endorsed as a Councillor member of the Audit and Risk Committee.

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

Against the Resolution: Nil.

Report Of Committees Report No. 32

Minutes for Adoption by Council - Manly Tramway Loop Feasibility Working Group - 18 May 2011

This report was dealt with at the Manly Tramway Loop Feasibility Working Group meeting of 18 May 2011 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

ITEM 4 Draft Terms of Reference

The Head of Strategy informed the meeting that the draft Terms of Reference for this Working Group were adapted from Council's generic Terms of Reference for Committees. The General Manager requested that the wording of the Working Group's objectives (on page 1) be revised by using the word "scoping" instead of "feasibility".

The General Manager further requested that the quorum for the Working Group be 4 members.

MOTION (Burns / Whitting)

That the minutes of the Manly Tramway Loop Feasibility Working Group meeting held on 18 May 2011 be adopted including the following item:

ITEM 4 Draft Terms of Reference

That the draft Terms of Reference be adopted subject to the following revision:

- i) On Page 2, under Membership of the Working Group, the quorum for the Working Group is 4 members.

129/11 **RESOLVED: (Burns / Whitting)**

That the minutes of the Manly Tramway Loop Feasibility Working Group meeting held on 18 May 2011 be adopted including the following item:

ITEM 4 Draft Terms of Reference

That the draft Terms of Reference be adopted subject to the following revision:

- i) On Page 2, under Membership of the Working Group, the quorum for the Working Group is 4 members.

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

Against the Resolution: Nil.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 23

Adoption of draft Investment Policy; draft Asset Disposal Policy; and draft Loan Borrowing and Overdraft Policy**SUMMARY**

This report presents to Council (1) the draft Investment Policy; (2) the draft Asset Disposal Policy; and (3) the draft Loan Borrowing and Overdraft Policy for adoption.

MOTION (Heasman / Burns)

That the following Policies be adopted and be added to Council's Policy Register:

- Investment Policy;
- Asset Disposal Policy, and
- Loan Borrowing and Overdraft Policy.

130/11 **RESOLVED: (Heasman / Burns)**

That the following Policies be adopted and be added to Council's Policy Register:

- Investment Policy;
- Asset Disposal Policy, and
- Loan Borrowing and Overdraft Policy.

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

Against the Resolution: Nil.

Corporate Services Division Report No. 24

Report on Council Investments as at 31 May 2011**SUMMARY**

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

MOTION (Le Surf / Elder)

That the statement of Bank Balances and Investment Holdings as at 31 May 2011 be received and noted.

131/11 **RESOLVED: (LeSurf / Elder)**

That the statement of Bank Balances and Investment Holdings as at 31 May 2011 be received and noted.

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

Against the Resolution: Nil.

Corporate Services Division Report No. 25

Local Government Association of New South Wales - Annual Conference 2011

SUMMARY

Advice from the Local Government Association of New South Wales has been received regarding the arrangements for the Association's Annual Conference to be held from 23-26 October 2011 and hosted by Shoalhaven City Council at Nowra.

The purpose of this report is to seek nominations for delegates and observers to attend the Conference, and to call for Motions to be submitted on behalf of Council to the Conference.

MOTION (Heasman / Whitting)

1. That Council be represented at the Local Government Association of New South Wales 2011 Annual Conference in Nowra from 23-26 October 2011 and that Council meet the registration, accommodation and associated costs for each attendee.
2. That Council determine the three (3) Councillor delegates and two (2) observers to attend the Conference.
3. That Council note that motions to be submitted to the conference must be received by the Local Government Association of New South Wales by Friday, 5 August, 2011.
4. That motions to be submitted to the Conference are to be received by the General Manager by Tuesday, 26 July, 2011 for inclusion in the agenda for consideration at the Planning & Strategy Committee meeting on 1 August 2011.

132/11 RESOLVED: (Heasman / Whitting)

1. That Council be represented at the Local Government Association of New South Wales 2011 Annual Conference in Nowra from 23-26 October 2011 and that Council meet the registration, accommodation and associated costs for each attendee.
2. That Council determine the three (3) Councillor delegates and two (2) observers to attend the Conference.
3. That Council note that motions to be submitted to the conference must be received by the Local Government Association of New South Wales by Friday, 5 August, 2011.
4. That motions to be submitted to the Conference are to be received by the General Manager by Tuesday, 26 July, 2011 for inclusion in the agenda for consideration at the Planning & Strategy Committee meeting on 1 August 2011.

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

Against the Resolution: Nil.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 14

Manly Local Heritage Assistance Fund - Allocation of Grants - 2011-2012**SUMMARY**

Three (3) applications have been received for the Annual Local Heritage Assistance Grants Scheme 2011/12, for conservation projects on heritage listed properties. The applications have merit and positive heritage conservation outcomes. It is recommended that Council approve the applications for funding of the heritage conservation projects which meet the criteria for funding.

MOTION (Burns / Heasman)

1. That subject to public notice under Section 356(2) of the Local Government Act, the allocated grant funds is awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been given as required under resolution 1 above.

133/11 **RESOLVED: (Burns / Heasman)**

1. That subject to public notice under Section 356(2) of the Local Government Act, the allocated grant funds is awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been given as required under resolution 1 above.

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

Against the Resolution: Nil.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 17

Development Applications being processed during July 2011.**SUMMARY**

Development Applications being processed during July 2011.

MOTION (Murphy / Heasman)

That the information be noted.

134/11 **RESOLVED: (Murphy / Heasman)**

That the information be noted.

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

Against the Resolution: Nil.

Environmental Services Division Report No. 18

A List of Current Legal Appeals Relating to Development Applications During July 2011.

SUMMARY

A list of current legal appeals relating to Development Applications during July 2011.

MOTION (Heasman / Le Surf)

That the information be noted.

135/11 **RESOLVED: (Heasman / LeSurf)**

That the information be noted.

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

Against the Resolution: Nil.

QUESTIONS WITHOUT NOTICE

QWN53/11 Councillor Burns - Fountain at Manly Wharf

I noticed that the fountain at Manly Wharf has been in operation but recently seen it wasn't. What is the reason for this?

At the request of the Mayor, the General Manager advised that the equipment was repaired even though ownership is still being disputed. 80% of the jets are working and the other 20% we cannot get access to as they are under the fountain. We are currently sourcing suppliers for the lighting underneath the structure. Once we have a supplier we will be able to sort out ownership.

QWN54/11 Councillor Burns - Forecourt at Manly Wharf

It is very busy at the Manly Wharf forecourt with the fairground. Can we draw up a map to determine where the boundaries are?

At the request of the Mayor, the General Manager advised that he would provide a map to Councillor Burns.

QWN55/11 Councillor Aird - Resident Parking Schemes

Ocean Beach Precinct minutes recently raised the ongoing problem of a "black market" in parking stickers. Little Manly Precinct has also raised their concerns since introduction of the scheme, especially noting an influx of commuters from outside the area arriving in the mornings and departing at the end of working hours.

The General Manager has previously advised Council that a replacement scheme, based on number plate recognitions would be implemented, so as to combat abuse of permit usage under the current scheme. When will this new scheme be implemented?

At the request of the Mayor, the General Manager advised that he was hopeful that the pilot scheme which would involve four streets in Fairlight would have commenced on 1 July 2011 but there is a problem with the registration process. The General Manager will provide greater details in the written response to Councillors.

QWN56/11 Councillor Griffin - Solar Lights at Little Manly Park

Can Council ensure that all the solar lights at Little Manly Park are operational and advise the length of time they should be expected to remain illuminated each evening?

At the request of the Mayor, the General Manager advised that they work on an alternate basis, half work until 11pm and half work until sunrise the next day. Not all lights are programmed to operate throughout the night as we found in the past that having them all working on the same cycle means we lose most of the lights by midnight.

QWN57/11 Councillor Murphy - Awnings

A couple of years ago an awning at Balgowlah collapsed which sadly resulted in a death. Very quickly Manly Council acted to have awnings propped and certified.

I note that there are at least 2 awnings currently propped. One recently, the other for the last couple of years. When will all propped awnings be made safe and 100% of awnings in Manly be safe and certified?

At the request of the Mayor, the General Manager advised that he was aware of one of the awnings. The awning at the corner of Sydney Road and Condamine Street was hit by a vehicle so we issued an emergency order. Council has commenced reviewing the Awning Register.

QWN58/11 Councillor Murphy - Medical Expenses

Recently I was made aware of a lady who tripped over some pavers, made uneven by trucks that drove over them while setting up the organic markets in Short Street Plaza the day before. She was denied her medical fees by Manly Council yet the area was made safe the next day by Council. What is Council's policy on reimbursement of genuine medical expenses?

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

QWN59/11 Councillor Whitting - Relocation of Bus Stop Pittwater Road/Collingwood Street

The recent relocation of the bus stop on the corner of Pittwater Road and Collingwood Street has resulted in the loss of a car parking space outside of the retail shop/bottle shop. Is there any way Council can address this problem?

At the request of the Mayor, the General Manager advised that RTA standards require a certain pull in/ pull out distance for buses. Because of the location of the awning and its close proximity to the curb line and also on the curvature of road, the RTA insisted that that length be kept clear. Council suggested to the RTA that the bus stop could be placed on the other side of the intersection but they did not take on the suggestion.

QWN60/11 Councillor Whitting - Hop Skip and Jump Bus

I believe the Hop, Skip and Jump Bus passengers were down approximately 28,682 passengers due to inclement weather in May. What was the monthly takings from May?

At the request of the Mayor, the General Manager advised that the annual intake from voluntary donations is approx \$22,000. We are running a service that is supported by voluntary anonymous donations.

CONFIDENTIAL COMMITTEE OF THE WHOLE

Civic and Urban Services Division Report No. 6

Tender T2011/24 - Evaluation for Design & Construction of Pickering Point Public Jetty & Pontoon

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 (Murphy / LeSurf)**

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

The Chairperson, Mayor Hay AM asked if any members of the public gallery objected to the matter being heard in closed Session.

It is noted that no representations were received from the public gallery.

136/11 **RESOLVED: (Murphy / LeSurf)**

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

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

Against the Resolution: Nil.

OPEN COUNCIL RESUMED

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

Civic and Urban Services Division Report No. 6

Tender T2011/24 - Evaluation for Design & Construction of Pickering Point Public Jetty & Pontoon

MOTION (Elder / Le Surf)

That pursuant to clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the Tender from Harbour Port Consulting Pty Ltd for "Design & Construction of Pickering Point Public Jetty & Pontoon for the tendered total lump sum of \$142,000 (Excl. GST).

137/11 **RESOLVED: (Elder / LeSurf)**

That pursuant to clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accept the Tender from Harbour Port Consulting Pty Ltd for "Design & Construction of Pickering Point Public Jetty & Pontoon for the tendered total lump sum of \$142,000 (Excl. GST).

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

Against the Resolution: Nil.

CLOSE

The meeting closed at 12.13am on Tuesday 19 July 2011.

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 8 August 2011.

MAYOR

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