

# Manly Council

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## Minutes

## Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 11 February 2008**

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



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**TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:**

The Planning and Strategy Committee, having met at 7:46pm on Monday 11 February 2008, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 535 of 19th September, 2005.

**PRESENT**

Deputy Mayor, Councillor M Norek  
Councillor B Aird, Chairperson who presided  
Councillor S Cant  
Councillor P Daley  
Councillor J Evans  
Councillor J Hay, AM  
Councillor A Heasman, Deputy Chairperson  
Councillor J Lambert, AM  
Councillor R Morrison, arrived at 7.49pm  
Councillor D Murphy, arrived at 7.49pm  
Councillor B Pedersen

**ALSO PRESENT**

Henry T Wong, General Manager  
Stephen Clements, Executive Manager Environmental Services  
Anthony Hewton, Divisional Manager, Corporate Planning & Strategy  
Liz Rich, Minute Taker

**APOLOGIES**

Apologies were tendered on behalf of The Mayor, Councillor Macdonald, for non-attendance.

**MOTION (Evans / Lambert)**

That the apology received from The Mayor, Councillor Macdonald, be accepted and leave be granted.

**PS1/08 RESOLVED: (Evans / Lambert)**

That the apology received from The Mayor, Councillor Macdonald, be accepted and leave be granted.

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

**Against the Resolution:** Nil.

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

Councillor Murphy entered the Chamber at 7.49pm.  
Councillor Morrison entered the Chamber at 7.49pm.

**DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST**

<b>Name:</b>	<b>Item Number:</b>	<b>Nature of Interest:</b>
Councillor Norek	Planning and Strategy Division Report No.5, Manly Local Environmental Plan 1988 (Draft Amendment No.78) Open Air Cinema	Has a business interest in Open Air Cinemas, having tried to get one up and running 5 years ago.

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**SUSPENSION OF STANDING ORDERS (Aird / Lambert)**

That Standing Orders be suspended to consider an item of public interest, being Planning and Strategy Division Report No.5, Manly Local Environmental Plan 1988 (Draft Amendment No.78) Open Air Cinema.

PS2/08 **RESOLVED: (Aird / Lambert)**

That Standing Orders be suspended to consider an item of public interest, being Planning and Strategy Division Report No.5, Manly Local Environmental Plan 1988 (Draft Amendment No.78) Open Air Cinema.

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

**Against the Resolution:** Nil.

\*\*\*\*\*

At 7.54pm Councillor Norek reaffirmed his interest in Planning and Strategy Division Report No.5, Manly Local Environmental Plan 1988 (Draft Amendment No.78) Open Air Cinema, and left the Chamber.

**PLANNING AND STRATEGY DIVISION**

Planning And Strategy Division Report No. 5

**Manly Local Environmental Plan 1988 (Draft Amendment No. 78) Open Air Cinema**

**SUMMARY**

The purpose of this report is to make recommendations to Council following the public exhibition of Draft Manly Local Environmental Plan 1988 Amendment No. 78 (the draft amendment). The draft amendment as exhibited proposed to insert a new clause in the LEP enabling Council to approve certain temporary uses of land such as outdoor cinemas as well as to incorporate related amendments to the schedule for exempt development within the LEP. It is recommended that the Council defer the amendment for inclusion in the Manly LEP 2010.

**PUBLIC ADDRESSES**

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

Against the Recommendation: Ms Denise Keen

**MOTION (Pedersen / Murphy)**

That due to the negative impacts on local residents, businesses and sporting clubs, Council make known its refusal to the operation of an Open Air Cinema at Manly Oval.

**AMENDMENT (Daley / Cant)**

That:

1. Council note the Ivanhoe Park Precinct and The Corso Precinct's objections to the Open Air Cinema at Manly Oval.
2. Council defer the Draft Manly Local Environmental Plan 1988 (Amendment No. 78) for incorporation into the Principal LEP having regard to considerations of all existing events and activities held on a regular basis in Manly, whether held under the auspices of Council or otherwise.

**For the Amendment:** Councillors Cant, Daley and Morrison

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

*Councillor Norek was not in the Chamber having declared a conflict of interest.*

The Amendment was declared **LOST** and the Motion was put.

**PS3/08 RESOLVED: (Pedersen / Murphy)**

That due to the negative impacts on local residents, businesses and sporting clubs, Council make known its refusal to the operation of an Open Air Cinema at Manly Oval.

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

**Against the Resolution:** Councillors Cant, Daley and Morrison

*Councillor Norek was not in the Chamber having declared a conflict of interest.*

\*\*\*\*\*

Councillor Norek returned to the Chamber at 8.48pm.

**RESUMPTION OF STANDING ORDERS (Aird / Lambert)**

That Standing Orders be resumed.

**PS4/08 RESOLVED: (Aird / Lambert)**

That Standing Orders be resumed.

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

**Against the Resolution:** Nil.

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**GENERAL MANAGERS DIVISION**

General Managers Division Report No.1

**Quarterly Review of the Management Plan 2007 - 2010 from 1st October to 31st December 2007**

**SUMMARY**

This report provides a review of the achievements towards meeting the outcomes set by Council as described in the Management Plan 2007 – 2010 for the period 1<sup>st</sup> October to 31<sup>st</sup> December 2007, in accordance with the requirements of the *Local Government Act, 1993*.

**MOTION (Lambert / Heasman)**

That the report on the second quarterly review of the Management Plan 2007 - 2010 for the period ending 31<sup>st</sup> December 2007 be received and noted.

**PS5/08 RESOLVED: (Lambert / Heasman)**

That the report on the second quarterly review of the Management Plan 2007 - 2010 for the period ending 31<sup>st</sup> December 2007 be received and noted.

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

**Against the Resolution:** Nil.

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**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 1

**Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees****1. Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007**

At its meeting held on the 13<sup>th</sup> August 2007 Council's Planning and Strategy Committee considered an information report in relation to the above, and unanimously resolved to express concerns to the Minister for Planning the Hon. Frank Sartor MP, arising both generally and in relation to the above Order, as follows: Resolution PS67/07 stated (inter alia):

- "2. Express to the Minister and to the LGSA conference by way of a motion Manly's concerns at the likely negative impacts on the local community and amenity in the area of centralization of power across the State through a "one size fits all" approach to planning which lacks transparency."*

Council subsequently wrote to the Minister seeking his earnest consideration of the Council's concerns at the likely negative components of such legislative change on the Manly community and the amenity of the local Manly area.

A response from the Minister is now to hand and is attached for the information of the Council. (refer to Attachment 1)

It is recommended that the Minister's response be received and noted.

**2. Minutes of Meetings without recommendations of a substantial nature:**

- i) Manly Bicycle Committee – 11 October 2007
- ii) Manly Community Environment Committee – 15 November 2007
- iii) LM Graham Reserve Committee – 29 November 2007
- iv) Clontarf / Bantry Bay Estuary Management Working Group – 3 December 2007
- vi) Manly Scenic Walkway Committee – 4 December 2007

- vii) Heritage Committee – 5 December 2007
- viii) Sydney Water and Manly Council Partnership – 6 December 2007
- ix) Manly LEP Review Working Party – 11 December 2007
- x) Manly Coastline Management Committee – 11 December 2007
- xi) Manly Sustainability Strategy Management Group – 11 December 2007
- xii) Manly Bicycle Committee – 13 December 2007

**3. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:**

**i) Playground Management Committee – 29 November 2007**

**a) Item 5.1 - Seaforth Oval Playground Update**

Recommendation

That three or more companies be invited to quote in line with Council's policy on quotations, for the supply and installation of playground equipment for Seaforth Oval that meets the following criteria:

- Age range 8-15
- Multi- use piece or pieces that:
  - Provides a range of climbing, rocking and swinging opportunities.
  - Predominately metal structure.
- Additional ancillary piece that provides spinning, rotating movement for groups or single use.

When quotations are received they will be assessed by a panel as per Council's policy on quotations.

**b) Item 7 - General Business**

Recommendation

That Council staff prepare a strategy for a 5 year forecast for playgrounds including future costs and types of equipment. This should also include a forecast for equipment life span and replacement time frames.

**ii) Traffic Committee – 4 February 2008**

**a) Item 1/08 Cycling in The Shared Zone – Market Lane**

Recommendation

1. That Council not approve cycling in the paved area bounded by Market Lane, Sydney Road and The Corso.
2. That Council Staff review locations to install Bicycle Parking signs on the fringes of the Market Lane, Sydney Road and The Corso.

**b) Item 9/08      **Parking/Access Options for Families/Carers with Children under the age of 2, Seniors and other Special Needs Groups****

Recommendation

1. That the Manly Local Traffic Committee note the report and refer the report to the Council's Access Committee for comment.
2. That Council's Social Planner and Human Services and Facilities Division be requested to comment on this matter.
3. That Council request that the State Member for Manly, Mr Mike Baird, to make representations on behalf of Council to the Minister for Roads on this matter.

Divisional Manager Note / Background to Recommendation

At its Ordinary Meeting on 19 November 2007, Council resolved (188/07) that staff bring back a report to Council to investigate ways to better address the parking/access options for families/carers with children under the age of 2, and that the report cover other special needs groups, including seniors. Council further resolved that the report be referred to the Access Committee for comment. Council's Traffic team prepared a report canvassing and evaluating various options which could be looked at. This report was tabled at the Traffic Committee in February 2007 (the minutes of which are circulated to all Councillors) for consideration. This committee's recommendations are listed above and are self explanatory. Following the further consultations recommended the matter will be brought back to Council for final consideration at the earliest opportunity.

**MOTION (Evans / Lambert)**

1. That the response from the Minister for Planning regarding Council's concerns about the Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007 and generally regarding further planning system reforms, be received and noted.

**PS6/08 RESOLVED: (Evans / Lambert)**

1. That the response from the Minister for Planning regarding Council's concerns about the Environmental Planning and Assessment (Unsatisfactory Council Performance) Order 2007 and generally regarding further planning system reforms, be received and noted.

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

**Against the Resolution:** Nil.

**MOTION (Pedersen / Heasman)**

2. That the recommendations of **Minutes of Meetings**, as listed in **item 2(i) to 2(xii)**, be **adopted**.

**PS7/08 RESOLVED: (Pedersen / Heasman)**

2. That the recommendations of **Minutes of Meetings**, as listed in **item 2(i) to 2(xii)**, be **adopted**.

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

**Against the Resolution:** Nil.



**MOTION (Heasman / Hay)**

3 i) That the minutes of the Playground Management Committee -29 November 2007 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5.1 Seaforth Oval Playground Update**

That three or more companies be invited to quote in line with Council's policy on quotations, for the supply and installation of playground equipment for Seaforth Oval that meets the following criteria:

- Age range 8-15
- Multi- use piece or pieces that:
  - Provides a range of climbing, rocking and swinging opportunities.
  - Predominately metal structure.
- Additional ancillary piece that provides spinning, rotating movement for groups or single use.

When quotations are received they will be assessed by a panel as per Council's policy on quotations.

b) **Item 7 – General Business**

That Council staff prepare a strategy for a 5 year forecast for playgrounds including future costs and types of equipment. This should also include a forecast for equipment life span and replacement time frames.

PS8/08 **RESOLVED: (Heasman / Hay)**

3 i) That the minutes of the Playground Management Committee -29 November 2007 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5.1 Seaforth Oval Playground Update**

That three or more companies be invited to quote in line with Council's policy on quotations, for the supply and installation of playground equipment for Seaforth Oval that meets the following criteria:

- Age range 8-15
- Multi- use piece or pieces that:
  - Provides a range of climbing, rocking and swinging opportunities.
  - Predominately metal structure.
- Additional ancillary piece that provides spinning, rotating movement for groups or single use.

When quotations are received they will be assessed by a panel as per Council's policy on quotations.

b) **Item 7 – General Business**

That Council staff prepare a strategy for a 5 year forecast for playgrounds including future costs and types of equipment. This should also include a forecast for equipment life span and replacement time frames.

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

**Against the Resolution:** Nil.

**MOTION (Pedersen / Evans)**

3. ii) That the minutes of the **Manly Traffic Committee – 4 February 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 01/08 Cycling in The Shared Zone – Market Lane**

That Council approve a 12 month trial of shared cycling in the paved area bounded by Market Lane, Sydney Road and The Corso, and the appropriate signage be installed.

PS9/08 **RESOLVED: (Pedersen / Evans)**

3. ii) That the minutes of the **Manly Traffic Committee – 4 February 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 01/08 Cycling in The Shared Zone – Market Lane**

That Council approve a 12 month trial of shared cycling in the paved area bounded by Market Lane, Sydney Road and The Corso, and the appropriate signage be installed.

**For the Resolution:** Councillors Cant, Evans, Lambert, Morrison, Norek and Pedersen

**Against the Resolution:** Councillors Aird, Daley, Hay, Heasman and Murphy

**MOTION (Norek / Evans)**

3. ii) That the following recommendation of a substantial nature from the **Manly Traffic Committee – 4 February 2008** be adopted:

b) **Item 09/08 Parking/Access Options for Families/Carers with Children under the age of 2, Seniors and other Special Needs Groups**

Recommendation

1. That the Manly Local Traffic Committee note the report and refer the report to the Council's Access Committee for comment.
2. That Council's Social Planner and Human Services and Facilities Division be requested to comment on this matter.
3. That Council request that the State Member for Manly, Mr Mike Baird, to make representations on behalf of Council to the Minister for Roads on this matter.

PS10/08 **RESOLVED: (Norek / Evans)**

3. ii) That the following recommendation of a substantial nature from the **Manly Traffic Committee – 4 February 2008** be adopted:

b) **Item 09/08 Parking/Access Options for Families/Carers with Children under the age of 2, Seniors and other Special Needs Groups**

Recommendation

1. That the Manly Local Traffic Committee note the report and refer the report to the Council's Access Committee for comment.
2. That Council's Social Planner and Human Services and Facilities Division be requested to comment on this matter.
3. That Council request that the State Member for Manly, Mr Mike Baird, to make representations on behalf of Council to the Minister for Roads on this matter.

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

**Against the Resolution:** Nil.

*Councillor Cant was not in the Chamber when voting took place.*

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Councillor Heasman retired from the Chamber at 10.16pm.

During discussion on the following item, Councillor Aird vacated the Chair for a short period and Councillor Evans assumed the Chair for this time.

**PLANNING AND STRATEGY DIVISION**

Planning And Strategy Division Report No. 3

**Final Endorsement Report: Manly Ocean Beach Coastline Management Plan and Emergency Action Plan****SUMMARY**

Council has developed a draft Coastline Management Plan (CMP) and Emergency Action Plan (EAP) for Manly Ocean Beach in response to legislative requirements and community issues in accordance with current best practice for the management of coastal foreshores. An executive summary of the key objectives and actions recommended in the reports is provided in Attachment one for Councillors' information.

The draft CMP and EAP along with the background information contained in the Manly Ocean Beach Coastline Management Study were exhibited between 3 September and 1 October 2007. Five (5) Submissions were received resulting in only minor amendments to the documents. The submissions and staff response are highlighted in Attachment 2.

It is recommended that Council adopt the draft Manly Ocean Beach CMP and EAP, forward these documents to the Department of Environment & Climate Change (DECC) and the Department of Lands respectively for endorsement prior to implementation.

**MOTION (Lambert / Hay)**

That Council:

1. Adopt the Draft Manly Ocean Beach Coastline Management Plan and refer the plan to the NSW Department of Environment & Climate Change for approval and gazettal.
2. Adopt the Draft Manly Ocean Beach Emergency Action Plan and refer the plan to the NSW Department of Environment & Climate Change for approval and gazettal.

PS11/08 **RESOLVED:** (Lambert / Hay)

That Council:

1. Adopt the Draft Manly Ocean Beach Coastline Management Plan and refer the plan to the NSW Department of Environment & Climate Change for approval and gazettal.
2. Adopt the Draft Manly Ocean Beach Emergency Action Plan and refer the plan to the NSW Department of Environment & Climate Change for approval and gazettal.

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

**Against the Resolution:** Nil.

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Planning And Strategy Division Report No. 4

**Sydney Water's \$40-80 million SewerFix Program in the Manly-Warringah Area: Failure to Address Manly LGA and Manly Lagoon Sewage Overflows**

**SUMMARY**

This report provides an update on Sydney Water's planned major \$40-80 million SewerFix sewerage system capacity upgrade in the Manly-Warringah Area. Council officers have significant concern that, based on current information, the program for the Manly-Warringah Area will fail to address Manly's documented sewage overflows and will provide minimal or no benefit to the Manly LGA or the degraded and faecally contaminated Manly Lagoon. As insufficient and inadequate responses have been received since raising Council's concerns with Sydney Water in 2006, Council's General Manager wrote to the NSW Minister for Water Utilities, Sydney Water's Managing Director, and the State Member for Manly in December 2007 / January 2008, to request formal response to Council's concerns before proceeding further with program implementation.

**MOTION (Lambert / Evans)**

That Council:

1. Receive and note the report;
2. Be kept informed of SewerFix program correspondence and program implementation.
3. Continue to pursue through the Sydney Water Partnership Committee, representation by our State MP and the continued efforts of Council staff, a reallocation of SewerFix funds to address significant overflows in Manly.

PS12/08 **RESOLVED:** (Lambert / Evans)

That Council:

1. Receive and note the report;
2. Be kept informed of SewerFix program correspondence and program implementation.
3. Continue to pursue through the Sydney Water Partnership Committee, representation by our State MP and the continued efforts of Council staff, a reallocation of SewerFix funds to address significant overflows in Manly.

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

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Planning And Strategy Division Report No. 6

**State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007**

**SUMMARY**

The purpose of this report is to advise Council of the gazettal of the new State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 (the SEPP).

**MOTION (Norek / Morrison)**

That Council make representation to the Minister for Planning for the following:

1. Funding to cover the cost of the necessary implementation process; and,
2. Review by the Department of Planning of the criteria for exempt and complying development under the SEPP to protect sensitive environmental areas and public open space.

PS13/08 **RESOLVED: (Norek / Morrison)**

That Council make representation to the Minister for Planning for the following:

1. Funding to cover the cost of the necessary implementation process; and,
2. Review by the Department of Planning of the criteria for exempt and complying development under the SEPP to protect sensitive environmental areas and public open space.

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

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**MATTERS OF URGENCY**

**MATTER OF URGENCY (Pedersen / Lambert)**

Councillor Pedersen requested that he be allowed to introduce a Matter of Urgency in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice.

PS14/08 **RESOLVED: (Pedersen / Lambert)**

That in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice, the matter relating to the submissions to the NSW Legislative Council Enquiry into Political Funding, be considered as a matter of urgency.

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

*Councillor Hay was not in the Chamber when the voting took place.*

The Chairperson ruled that the item was a Matter of Urgency and the matter proceeded to debate.

### **MOTION (Pedersen / Evans)**

That Manly Council endorse the 3 recommendations below and submit them to the NSW Legislative Council Enquiry into Political Funding.

### **RECOMMENDATION 1**

That the Enquiry Committee recommends that the NSW Parliament votes to call upon the Federal Government to urgently convene a National Summit to develop a national strategy to fundamentally reform, in a coordinated manner, the financial donations legislation for federal and all state and all local systems.

The issues and legalities concerning money politics is complex but a National Summit would have to at least consider the following reform proposals:

- All donations, including in kind donations, to be immediately and publicly declared.
- The original source of all donations to be declared.
- Corporate and individual donations be outlawed totally or at least restricted to an upper limit, say \$1,000.
- Donations from foreign entities to be banned.
- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
- Campaign expenditure limits.
- Tighter controls over the 'independent' campaign spending by the supporters of political parties and candidates.
- Reforming electoral funding to promote political equality.
- Increased penalties for breaching funding laws.
- Political Party donations disclosures to be accompanied by a report from an accredited auditor.
- Adequate resources to be provided to the Australian Electoral Commission to effectively enforce political funding regulations.

The National Summit would need to be of sufficient time for proper consideration and a comprehensive debate of the reform options. The National Summit attendees should consist not just of politicians but also a broad range of legal experts, academics and community representatives.

### **RECOMMENDATION 2**

In recognition that recommendation 1 may not succeed, it is imperative that the Enquiry Committee still proceed with preparing a draft bill for the radical overhaul of the political funding legislation in NSW to ensure NSW adopts the best practises possible in electoral and political funding. The draft Bill should draw particularly on the legislative frameworks of New Zealand, Canada and the UK and consider the following reform proposals:

- All donations, including in kind donations, to be immediately and publicly declared.
- The original source of all donations to be declared.
- Corporate and individual donations be outlawed totally or at least restricted to an upper limit, say \$1,000.
- Donations from foreign entities to be banned.
- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
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- Tighter controls over the 'independent' campaign spending by the supporters of political parties and candidates.

- Reforming electoral funding to promote political equality.
- Increased penalties for breaching funding laws.
- Political Party donations disclosures to be accompanied by a report from an accredited auditor.
- Adequate resources to be provided to the Australian Electoral Commission to effectively enforce political funding regulations.

### RECOMMENDATION 3

That the Enquiry Committee immediately call on the Premier and Leader of the Opposition to ensure Lee Rhiannon MLC is included on this committee.

### AMENDMENT (Daley / Morrison)

That Manly Council endorse the 2 recommendations below and submit them to the NSW Legislative Council Enquiry into Political Funding.

### RECOMMENDATION 1

That the Enquiry Committee recommends that the NSW Parliament votes to call upon the Federal Government to urgently convene a National Summit to develop a national strategy to fundamentally reform, in a coordinated manner, the financial donations legislation for federal and all state and all local systems.

The issues and legalities concerning money politics is complex but a National Summit would have to at least consider the following reform proposals:

- All donations, including in kind donations, to be immediately and publicly declared.
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- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
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The National Summit would need to be of sufficient time for proper consideration and a comprehensive debate of the reform options. The National Summit attendees should consist not just of politicians but also a broad range of legal experts, academics and community representatives.

### RECOMMENDATION 2

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- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
- Campaign expenditure limits.
- Tighter controls over the 'independent' campaign spending by the supporters of political parties and candidates.
- Reforming electoral funding to promote political equality.
- Increased penalties for breaching funding laws.
- Political Party donations disclosures to be accompanied by a report from an accredited auditor.
- Adequate resources to be provided to the Australian Electoral Commission to effectively enforce political funding regulations.

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

**Against the Amendment:** Councillors Aird, Cant, Evans, Hay, Lambert and Pedersen

The Amendment was declared **LOST**.

#### **FORESHADOWED AMENDMENT (Norek / )**

That the report is deferred before being sent. Councillor Pedersen to bring back to Council a receipt of the "in kind" donation that required him and his team to leave the Chamber during debate on a DA.

The Foreshadowed Amendment **LAPSED** due to lack of a seconder.  
The Motion was put.

PS15/08 **RESOLVED:** (Pedersen / Evans)

That Manly Council endorse the 3 recommendations below and submit them to the NSW Legislative Council Enquiry into Political Funding.

#### **RECOMMENDATION 1**

That the Enquiry Committee recommends that the NSW Parliament votes to call upon the Federal Government to urgently convene a National Summit to develop a national strategy to fundamentally reform, in a coordinated manner, the financial donations legislation for federal and all state and all local systems.

The issues and legalities concerning money politics is complex but a National Summit would have to at least consider the following reform proposals:

- All donations, including in kind donations, to be immediately and publicly declared.
- The original source of all donations to be declared.
- Corporate and individual donations be outlawed totally or at least restricted to an upper limit, say \$1,000.
- Donations from foreign entities to be banned.
- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
- Campaign expenditure limits.
- Tighter controls over the 'independent' campaign spending by the supporters of political parties and candidates.



- Reforming electoral funding to promote political equality.
- Increased penalties for breaching funding laws.
- Political Party donations disclosures to be accompanied by a report from an accredited auditor.
- Adequate resources to be provided to the Australian Electoral Commission to effectively enforce political funding regulations.

The National Summit would need to be of sufficient time for proper consideration and a comprehensive debate of the reform options. The National Summit attendees should consist not just of politicians but also a broad range of legal experts, academics and community representatives.

## RECOMMENDATION 2

In recognition that recommendation 1 may not succeed, it is imperative that the Enquiry Committee still proceed with preparing a draft bill for the radical overhaul of the political funding legislation in NSW to ensure NSW adopts the best practises possible in electoral and political funding. The draft Bill should draw particularly on the legislative frameworks of New Zealand, Canada and the UK and consider the following reform proposals:

- All donations, including in kind donations, to be immediately and publicly declared.
- The original source of all donations to be declared.
- Corporate and individual donations be outlawed totally or at least restricted to an upper limit, say \$1,000.
- Donations from foreign entities to be banned.
- Corporations, unions and organisations to be required to have shareholder/member approved political donations policies.
- Campaign expenditure limits.
- Tighter controls over the 'independent' campaign spending by the supporters of political parties and candidates.
- Reforming electoral funding to promote political equality.
- Increased penalties for breaching funding laws.
- Political Party donations disclosures to be accompanied by a report from an accredited auditor.
- Adequate resources to be provided to the Australian Electoral Commission to effectively enforce political funding regulations.

## RECOMMENDATION 3

That the Enquiry Committee immediately call on the Premier and Leader of the Opposition to ensure Lee Rhiannon MLC is included on this committee.

**For the Resolution:** Councillors Aird, Cant, Evans, Hay, Lambert, Morrison and Pedersen

**Against the Resolution:** Councillors Daley, Murphy and Norek

## CLOSE

The meeting closed at 11.45pm.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 10<sup>th</sup> March 2008.

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CHAIRPERSON

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