

Manly Council

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 21 November 2005

*Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:
www.manly.nsw.gov.au*



The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 21 November 2005. The meeting commenced at 7:39 pm.

PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided
Deputy Mayor, Councillor B Aird, Deputy Chairperson
Councillor S Cant
Councillor J Evans
Councillor P Daley
Councillor A Heasman
Councillor J Lambert
Councillor R Morrison
Councillor D Murphy
Councillor M Norek

ALSO PRESENT

Henry T Wong, General Manager
Jim Hunter, Executive Director, Major Projects
Ross Fleming, Chief Financial Officer
Rachael Levey, Minute Taker

OPENING PRAYER

The Opening Prayer was presented by The Mayor, Councillor Macdonald.

APOLOGIES

Apologies were tendered on behalf of Councillors Hay and Pedersen, for non-attendance.

MOTION (Lambert / Heasman)

That the apologies received from Councillors Hay and Pedersen, be accepted and leave be granted.

370/05 RESOLVED: (Lambert / Heasman)

That the apologies received from Councillors Hay and Pedersen, be accepted and leave be granted.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Aird	MM No. 16	Resides in Pacific Parade.
Councillor Murphy	GM No. 31	Resides in a street mentioned in the Ocean Beach Parking Scheme Report.

CONFIRMATION OF MINUTES**MOTION (Evans / Cant)**

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 17 October 2005, 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.

371/05 RESOLVED: (Evans / Cant)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 17 October 2005, 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 Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

MOTION (Heasman / Daley)

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday 31 October 2005, 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.

372/05 RESOLVED: (Heasman / Daley)

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday 31 October 2005, 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 Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Tom Shanahan	Expressed concerns over Council's current Development Application processing system.

MATTERS OF URGENCY

Note: Councillor Heasman requested that she be allowed to introduce a Matter of Urgency in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice. Following an outline of the matter the Mayor put the matter to the vote.

373/05 RESOLVED: (Heasman / Macdonald)

That in accordance with the provisions in Clause 20(3) of Council's Code of Meeting Practice, the matter relating to the funeral of David Curley be considered as a **Matter of Urgency**.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

The Mayor ruled that the item **was of great urgency** and the matter proceeded for consideration.

MOTION (Heasman / Macdonald)

1. That Manly Council convey it's sincere condolences to Anita Curley and the family at the untimely death of David Curley.
2. That Manly Council acknowledges the great contribution that David Curley made this community over many years including his role as a member of the State Emergency Service.

374/05 RESOLVED: (Heasman / Macdonald)

1. That Manly Council convey it's sincere condolences to Anita Curley and the family at the untimely death of David Curley.
2. That Manly Council acknowledges the great contribution that David Curley made this community over many years including his role as a member of the State Emergency Service.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

STANDING ORDERS (Macdonald / Aird)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Public Addresses - Mayoral Minute Report No. 15, Seaforth Centenary Celebrations; Mayoral Minute Report No. 16 Heritage listing of the Pacific Parade Streetscape; and Notice of Rescission Report No. 12 Fitness Trainers Agreement Manly LGA.

375/05 RESOLVED: (Macdonald / Aird)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Public Addresses - Mayoral Minute Report No. 15, Seaforth Centenary Celebrations; Mayoral Minute Report No. 16 Heritage listing of the Pacific Parade Streetscape; and Notice of Rescission Report No. 12 Fitness Trainers Agreement Manly LGA.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

PUBLIC ADDRESSES

ITEM	SPEAKER
Mayoral Minute Report No. 15 Seaforth Centenary Celebrations Supporter	Brian McAteer Seaforth resident
Mayoral Minute Report No. 16 Heritage listing of the Pacific Parade Streetscape Supporter	Ken Carpenter Local resident
Notice of Rescission Report No. 12 Fitness Trainers Agreement Manly LGA Supporter	Lauretta Stace Representative of Fitness NSW

MAYORAL MINUTES

Mayoral Minute Report No. 15
Seaforth Centenary Celebrations

MOTION (Macdonald)

1. That Council establish the Seaforth Centenary Celebration Reference Group with the following representatives invited to take part:
 - The Mayor, Dr Peter Macdonald (as chairman)
 - Councillors
 - Phil Jacombs (Precinct President)
 - Digby Hughes (Precinct President)
 - Glen Wirth (Seaforth Chamber of Commerce)
 - Ian Traveller (Balgowlah/ Seaforth / Clontarf RSL Sub-branch)
 - Hendrik Visser (Balgowlah RSL Club CEO)
 - Rev Colin Sheehan (St Paul's Anglican Church)
 - Pastor David Gore (Seaforth Baptist Church)
 - Rev Peter Weineke (St Cecilia's Catholic Church)
 - Frank Pikardt (Principal Balgowlah Boys High School)
 - Leanne Nicol (Principal Saint Cecilia's Catholic School)
 - Ray Ogilvie (Principal Seaforth Public School)
 - Terry Metherell (Manly Council Heritage Committee)
 - Brian McAteer (Community representative)
 - Ian Reese (Community representative)

- H Still (Community representative)
- K Gwynne (Community representative)
- Meg Quinlisk (Community representative)
- Peggy Foster (Community representative)
- Lynne Young (Community representative)
- Bruce Polain (Community representative)

With the inclusion of other suitable nominees at the discretion of the chairman.

2. That the Reference Group work towards staging a suitable event to celebrate the Centenary of the Seaforth area in November 2006.
3. That Council investigate with Bruce Polain the feasibility of including the historic car parade previously held at Seaforth in the 1980's, either as part of the celebrations or as a separate event.
4. That the reference Group be requested to investigate a possible dual naming for the Spit area.

376/05 RESOLVED: (Macdonald)

1. That Council establish the Seaforth Centenary Celebration Reference Group with the following representatives invited to take part:
 - The Mayor, Dr Peter Macdonald (as chairman)
 - Councillors
 - Phil Jacombs (Precinct President)
 - Digby Hughes (Precinct President)
 - Glen Wirth (Seaforth Chamber of Commerce)
 - Ian Traveller (Balgowlah/ Seaforth / Clontarf RSL Sub-branch)
 - Hendrik Visser (Balgowlah RSL Club CEO)
 - Rev Colin Sheehan (St Paul's Anglican Church)
 - Pastor David Gore (Seaforth Baptist Church)
 - Rev Peter Weineke (St Cecilia's Catholic Church)
 - Frank Pikardt (Principal Balgowlah Boys High School)
 - Leanne Nicol (Principal Saint Cecilia's Catholic School)
 - Ray Ogilvie (Principal Seaforth Public School)
 - Terry Metherell (Manly Council Heritage Committee)
 - Brian McAteer (Community representative)
 - Ian Reese (Community representative)
 - H Still (Community representative)
 - K Gwynne (Community representative)
 - Meg Quinlisk (Community representative)
 - Peggy Foster (Community representative)
 - Lynne Young (Community representative)
 - Bruce Polain (Community representative)

With the inclusion of other suitable nominees at the discretion of the chairman.

2. That the Reference Group work towards staging a suitable event to celebrate the Centenary of the Seaforth area in November 2006.
3. That Council investigate with Bruce Polain the feasibility of including the historic car parade previously held at Seaforth in the 1980's, either as part of the celebrations or as a separate event.
4. That the reference Group be requested to investigate a possible dual naming for the Spit area.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Having previously declared in interest in Item 16, Councillor Aird left the Chamber.

Mayoral Minute Report No. 16

Heritage Listing of the Pacific Parade Streetscape

MOTION (Macdonald)

1. That staff clearly define the meaning and implication of a streetscape heritage listing on future development in Pacific Parade and communicate this to the residents of Pacific Parade. Further, that advice be provided as to the appropriate nomenclature for listing such as "streetscape character/amenity" and/or "conservation zone".
2. That Council staff undertake community consultation and write to all owners to confirm the general support for such a move.
3. That Council proceed with the process of heritage listing the streetscape of Pacific Parade, Manly.

377/05 RESOLVED: (Macdonald)

1. That staff clearly define the meaning and implication of a streetscape heritage listing on future development in Pacific Parade and communicate this to the residents of Pacific Parade. Further, that advice be provided as to the appropriate nomenclature for listing such as "streetscape character/amenity" and/or "conservation zone".
2. That Council staff undertake community consultation and write to all owners to confirm the general support for such a move.
3. That Council proceed with the process of heritage listing the streetscape of Pacific Parade, Manly.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Councillor Aird re-entered the Chamber.

NOTICES OF RESCISSION

Notice of Rescission Report No. 12

Fitness Trainers Agreement Manly LGA

Councillor Norek, Councillor Morrison, and Councillor Daley moved:

"That the Council's decision of 15 August 2005 being Item Human Services & Facilities Report No. 8 in respect of Fitness Trainers Agreement Manly LGA be and is hereby rescinded."

MOTION (Norek / Daley)

That the Council's decision of 15 August 2005 being Item Human Services & Facilities Report No. 8 in respect of Fitness Trainers Agreement Manly LGA be and is hereby rescinded.

For the Rescission Motion: Councillors Heasman, Murphy, Daley, Morrison and Norek.

Against the Rescission Motion: Councillors Lambert, Cant, Aird, Evans and Macdonald.

*With the voting being equal, The Mayor used his casting vote against the Rescission Motion and declared it **Lost**.*

STANDING ORDERS (Macdonald / Aird)

That Standing Orders be resumed.

378/05 RESOLVED: (Macdonald / Aird)

That Standing Orders be resumed.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Mayoral Minute Report No. 14

Encouraging The Use of Solar Energy in Manly**MOTION (Macdonald)**

1. Manly Council's Scientific Advisory Panel compile a report for Council on the issue of Climate Change and the potential implications for the Manly Local Government area
2. That Council call for a report from staff exploring options of how Council could initiate an incentive scheme for *existing* dwellings to be fitted with solar energy units – perhaps through discounts with certain solar energy providers, offering an incentive to ratepayers who chose to install solar energy units or by structuring finance packages to alleviate the burden of significant costs. That this report include information regarding existing Government incentives as well as how other Councils are addressing the issue.
3. That Council call for a report from staff comparing solar hot water heaters, single phase instantaneous hot water heaters, gas instantaneous hot water heaters, gas and electric water heaters that are a storage tank (twin element and single) electric off peak hot water systems. This report should look at which heater is best environmentally and also a cost benefit analysis for a one, two, three, four and five person family.
4. That Council call for a report from staff exploring the possibility of amending the Development Control Plans so that all new dwellings will be required to install Solar energy units.
5. That Council call on the community and invites local church leaders to attend the rally at Town Hall on 3 December 2005 regarding ratification of the Kyoto Protocol and that Council supports the initiatives of Ocean Care Day on 4 December 2005.
6. Lobbying Federal Government to ratify the Kyoto Protocol by writing to the PM, Deputy PM, Federal Opposition leader, Minister for the Environment and Shadow Minister of the Environment urging them to ensure Australian signs the Kyoto Protocol and commits to significant reductions in greenhouse gases and a clean energy future.

AMENDMENT (Daley / Morrison)

1. Manly Council's Scientific Advisory Panel compile a report for Council on the issue of Climate Change and the potential implications for the Manly Local Government area
2. That Council call for a report from staff exploring options of how Council could initiate an incentive scheme for *existing* dwellings to be fitted with solar energy units – perhaps through discounts with certain solar energy providers, offering an incentive to ratepayers who chose to install solar energy units or by structuring finance packages to alleviate the burden of significant costs. That this report include information regarding existing Government incentives as well as how other Councils are addressing the issue.
3. That Council call for a report from staff comparing solar hot water heaters, single phase instantaneous hot water heaters, gas instantaneous hot water heaters, gas and electric water heaters that are a storage tank (twin element and single) electric off peak hot water systems. This report should look at which heater is best environmentally and also a cost benefit analysis for a one, two, three, four and five person family.
4. That Council call for a report from staff exploring the possibility of amending the Development Control Plans so that all new dwellings will be required to install Solar energy units.

For the Amendment: Councillors Murphy, Daley, Morrison and Norek.

Against the Amendment: Councillors Heasman, Lambert, Cant, Aird, Evans and Macdonald.

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

379/05 RESOLVED: (Macdonald)

1. Manly Council's Scientific Advisory Panel compile a report for Council on the issue of Climate Change and the potential implications for the Manly Local Government area
2. That Council call for a report from staff exploring options of how Council could initiate an incentive scheme for *existing* dwellings to be fitted with solar energy units – perhaps through discounts with certain solar energy providers, offering an incentive to ratepayers who chose to install solar energy units or by structuring finance packages to alleviate the burden of significant costs. That this report include information regarding existing Government incentives as well as how other Councils are addressing the issue.
3. That Council call for a report from staff comparing solar hot water heaters, single phase instantaneous hot water heaters, gas instantaneous hot water heaters, gas and electric water heaters that are a storage tank (twin element and single) electric off peak hot water systems. This report should look at which heater is best environmentally and also a cost benefit analysis for a one, two, three, four and five person family.
4. That Council call for a report from staff exploring the possibility of amending the Development Control Plans so that all new dwellings will be required to install Solar energy units.
5. That Council call on the community and invites local church leaders to attend the rally at Town Hall on 3 December 2005 regarding ratification of the Kyoto Protocol and that Council supports the initiatives of Ocean Care Day on 4 December 2005.
6. Lobbying Federal Government to ratify the Kyoto Protocol by writing to the PM, Deputy PM, Federal Opposition leader, Minister for the Environment and Shadow Minister of the Environment urging them to ensure Australian signs the Kyoto Protocol and commits to significant reductions in greenhouse gases and a clean energy future.

For the Resolution: Councillors Heasman, Lambert, Cant, Aird, Evans, Norek and Macdonald.
Against the Resolution: Councillors Murphy, Daley and Morrison.

NOTICES OF MOTION

Notice of Motion Report No. 36

Clarification of FSR Variations for Undersized Lots

Councillor Murphy moved:

That clause 3.3.2(b) of the Manly Residential DCP be amended and clarified as follows:

That “substantially and 20%” be removed from the clause and the following clarification be added at the end. “This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone.

The new clause 3.3.2(b) would now read:

“On sites which are less than the minimum site area required in the relevant density subzone, (identified on Table 1, p9), Council may consider a variation to the floor space ratio provided the applicant can demonstrate the objectives of the DCP can be achieved. This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone”.

MOTION (Murphy / Morrison)

That clause 3.3.2(b) of the Manly Residential DCP be amended and clarified as follows:

That “substantially and 20%” be removed from the clause and the following clarification be added at the end. “This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone.

The new clause 3.3.2(b) would now read:

“On sites which are less than the minimum site area required in the relevant density subzone, (identified on Table 1, p9), Council may consider a variation to the floor space ratio provided the applicant can demonstrate the objectives of the DCP can be achieved. This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone”.

380/05 RESOLVED: (Murphy / Morrison)

That clause 3.3.2(b) of the Manly Residential DCP be amended and clarified as follows:

That “substantially and 20%” be removed from the clause and the following clarification be added at the end. “This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone.

The new clause 3.3.2(b) would now read:

“On sites which are less than the minimum site area required in the relevant density subzone, (identified on Table 1, p9), Council may consider a variation to the floor space ratio provided the applicant can demonstrate the objectives of the DCP can be achieved. This variation shall be limited to the allowable FSR for the minimum lot size in the relevant density subzone”.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.
Against the Resolution: Nil.

Notice of Motion Report No. 38

Rezoning of Land - Balgowlah Boys High School

Councillor Lambert moved:

That further to Council's recent decision (Committee of the Whole 14 Nov 2005) to approve rezoning of land which is currently an unused portion of the Balgowlah Boys High School site, Council write to the Minister for Education, the Hon. Carmel Tebbutt:

1. expressing concerns at the sale of land seen as surplus to current educational needs, given a continuing need for educational facilities, likely changes in demographic mix in the area, and the likely cost of purchasing replacement land at a later date; and
2. seeking referral of the proposed sale of this land to the State Government's Centre for Affordable Housing for their assessment as to the potential for affordable housing on the site.

MOTION (Lambert / Aird)

That further to Council's recent decision (Committee of the Whole 14 Nov 2005) to approve rezoning of land which is currently an unused portion of the Balgowlah Boys High School site, Council write to the Minister for Education, the Hon. Carmel Tebbutt:

1. expressing concerns at the sale of land seen as surplus to current educational needs, given a continuing need for educational facilities, likely changes in demographic mix in the area, and the likely cost of purchasing replacement land at a later date; and
2. seeking referral of the proposed sale of this land to the State Government's Centre for Affordable Housing for their assessment as to the potential for affordable housing on the site.

381/05 RESOLVED: (Lambert / Aird)

That further to Council's recent decision (Committee of the Whole 14 Nov 2005) to approve rezoning of land which is currently an unused portion of the Balgowlah Boys High School site, Council write to the Minister for Education, the Hon. Carmel Tebbutt:

1. expressing concerns at the sale of land seen as surplus to current educational needs, given a continuing need for educational facilities, likely changes in demographic mix in the area, and the likely cost of purchasing replacement land at a later date; and
2. seeking referral of the proposed sale of this land to the State Government's Centre for Affordable Housing for their assessment as to the potential for affordable housing on the site.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Morrison, Aird, Evans, Norek and Macdonald.
Against the Resolution: Councillor Daley.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 10

Item For Brief Mention**1. Reports:**

Council has received advice dated 10 November 2005 from the Department of Planning requesting that Council avoid proposing minor amendments to the Local Environmental Plan (LEP), and concentrate on preparation of a new LEP. (Refer Attachment 1).

It is noted that the LEP template is currently in draft form, and Council made a submission on its provisions on 4 November 2005.

The Department has reviewed draft LEP 1988 (Amendment No. 73) to list No. 3 Oyama Avenue, Manly as a heritage item and considers that the draft plan should not proceed separately from the preparation of a new comprehensive LEP.

2. Minutes Of Meetings:

- (i) MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 17 OCTOBER, 2005
- (ii) MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 12 OCTOBER, 2005
- (iii) MANLY NEIGHBOURHOOD RENEWAL PROGRAM COMMITTEE HELD 12 OCTOBER, 2005
- (iv) MANLY COMMUNITY SAFETY COMMITTEE MEETING HELD 20 OCTOBER, 2005
- (v) MANLY VISITOR AND COMMUNITY BOARD COMMITTEE MINUTES OF MEETING HELD ON 6 OCTOBER 2005
- (vi) THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 12 OCTOBER 2005
- (vii) MANLY ARTS FESTIVAL COMMITTEE MINUTES OF MEETING HELD ON 26 OCTOBER 2005

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

3. a. Manly Visitor and Community Board Minutes of Meeting held 6 October, 2005.

Item Number: 8.1 Appointment of New Board Member

The Recommendation of the Committee was:

"That the new General Manager of the Manly Pacific Hotel, Karen Sainsbury be invited to become a board member of the Manly Visitor and Community Board".

MOTION (Lambert / Aird)

1. That Council make representations to the Department of Planning seeking to make a case for current listing of 3 Oyama Avenue, Manly and noting that given a 3-5 year delay before a new LEP is in place, no further LEP amendments are an unrealistic and unacceptable expectation.

2. That the recommendations of **Minutes of Meetings, as listed in item 2**, being (i) - (vii), as listed above, be **adopted**.

3a. That item 8.1 of Manly Visitor and Community Board Minutes of Meeting held on 6 October 2005 be adopted, as follows:

“That the new General Manager of the Manly Pacific Hotel, Karen Sainsbury be invited to become a board member of the Manly Visitor and Community Board”.

382/05 RESOLVED: (Lambert / Aird)

1. That Council make representations to the Department of Planning seeking to make a case for current listing of 3 Oyama Avenue, Manly and noting that given a 3-5 year delay before a new LEP is in place, no further LEP amendments are an unrealistic and unacceptable expectation.

2. That the recommendations of **Minutes of Meetings, as listed in item 2**, being (i) - (vii), as listed above, be **adopted**.

3a. That item 8.1 of Manly Visitor and Community Board Minutes of Meeting held on 6 October 2005 be adopted, as follows:

“That the new General Manager of the Manly Pacific Hotel, Karen Sainsbury be invited to become a board member of the Manly Visitor and Community Board”.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Morrison, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Councillor Morrison departed the meeting at 11.30pm.

GENERAL MANAGER'S OFFICE REPORTS

General Manager's Office Report No. 31

Ocean Beach Parking Scheme

SUMMARY

Council at its meeting held 20 June 2005 considered Notice of Motion No.22 and resolved:

1. That Council reaffirm its commitment to the 4 hour rate payer parking on the beach front.
2. Council to look into immediately solving parking problems in the following areas:
 - a. Current Ocean Beach Residential parking scheme needs to cover all areas of Cameron Avenue.
3. That, as a matter of priority, the General Manager bring back a report on methods to resolve the following issues:
 - a. The formalisation of legal parking areas for residents in Rolfe Street.
 - b. The proposed change from 10pm restrictions to a common 6pm in all residential areas, unless the street is near a late night commercial area.
 - c. To investigate ways to provide better parking solutions for non-profit making events making use of the beach (Surf Lifesavings etc).

4. That the Ocean Beach, Fairy Bower and Little Manly Community Precinct Forums be asked to provide feedback on the proposed reduction of hours in the Resident Parking Scheme areas.
5. That the Ivanhoe Park Precinct be asked to comment on the effect of Resident Parking Schemes in the surrounding area, especially in the areas of Birkley Road, Kangaroo Street Ocean Road, Quinton Street and Raglan Street”.

MOTION (Macdonald / Norek)

1. That the Permit Parking Scheme to apply to all of Cameron Ave;
2. That Council Traffic Committee urgently resolve the issue of Rolfe St parking;
3. That Council continue the allocation of 10 parking bays on the Ocean Beach to permit Ocean Beach residents to park for an unlimited time with their Ocean Beach Parking Permits;
4. That the Permit Parking Scheme remain 8am to 10pm; and
5. That Council prepare a report on the issue of parking meters, particularly regarding pricing and the impact on the residential parking area. This report should also address the issue of access to metered areas for Permit Parking Scheme permit holders.

383/05 RESOLVED: (Macdonald / Norek)

1. That the Permit Parking Scheme to apply to all of Cameron Ave;
2. That Council Traffic Committee urgently resolve the issue of Rolfe St parking;
3. That Council continue the allocation of 10 parking bays on the Ocean Beach to permit Ocean Beach residents to park for an unlimited time with their Ocean Beach Parking Permits;
4. That the Permit Parking Scheme remain 8am to 10pm; and
5. That Council prepare a report on the issue of parking meters, particularly regarding pricing and the impact on the residential parking area. This should also address the question of access to metered areas for Permit Parking Scheme permit holders.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

General Manager's Office Report No. 32

Extension of the Manly Active Transport Initiatives

MOTION (Lambert / Aird)

That Council endorse the proposal as an extension of Council's Active Transport initiatives and pursuant to the objectives of Council's Sustainability Strategy.

384/05 RESOLVED: (Lambert / Aird)

That Council endorse the proposal as an extension of Council's Active Transport initiatives and pursuant to the objectives of Council's Sustainability Strategy.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Aird, Evans, Norek and Macdonald.
Against the Resolution: Nil.

CORPORATE SERVICES DIVISION REPORTS

Corporate Services Division Report No. 25

Schedule of Meetings - 1 January - 30 June 2006

SUMMARY

A schedule of proposed dates for Council and Principal Committees meetings from 1 January 2006 to 30 June 2006 is submitted to Council for adoption.

MOTION (Lambert / Murphy)

That the schedule of Meetings for the period 1 January 2006 to 30 June 2006 as presented be adopted.

385/05 RESOLVED: (Lambert / Murphy)

That the schedule of Meetings for the period 1 January 2006 to 30 June 2006 as presented be adopted.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Aird, Evans, Norek and Macdonald.
Against the Resolution: Nil.

Corporate Services Division Report No. 26

Financial Review for the Period Ending 30 September 2005

SUMMARY

Council's Income and Expenditure for the quarter 1 July 2005 to 30 September 2005 has been reviewed, together with a projection of Council's Budget as at 30 June 2006, and a Statement of Variations which have occurred is submitted.

After adoption of the recommended adjustments the result for the quarter is a deficit of \$67,790 and a forecast deficit at 30 June 2005 of \$158,790.

MOTION (Lambert / Aird)

That the 2005/2006 Adopted Budget be varied in terms of this Report.

386/05 RESOLVED: (Lambert / Aird)

That the 2005/2006 Adopted Budget be varied in terms of this Report.

For the Resolution: Councillors Heasman, Lambert, Murphy, Daley, Aird, Evans, Norek and Macdonald.
Against the Resolution: Nil.

Councillor Cant was not in the Chamber when the Motion was put.

Corporate Services Division Report No. 27

Accounts – Report on Council Investments as at 31 October, 2005

SUMMARY

Latest accounting statements for the period to 31 October, 2005.

1. Statement showing general fund bank account balance as at 31 October, 2005.
2. Cash investments as at 31 October 2005.

MOTION (Heasman / Evans)

1. That the statement of General Fund Bank Account balance as at 31 October, 2005 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 October, 2005 be received and noted.

387/05 RESOLVED: (Heasman / Evans)

1. That the statement of General Fund Bank Account balance as at 31 October, 2005 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 October, 2005 be received and noted.

For the Resolution: Councillors Heasman, Lambert, Murphy, Daley, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Councillor Cant was not in the Chamber when the Motion was put.

Corporate Services Division Report No. 28

Purchasing and Procurement Policy

SUMMARY

The intent of this policy is to provide clear guidelines for the procurement of materials, equipment and services, through quotations and tendering, to assist in ensuring best value for money, good management practices, transparency, probity and environmental performance.

MOTION (Lambert / Aird)

1. That the draft Purchasing and Procurement Policy be amended to include the following changes and subsequently placed on public exhibition for twenty eight (28) days:

1. Purpose

At the end of the 2nd paragraph, change “probity and environmental performance” to “probity and the social and environmental aspects of sustainable practice”.

At the end of this section, add the following paragraph:

“Triple Bottom Line (TBL) accounting is the process of identifying, assessing and reporting business activities in terms of their impacts on society, the environment and economic sustainability. While responsibility for environmental, social and economic sustainability is part of Council’s core business, TBL reporting is a relatively new approach to corporate reporting by Manly Council. This reporting framework has been established for the 2005/06 Corporate Plan, and Council’s and the community’s performance against these targets will be assessed through our annual reporting process. Where target have not yet been set, Council will work with relevant Committees of Council to recommend appropriate targets to Council. In seeking to improve sustainability throughout the supply chain, Council encourages a similar TBL approach from it’s suppliers.”

3.5 Long term supply contracts

On the first line, insert after “goods” the words “or services”.

6. OTHER CONSIDERATIONS

6.1 Consultancies and Professional Services

In the second paragraph following words “including reports, advice or recommendations”, insert additional words to better reflect expectations, as follows:
“any evidence of commitment to reduced environmental and social impacts of their own operations and those of the services they provide”, such [then delete “matters”] as the use...

At the end of section 6, a new sub-section as follows:

“6.5 Environment and Sustainability Issues

Environmental purchasing is the inclusion of environmental factors in decisions on the purchase of products and/or services. It is sometimes called “green”, “sustainable” or “environmentally preferred” purchasing. The aim of considering environmental factors is to buys products or services that have less impact on the environment and human health and well being than otherwise comparable products or services.

Manly Council has policies in place that support or require the consideration of environmental and sustainability issues in it’s purchasing decisions.”

Section 7.3.3 Assessment Criteria for Tenders

In the section beginning “Other considerations to be taken into account in the assessment of tenders and quotations may include:”, add an additional point as follows:

- Any available evidence of a commitment to integrated sustainability or TBL planning and performance”.

Annex B Sustainability Procurement Guidelines Hazardous Materials – Use and Disposal

“Is the product inflammable”, should read “is the product flammable”

2. That a subsequent report be submitted to Council for adoption.

388/05 RESOLVED: (Lambert / Aird)

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1. Purpose

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At the end of this section, add the following paragraph:

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2. That a subsequent report be submitted to Council for adoption.

For the Resolution: Councillors Heasman, Lambert, Cant, Murphy, Daley, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

CONFIDENTIAL ITEMS

General Manager's Office Report No. 33

Kangaroo Rock Claims

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) (e) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, prejudice the maintenance of law.

The Chairperson 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.

389/05 RESOLVED: (Macdonald / Aird)

That the meeting move into Closed Session to consider General Manager's Office Report No. 33, Kangaroo Rock Claims.

For the Resolution: Councillors Heasman, Lambert, Murphy, Daley, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

Councillor Cant was not in the Chamber when the Motion was put.

Upon resuming into Open Council the General Manager advised the meeting of the following resolutions made in Closed Session.

MOTION (Daley / Murphy)

That the report on Kangaroo Rock claims be noted.

390/05 RESOLVED: (Daley / Murphy)

That the report on Kangaroo Rock claims be noted.

For the Resolution: Councillors Heasman, Lambert, Murphy, Daley, Aird, Norek and Macdonald.

Against the Resolution: Nil.

Councillors Evans and Cant were not in the Chamber when the Motion was put.

QUESTIONS WITHOUT NOTICE**Councillor Heasman:**

1. What help does Council offer ratepayers regarding the collection and disposal of vegetation collected (voluntarily) by residents from large Council street trees?

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

2. Does Council monitor whether the continual maintenance of these large trees is unwarranted and that a smaller native tree to replace these trees would be fairer to the ratepayers?

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

Councillor Murphy:

1. Can a person change the internal layout of a house without submitting a Development Application? Specifically, can an ensuite be added if there are no external changes (ie window is existing)?

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

2. How close to a boundary can a resident or a neighbour plant a tree?

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

3. Can staff provide a copy of the letter Council wrote to the Local Government Association justifying a higher pay rate to match Sydney and Warringah Councils based on Manly's unique circumstances and the number of tourists.

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

Councillor Aird:

1. Can staff advise of the changes and timeframe proposed for the Visitor Information Centre in relation to improving accessibility?

At the request of the Mayor, the General Manager advised that Council is aware of the need to replace the existing entrance with a sliding door and also proposes to extend the front section of the entrance. In relation to timeframes, the General Manager advised this would be taken on notice.

Councillor Norek:

1. Does Manly Council register to get access to the National Criminal History record check?

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

2. Can staff advise the total cost expended by Council in fighting the development at 30 Boyle Street, Balgowlah?

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

3. Does Council have appropriate 'risk procedures' in place to reduce the risk of pursuing genuine complaint development proposals through the courts?

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

CLOSE

The meeting closed at [12:10am](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [19 December 2005](#).

MAYOR

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