



Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 3 May 2010

All minutes are subject to confirmation at a subsequent meeting.

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7.37pm on Monday 3 May 2010, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached which are stated hereunder.

PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM
 Councillor A Heasman
 Councillor B Aird
 Councillor H Burns
 Councillor C Griffin
 Councillor A Le Surf, Deputy Chairperson
 Councillor R Morrison, who presided
 Councillor D Murphy, Deputy Mayor
 Councillor M Norek (arrived at 7.47pm)
 Councillor C Whitting

ALSO PRESENT

Henry Wong, General Manager
 Stephen Clements, Deputy General Manager, Executive Manager, Environmental Services
 Ross Fleming, Acting Deputy General Manager, Divisional Manager, Corporate Services
 Christine Bone, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillor Macdonald and Councillor Elder, for non-attendance.

PS33/10 **RESOLVED: (Hay / Burns)**

That the apologies received from Councillor Macdonald and Councillor Elder, for non-attendance be accepted and leave be granted.

For the Resolution: Councillors Hay, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Heasman	Civic and Urban Services Division Report No.3 – Balgowlah Permit Parking Scheme (BPPS) Draft Report	Conflict of interest – resident in the scheme
Councillor Morrison	Civic and Urban Services Division Report No.3 – Balgowlah Permit Parking Scheme (BPPS) Draft Report	Pecuniary – property interest
Councillor Morrison	General Managers Report No.9 – Property Matter	Pecuniary – property interest
Councillor Murphy	Environmental Services Division Report No.12 – Development	Conflict of interest - DA 24/2010, 39 Kangaroo Street, Manly (a

	Applications being processed during the month of May 2010	relative lives in the street)
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CONFIRMATION OF MINUTES

MOTION (Whitting / Burns)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 March 2010, 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.

PS34/10 RESOLVED: (Whitting / Burns)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 March 2010, 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, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

SUSPENSION OF STANDING ORDERS (Murphy / Aird)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Civic and Urban Services Report No.3, Balgowlah Permit Parking Scheme (BPPS) Draft Report.

PS35/10 RESOLVED: (Murphy / Aird)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Civic and Urban Services Report No.3, Balgowlah Permit Parking Scheme (BPPS) Draft Report.

For the Resolution: Councillors Hay, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

At 7.45pm Councillor Morrison vacated the Chair and left the Chamber having previously declared a pecuniary interest.

Councillor Le Surf assumed the Chair.

Councillor Heasman left the chamber having previously declared a conflict of interest.

Councillor Norek entered the Chamber at 7.47pm.

CIVIC AND URBAN SERVICES DIVISION

Civic and Urban Services Division Report No. 3

Balgowlah Permit Parking Scheme (BPPS) Draft Report

SUMMARY

This is a study report, for information purposes, of a proposed Parking Permit Scheme in the Balgowlah Shopping Centre and surrounding area.

The aim of the Balgowlah Permit Parking Scheme (BPPS) is to:

- Identify the extent of the area to be included in the BPPS;
- Evaluate comments received as part of the questionnaires survey;
- Develop a permit parking scheme that will address the residential, commercial, retail and commuter parking demand; and
- Develop a period parking strategy to meet the short term parking demand of land use activities and also that meets the long term parking demand of the local residents.

PUBLIC ADDRESSES

The following person addressed the meeting in relation to this item:

Against the Recommendation: Richard Hewitt

MOTION (Murphy / Hay)

That:

1. The implementation of the Balgowlah Permit Parking Scheme be deferred to allow for further consultation with surrounding Precincts.
2. The Principal of Manly West Public School be contacted.

PS36/10 **RESOLVED: (Murphy / Hay)**

That:

1. The implementation of the Balgowlah Permit Parking Scheme be deferred to allow for further consultation with surrounding Precincts.
2. The Principal of Manly West Public School be contacted.

For the Resolution: Councillors Hay, Whitting, Murphy, LeSurf, Griffin, Aird and Burns

Against the Resolution: Nil.

Councillors Heasman, Morrison and Norek were not in the Chamber when the voting took place.

Councillor Morrison returned to the Chamber.

At 8.10pm Councillor Le Surf vacated the Chair and Councillor Morrison resumed the Chair.

RESUMPTION OF STANDING ORDERS (LeSurf / Aird)

That Standing Orders be resumed.

PS37/10 **RESOLVED: (Murphy / Aird)**

That Standing Orders be resumed.

For the Resolution: Councillors Hay, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

Councillors Heasman and Norek were not in the Chamber when the voting took place.

Councillors Heasman and Norek returned to the Chamber.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 3

Items for Brief Mention: Impacts of Population Growth on Local Government; Concern in relation to the promotion of alcohol through advertising on public transport

1. Response from the Prime Minister's Office re Impact of Population Growth on Local Government

At its meeting held on 8 February 2010 Council considered a Notice of Motion regarding projected population growth in Australia, and resolved (*inter alia*) to seek the support of the Prime Minister to facilitate informed discussion and debate on all of the issues associated with the projected growth.

A response has been received from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister, and is attached for the information of The Council.

2. Response from NSW Leader of the Opposition re Impacts of Alcohol Advertising on public transport

At its meeting held on 8 March 2010 Council considered a Notice of Motion regarding the impacts of promoting the consumption of alcohol through advertising on public transport and associated facilities. Council resolved (*inter alia*) to seek a response from the NSW Leader of the Opposition and shadow ministers in relation to this practice.

A response has been received from Mr Barry O'Farrell MP, NSW Leader of the Opposition, and is attached for the information of The Council.

MOTION (Heasman / LeSurf)

That:

1. The letter from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister be received and noted.
2. The letter from Barry O'Farrell MP, NSW Leader of the Opposition be received and noted.

PS38/10 RESOLVED: (Heasman / LeSurf)

That:

1. The letter from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister be received and noted.
2. The letter from Barry O'Farrell MP, NSW Leader of the Opposition be received and noted.

For the Resolution: Councillors Hay, Heasman, Whitting, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

Councillors Norek and Murphy were not in the Chamber when the voting took place.

REPORTS OF COMMITTEES

Report Of Committees Report No. 18

Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature

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

Minutes of Meetings for adoption without recommendations of a substantial nature.

- i) Sister Cities Committee – 24 March 2010
- ii) Sustainable Transport Committee – 25 March 2010
- iii) Community Safety Committee – 8 April 2010
- iv) Traffic Committee – 12 April 2010

MOTION (Heasman / Burns)

That the Minutes of the following Special Purpose Committee Meetings be adopted:

- i) Sister Cities Committee – 24 March 2010
- ii) Sustainable Transport Committee – 25 March 2010
- iii) Community Safety Committee – 8 April 2010
- iv) Traffic Committee – 12 April 2010

PS39/10 RESOLVED: (Heasman / Burns)

That the Minutes of the following Special Purpose Committee Meetings be adopted:

- i) Sister Cities Committee – 24 March 2010
- ii) Sustainable Transport Committee – 25 March 2010
- iii) Community Safety Committee – 8 April 2010
- iv) Traffic Committee – 12 April 2010

For the Resolution: Councillors Hay, Heasman, Whitting, LeSurf, Morrison, Griffin, Aird and Burns

Against the Resolution: Nil.

Councillors Norek and Murphy were not in the Chamber when the voting took place.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 11

Manly Environment Centre - Events, Objectives and Projects for 2010

SUMMARY

This report will provide Council with an update on the objectives, events and key projects planned for the Manly Environment Centre (MEC) in 2010. Further it will provide Council with a brief summary of last year's projects and achievements.

MOTION (Heasman / Hay)

That that the report be received and noted.

PS40/10 RESOLVED: (Heasman / Hay)

That that the report be received and noted.

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

Against the Resolution: Nil.

Councillors Le Surf and Murphy were not in the Chamber when the voting took place.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 12

Development Applications Being Processed During The Month of May 2010.**SUMMARY**

Development applications being processed during the month of May 2010.

MOTION (Heasman / LeSurf)

That the information be noted.

PS41/10 RESOLVED: (Heasman / LeSurf)

That the information be noted.

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

Against the Resolution: Nil.

Environmental Services Division Report No. 13

Current Legal Appeals Relating to Development Applications During May 2010.**SUMMARY**

Current legal appeals relating to development applications during May 2010.

MOTION (Whitting / Murphy)

That the information be noted.

PS42/10 RESOLVED: (Whitting / Murphy)

That the information be noted.

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

HUMAN SERVICES AND FACILITIES DIVISION

Human Services And Facilities Division Report No. 5

Temporary Suspension Alcohol Free Zone during the Manly Food Wine and Sustainability Festival 5th to 6th June 2010

SUMMARY

The Manly Food Wine and Sustainability Festival will be presented by Manly Council over the weekend 5 – 6 June 2010 from 11.30am to 5pm each day.

A temporary suspension of the existing Alcohol Free Zone during the operating hours of the Festival is required. The Festival operates between the hours of 11.30 am and 5.00 pm on Saturday 5th June and Sunday 6th June 2010.

MOTION (Murphy / Burns)

That:

1. Council suspend the Alcohol Free Zone for the weekend 5 June – 6 June 2010 between the hours of 11.30am and 5.00pm Saturday and Sunday;
2. A notice of suspension be prepared and displayed in the Manly Daily Newspaper prior to the event;
3. Council staff liaise with Manly Police in relation to the suspension of the zone for the Manly Food Wine and Sustainability Festival 2010.

PS43/10 RESOLVED: (Murphy / Burns)

That:

1. Council suspend the Alcohol Free Zone for the weekend 5 June – 6 June 2010 between the hours of 11.30am and 5.00pm Saturday and Sunday;
2. A notice of suspension be prepared and displayed in the Manly Daily Newspaper prior to the event;
3. Council staff liaise with Manly Police in relation to the suspension of the zone for the Manly Food Wine and Sustainability Festival 2010.

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

CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 9

Property Matter

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.

Civic and Urban Services Division Report No. 4

Tenders for Burnt Bridge Creek Bushland Restoration Projects - East T2010/03 & West T2010/04

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 (Norek / Whitting)**

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

The Chairperson, Councillor Morrison, asked if any members of the public gallery objected to the matters being heard in Closed Session.

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

PS44/10 **RESOLVED: (Norek / Whitting)**

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

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

Against the Resolution: Nil.

OPEN COUNCIL RESUMED

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

At 9.05pm Councillor Morrison vacated the Chair and left the Chamber having previously declared a pecuniary interest.

Councillor Le Surf assumed the Chair.

General Managers Division Report No. 9

Property Matter

MOTION (Heasman / Burns)

That the matter proceed as per the discussion in the Closed session.

PS45/10 RESOLVED: (Heasman / Burns)

That the matter proceed as per the discussion in the Closed session.

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

Against the Resolution: Nil.

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

Civic and Urban Services Division Report No. 4

Tenders for Burnt Bridge Creek Bushland Restoration Projects - East T2010/03 & West T2010/04

MOTION (Burns / Murphy)

That the tenders submitted by the following companies for the following tenders are accepted by Council, inclusive of GST.

1. T2010/03 Burnt Bridge Creek East Bushland Restoration Project: Toolijooa Environmental Restoration \$153,626.
2. T2010/04 Burnt Bridge Creek West Bushland Restoration Project: Toolijooa Environmental Restoration \$163,311.50.

PS46/10 RESOLVED: (Burns / Murphy)

That the tenders submitted by the following companies for the following tenders are accepted by Council, inclusive of GST.

1. T2010/03 Burnt Bridge Creek East Bushland Restoration Project: Toolijooa Environmental Restoration \$153,626.
2. T2010/04 Burnt Bridge Creek West Bushland Restoration Project: Toolijooa Environmental Restoration \$163,311.50.

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

Against the Resolution: Nil.

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

CLOSE

The meeting closed at 9.25pm.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 7 June 2010.

CHAIRPERSON

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