



Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 7 June 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 7:49:00 PM on Monday 7 June 2010, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached.

PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM
Councillor A Heasman
Councillor B Aird
Councillor H Burns
Councillor L Elder
Councillor C Griffin
Councillor A Le Surf, Deputy Chairperson
Councillor P Macdonald
Councillor R Morrison, who presided
Councillor D Murphy, Deputy Mayor
Councillor M Norek
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
Anthony Hewton, Head of Strategy, Staff in Charge General Managers Unit
Lynne Jess, Minute Taker

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Elder	Corporate Services Division Report No. 17 Adoption of the Management Plan 2010-2011	Non pecuniary interest – The speaker Mr John Chapman is known to her.
Councillor Griffin	Corporate Services Division Report No. 17 Adoption of the Management Plan 2010-2011	Non Pecuniary / Interest resides in the street.

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

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 03 May 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.

PS47/10 RESOLVED: (Whitting / Aird)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 03 May 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, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

SUSPENSION OF STANDING ORDERS (Elder / Whitting)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Corporate Services Division Report No. 17.

PS48/10 RESOLVED: (Elder / Whitting)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Corporate Services Division Report No. 17.

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

Against the Resolution: Nil.

Corporate Services Division Report No. 17

Adoption of the Management Plan 2010-2013 – Including Late Item General Managers Division Report No 12.**SUMMARY**

The 2010-2013 Draft Management Plan has been exhibited for the statutory period and is submitted for adoption by Council. Public submissions are also presented to Council for consideration.

The late item advised of four (4) additional submissions received following the close of the exhibition period for the Draft Management Plan 2010-2013, and made a recommendation regarding the Roundhouse Childcare Centre fees.

PUBLIC ADDRESSES

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

Mr John Chapman, Mrs Christine Wrightson and Mr Barry Antella

Councillors Elder and Griffin left the Chamber at 7.58pm having declared a non-pecuniary interest in the Stuart Street item.

Mr John Chapman addressed Council regarding the Draft Management Plan 2010 – 2013
38 - 40 Stuart Street.

MOTION (Hay / Macdonald)

That Council hold a Strategy Workshop in July to deal with the draft LEP and the Stuart Street properties.

PS49/10 **RESOLVED: (Hay / Macdonald)**

That Council hold a Strategy Workshop in July to deal with the draft LEP and the Stuart Street properties.

For the Motion: Councillors Hay, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Aird, Burns and Macdonald

Against the Motion: Nil.

Councillors Elder and Griffin were not in the Chamber when the voting took place having declared a Pecuniary Interest.

Councillors Elder and Griffin re-entered the Chamber at 8.23pm.

Mrs Christine Wrightson addressed Council on Draft Management Plan 2010-2013 -
Roundhouse Childcare Fees

MOTION (Hay / Whitting)

It is recommended that Council:

1. Receives and notes the additional four submissions;
2. That Council implement a six (6) month moratorium of the fee increase listed for the Roundhouse Childcare Centre in Council's Schedule of Fees and Charges 2010-2011 from 1 July 2010 to 31 December 2010; and
3. That Council staff send a letter to all parents reassuring them that Occupational Health and Safety concerns during the construction phase have been addressed.

AMENDMENT (Norek / Aird)

1. That Council reduce the childcare rates by 5% until the building works are at lock up stage.
2. That Council increase the fees listed in the Schedule Fees and Charges 2010 – 2011 from the 1st January 2011.
3. That Council staff send a letter to all parents reassuring them of the Occupational Health and Safety issues.

For the Amendment: Councillor Norek

Against the Amendment: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Burns and Macdonald

The **Amendment** was declared **lost**.

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

PS50/10 RESOLVED: (Hay / Whitting)

That Council:

1. Receives and notes the additional four submissions;
2. That Council implement a six (6) month moratorium of the fee increase listed for the Roundhouse Childcare Centre in Council's Schedule of Fees and Charges 2010-2011 from 1 July 2010 to 31 December 2010; and
3. That Council staff send a letter to all parents reassuring them that Occupational Health and Safety concerns during the construction phase have been addressed.

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

Against the Resolution: Nil.

Councillor Aird was not in the Chamber at the time of voting.

Mr Barry Antella addressed Council regarding the Draft Management Plan 2010-2013 – Queenscliff Surf Life Saving Club.

Councillor Whitting left the Chamber at 9.08pm having declared a non-pecuniary interest due to his association with Queenscliff Surf Life Saving Club.

MOTION (Macdonald / Griffin)

That Manly Council make a provision in the 2010/2011 Budget of \$45,000 toward the improvements under construction at the Queenscliff Surf Club subject to the finalisation and signing of the Memorandum Of Understanding.

PS51/10 RESOLVED: (Macdonald / Griffin)

That Manly Council make a provision in the 2010/2011 Budget of \$45,000 toward the improvements under construction at the Queenscliff Surf Club subject to the finalisation and signing of the Memorandum Of Understanding.

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

Against the Resolution: Nil.

Councillor Whitting was not in the Chamber at the time of voting.

Councillor Whitting returned to the Chamber.

At 9.44pm Councillor Morrison vacated the Chair and Councillor Le Surf assumed the Chair.

MOTION (Hay / Aird)

That Council provide for a donation of \$2,000 in the 2010/2011 Budget toward uniforms for the Street Pastors.

PS52/10 RESOLVED: (Hay / Aird)

That Council provide for a donation of \$2,000 in the 2010/2011 Budget toward uniforms for the

Street Pastors.

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

Against the Resolution: Nil.

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

MOTION (Aird / Burns)

That Council reduce the budget allocation for the Christmas Carols Concert from \$60,000 to \$15,000.

Motion was **LOST**

AMENDMENT (Heasman / Elder)

That Council:

1. Adopt the Manly Council Management Plan 2010-2013 and the 2010-2011 Schedule of Fees and Charges; and
2. Write to the parties who made submissions to the Management Plan, thanking them for their comments, and providing a response to the points raised by them.
3. That Council investigate reducing the Budget allocation for the Christmas Carols to \$30,000 plus seek additional sponsorships for the year 2010.

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

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

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

PS53/10 **RESOLVED: (Heasman / Elder)**

That Council:

1. Adopt the Manly Council Management Plan 2010-2013 and the 2010-2011 Schedule of Fees and Charges; and
2. Write to the parties who made submissions to the Management Plan, thanking them for their comments, and providing a response to the points raised by them.
3. That Council investigate reducing the Budget allocation for the Christmas Carols to \$30,000 plus seek additional sponsorships for the year 2010.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, LeSurf, Morrison and Murphy

Against the Resolution: Councillors Norek, Griffin, Aird, Burns and Macdonald

At 10.29 Councillor LeSurf vacated the Chair.

At 10.29 Councillor Morrison returned to the Chamber and assumed the Chair.

RESUMPTION OF STANDING ORDERS Elder / Whitting)

That Standing Orders be resumed.

PS54/10 RESOLVED: Elder / Whitting)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 10

Communications Strategy for Manly Council's Hop, Skip and Jump Tourist Bus Service**SUMMARY**

At the Ordinary Meeting of Council held on Monday 8th March 2010, it was resolved [25/10] that:

"Council prepare a comprehensive marketing and promotion plan for its new Tourist Bus service to maximize patronage".

This report seeks to respond to the resolution.

MOTION (LeSurf / Griffin)

1. That the report be received and noted.
2. Council continuously evaluate the effectiveness of the service.

PS55/10 RESOLVED: (LeSurf / Griffin)

1. That the report be received and noted.
2. Council continuously evaluate the effectiveness of the service.

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

Against the Resolution: Councillor Norek

General Managers Division Report No. 12

Late Report Submissions to Management Plan 2010-2013

SUMMARY

To inform the Council of the four (4) additional submissions received following the close of the exhibition period for the Draft Management Plan 2010-2013, and make a recommendation regarding the Roundhouse Childcare Centre fees.

This item was considered with the Corporate Services Division Report No 17 – adoption of the Management Plan 2010-2013

REPORTS OF COMMITTEES

Report Of Committees Report No. 20

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) Sustainable Economic Development and Tourism Committee – 1 April 2010
- ii) Meals on Wheels Committee – 14 April 2010
- iii) Community Environment Committee – 14 April 2010
- iv) Harbour Foreshore and Coastline Management Committee – 20 April 2010
- v) Access Committee – 20 April 2010
- vi) Sister Cities Committee – 28 April 2010
- vii) Sustainable Transport Committee – 28 April 2010
- viii) Sustainable Economic Development & Tourism Committee – 6 May 2010
- ix) Sports Facilities Committee – 7 May 2010
- x) Sustainability & Climate Change Committee – 11 May 2010
- xi) Meals on Wheels Committee – 12 May 2010
- xii) Waste Committee – 12 May 2010
- xiii) Community Environment – 12 May 2010
- xiv) Community Safety Committee – 13 May 2010

MOTION (Macdonald / LeSurf)

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

- i) Sustainable Economic Development and Tourism Committee – 1 April 2010
- ii) Meals on Wheels Committee – 14 April 2010
- iii) Community Environment Committee – 14 April 2010
- iv) Harbour Foreshore and Coastline Management Committee – 20 April 2010
- v) Access Committee – 20 April 2010
- vi) Sister Cities Committee – 28 April 2010
- vii) Sustainable Transport Committee – 28 April 2010

- viii) Sustainable Economic Development & Tourism Committee – 6 May 2010
- ix) Sports Facilities Committee – 7 May 2010
- x) Sustainability & Climate Change Committee – 11 May 2010
- xi) Meals on Wheels Committee – 12 May 2010
- xii) Waste Committee – 12 May 2010
- xiii) Community Environment Committee – 12 May 2010
- xiv) Community Safety Committee – 13 May 2010

PS56/10 RESOLVED: (Macdonald / LeSurf)

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

- i) Sustainable Economic Development and Tourism Committee – 1 April 2010
- ii) Meals on Wheels Committee – 14 April 2010
- iii) Community Environment Committee – 14 April 2010
- iv) Harbour Foreshore and Coastline Management Committee – 20 April 2010
- v) Access Committee – 20 April 2010
- vi) Sister Cities Committee – 28 April 2010
- vii) Sustainable Transport Committee – 28 April 2010
- viii) Sustainable Economic Development & Tourism Committee – 6 May 2010
- ix) Sports Facilities Committee – 7 May 2010
- x) Sustainability & Climate Change Committee – 11 May 2010
- xi) Meals on Wheels Committee – 12 May 2010
- xii) Waste Committee – 12 May 2010
- xiii) Community Environment Committee – 12 May 2010
- xiv) Community Safety Committee – 13 May 2010

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

Against the Resolution: Nil.

Report Of Committees Report No. 21

Minutes for adoption by Council - Surf Club Liaison Working Group - 20 April 2010

This report was dealt with at the Surf Club Liaison Working Group meeting of 20 April 2010 and was listed as a Recommendation in those Minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. ITEM 4 SURF LIFE SAVING CLUBS CODE OF CONDUCT FOR SURF BOAT TRAINING IN WATER AND AT ACCESS POINTS IN RESIDENTIAL AREAS

Letter tabled by President Queenscliff SLSC, as sent to Surf Life Saving Northern Beaches, regarding the behaviour of Surf Boat crews whilst training within residential areas, such as Little Manly. Surf Life Saving Northern Beaches has communicated with all SLS Clubs regarding their noise and behaviour during boat training within residential areas.

MOTION (Macdonald / Heasman)

That this information be received and noted.

PS57/10 RESOLVED: (Macdonald / Heasman)

That this information be received and noted.

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

Report Of Committees Report No. 22

Minutes for adoption by Council - Landscape Management and Urban Design Committee - 21 April 2010

These reports were dealt with at the Landscape Management and Urban Design Committee meeting of 21 April 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. **ITEM 4 SANDY BAY LANDSCAPE UPGRADE**
2. **ITEM 5 MARINE PARADE LANDSCAPE UPGRADE**
3. **ITEM 7 GENERAL BUSINESS**

MOTION (Griffin / Burns)

That:

1. **ITEM 4 SANDY BAY LANDSCAPE UPGRADE**

Councillors endorsed the Sandy Bay landscape upgrade project. Staff to amend the masterplan drawings to communicate the following recommendations :

- Locate the bubblers away from the rubbish bins.
- Move the elevated seat further north away from the stormwater outlet pipe.
- Confirm that existing lighting levels meet current and future user requirements.
- Illustrate a connecting stainless steel stair from the beach to upper pathway close to the elevated seat location.
- Present Sandy Bay Masterplan drawing to the Traffic Committee for comment. Council to keep the Committee updated on the progress of the grant application.

2. **ITEM 5 MARINE PARADE LANDSCAPE UPGRADE**

LMUD recommend that the Marine Parade study carried out by Council be progressed into a draft landscape plan for discussion on site.

The following items identified will be progressed as part of the upgrade works:

Rubbish: Council staff to research bin locations to meet council requirements.

Bubbler: It is proposed that bubblers with water filters be installed to Marine Parade to be consistent with the Ocean Beach bubblers.

Senior Surf club building: Council staff to report back to LMUD regarding the purpose of the building and future use proposal.

Path accessibility: An investigation into the possibility of regrading sections of this path will be undertaken as part of this report.

DAs: Guidelines to be set by council for the standard recommended boundary treatment of neighbouring properties.

Dive users at Fairy Bower: Council staff to identify and research how this user group uses the beach and propose potential improvement for dive users and mixed use. The Fairy Bower residents be consulted on the plans being developed for the Marine Parade Landscape.

3. ITEM 7 GENERAL BUSINESS

Council staff to prepare a draft landscape concept plan for proposed upgrade works at North Harbour Reserve.

Council staff to answer the following queries at next meeting:

- Current maintenance practices used to improve grass wear and tear on Ocean Beach.
- Proposed use for unoccupied council property on Stuart Street.

PS58/10 **RESOLVED: (Griffin / Burns)**

That:

1. ITEM 4 SANDY BAY LANDSCAPE UPGRADE

Councillors endorsed the Sandy Bay landscape upgrade project. Staff to amend the masterplan drawings to communicate the following recommendations :

- Locate the bubblers away from the rubbish bins.
- Move the elevated seat further north away from the stormwater outlet pipe.
- Confirm that existing lighting levels meet current and future user requirements.
- Illustrate a connecting stainless steel stair from the beach to upper pathway close to the elevated seat location.
- Present Sandy Bay Masterplan drawing to the Traffic Committee for comment. Council to keep the Committee updated on the progress of the grant application.

2. ITEM 5 MARINE PARADE LANDSCAPE UPGRADE

LMUD recommend that the Marine Parade study carried out by Council be progressed into a draft landscape plan for discussion on site.

The following items identified will be progressed as part of the upgrade works:

Rubbish: Council staff to research bin locations to meet council requirements.

Bubbler: It is proposed that bubblers with water filters be installed to Marine Parade to be consistent with the Ocean Beach bubblers.

Senior Surf Club building: Council staff to report back to LMUD regarding the purpose of the building and future use proposal.

Path accessibility: An investigation into the possibility of regrading sections of this path will be undertaken as part of this report.

DAs: Guidelines to be set by council for the standard recommended boundary treatment of neighbouring properties.

Dive users at Fairy Bower: Council staff to identify and research how this user group uses the beach and propose potential improvement for dive users and mixed use. The Fairy Bower residents be consulted on the plans being developed for the Marine Parade Landscape.

3. ITEM 7 GENERAL BUSINESS

Council staff to prepare a draft landscape concept plan for proposed upgrade works at North Harbour Reserve.

Council staff to answer the following queries at next meeting:

- Current maintenance practices used to improve grass wear and tear on Ocean Beach.
- Proposed use for unoccupied council property on Stuart Street.

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

Against the Resolution: Nil.

Councillor Griffin was not in the Chamber at the time of voting.

Report Of Committees Report No. 23

Minutes for adoption by Council - Human Services Planning and Policy Committee - 27 April 2010

This report was dealt with at the Human Services Planning and Policy Committee meeting of 27 April 2010 and was listed as a Recommendation in those minutes. This item is hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. ITEM 3 MATTERS ARISING

It should be noted in relation to the recommendations regarding the future of Manly public health services that the General Manager had written to the NSW Minister for Health in February 2010. As well, a representative from the Northern Area Health Service was invited to address a future meeting of the committee regarding health services in the area. Council received a reply to the letter from Dr Andrew McDonald, Parliamentary Secretary for Health.

MOTION (Macdonald / Heasman)

1. That the information be received and noted.
2. That Council invite the representatives of the Northern Area Health Service to address Council.

PS59/10 RESOLVED: (Macdonald / Heasman)

1. That the information be received and noted.
2. That Council invite the representatives of the Northern Area Health Service to address Council.

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

Against the Resolution: Nil.

Report Of Committees Report No. 24

Minutes for adoption by Council - Internal Audit Committee - 28 April 2010

These reports were dealt with at the Internal Audit Committee meeting of 28 April 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. **ITEM 3 ELECTION OF CHAIRPERSON**
2. **ITEM 5 REPORT – CODE OF CONDUCT**
3. **ITEM 6 REPORT – BACKGROUND AND ADOPTION OF THE MANLY COUNCIL AUDIT CHARTER AND MANLY COUNCIL AUDIT COMMITTEE CHARTER**
4. **ITEM 7 REPORT – ADOPTION OF THE NORTH SHORE COUNCILS INTERNAL AUDIT OPERATING PROTOCOLS**
5. **ITEM 8 REPORT – DRAFT INTERNAL AUDIT PLAN**

MOTION (Burns / Hay)

That the Minutes of the Internal Audit Committee meeting held on 28 April 2010 be adopted including the following items:

1. ITEM 3 ELECTION OF CHAIRPERSON

Council appoints Mr John Gordon as Chairperson for the Manly Council Internal Audit Committee for the term of the current Council and until such time as Committees are renewed following the next Local Government Election in 2012.

2. ITEM 5 REPORT – CODE OF CONDUCT

The Committee recommends to Council that:

- i. The report is received and noted; and
- ii. The Manly Council Code of Conduct for Community Members on Special Purpose Committees be adopted for use by the Committee to be read and used in conjunction with the Audit Committee Charter and Protocols documents.

3. ITEM 6 BACKGROUND AND ADOPTION OF THE MANLY COUNCIL AUDIT CHARTER AND MANLY COUNCIL AUDIT COMMITTEE CHARTER

The Committee recommends to Council that:

- i. The Committee received and noted the Internal Audit Charter and the Internal Audit Committee Charter documents for use as interim documents pending some amendments in relation to the recommendations raised in the meeting.
- ii. That a further report be prepared by the Internal Auditor received by Committee on this matter at its next meeting.

4. ITEM 7 REPORT – ADOPTION OF THE NORTH SHORE COUNCILS INTERNAL AUDIT OPERATING PROTOCOLS

The Committee recommends to Council that:

- i. The Report be received and noted; and
- ii. The North Shore Councils Internal Audit Operating Protocols be adopted.

5. ITEM 8 REPORT – DRAFT INTERNAL AUDIT PLAN

The Committee recommends to Council that the North Shore Councils Internal Audit Program proposed for 2010/11 be adopted by Manly Council as presented in the report.

PS60/10 **RESOLVED: (Burns / Hay)**

That the Minutes of the Internal Audit Committee meeting held on 28 April 2010 be adopted including the following items:

1. ITEM 3 ELECTION OF CHAIRPERSON

Council appoints Mr John Gordon as Chairperson for the Manly Council Internal Audit Committee for the term of the current Council and until such time as Committees are renewed following the next Local Government Election in 2012.

2. ITEM 5 REPORT – CODE OF CONDUCT

The Committee recommends to Council that:

- i. The report is received and noted; and
- ii. The Manly Council Code of Conduct for Community Members on Special Purpose Committees be adopted for use by the Committee to be read and used in conjunction with the Audit Committee Charter and Protocols documents.

3. ITEM 6 BACKGROUND AND ADOPTION OF THE MANLY COUNCIL AUDIT CHARTER AND MANLY COUNCIL AUDIT COMMITTEE CHARTER

The Committee recommends to Council that:

- i. The Committee received and noted the Internal Audit Charter and the Internal Audit Committee Charter documents for use as interim documents pending some amendments in relation to the recommendations raised in the meeting.
- ii. That a further report be prepared by the Internal Auditor received by Committee on this matter at its next meeting.

4. ITEM 7 REPORT – ADOPTION OF THE NORTH SHORE COUNCILS INTERNAL AUDIT OPERATING PROTOCOLS

The Committee recommends to Council that:

- i. The Report be received and noted; and
- ii. The North Shore Councils Internal Audit Operating Protocols be adopted.

5. ITEM 8 REPORT – DRAFT INTERNAL AUDIT PLAN

The Committee recommends to Council that the North Shore Councils Internal Audit

Program proposed for 2010/11 be adopted by Manly Council as presented in the report.

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

Report Of Committees Report No. 25

Minutes for adoption by Council - Playground Committee - 13 May 2010

These reports were dealt with at the Playground Committee meeting of 13 May 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. ITEM 4 Nanbaree Reserve Playground

The Committee discussed the report and the options presented along with survey information presented by the Open space Coordinator.

Notifications were hand delivered to adjoining properties; signage was installed in the playground as part of the consultation process.

The responses to option 1 and 2 were very similar with most people wanting the playground to stay in the same location, and both options requesting shade, whether it is in a built shade structure or by providing natural shade by installing advanced trees.

2. ITEM 5 Lagoon Park Playground Design 2010/11

The Playground Committee held the March meeting on site to discuss the possible use of the open space in the playground. The Committee agreed that a series of cycle ways and fantasy play would be the best use of the space, while retain the open look of the area.

MOTION (Murphy / Heasman)

That the Minutes of the Playground Committee meeting on 13 May 2010 be adopted including the following items:

1. ITEM 4 Nanbaree Reserve Playground

The Committee recommend to the General Manager and Council that:

- i) Option Two (2) be endorsed for the refurbishment of Nanbaree Reserve:
 - Retain the playground in the same location as outlined in the consultation.
 - Remove and restore the existing playground equipment.
 - Demolish and remove the retaining wall.
 - Remove the mulch to ground level.
 - Install softfall and reinstall playground equipment.
 - Install advanced trees that provide maximum shade.
 - Install turf and other landscaping features.
- ii) A media release on the Playground refurbishment to be issued on completion of the playground.

- iii) The works on Nanbaree be completed by the end of June 2010 as outlined in Councils 5 year strategy.

2. ITEM 5 Lagoon Park Playground Design 2010/11

The report was received and noted by the Committee.

PS61/10 **RESOLVED: (Murphy / Heasman)**

That the Minutes of the Playground Committee meeting on 13 May 2010 be adopted including the following items:

1. ITEM 4 Nanbaree Reserve Playground

The Committee recommend to the General Manager and Council that:

- i) Option Two (2) be endorsed for the refurbishment of Nanbaree Reserve:
- Retain the playground in the same location as outlined in the consultation.
 - Remove and restore the existing playground equipment.
 - Demolish and remove the retaining wall.
 - Remove the mulch to ground level.
 - Install softfall and reinstall playground equipment.
 - Install advanced trees that provide maximum shade.
 - Install turf and other landscaping features.
- ii) A media release on the Playground refurbishment to be issued on completion of the playground.
- iii) The works on Nanbaree be completed by the end of June 2010 as outlined in Councils 5 year strategy.

2. ITEM 5 Lagoon Park Playground Design 2010/11

The report was received and noted by the Committee.

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

Against the Resolution: Nil.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 16

Adoption of Draft Management Plan 2010-2013 and Draft Budget / Fixing of Rates and Charges for 2010-2011**SUMMARY**

Council is required to make rates and charges following the adoption of the Management Plan for the 2010/2011 financial period.

MOTION (Macdonald / Murphy)

That Council:

Whereas the detailed draft Estimates of Income and Expenditure of the General Fund, for the period 1 July 2010 to 30 June 2011, were considered by Council on 4 May 2010, and having given public notice in accordance with S.405 of the *Local Government Act, 1993*, of the Draft Management Plan to allow public submissions on or before 4 June 2010, and whereas the Management Plan and Estimates of Income and Expenditure for the period 1 July 2010 to 30 June 2011, were adopted by Council at the meeting of 7 June 2010, and having considered any matters concerning the Management Plan in accordance with S.406 of the *Local Government Act, 1993*, Council hereby resolve:

1. That the draft Schedule of Fees and Charges 2010-2011 as tabled, be adopted;
2. That the 2010-2011 draft Budget as amended and tabled to the meeting be adopted;
3. That Council now make the following Rates and Charges for the year 1 July 2010 to 30 June 2011:

A Ordinary Rates

- (i) An Ordinary Rate (Residential) of **0.168788** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land in the Local Government Area categorised as Residential in accordance with S.516 of the *Local Government Act 1993*, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$682.50**;
- (ii) An Ordinary Rate - Business - Manly Business Centre of **0.813381** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land categorised as Business in accordance with S.518 of the *Local Government Act 1993*, within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$892.00**;
- (iii) An Ordinary Rate – Business - Other of **0.435424** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land categorised Business in accordance with S.518 of the *Local Government Act 1993*, within Manly other than that land within the centre of population defined in (ii) above, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$892.00**.

B. Special Rate – Manly Business Centre Improvements

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works, including the Manly Business Centre, The Corso and the Ocean Beach Front improvements, provide services, facilities and activities of specific

benefit to the area, and are of special benefit to that portion of Manly as delineated on Plan Number 1/280A previously defined and adopted by Council, and whereas Council having adopted the Management Plan for 2009–2012, incorporating the Estimates of Income and Expenditure for the Manly Town Centre Improvements Programme, it is hereby resolved that a Special Rate - Manly Business Centre Improvements of **0.272964** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2010/2011.

- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act 1993*, that no minimum amount of the Special Rate - Manly Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

C. Special Rate – Balgowlah Business Centre Improvements

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street, provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Management Plan for 2009 - 2012, incorporating the Estimates of Income and Expenditure for the Balgowlah Business Centre Improvements Programme, it is hereby resolved that a Special Rate - Balgowlah Business Centre Improvements of **0.195548** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2010/2011.
- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act, 1993*, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

D Interest

In accordance with the provisions of S.566(3) of the *Local Government Act 1993*, Council hereby resolves to adopt the maximum interest rate as advised by the Minister for Local Government for outstanding rates, domestic waste management services and annual charges, currently being **9.0%** per annum in respect of accrual on a simple basis.

E Domestic Waste Management Services

In accordance with S.496 of the *Local Government Act 1993*, that an annual charge of **\$450.00** per annum be made for the period 1 July 2010 to 30 June 2011, for each domestic waste management service rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service.;

In accordance with S.502 of the *Local Government Act 1993*, that an annual charge of **\$450.00** per annum be made for the period 1 July 2010 to 30 June 2011, for each additional 80 litre domestic waste management service rendered to owner occupied single occupancy residential dwellings (excluding green waste and recycling service);

F Stormwater Management Service Charge

In accordance with the *Local Government (General) Amendment (Stormwater) Regulation 2006* and *Local Government Act 1993*, the following annual Stormwater Management Service Charge be made and levied on all developed rateable land categorised for rating purposes as follows:

Land categorised as Residential:	\$25.00	for a single residential dwelling
Residential strata lots:	\$12.50	for each strata unit
Residential flats, community title, tenants-in-common residential units:	\$12.50	for each flat/unit
Land categorised as Business	\$25.00	Plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres up to a maximum charge of \$200.00

PS62/10 **RESOLVED: (Macdonald / Murphy)**

Whereas the detailed draft Estimates of Income and Expenditure of the General Fund, for the period 1 July 2010 to 30 June 2011, were considered by Council on 4 May 2010, and having given public notice in accordance with S.405 of the *Local Government Act, 1993*, of the Draft Management Plan to allow public submissions on or before 4 June 2010, and whereas the Management Plan and Estimates of Income and Expenditure for the period 1 July 2010 to 30 June 2011, were adopted by Council at the meeting of 7 June 2010, and having considered any matters concerning the Management Plan in accordance with S.406 of the *Local Government Act, 1993*, Council hereby resolve:

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

Corporate Services Division Report No. 18

**Adoption of the Manly Council Code of Meeting Practice
SUMMARY**

The *Manly Council - Code of Meeting Practice* is now referred to Council for adoption.

MOTION (Macdonald / Murphy)

That no action be taken in the amendment of the existing Policy.

PS63/10 **RESOLVED: (Macdonald / Murphy)**

That no action be taken in the amendment of the existing Policy.

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

Corporate Services Division Report No. 19

Authority for Abandonment and Writing off of Debts

SUMMARY

Delegation of authority to the General Manager to write-off doubtful debts.

MOTION (Murphy / Macdonald)

That,

1. In accordance with Clause 213 (2) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off debts of up to \$10,000 in accordance with this clause.
2. In accordance with Clause 131 (1) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off rates and charges of up to \$10,000 in accordance with this clause.

AMENDMENT (Whitting / Norek)

That,

1. In accordance with Clause 213 (2) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off debts of up to \$2,000 in accordance with this clause.
2. In accordance with Clause 131 (1) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off rates and charges of up to \$2,000 in accordance with this clause.

For the Amendment: Councillors Hay, Elder, Heasman, Whitting, LeSurf, Morrison, Norek, Griffin, Aird and Burns

Against the Amendment: Councillors Murphy and Macdonald

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

PS64/10 **RESOLVED: (Whitting / Norek)**

That:

1. In accordance with Clause 213 (2) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off debts of up to \$2,000 in accordance with this clause.
2. In accordance with Clause 131 (1) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off rates and charges of up to \$2,000 in accordance with this clause.

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

Against the Resolution: Councillors Murphy and Macdonald

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 13

Update Report on the Manly Lagoon Rehabilitation Project**SUMMARY**

This report seeks to provide a response to Council to its Notice of Motion Report No. 18 of the Ordinary Meeting held on 10 May 2010, where it was resolved [68/10]:

“That in regards to the Restoration of Manly Lagoon staff provide a report on:

- *rehabilitation outcomes achieved to date,*
- *any delays encountered, and*
- *anticipated completion dates for works which have already been funded by a DECCW grant, towards restoration of Manly Lagoon.”*

MOTION (Whitting / Norek)

THAT the information be received and noted.

PS65/10 **RESOLVED: (Whitting / Norek)**

THAT the information be received and noted.

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

Against the Resolution: Nil.

ENVIRONMENTAL SERVICES DIVISION

Cllr Heasman left the Chamber as she declared a non-pecuniary interest as she lives in one of the streets concerned.

Environmental Services Division Report No. 14

Development Applications Being Processed During the Month of June 2010**SUMMARY**

DEVELOPMENT APPLICATIONS BEING PROCESSED DURING THE MONTH OF JUNE 2010.

MOTION (Elder / Burns)

THAT the information be noted.

PS66/10 **RESOLVED: (Elder / Burns)**

THAT the information be noted.

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

Against the Resolution: Nil

Cllr Heasman was not in the Chamber at the time of voting.

Environmental Services Division Report No. 15

List of Current Appeals Relating to Development Applications.

SUMMARY

LIST OF CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATIONS DURING JUNE 2010.

MOTION (Murphy / Elder)

THAT the information be noted.

PS67/10 **RESOLVED: (Murphy / Elder)**

THAT the information be noted.

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

Against the Resolution: Nil.

Cllr Heasman was not in the Chamber at the time of voting.

Councillor Heasman returned to the Chamber

HUMAN SERVICES AND FACILITIES DIVISION

Human Services And Facilities Division Report No. 6

Andrew Boy Charlton Swim Centre Life Passes – Clarification of Criteria for awarding Life Passes

SUMMARY

At the Ordinary Meeting of Council held on 18th February 2008, by Mayoral Minute, Council recognised and rewarded the achievements of Manly residents who have represented Australia at a Commonwealth, World Championship or Olympic Games, and Australian residents who have won individual or team medals, subject to the criteria set in policy.

MOTION (Hay / Burns)

That a person who is a resident of the Manly LGA and had competed as an athlete representing Australia in any FINA discipline at any Olympic Games, Commonwealth Games, World Championship or Paralympics, may submit an application of claim to General Manager for a non transferable complimentary life pass to access the Manly Andrew 'Boy' Charlton Swim Centre.

PS68/10 **RESOLVED: (Hay / Burns)**

That a person who is a resident of the Manly LGA and had competed as an athlete representing Australia in any FINA discipline at any Olympic Games, Commonwealth Games, World Championship or Paralympics, may submit an application of claim to General Manager for a non transferable complimentary life pass to access the Manly Andrew 'Boy' Charlton Swim Centre.

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

MATTERS OF URGENCY

Councillor Griffin advised the meeting that she wanted to raise a **Matter of Urgency** in accordance with the provisions of Clause 4.2 (2) of Council's Code of Meeting Practice and asked if it could be considered by Council with the exclusion of all staff.

MOTION (Griffin / Burns)

That the Draft Report be considered as a matter of urgency and it be discussed by Council.

The Chairperson ruled that the business was a **matter of great urgency** and the matter proceeded to debate.

The Chairperson asked if any member 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.

CLOSED SESSION

The meeting moved into Closed Session to consider the above item.

OPEN COUNCIL RESUMED

Upon resuming the Chairperson advised the meeting of the decisions made in Closed Session.

MOTION (Griffin / Burns)

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

PS69/10 **RESOLVED:** (Griffin / Burns)

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

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

CLOSE

The meeting closed at 12.30am on 8 June 2010.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 19 July 2010.

CHAIRPERSON

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