



## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 8 February 2010**

*All minutes are subject to confirmation at a subsequent meeting.*

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

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 8 February 2010. The meeting commenced at 7.35pm.

## PRESENT

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

## ALSO PRESENT

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

## OPENING PRAYER

The Opening Prayer was presented by Rev. Bruce Clarke.

## APOLOGIES

Apologies were tendered on behalf of Councillor Dr P Macdonald, for non-attendance.

## MOTION (Whitting / Burns)

That the apology received from Councillor Dr P Macdonald, be accepted and leave be granted.

1/10 **RESOLVED:** (Whitting / Burns)

That the apology received from Councillor Dr P Macdonald, be accepted and leave be granted.

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

**Against the Resolution:** Nil.

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

**CONFIRMATION OF MINUTES****MOTION**

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 December 2009, 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, with the following amendment – “that the meeting on 14 December 2009, Item 175/09 - Preparation of Performance Venue Management Plan for Manly CBD be amended to show that Councillor Murphy was not present when the voting took place”.

2/10 **RESOLVED:** (Elder / Whitting)

That copies of the Minutes of the Ordinary Meeting held on Monday, 14 December 2009, 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, with the following amendment – “that the meeting on 14 December 2009, Item 175/09 - Preparation of Performance Venue Management Plan for Manly CBD be amended to show that Councillor Murphy was not present when the voting took place”.

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

**Against the Resolution:** Nil.

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**SUSPENSION OF STANDING ORDERS (Whitting / Murphy)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Mayoral Minute Report No.3, Balgowlah Shopping Centre and Notice of Motion Report No.1, Update on Cabbage Tree Bay Management Plan.

3/10 **RESOLVED:** (Whitting / Murphy)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Mayoral Minute Report No.3, Balgowlah Shopping Centre and Notice of Motion Report No.1, Update on Cabbage Tree Bay Management Plan.

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

**Against the Resolution:** Nil.

Councillor Morrison left the Chamber.

\*\*\*\*\*

**MAYORAL MINUTES**

Mayoral Minute Report No. 3

**Balgowlah Shopping Centre****REPORT**

The Executive of the Balgowlah Chamber of Commerce met with me recently with a request to Council to undertake new landscaping work at Balgowlah Shops now that Totem is finished and operating.

The Chamber was particularly concerned that Council had recently undertaken work in Seaforth and Fairlight shops, but not in Balgowlah. And now that the Totem is operating, the Sydney Road strip is in need of attention.

I advised the Chamber that in fact, of the three local centres, Seaforth, Fairlight, and Balgowlah, the Balgowlah shopping strip was the first to be refurbished with new paving and landscaping.

However, I do agree with the Chamber's sentiments and concerns, particularly now that the new Totem is operating, therefore in my view, the Chamber's request merits Council consideration.

## **PUBLIC ADDRESSES**

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

In support of the Recommendation:                      Richard Roden, Balgowlah Chamber of Commerce

## **MOTION (Hay / Elder)**

**The Mayor, Councillor Hay moved:**

1. In consultation with the Chamber of Commerce, a review report be prepared on the 2001 Balgowlah Shopping Centre Landscape Master Plan.
2. The General Manager be requested to undertake appropriate hydro cleaning of the interlocked pavements and street furniture, and
3. The North Harbour and Balgowlah Heights Precinct to be invited to participate in the review of the Balgowlah Shopping Centre Landscape Master Plan.

## **4/10 RESOLVED: (Hay / Elder)**

1. In consultation with the Chamber of Commerce, a review report be prepared on the 2001 Balgowlah Shopping Centre Landscape Master Plan.
2. The General Manager be requested to undertake appropriate hydro cleaning of the interlocked pavements and street furniture, and
3. The North Harbour and Balgowlah Heights Precinct to be invited to participate in the review of the Balgowlah Shopping Centre Landscape Master Plan.

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

**Against the Resolution:** Nil.

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

Councillor Morrison returned to the Chamber.

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**NOTICES OF MOTION**

Notice of Motion Report No. 1

**Update on Cabbage Tree Bay Management Plan**

**Councillor Cathy Griffin moved:**

That Manly Council write to the NSW Minister for the Environment and Minister/s responsible for NSW Fisheries and NSW Maritime requesting the following:

1. An update on the Cabbage Tree Bay Management Plan, particularly when the implementation of the recommendations can be expected.
2. Deployment of a permanent Fisheries Officer to the Manly area, with responsibility for both the Harbour areas including North Harbour Aquatic Reserve (Collins Beach), Little Manly & Manly Coves and North Harbour as well as the Ocean Beach including Cabbage Tree Bay.

**PUBLIC ADDRESSES**

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

In support of the Recommendation: Peter McGee, Eco Divers

**MOTION (Griffin / Aird)**

That Manly Council write to the NSW Minister for the Environment and Minister/s responsible for NSW Fisheries and NSW Maritime requesting the following:

1. An update on the Cabbage Tree Bay Management Plan, particularly when the implementation of the recommendations can be expected.
2. Deployment of a permanent Fisheries Officer to the Manly area, with responsibility for both the Harbour areas including North Harbour Aquatic Reserve (Collins Beach), Little Manly & Manly Coves and North Harbour as well as the Ocean Beach including Cabbage Tree Bay.

**5/10 RESOLVED: (Griffin / Aird)**

That Manly Council write to the NSW Minister for the Environment and Minister/s responsible for NSW Fisheries and NSW Maritime requesting the following:

1. An update on the Cabbage Tree Bay Management Plan, particularly when the implementation of the recommendations can be expected.
2. Deployment of a permanent Fisheries Officer to the Manly area, with responsibility for both the Harbour areas including North Harbour Aquatic Reserve (Collins Beach), Little Manly & Manly Coves and North Harbour as well as the ocean beach including Cabbage Tree Bay.

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

**Against the Resolution:** Nil.

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**RESUMPTION OF STANDING ORDERS (Elder / Murphy)**

That Standing Orders be resumed.

6/10 **RESOLVED:** (Elder / Murphy)

That Standing Orders be resumed.

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

**Against the Resolution:** Nil.

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## MAYORAL MINUTES

Mayoral Minute Report No. 2

### MIAP Protocol for Councillors

#### MOTION (Hay)

**The Mayor, Councillor Hay moved:**

That consistent with the resolution of the Council of 21 July 2008, an individual Councillor, including the Mayor, shall not address any meeting of the MIAP unless the Councillor is the actual applicant in respect of a particular development application before the meeting or where the Councillor is a directly affected neighbour who has been notified in notification process.

7/10 **RESOLVED:** (Hay)

That consistent with the resolution of the Council of 21 July 2008, an individual Councillor, including the Mayor, shall not address any meeting of the MIAP unless the Councillor is the actual applicant in respect of a particular development application before the meeting or where the Councillor is a directly affected neighbour who has been notified in notification process.

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

**Against the Resolution:** Councillors Burns, Norek and Griffin

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## NOTICES OF MOTION

Notice of Motion Report No. 2

### Population Growth in Australia

**Councillor Barbara Aird moved:**

In view of the enormous implications and impacts on local government of the projected significant population growth in Australia, that Manly Council calls:

1. On the Prime Minister to facilitate informed discussion and debate on all the issues involved, ensuring that Local Government is actively engaged at the highest levels throughout the process.
2. From the above process, develop a population policy for Australia based on environmental sustainability.
3. The Local Government Association to prepare issues papers in relation to each of the key



areas that will be affected by the projected significant population growth in Australia (as it relates to metropolitan Sydney).

4. The LGSA to request Australian Local Government Association (ALGA) to ensure that the implications on local communities and local government are widely considered and that Local Government is actively engaged at the highest levels throughout the process.

**MOTION (Aird / Heasman)**

In view of the enormous implications and impacts on local government of the projected significant population growth in Australia, that Manly Council calls:

1. On the Prime Minister to facilitate informed discussion and debate on all the issues involved, ensuring that Local Government is actively engaged at the highest levels throughout the process.
2. From the above process, develop a population policy for Australia based on environmental sustainability.
3. The Local Government Association to prepare issues papers in relation to each of the key areas that will be affected by the projected significant population growth in Australia (as it relates to metropolitan Sydney).
4. The LGSA to request Australian Local Government Association (ALGA) to ensure that the implications on local communities and local government are widely considered and that Local Government is actively engaged at the highest levels throughout the process.

**8/10 RESOLVED: (Aird / Heasman)**

In view of the enormous implications and impacts on local government of the projected significant population growth in Australia, that Manly Council calls:

1. On the Prime Minister to facilitate informed discussion and debate on all the issues involved, ensuring that Local Government is actively engaged at the highest levels throughout the process.
2. From the above process, develop a population policy for Australia based on environmental sustainability.
3. The Local Government Association to prepare issues papers in relation to each of the key areas that will be affected by the projected significant population growth in Australia (as it relates to metropolitan Sydney).
4. The LGSA to request Australian Local Government Association (ALGA) to ensure that the implications on local communities and local government are widely considered and that Local Government is actively engaged at the highest levels throughout the process.

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

**Against the Resolution:** Nil.

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Notice of Motion Report No. 3

### Increase number of Rubbish Bins

#### Councillor Mark Norek moved:

1. Council to bring back a report to increase the number of rubbish bins in high volume areas, such as our beaches, parks and reserves and surrounding streets.
2. Council also to bring back options for funding sources to pay for the extra bins and subsequent collection of rubbish from the additional bins.

Background:

The Manly Daily reported the day after the Australia Day celebration how residents and tourists together were compelled to spend hours of Australia day to clean up our famous beach. This highlights the sad fact we do not have enough rubbish bins on our beaches and reserves and we do not have the man power to cope with the enormous amount of rubbish left behind each day.

In fact every day residents are cleaning up rubbish left behind, such as beer bottles and needles in their own streets.

#### MOTION (Norek / Whitting)

That:-

1. Council bring back a report to increase the number of rubbish bins in high volume areas, such as our beaches, parks and reserves and surrounding streets.
2. Council also bring back options for funding sources to pay for the extra bins and subsequent collection of rubbish from the additional bins.

#### AMENDMENT (Griffin / Aird)

That:-

1. Council write to the Premier of NSW, Minister of Environment, Opposition Leader and the local State Member for Manly, Mike Baird MP, to ask for their support of the container deposit legislation, the *Waste Avoidance and Resource Recovery (CDL) Bill 2008*.
2. Council request the Waste Committee to discuss the issue of waste reduction in high volume areas on busy days at their next meeting and advise Council on any ideas or recommendations they have in regards to waste management.

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

**Against the Amendment:** Councillors Norek and Morrison.

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

#### 9/10 RESOLVED: (Griffin / Aird)

That:-

1. Council write to the Premier of NSW, Minister of Environment, Opposition Leader and the local State Member for Manly, Mike Baird MP, to ask for their support of the container deposit legislation, the *Waste Avoidance and Resource Recovery (CDL) Bill 2008*.

2. Council request the Waste Committee to discuss the issue of waste reduction in high volume areas on busy days at their next meeting and advise Council on any ideas or recommendations they have in regards to waste management.

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

**Against the Resolution:** Councillors Norek and Morrison.

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

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

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Notice of Motion Report No. 4

### **Wharf Penguin Breeding Area Nest Site Intensification**

This Motion was withdrawn by the mover – Councillor Hugh Burns.

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## **CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 4

### **Report on Council Investments for 30 November and 31 December 2009**

#### **SUMMARY**

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

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

#### **MOTION (Heasman / LeSurf)**

THAT the statement of Bank Balances and Investment Holdings as at 30 November 2009 and 31 December 2009 be received and noted.

10/10 **RESOLVED: (Heasman / LeSurf)**

THAT the statement of Bank Balances and Investment Holdings as at 30 November 2009 and 31 December 2009 be received and noted.

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

**Against the Resolution:** Nil.

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

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Corporate Services Division Report No. 5

### **Financial Review for the Period Ending 31 December 2009**

#### **SUMMARY**

Council's income and expenditure for the quarter 1 October 2009 to 31 December 2009 has been reviewed, together with a projection of Council's Budget as at 30 June 2010, and a Statement of Variations which have occurred is submitted.

After adoption of the recommended adjustments the result for the quarter is a deficit of \$128,000 and a forecast deficit at 30 June 2010 of \$455,817.

#### **MOTION (LeSurf / Heasman)**

THAT the 2009/2010 Adopted Budget be varied in terms of this Report.

11/10 **RESOLVED: (LeSurf / Heasman)**

THAT the 2009/2010 Adopted Budget be varied in terms of this Report.

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

**Against the Resolution:** Nil.

Councillors Aird, Griffin and Whitting were not in the Chamber when the voting took place.

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### **PLANNING AND STRATEGY DIVISION**

Planning And Strategy Division Report No. 4

### **Quarterly Update Report on the Management Plan 2009-2012 for the period 1st October to 31st December 2009**

#### **SUMMARY**

This report provides a review of the achievements towards meeting the outcomes set by Council as described in the Management Plan 2009 – 2012 for the period 1 October 2009 to 31 December 2009, in accordance with the requirements of the *Local Government Act, 1993*.

#### **MOTION (Heasman / Elder)**

It is recommended that the report on the second quarterly review of the Management Plan 2009-2012 for the period ending 31 December 2009 be received and noted.

12/10 **RESOLVED: (Heasman / Elder)**

It is recommended that the report on the second quarterly review of the Management Plan 2009-2012 for the period ending 31 December 2009 be received and noted.

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

**Against the Resolution:** Nil.

Councillors Aird, Griffin and Whitting were not in the Chamber when the voting took place.

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**QUESTIONS WITHOUT NOTICE****QWN1/10 Councillor Elder - Media Clippings**

I am no longer receiving the Communication Officers emails with attached clippings from various magazines and newspapers. Can I please be sent these in future?

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

**QWN2/10 Councillor Heasman - Historical Archives**

On 18 November 2009 the SHOROC Executive held a meeting that supported in principle to develop (with the Local Studies Historians of the Northern Beaches Councils) plans for a historical archive site on the Northern Beaches. Please provide an update with regards to what work/planning has been done with regard to that proposal.

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

**QWN3/10 Councillor Heasman - Surf Beach Walkway**

Could the General Manager clarify the correct name for the walkway along the surf beach? Recently signage was installed stating 'Ocean Beach Promenade' which my understanding is contrary to the plans for Manly by the founder of Manly, H.G. Smith who designated that the walkway be called "The Steyne".

If it is the Councils wish that there be a name change then can any change be referred to the Heritage Committee with a full report?

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

**QWN4/10 Councillor LeSurf - Youth Activities**

The Manly Daily reported last weekend on the apparent lack of things for young people on the peninsular to be involved in – hence their participation in illicit alcohol fuelled parties in parks, ovals and beaches around the area. Many years ago, Manly Youth Council ran regular fortnightly dances whose attendance, on occasions, reached 1000 due to the popular bands playing there. I am aware that circumstances have changed since then and nights of that since are unlikely to be held in Kangaroo Street again.

I note that the Manly Youth Council non-education and Penguin Wardens programs may be good but they do not reach the number of disaffected youths like a decent band. What plans does the Manly Youth Council have in place to provide activities for young people in Manly this year?

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

**QWN5/10 Councillor Murphy - Public Toilets**

This is a question on behalf of the Heritage Committee - The toilets opposite Marineland were recently renovated inside. This toilet block was original and represented a particular era. Was a photographic record kept? And will records be kept and a DA submitted should the Town Hall toilets be renovated or any other public toilets in original condition with any heritage value?

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

**QWN6/10 Councillor Morrison - U Turn Signage**

I have noticed that the u-turn signage in Seaforth has not been removed. Can the General

Manager please clarify when it will be removed.

At the request of the Mayor, the General Manager advised that the u-turn at the intersection was restricted to certain times by the RTA.

**QWN7/10 Councillor Morrison** - Old Nursery Site, Griffith Street

What is occurring at the old nursery site on Griffith Street?

At the request of the Mayor, the General Manager advised that the Cancer Council is developing a planting scheme for the site and raised garden beds would be installed.

**QWN8/10 Councillor Norek** - DA for Telecommunication Tower

Has there been a DA lodged for a telecommunication tower in Beatrice Street? Is it correct that a DA is not required if it's a low impact facility?

At the request of the Mayor, the General Manager advised that no DA has been lodged. The General Manager also confirmed that a DA is not required if it is a low impact facility.

**QWN9/10 Councillor Griffin** - Bathers Pavillion

Can you please clarify and confirm the lease of the access to the Bathers Pavillion from the Federation Point stairs? The current walkway where it joins the stairs currently forms the roof of a penguins nest. Can Council staff please outline the process for their involvement in discussing the best outcome for the refurbishment of this section of the boardwalk for the penguins.

At the request of the Mayor, the General Manager advised that he had recently received an email from Angelika Treichler, Penguin Warden regarding this. The boardwalk is on Maritime property. We have an expired lease. Any considered proposal would need to be assessed by the DECCW.

**QWN10/10 Councillor Griffin** - Hop, Skip and Jump Bus

Can we have an update on the Hop, Skip and Jump bus tours?

At the request of the Mayor, the General Manager advised that the Manager responsible is on extended leave which has delayed the implementation of the service.

**QWN11/10 Councillor Aird** - Clontarf Pool

Can staff bring back a report on the Clontarf pool issues with regard to community requests for dredging, or re-location?

At the request of the Mayor, the General Manager advised that work in undertaking a Review of Environmental Factors has commenced and will be completed mid March.

**QWN12/10 Councillor Aird** - Hop, Skip and Jump Bus

Are we addressing the overcrowding problems on the Hop, Skip and Jump bus? This is resulting in people being left behind at the Wharf West Esplanade on afternoon peak times 3-6pm on weekdays.

At the request of the Mayor, the General Manager advised that additional services had been provided at peak times during the holiday period however if this was ongoing then it would impact on other routes.

**QWN13/10 Councillor Burns** - Penguin Security

Can Council make enquiries into the penguin security under the Wharf?

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

**QWN14/10 Councillor Burns - Natural Resources Staff**

Have we managed to replace the two Natural Resources staff that recently left Council?

At the request of the Mayor, the General Manager advised that staff are at full complement. The Manager of Natural Resources is currently on maternity leave.

**QWN15/10 Councillor Whitting - Homeless in Gilbert Park**

Can the General Manager provide a management plan regarding the homeless in Gilbert Park?

At the request of the Mayor, the General Manager advised that we are working with the staff from the Manly Community Centre and the police on this issue. We do not currently have a management plan but the General Manager advised he would speak to the police regarding this again.

**QWN16/10 Councillor Whitting - Rubbish Bins**

Can I have an update on my QWN104/09 from the Ordinary Meeting on 9 November regarding waste management for the fast food outlet in Queenscliff?

At the request of the Mayor, the Deputy General Manager advised that the waste team have met with the owners of the fast food outlet and a bin has been ordered and will be installed within the next week.

## **CONFIDENTIAL COMMITTEE OF THE WHOLE**

General Managers Division Report No. 2

### **Legal Matters**

*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) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

Civic and Urban Services Division Report No. 1

### **Tender No. 2009/22 - Purchase of Major Plant - Supply and Delivery of one Garbage Compactor**

*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.*

Corporate Services Division Report No. 6

### **Tender NoT2009/17 Expressions of Interest – Property Management Services**

*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.*

General Managers Briefing

**Ombudsman Inquiries**

*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) (g) of the Local Government Act, 1993, on the grounds that advice regarding litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

General Managers Briefing

**Staff 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) (a) of the Local Government Act, 1993, on the grounds of personnel matters concerning particular individuals (other than Councillors).*

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**CLOSED SESSION**

**MOTION (LeSurf / Heasman)**

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

The Chairperson, Councillor Hay 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.

13/10 **RESOLVED: (LeSurf / Heasman)**

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

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

**Against the Resolution:** Nil.

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**OPEN COUNCIL RESUMED**

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

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Corporate Services Division Report No. 6

**Tender NoT2009/17 Expressions of Interest – Property Management Services**

14/10 **RESOLVED: (Griffin / Burns)**

That:-



1. Council employ a qualified and experienced "Property Manager" to assist Council to manage its leases and licences and property maintenance functions in accordance with option 2.
2. The General Manager bring back a report in 12 months.

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

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

**Note:** A Rescission Motion was received on this item.

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General Managers Division Report No. 2

**Legal Matters**

15/10 **RESOLVED: (LeSurf / Hay)**

That this report be received and noted.

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

**Against the Resolution:** Nil.

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Civic and Urban Services Division Report No. 1

**Tender No. 2009/22 - Purchase of Major Plant - Supply and Delivery of one Garbage Compactor**

16/10 **RESOLVED: (LeSurf / Murphy)**

That:-

1. Council accept the offer from Iveco Trucks and Commercial Vehicles for the supply and delivery of one (1) garbage compactor being an International Cab Chassis for \$155,646 excluding GST coupled with a Binksie 23m<sup>3</sup> compactor unit for \$159,149 excluding GST for an all up cost of \$314,795 excluding GST.
2. The unsuccessful tenders be advised accordingly.

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

**Against the Resolution:** Nil.

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General Managers Briefing

**Ombudsman Inquiries**

17/10 **RESOLVED: (LeSurf / Heasman)**

That:

The information provided and action taken by the General Manager be noted.

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

\*\*\*\*\*

General Managers Briefing

**Staff Matter**

18/10 **RESOLVED:** (LeSurf / Heasman)

That:

That the information be noted.

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

**CLOSE**

The meeting closed at 10.50pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 8 March 2010.

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**MAYOR**

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