

# Manly Council

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## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 16 October 2006**

*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 16 October 2006. The meeting commenced at 7:44 PM.

## **PRESENT**

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

## **ALSO PRESENT**

Henry T Wong, General Manager  
Jim Hunter, Director Major Projects  
Ross Fleming, Divisional Manager Corporate Services  
Stephen Clements, Executive Manager Environmental Services  
Paul Christmas, Manager Lodgement and Quality Assurance  
Elayne Becker, Minute Taker

## **OPENING PRAYER**

The Opening Prayer was presented by Rev John Hannon.

## **APOLOGIES**

Nil

## **DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

Nil.

## **CONFIRMATION OF MINUTES**

### **MOTION (Lambert / Pedersen)**

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 18 September 2006, 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.

### **102/06 RESOLVED (Lambert / Pedersen)**

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 18 September 2006, 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 Macdonald, Hay, Heasman, Lambert, Cant, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek  
**Against the Resolution:** Nil.

## PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Ms Enid Bleicher	Safety aspect of a constructed building – 10 Marshall Street, Manly
Mr Ray Springett	Raised various issues
Mr Simon Liddy	Signed petition opposing mobile phone installation at Balgowlah Bowling Club handed to meeting.
Mr Richard Hewitt	Council process; Fairlight LATM

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### SUSPENSION OF STANDING ORDERS (Macdonald / Aird)

That Council **suspend** Standing Orders for consideration of items of public interest being Environmental Services Division Report No. 64, 52-54 Wanganella Street, Balgowlah (DA235/06).

#### 103/06 RESOLVED (Macdonald / Aird)

That Council **suspend** Standing Orders for consideration of items of public interest being Environmental Services Division Report No. 64, 52-54 Wanganella Street, Balgowlah (DA235/06).

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

## ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 64

### 52-54 Wanganella Street, Balgowlah (DA235/06)

**Application Lodged:** 9 June 2006  
**Applicant:** Equiset Services Sydney Pty Ltd  
**Owner:** Trustees of Catholic Church  
**Estimated Cost:** \$3.2 million  
**Zoning:** Manly Local Environmental Plan, 1988 - Part Zone No 5 - Special Uses 'School and Church' and Part zone No 2 - Residential  
**Surrounding Development:** Single and Multiple residential dwellings  
**Heritage:** Listed as an Item of Environmental Heritage in the Manly LEP - schedule 4

### SUMMARY:

1. DEVELOPMENT CONSENT IS SOUGHT TO DEMOLISH PARISH HOUSE, ERECT TEACHING AND ADMINISTRATION BUILDING AND ALTERATIONS AND ADDITION TO EXISTING ST CECILIA'S CATHOLIC PRIMARY SCHOOL.
2. THE APPLICATION WAS NOTIFIED TO THE ADJOINING PROPERTIES AND ADVERTISED IN THE MANLY DAILY INVITING SUBMISSIONS FROM 26 JUNE 2006 AND 10 JULY 2006. SIXTEEN (16) SUBMISSIONS OBJECTING TO THE DEVELOPMENT HAVE BEEN RECEIVED.
3. THE APPLICATION WAS REFERRED TO COMMUNITY PRECINCT AND COMMENTS

RECEIVED FROM THE NORTH HARBOUR AND CLONTARF PRECINCT COMMUNITY FORUMS.

4. THIS APPLICATION IS PRESENTED TO THE LAND USE MANAGEMENT MEETING BY COUNCILLORS LAMBERT AND MACDONALD.
5. SITE INSPECTION IS RECOMMENDED.
6. THE APPLICATION IS RECOMMENDED FOR CONDITIONAL APPROVAL.

### PUBLIC ADDRESSES

The following persons addressed Council in relation to this matter:

Against: Mr Ray Coulson

In Favour: Mr John Graham

### MOTION (Lambert / Pedersen)

That the development application No. 235/06 to demolish Parish House, erect teaching and administration building and alterations and addition to existing St Cecilia's Catholic Primary School at 52 and 54 Wanganella Street and 59 to 63 Seaview Street, Balgowlah be **deferred** for further modification to the design as follows.

- A1 Amended Plans in respect of the new teaching and administration building are to be submitted incorporating the following redesign
- Reducing the height of the building by reconsidering the roof design
  - Articulate the relatively flat façade with part of façade further stepped in (reductions in gross floor areas to achieve a strictly complying FSR and opportunity for further shadow reductions are sought in conjunction with this request for articulation);
  - Incorporate the stairs to the first level into the overall building form;
  - Remove the carparking in front of the building by providing parking partly below ground level; and
  - Clarify the height, materials and details of the proposed store and its impact on the streetscape
  - The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.
  - Improve the outlook and views of the residents in the upper floor units of the residential flat building to the South.
  - Applicant be requested to erect height templates to show height of proposed development.
- A2 A more detailed landscaping plan incorporating the following redesign/detail
- Integration of bin enclosure into the landscaping including fencing and planting and providing detail full architectural detail of material and finishes to Council's satisfaction.
  - Details of bike storage racks at an appropriate location on the site.
  - A Brush Box (*Lophostenon Confertus*) located adjacent the existing court approximately 8-10 m in height should both be retained and protected through construction stages.
  - A paperbark (*Melaluca Quinguinerinia*) approximately 6m in height is in reasonable condition and its removal is to be subject to the replacement of a suitable endemic tree on the existing Seaview Street frontage.
  - Supplementary street planting along the White Street frontage in consultation with Council's Parks and Reserves Coordinator.
  - Details of proposed planting schedules are to include generally advanced pot size at planting and consideration of appropriate height and scale at maturity to minimise shadow impact and retain scale with the surrounding building form particularly at the southern side boundary.

- A3 A Management Plan to address traffic, parking and safety measures is to be substantial commenced in consultation with the local residential, school and church community and providing preliminary recommendations to suitably address ongoing issues arising from the public participation process in relation the proposed development.

**AMENDMENT (Murphy / Daley)**

- A THAT pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, deferred commencement consent be granted in respect of development application 235/06 to demolish parish house, erect teaching and administration building and alterations and addition to existing St Cecilia's Catholic Primary School at 52 and 54 Wanganella Street and 59 to 63 Seaview Street Balgowlah with the consent not operating until the applicant has provided satisfactory proposals on the following matters A1- A3 within 6 months of the date of this resolution.

- A1 Amended Plans in respect of the new teaching and administration building are to be submitted incorporating the following redesign

- Reducing the height of the building by reconsidering the roof design
- Articulate the relatively flat façade with part of façade further stepped in (reductions in gross floor areas to achieve a strictly complying FSR and opportunity for further shadow reductions are sought in conjunction with this request for articulation);
- Incorporate the stairs to the first level into the overall building form;
- Remove the carparking in front of the building by providing parking partly below ground level; and
- Clarify the height, materials and details of the proposed store and its impact on the streetscape
- The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.

- A2 A more detailed landscaping plan incorporating the following redesign/detail

- Integration of bin enclosure into the landscaping including fencing and planting and providing detail full architectural detail of material and finishes to Council's satisfaction.
- Details of bike storage racks at an appropriate location on the site.
- A Brush Box (*Lophostenon Confertus*) located adjacent the existing court approximately 8-10 m in height should both be retained and protected through construction stages.
- A paperbark (*Melaluca Quinguinerinia*) approximately 6m in height is in reasonable condition and its removal is to be subject to the replacement of a suitable endemic tree on the existing Seaview Street frontage.
- Supplementary street planting along the White Street frontage in consultation with Council's Parks and Reserves Coordinator.
- Details of proposed planting schedules are to include generally advanced pot size at planting and consideration of appropriate height and scale at maturity to minimise shadow impact and retain scale with the surrounding building form particularly at the southern side boundary.

- A3 A Management Plan to address traffic, parking and safety measures is to be substantial commenced in consultation with the local residential, school and church community and providing preliminary recommendations to suitably address ongoing issues arising from the public participation process in relation the proposed development.

Evidence of items A1- A3 are to be submitted with a period of 6 months pursuant to Section 80(3) of the Act.

**This consent is a 'deferred commencement:'**

- B.** Upon satisfactory resolution of the above matters the consent shall operate with the following conditions:-

## DA1

This approval relates to drawings/plans Nos. DA 01 to 04 all dated 13 April 2006 and received by Council on the 9 June 2006

## ANS01

Additional community uses of the church / school facilities are to be subject to separate development consent and are to have full regard to likely environmental effects including neighbours privacy, noise, security and general amenity. In this regard it is noted that proposed/approved uses of the community rooms include administrative functions, craft activities, parish committee meetings, music preparation group, and other periodic church activities and gatherings including liturgy planning groups and family sacramental preparation groups.

## ANS02

The number of students and teachers is not to exceed the existing capacity of the school which currently accommodates a maximum number of two hundred and ten (210) students and fifteen (15) staff with a single class for each year groups and one (1) additional class for special needs including language and music lessons.

## ANS03

Photographic archival recording is to be made and submitted to Council of the existing parish cottage prior to issue of the Construction Certificate and commencement of works including a record of all contents, including fixtures and fittings as per guidelines provided by the Heritage Office.

## ANS04

The recommendations of the Environmental noise impact assessment compiled by Renzo Tonin & Associates are to be complied with. Furthermore the use of the classrooms near the boundary of 57 Seaview Street are not to be used for noisy activities (such as music) and by activities after traditional school hours as there may be intrusive or offensive noise transmitted to the residences in 57 Seaview Street. Further, the volume, location and frequency of any bells used is to be controlled in the fit out of the new building.

## ANS05

All classroom windows on the southern façade remain closed during class time. In this regard a mechanical ventilation assessment is to be carried out to reflect this restriction and produce a suitable solution and not to increase in the plant noise

## ANS06

The site is to be consolidated into a single parcel prior to the occupation of the new building.

## ANS07

Air conditioning and other plant equipment must be acoustically screened from adjoining residential properties such that potential for noise offences are removed.

## DA009

The construction of a vehicular footpath crossing is required. The design and construction including allowable width shall be in accordance with the current Policy of Council and Specification for the Construction of Vehicle Crossings. All works shall be carried out prior to the issue of Occupation Certificate.

## DA011

All surplus vehicular crossings and/or kerb laybacks shall be removed and the kerb and nature



strip reinstated prior to issue of the Occupation Certificate.

**DA012**

The driveway/access ramp grades, access and car parking facilities shall comply with the Australian Standard for Off-Street Parking AS2890.1-2004 or later editions.

**DA016**

Pursuant to Section 97 of the Local Government Act, 1993, Council requires, prior to issue of the Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit of \$. The Deposit is required as security of compliance with Conditions of Consent, and as security against damage to Council property during works on the site.

Note: Should Council property adjoining the site be defective eg, cracked footpath, broken kerb etc., this shall be reported in writing to Council, at least 7 days prior to the commencement of any work on site.

Note: Where Council is not the principal certifying authority, refund of the trust fund deposit will also be dependant upon receipt of a final occupation certificate by the Principal Certifying Authority and infrastructure inspection by Council.

**DA017**

No obstruction shall be caused to pedestrian use of Council's footpath or vehicular use of any public roadway during construction.

**DA341**

Any heritage listed stone kerb removed for construction of a driveway or other approved works, is to be removed without damaging it and contact is to be made with Councils Works Manager on Telephone 9976 1455 for the stone to be transported to Councils Depot.

**DA342**

Separate application shall be made to Council's Infrastructure Division for approval to complete, to Council's standards and specifications, works on Council property. This shall include vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be made a minimum of twenty-eight (28) days prior to commencement of proposed works on Council's property. Applicant to notify Council at least 48 hrs before commencement of works to allow Council to supervise/inspect works.

**DA343**

Any adjustment to the public utility service is to be carried out in compliance with their standards and the full cost is to be borne by the applicant.

**DA018**

Details of the builder's name and licence number contracted to undertake the works shall be provided to Council/Accredited Certifier prior to issue of the Construction Certificate.

**DA021**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

**DA022**

Retaining walls being constructed in conjunction with excavations with such work being in accordance with structural engineer's details. Certification of compliance with the structural detail during construction shall be submitted to the Principal Certifying Authority.

DA023

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

DA024

A sign must be erected on the subject site in a prominent position stating that unauthorised entry is prohibited and giving details of the name of the builder or the person responsible for the site and 24 hour contact details. The sign is to have dimensions of approximately 500mm x 400mm. Note: The sign is not required if the building on the site is to remain occupied during the course of the building works.

DA026

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans with certification being submitted to the Principal Certifying Authority during construction from a registered surveyor certifying ground and finished ridge levels.

DA031

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended that you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

DA039

Four (4) certified copies of the Structural Engineer's details in respect of all reinforced concrete, structural steel support construction and any proposed retaining walls shall be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA040

Where any excavation extends below the level of the base of the footing of a building on an adjoining allotment of land, the person causing the excavation shall support the neighbouring building in accordance with the requirements of the Building Code of Australia.

DA044

The floor surfaces of bathrooms, shower rooms and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with AS3740. Certification is to be provided to the Principal Certifying Authority from a licenced applicator prior to the fixing of any wall or floor tiles.

DA047

A suitable sub-surface drainage system being provided adjacent to all excavated areas and such drains being connected to an approved disposal system.

DA048

The implementation of adequate care during demolition/ excavation/ building/ construction to ensure that no damage is caused to any adjoining properties.

DA058

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

DA357

Four (4) copies of Architectural Drawings consistent with the development consent and associated specifications are to be submitted to Council/Accredited Certifier prior to the issue of the Construction Certificate.

DA077

An approved water interceptor shall be provided within the property, across the driveway at the property boundary, and all stormwaters shall be conveyed by underground pipe to Council's street gutter to the satisfaction of the Principal Certifying Authority.

DA109

All demolition is to be carried out in accordance with AS2601-2001.

DA111

Asbestos cement sheeting must be removed in accordance with the requirements of the WorkCover Authority.

DA084

Roofwaters and surface stormwaters from paved areas are to be conveyed by pipeline to Council's street gutter in accordance with Council's standards and specification for Stormwater Drainage.

DA088

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) shall be provided within the property in accordance with Council's Specification for On-site Stormwater Management 2003. This system is to incorporate rainwater recycling systems in accordance with Council's environmental water saving policies. The design and details shall be submitted with the Construction Certificate Application and be approved by the Council/Accredited Certifier prior to the issue of the Construction Certificate. The specification can be downloaded from Council's web site [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au) free of charge or a hardcopy can be purchased from Council.

DA100

A positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit.

DA119

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) that should be implemented in the building premises shall be submitted with the Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000. Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

DA120

The building being erected in Type B, Class 9(b). construction for a Class building in accordance with the Fire Resistance Provisions of the Building Code of Australia.

DA121

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

DA230

No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.

DA236

Landscaping is to be carried out in accordance with the approved Landscape Plan submitted in conjunction with the Development Application. Landscaping is to be maintained at all times. In particular, evidence of an agreement for the maintenance of all plants for a period of 12 months from the date of practical completion of the building is to be provided to the Principal Certifying Authority prior to issue of the Final Occupation Certificate.

DA237

All healthy trees and shrubs identified for retention on the plan must be:

- (i) Suitably marked before any development starts and be suitably protected from damage during the construction process; and
- (ii) Retained unless their location or condition is likely to cause damage and their removal has been approved by Council.

DA238

All disturbed surfaces on the land resulting from the building works authorised by this approval shall be revegetated and stabilised so as to prevent any erosion either on or adjacent to the land.

DA239

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree or trees unless in conformity with this approval or subsequent approval is prohibited.

DA240

No tree other than on land identified for the construction of buildings and works as shown on the building plan shall be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

DA346

Trees and shrubs liable to damage are to be protected with suitable temporary enclosures for the duration of the works. These enclosures shall only be removed when directed by the Principal Certifying Authority. The enclosures are to be constructed out of F62 reinforcing mesh 1800mm high wired to 2400mm long star pickets, driven 600mm into the ground, spaced 1800mm apart at a minimum distance of 1000mm from the tree trunk.

DA348

Precautions shall be taken when working near trees to be retained including the following: - do not store harmful or bulk materials or spoil under or near trees - prevent damage to bark and root system - do not use mechanical methods to excavate within root zones - do not add or remove topsoil from under the drip line - do not compact ground under the drip line.

DA261

A sediment/erosion control plan for the site shall be submitted for approval to the Council/Accredited Certifier **prior to the issue of the Construction Certificate**. Implementation of the scheme shall be completed prior to commencement of any works on the site and maintained until completion of the development.

DA269

A Construction Certificate Application is required to be submitted to and issued by the Council/Accredited Certifier prior to any building works being carried out on site.

DA270

Should you appoint Council as the Principal Certifying Authority (PCA) to undertake inspections during the course of construction then the following inspection/certification are required:

Silt control fences

Footing inspection - trench and steel

Reinforced concrete slab x2

Framework inspection

Wet area moisture barrier

Drainage inspection

Driveway crossing/kerb layback

Landscaping inspection

Health inspection

Final inspection

The cost of these inspections by Council is \$2530 (being \$230 per inspection inclusive of GST). **Payment of the above amount is required prior to the first inspection.** Inspection appointments can be made by contacting the Environmental Services Division on 9976 1414.

At least 24 hours notice should be given for a request for an inspection and submission of the relevant inspection card. Any additional inspection required as a result of incomplete works will incur a fee of \$110.

#### DA271

An Occupation Certificate is to be issued by the Principal Certifying Authority prior to occupation of the development.

#### DA279

All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.

#### DA283

Any De-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- a) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA certified laboratory or Manly council for compliance with ANZECC Water Quality Guidelines
- b) If tested by NATA certified laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities.
- c) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received.
- d) It is the responsibility of the applicant to ensure that during de-watering activities, the capacity of the stormwater system is not exceeded, that there are no issues associated with erosion or scouring due to the volume of water pumped.
- e) Turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.
- f) Also the developer must contact the Department of Infrastructure, Planning and Natural Resources and comply with any of their requirements.

#### DA285

Roof and framing including provision for tie downs, bracing and fixings are to be designed by a practising Structural Engineer. The Engineer is to specify appropriate wind category relating to the site terrain, house design and height of the structure, with details being submitted to the Principal Certifying Authority prior to the commencement of framework.

#### DA332

The capacity and effectiveness of erosion and sediment control devices must be maintained to Council satisfaction at all times.

#### DA333

A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.

#### DA334

Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted.

DA335

Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.

DA336

Drains, gutters, roadways and access ways shall be maintained free of sediment and to the satisfaction of Council. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.

DA337

Building operations such as brickcutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

DA338

All disturbed areas shall be stabilised against erosion to Council satisfaction within 14 days of completion, and prior to removal of sediment controls.

DA339

Stormwater from roof areas shall be linked via a temporary downpipe to a Council approved stormwater disposal system immediately after completion of the roof area. Inspection of the building frame will not be made until this is completed to Council satisfaction.

DA340

The applicant and/or builder must prior to the commencement of work, install at the periphery of the site, measures to control sedimentation and the possible erosion of the land. The measures must include:-

- (i) siltation fencing;
- (ii) protection of the public stormwater system; and
- (iii) site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

DA289

Building or construction work must be confined to the hours between 7.00am to 6.00pm, Monday to Friday and 7.00am to 1.00pm, Saturday, with a total exclusion of such work on Public Holidays and Sundays. Non-offensive works where power operated plant is not used and including setting out, surveying, plumbing, electrical installation, tiling, internal timber or fibrous plaster fixing, glazing, cleaning down brickwork, painting, building or site cleaning by hand shovel and site landscaping, is permitted between the hours of 1.00pm to 4.00pm Saturdays. Note: That the Protection of the Environment Operations Act 1997 may preclude the operation of some equipment on site during these permitted working hours.

DA319

Details of the method of termite protection which will provide whole of building protection, inclusive of structural and nonstructural elements, shall be submitted to the Council/Accredited Certifier prior to issue of the Construction Certificate. Attention is drawn to the provisions of Australian Standard 3660.1 "Protection of Buildings from Subterranean Termites New Buildings" and to Council's Code for the "Protection of Buildings Against Termite Attack".

DA320

Prior to issue of the Occupation Certificate, a durable termite protection notice shall be permanently fixed to the building in a prominent location detailing the form of termite protection which has been used in accordance with Council's Code for the "Protection of Buildings Against Termite Attack".

DA323

This approval shall expire if the development hereby permitted is not commenced within 2 years of the date hereof or any extension of such period which Council may allow in writing on an application made before such an expiry.

**For the Amendment:** Councillors Murphy and Daley

**Against the Amendment:** Councillors Macdonald, Hay, Heasman, Lambert, Cant, Morrison, Pedersen, Aird, Evans and Norek

The **AMENDMENT** was declared **LOST**.

104/06 **RESOLVED** (Lambert / Pedersen)

That the development application No. 235/06 to demolish Parish House, erect teaching and administration building and alterations and addition to existing St Cecilia's Catholic Primary School at 52 and 54 Wanganella Street and 59 to 63 Seaview Street, Balgowlah be **deferred** for further modification to the design as follows.

- A1 Amended Plans in respect of the new teaching and administration building are to be submitted incorporating the following redesign
- Reducing the height of the building by reconsidering the roof design
  - Articulate the relatively flat façade with part of façade further stepped in (reductions in gross floor areas to achieve a strictly complying FSR and opportunity for further shadow reductions are sought in conjunction with this request for articulation);
  - Incorporate the stairs to the first level into the overall building form;
  - Remove the carparking in front of the building by providing parking partly below ground level; and
  - Clarify the height, materials and details of the proposed store and its impact on the streetscape
  - The length of the building is broken down, for example by reducing the height of the extended roof and stepping the lift in from the line of the existing and proposed building.
  - Improve the outlook and views of the residents in the upper floor units of the residential flat building to the South.
  - Applicant be requested to erect height templates to show height of proposed development.
- A2 A more detailed landscaping plan incorporating the following redesign/detail
- Integration of bin enclosure into the landscaping including fencing and planting and providing detail full architectural detail of material and finishes to Council's satisfaction.
  - Details of bike storage racks at an appropriate location on the site.
  - A Brush Box (Lophostenon Confertus) located adjacent the existing court approximately 8-10 m in height should both be retained and protected through construction stages.
  - A paperbark (Melaluca Quinguinerinia) approximately 6m in height is in reasonable condition and its removal is to be subject to the replacement of a suitable endemic tree on the existing Seaview Street frontage.
  - Supplementary street planting along the White Street frontage in consultation with Council's Parks and Reserves Coordinator.
  - Details of proposed planting schedules are to include generally advanced pot size at planting and consideration of appropriate height and scale at maturity to minimise shadow impact and retain scale with the surrounding building form particularly at the southern side boundary.
- A3 A Management Plan to address traffic, parking and safety measures is to be substantial commenced in consultation with the local residential, school and church community and providing preliminary recommendations to suitably address ongoing issues arising from the public participation process in relation the proposed development.

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

**Against the Resolution:** Councillor Murphy

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

That Council **resume** Standing Orders.

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

**Against the Resolution:** Nil.

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**NOTICES OF MOTION**

Notice of Motion Report No. 18

**Precinct Office Bearers Available to all Ratepayers**

Councillor Norek will move:

That all ratepayers residential or non-residential be allowed to hold an executive position with a precinct committee, to ensure that Manly Council fits in line with the State Government (State election Authorities) position on this issue.

**PUBLIC ADDRESSES**

The following persons addressed Council in relation to this matter:

Against: Mr Leigh Costin

In Favour: Ms Penelope Wynne

**MOTION (Norek / Morrison)**

That all ratepayers residential or non-residential be allowed to hold an executive position with a precinct committee, to ensure that Manly Council fits in line with the State Government (State election Authorities) position on this issue.

**AMENDMENT (Lambert / Heasman)**

1. That this matter be **deferred** for a referral to all of the Precincts to consider.
2. That precincts be requested to record in the vote when they consider the matter the number of residents and non residents voting on the matter.

**For the Amendment:** Councillors Macdonald, Heasman, Lambert, Daley, Pedersen, Aird and Evans

**Against the Amendment:** Councillors Hay, Cant, Murphy, Morrison and Norek

The **AMENDMENT** became the Motion and was carried.

**105/06 RESOLVED (Lambert / Heasman)**

1. That this matter be **deferred** for a referral to all of the Precincts to consider.
2. That precincts be requested to record in the vote when they consider the matter the number



of residents and non residents voting on the matter.

**For the Resolution:** Councillors Macdonald, Heasman, Lambert, Daley, Pedersen, Aird and Evans

**Against the Resolution:** Councillors Hay, Cant, Murphy, Morrison and Norek

#### **SUSPENSION OF STANDING ORDERS (Macdonald / Aird)**

That Council suspend Standing Orders for consideration of items of public interest being the General Managers Division Report No.33 Election of Deputy Mayor and General Managers Division Report No.34 – Election of Chairperson and Deputy Chairperson of Principal Committees.

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

**Against the Resolution:** Nil.

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General Managers Division Report No. 33

#### **Election of Deputy Mayor**

##### **SUMMARY**

Section 231 of the *Local Government Act, 1993* empowers the Council to elect one of its members to act as Deputy Mayor for the Mayoral term or for a shorter term.

A Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of the Mayor.

#### **MOTION (Pedersen / Hay)**

1. That Council elect a Deputy Mayor for the period to **September 2007**.
2. That Council adopt the Open Voting method for the election of Deputy Mayor for the 2006/2007 term.

#### **106/06 RESOLVED (Pedersen / Hay)**

1. That Council elect a Deputy Mayor for the period to **September 2007**.
2. That Council adopt the Open Voting method for the election of Deputy Mayor for the 2006/2007 term.

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

**Against the Resolution:** Nil.

The Mayor vacated the Chair. The Returning Officer conducted the election.

The General Manager acting as the Returning Officer invited nominations for the office of Deputy Mayor. The Returning Officer advised that nominations were not valid unless they were made in writing by two or more Councillors and the nominee had indicated consent to the nomination also in writing.

Two valid nominations were received. The General Manager read the nominations.

1. Councillor Norek was nominated by Councillor Norek and Councillor Morrison. Councillor Norek had signed the consent to the nomination.
2. Councillor Pedersen was nominated by Councillor Daley and Councillor Macdonald. Councillor Pedersen had signed the consent to the nomination.

An Open Vote was then taken resulting as follows:

In favour of Councillor Norek

Councillor Hay  
Councillor Heasman  
Councillor Murphy  
Councillor Morrison  
Councillor Norek

In favour of Councillor Pedersen

Councillor Macdonald  
Councillor Lambert  
Councillor Cant  
Councillor Daley  
Councillor Pedersen  
Councillor Aird  
Councillor Evans

Councillor Pedersen having the majority of votes, the Returning Officer declared Councillor Pedersen duly elected as Deputy Mayor for the period to September 2007.

The Mayor Councillor Macdonald, and the Returning Officer congratulated Councillor Pedersen on his election as Deputy Mayor and thanked Councillor Aird for the previous year's service.

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General Managers Division Report No. 34

**Appointment of Chairperson and Deputy Chairperson for its Principal Committee**

**SUMMARY**

The purpose of this report is to appoint the Chairperson and Deputy Chairperson for the Principal Committees of Land Use Management and Planning and Strategy.

**MOTION (Hay / Pedersen)**

1. That Council establish a Planning & Strategy Committee and Land Use Management Committee as its Principal Committees with the Functions & Responsibilities outlined in the above report.
2. That Council proceed to elect Chairpersons and Deputy Chairpersons for its Principal Committees of Land Use Management and Planning and Strategy.
3. That Council utilise the open voting method of election as applied to the election of the Deputy Mayor.
4. That in accordance with s377 of the Local Government Act Council delegate to the two (2) Principal Committees of Land Use Management and Planning and Strategy the power to resolve on matters properly before each Principal Committee.

**107/06 RESOLVED: (Hay / Pedersen)**

1. That Council establish a Planning & Strategy Committee and Land Use Management Committee as its Principal Committees with the Functions & Responsibilities outlined in the above report.
2. That Council proceed to elect Chairpersons and Deputy Chairpersons for its Principal Committees of Land Use Management and Planning and Strategy.

3. That Council utilise the open voting method of election as applied to the election of the Deputy Mayor.
4. That in accordance with s377 of the Local Government Act Council delegate to the two (2) Principal Committees of Land Use Management and Planning and Strategy the power to resolve on matters properly before each Principal Committee.

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

**Against the Resolution:** Nil.

The General Manager acting as the Returning Officer invited nominations for the Office of Chair of the Principal Committees being the Planning and Strategy Committee (P&S) and the Land Use Management Committee (LUM). The following nominations were received:

1. Councillor Aird was nominated for Chairperson of the Planning and Strategy Committee by Councillor Evans and Councillor Lambert. Councillor Aird consented to the nomination.

There being only one nomination the Returning Officer declared Councillor Aird duly elected as Chair of the Planning and Strategy Committee for the period to September 2007.

2. Councillor Lambert was nominated for Chairperson of the Land Use Management Committee by Councillor Macdonald and Councillor Heasman. Councillor Lambert consented to the nomination.

There being only one nomination the Returning Officer declared Councillor Lambert duly elected as Chairperson of the Land Use Management Committee for the period to September 2007.

The Mayor and the Returning Officer congratulated Councillor Aird on her election as Chairperson of the Planning and Strategy Committee and Councillor Lambert on her election as Chairperson of the Land Use Management Committee.

The General Manager acting as the Returning Officer invited nominations for the Office of Deputy Chair of the Principal Committees being the Planning and Strategy Committee (P&S) and the Land Use Management Committee (LUM). The following nominations were received:

1. Councillor Heasman was nominated for Deputy Chairperson of the Planning and Strategy Committee by Councillor Hay and Councillor Macdonald. Councillor Heasman consented to the nomination.

There being only one nomination the Returning Officer declared Councillor Heasman duly elected as Deputy Chairperson of the Planning and Strategy Committee for the period to September 2007.

2. Councillor Evans was nominated for Deputy Chairperson of the Land Use Management Committee by Councillor Aird and Councillor Pedersen. Councillor Evans consented to the nomination.

There being only one nomination the Returning Officer declared Councillor Evans duly elected as Deputy Chairperson of the Land Use Management Committee for the period to September 2007.

The Mayor and the Returning Officer congratulated Councillor Heasman on her election as Deputy Chair of the Planning and Strategy Committee and Councillor Evans on her election as Deputy Chair of the Land Use Management Committee.

*Councillor Cant retired from the Chamber and 9.21pm.*

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Corporate Planning And Strategy Division Report No. 54

## **East West Cycleway Link - Report on Community Consultation**

### **SUMMARY**

In February 2006 a report entitled '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' was presented to Manly Council by Manidis Roberts Consultants. The report presented a number of options to complete part of the "Missing Link" in the east-west bicycle route between Manly Cove and Balgowlah. Specifically, the report focuses on the area between the junction of the Scenic Walkway and Lauderdale Ave and Bolingbroke Parade.

Subsequently, on 29 March 2006, Council convened a meeting of interested stakeholders to discuss the report with a view to attaining general agreement on a preferred option. An '*Addendum to Report – April 2006*', completed by Manidis Roberts Consultants summarising the outcomes of this meeting, was then put on exhibition and community consultation invited.

This report recommends Council approve implementation of the preferred option, subject to funding.

### **PUBLIC ADDRESSES**

The following person addressed Council in relation to this matter:

In Favour: Ms Sarah Weate

### **MOTION (Lambert / Hay)**

That Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:
  - a) there be a detailed plan available for public discussion.
  - b) this detailed plan and an overview be letterbox dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.
  - c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile.
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. Approve the implementation of 'Shared Path' signage and line marking on the existing six metre wide footpath between the Art Gallery and Manly Ferry Wharf and the four metre wide footpath between Manly Ferry Wharf and Victoria Parade, in order to provide cyclists with an uninterrupted off-road facility between the proposed East-West link, Manly Ferry Wharf and Manly Beach.

4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's resolution.

**AMENDMENT (Aird / Heasman)**

That Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:
  - a) there be a detailed plan available for public discussion.
  - b) this detailed plan and an overview be letterbox dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.
  - c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile.
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. That a dismount area be provided on the existing six metre wide footpath between the Art Gallery and Manly Ferry Wharf and the four metre wide footpath between Manly Ferry Wharf and Victoria Parade.
4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's resolution.

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

The **AMENDMENT** became the Motion and was carried.

**108/06 RESOLVED (Aird / Heasman)**

That Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:
  - a) there be a detailed plan available for public discussion
  - b) this detailed plan and an overview be letterbox dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.

- c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. That a dismount area be provided on the existing six metre wide footpath between the Art Gallery and Manly Ferry Wharf and the four metre wide footpath between Manly Ferry Wharf and Victoria Parade.
4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's resolution.

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

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

That Council **resume** Standing Orders.

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

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Notice of Motion Report No. 19

**Corso Survey to Ascertain Transport Requirements**

Councillor Daley moved:

That Council conduct a survey of people on the Corso on Friday and Saturday nights to ascertain their transport needs and that council seek the assistance of the local business community regarding this project.

**MOTION ( Daley / Pedersen )**

That Council invite the new proprietors of the Steyne Hotel and other hotels to work with the Manly Liquor Accord, the Council and the Community Safety Committee to assist with a solution to late night transport needs.

**109/06 RESOLVED ( Daley / Pedersen )**

That Council invite the new proprietors of the Steyne Hotel and other hotels to work with the Manly Liquor Accord, the Council and the Community Safety Committee to assist with a solution to late night transport needs.

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

*Councillor Morrison retired from the Chamber at 10.56pm.*

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**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 11

**Items for Brief Mention - Minutes for adoption by Council - Special Purpose Committees and Joint Committees****1. Minutes Of Meetings:**

- i. ACCESS COMMITTEE MINUTES OF MEETING HELD ON 21 SEPTEMBER 2006
- ii. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 17 AUGUST 2006
- iii. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 21 SEPTEMBER 2006
- iv. MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 18 SEPTEMBER 2006
- v. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETINGS HELD ON 9 AUGUST 2006
- vi. THE MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 6 SEPTEMBER 2006
- vii. MANLY VISITOR AND COMMUNITY BOARD MINUTES OF MEETING HELD ON 7 SEPTEMBER 2006
- viii. JOINT SERVICES COMMITTEE MINUTES OF MEETING HELD ON 28 SEPTEMBER 2006

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

- (a) Manly Visitor and Community Board Minutes of Meeting Held on 7 September 2006

**Item 4.1 - BUSINESS ARISING FROM PREVIOUS MINUTES  
Boxing Day****Recommendation**

1. That the North Head Sanctuary Foundation be responsible for the transport services from the Town Centre to North Head.
2. That Council consider the operational costs and labour availability for a "Park and Ride" transport arrangements from Kenneth Road area to Manly beachfront and support appropriate signage.
3. That the need for toilet facilities and the sale/provision of water for purchase by the public at North Head be clarified.
4. Lions Club could be approached to sell water.
5. That Manly restaurants/cafes be approached seeking their cooperation, participation and pricing details for a Boxing Day Brunch menu. A report by the M C of C to be tabled at the next meeting.
6. That following any decision to progress this concept of a Boxing Day brunch, Manly Police be advised of the transport and restaurant arrangements.
7. That the issue of traffic and parking at Dobroyd Head be considered by Council's Traffic Committee when details are finalised.

**Divisional Manager Human Services and Facilities note:**

The Council's event calendar does not include a Boxing Day event. If Council considers progression of the event provision of a satellite parking system for transport of patrons for the

Boxing Day Breakfast, as proposed by the Manly Chamber of Commerce, additional costs in the form of transport buses, signage and staffing will be incurred. Transport from Kenneth Road to the bus bay at Manly Ocean beachfront between 8.30am and 12.00 noon on Boxing Day 26th December 2006, additional costs to Council are estimated at \$5,000.00.

- (b) Community Safety Committee Minutes of Meeting Held on 21 September 2006

**Item 7.5 - Pathway Parking In Bolingbroke Pde**

An issue of concern was raised about the use of the crown land between the end of Bolingbroke Pde and the public pathway. Several residents vehicles from properties in Lauderdale Ave are lobbying to retain these informal parks as permanent and legal. All residents apparently have alternate access from Lauderdale Ave.

The committee discussed this issue and agreed that this would be a dangerous mix of use. The harbour foreshore path is now extremely well used by pedestrians, dogs and children on bicycles. Apart from the congestion issue to continue to allow vehicles parking here would be extremely unsafe.

**Recommendation**

That the committee does not support the alienation of the pathway along the foreshore off Bolingbroke Pde for the use of private vehicle parking for safety reasons due to the heavy pedestrian usage in that space.

**Divisional Manager Human Services and Facilities note:**

Manly Community Safety Committee Meeting of 21 September 2006 - item 7.5 **Parking in Bolingbroke Parade Fairlight** was omitted from the circulated minutes.

Item 7.5 amended minutes to be circulated by email to the Committee members.

**MOTION (Pedersen / Aird)**

1. That the recommendations of **Minutes of Meetings**, as listed in Item 1, being 1(i) to 1(viii), as listed above, be adopted.
2. That in relation to all matters of a substantial nature listed in Item 2(a) above, be adopted as per the recommendation of the Committees.
3. That in relation to all matters of a substantial nature listed in Item 2(b) above be adopted as per the recommendation of the Committees.

**110/06 RESOLVED (Pedersen / Aird)**

1. That the recommendations of **Minutes of Meetings**, as listed in Item 1, being 1(i) to 1(viii), as listed above, be adopted.
2. That in relation to all matters of a substantial nature listed in Item 2(a) above, be adopted as per the recommendation of the Committees.

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

**Against the Resolution:** Nil.

**111/06 RESOLVED (Pedersen / Aird)**

3. That in relation to all matters of a substantial nature listed in Item 2(b) above be adopted as per the recommendation of the Committees.



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

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## GENERAL MANAGERS DIVISION

General Managers Division Report No. 31

### Regional Sportsgrounds Analysis - Final Report

#### SUMMARY

In late 2005, SHOROC commissioned Thompson Tregear Pty Ltd to undertake a regional sportsgrounds analysis. This was in response to the Councils desire to work more strategically in planning for the sustainable development and maintenance of sportsgrounds within the SHOROC region, incorporating Manly, Mosman, Pittwater and Warringah local government areas.

The SHOROC Executive acknowledged the important role of the Manly Warringah Pittwater (MWP) Sporting Union within the region, particularly in relation to the sportsgrounds allocation process, and requested that the Sporting Union Executive Committee should be consulted in the review process.

#### PROCEDURAL MOTION (Murphy / Hay)

That the matter be dealt with in Open Council.

#### 112/06 RESOLVED (Murphy / Hay)

That the matter be dealt with in Open Council.

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

**Against the Resolution:** Nil.

#### MOTION (Hay / Murphy)

1. That Council does not approve the concept of user pays as outlined in the Tregear Regional Sportsgrounds Analysis Report.
2. That The Mayor, the Chair of the Manly Council Sports Facility, and one other representative, and staff, to meet with the Manly Warringah Sporting union steering committee to further discuss the findings of the Regional Sportsgrounds Analysis Report.

#### 113/06 RESOLVED (Hay / Murphy)

1. That Council does not approve the concept of user pays as outlined in the Tregear Regional Sportsgrounds Analysis Report.
2. That The Mayor, the Chair of the Manly Council Sports Facility, and one other representative, and staff, to meet with the Manly Warringah Sporting union steering committee to further discuss the findings of the Regional Sportsgrounds Analysis Report.

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

**Against the Resolution:** Nil.

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General Managers Division Report No. 32

**Permit Parking Scheme - Ethel Street (west), Seaforth**

**SUMMARY**

Council undertook a consultation survey of residents in Ethel Street who live in the section on the southern side of the street between Sydney Road and Manly Road over bridge with the view to implement a Parking Scheme Area in this section of the street to give them relief from the shortage on street parking in this section of the street.

**MOTION (Heasman / Macdonald)**

That Council, subject to confirmation from the Manly Traffic Committee, implement a Permit Parking Scheme in Ethel Street, on the southern side of the street, between Sydney Road and the Manly Road over bridge as follows:

1. The Scheme is known as the Ethel Street West Scheme Area.
2. The Scheme shall have a one hour parking limit between 8am and 10pm everyday, Permit Holder Excepted,
3. The Scheme shall be reviewed administratively after 12 months.

**114/06 RESOLVED (Heasman / Macdonald)**

That Council, subject to confirmation from the Manly Traffic Committee, implement a Permit Parking Scheme in Ethel Street, on the southern side of the street, between Sydney Road and the Manly Road over bridge as follows:

1. The Scheme is known as the Ethel Street West Scheme Area.
2. The Scheme shall have a one hour parking limit between 8am and 10pm everyday, Permit Holder Excepted,
3. The Scheme shall be reviewed administratively after 12 months.

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

**Against the Resolution:** Nil.

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*The Mayor vacated the Chair and the Deputy Mayor, Councillor Pedersen assumed the Chair.*

**CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 27

**Report on Council Investments as at 30 September, 2006**

**SUMMARY**

Latest accounting statements for the period to 30 September, 2006

1. Statement showing general fund bank account balance as at 30 September, 2006.
2. Cash investments as at 30 September, 2006.

*The Mayor returned to the Chamber and assumed the Chair.*

**MOTION (Pedersen / Heasman)**

1. That the statement of General Fund Bank Account balance as at 30 September, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 30 September, 2006 be received and noted.

**115/06 RESOLVED (Pedersen / Heasman)**

1. That the statement of General Fund Bank Account balance as at 30 September, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 30 September, 2006 be received and noted.

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

**Against the Resolution:** Nil.

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**CORPORATE PLANNING AND STRATEGY DIVISION**

Corporate Planning And Strategy Division Report No. 52

**Manly Sustainability Strategy - Three Year Review: Draft Updated Strategy for Public Exhibition**

**SUMMARY**

The Manly Sustainability Strategy (MSS) directs for a full review each three years to ensure that it is a living strategy, maintains best practice and continues to lead Manly towards the community's vision of a sustainable future. The most recent review commenced early 2005.

The myManly and Futures Forums were key community consultation processes that have influenced and informed the updated draft Strategy's development.

The updated Strategy adopts a framework based on the ten United Nations Sustainable Cities Melbourne Principles, under which 41 major programs for action have been identified.

This report presents the draft Manly Sustainability Strategy (2006) to Council for consideration of public exhibition for a period of four weeks.

**MOTION (Lambert / Aird)**

That Council

1. Adopt the draft Manly Sustainability Strategy (2006) for public exhibition for a period of four weeks;

2. Congratulate and extend its thanks to members of Council's Manly Sustainability Strategy Management Group and Scientific Advisory Panel in guiding and contributing to the preparation of the draft Strategy.

**116/06 RESOLVED (Lambert / Aird)**

That Council:

1. Adopt the draft Manly Sustainability Strategy (2006) for public exhibition for a period of four weeks;
2. Congratulate and extend its thanks to members of Council's Manly Sustainability Strategy Management Group and Scientific Advisory Panel in guiding and contributing to the preparation of the draft Strategy.

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

**Against the Resolution:** Nil.

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Corporate Planning And Strategy Division Report No. 53

**Maintenance of Manly Cove Netted Swimming Enclosure****MOTION (Pedersen / Lambert )**

That Council:

1. Hold a "seahorse awareness" event as part of Ocean Care Day celebrations held Sunday 3 December 2006, in conjunction with the NSW Department of Primary Industries (NSW Fisheries), Oceanworld, dive media and local dive operators;
2. Request a further report outlining the proposed method statement for cleaning the Manly Cove netted swimming enclosure be presented to Council for consideration in the near future, once negotiations are complete with the NSW Department of Primary Industries.
3. That 1 and 2 be subject to Environment Committee ratification.

**117/06 RESOLVED (Pedersen / Lambert )**

That Council:

1. Hold a "seahorse awareness" event as part of Ocean Care Day celebrations held Sunday 3 December 2006, in conjunction with the NSW Department of Primary Industries (NSW Fisheries), Oceanworld, dive media and local dive operators;
2. Request a further report outlining the proposed method statement for cleaning the Manly Cove netted swimming enclosure be presented to Council for consideration in the near future, once negotiations are complete with the NSW Department of Primary Industries.
3. That 1 and 2 be subject to Environment Committee ratification.

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

**Against the Resolution:** Nil.

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**HUMAN SERVICES AND FACILITIES DIVISION**

Human Services And Facilities Division Report No. 3

**Community and Cultural Group Subsidies Allocation of 2006/07 Grants****SUMMARY**

Report on the allocation of financial donations and subsidies to community and cultural groups for 2006/07.

Council approval of the allocation of financial donations and subsidies to the successful organisations is requested.

**MOTION (Hay / Lambert)**

That Council:

1. Receive the Report on the allocation of financial donations and subsidies to community and cultural groups for 2006/07.
2. The **2006/2007 Community Grants** amounts be allocated to the following organisations:

<b>Organisation</b>	<b>Recommended Amount</b>
1. Peninsular Senior Citizens Toy Repair Group Inc.	\$500 operational
2. Lifeline – Northern Beaches Inc.	\$1,000 operational
3 Manly Warringah Pittwater Torch Bearers for Legacy	nil
4. Vision Australia formerly Blind Society	\$500 operational
5. Manly Warringah Pittwater Aid Inc.	\$1,000 operational
6. Manly RSL Sub-Branch Women's Auxillary	\$500 operational
7. Northern Enterprise Inc.	nil
8. Lifestart Northern Beaches (Early childhood intervention service)	\$750 operational
9. Ella Westwood Manly Cenotaph Memorial Trust Committee	\$500 operational
10. Cubby Toy House Library Inc.	\$500 operational
11. Northern Beaches Child at Risk Committee	\$500 operational
12. Learning Links	\$1,000 operational
13. Manly Warringah Pittwater Branch Animal Welfare League	nil
14. Consumer Activity Network (Mental health)	Nil
15. Aboriginal Support Group	\$300 operational
16. Lone Parent Family Support Service	\$100 operational
17. Bosnia Herzegovina Project Inc.	\$250 operational
18. Aunties & Uncles Co-operative Project Ltd.	\$1,000 capital
19. Uniting Care Ageing Wesley Heights	\$500 operational

20. Pioneer Clubhouse	\$1,000 operational
21. House With No Steps	nil
22. Northern Beaches Multiple Birth Club	\$300 operational
23. Northern Beaches Neighbourhood Service Easy Care Gardening	\$800 operational
<b>TOTAL</b>	<b>\$11,000</b>

3. The **2006/2007 Cultural Grants** amounts be allocated to the following organisations:-

<b>Organisation</b>	
Manly Music Club	\$1,000 operational
Artists in Motion	\$1,000 operational
Manly Warringah Pipe Band	\$1,500 capital
Manly District Band	\$1,500 capital
Manly Warringah Choir	\$1,500 operational
<b>Total</b>	<b>\$6,500</b>

4. That all organisations who applied for a grant in 2006/2007 allocation be advised of the Council's resolution in writing.

118/06 **RESOLVED (Hay / Lambert )**

That Council:

1. Receive the Report on the allocation of financial donations and subsidies to community and cultural groups for 2006/07.
2. The **2006/2007 Community Grants** amounts be allocated to the organisations as follows:

<b>Organisation</b>	<b>Recommended Amount</b>
1. Peninsular Senior Citizens Toy Repair Group Inc.	\$500 operational
2. Lifeline – Northern Beaches Inc.	\$1,000 operational
3 Manly Warringah Pittwater Torch Bearers for Legacy	nil
4. Vision Australia formerly Blind Society	\$500 operational
5. Manly Warringah Pittwater Aid Inc.	\$1,000 operational
6. Manly RSL Sub-Branch Women's Auxillary	\$500 operational
7. Northern Enterprise Inc.	nil
8. Lifestart Northern Beaches (Early childhood intervention service)	\$750 operational
9. Ella Westwood Manly Cenotaph Memorial Trust Committee	\$500 operational
10. Cubby Toy House Library Inc.	\$500 operational
11. Northern Beaches Child at Risk Committee	\$500 operational
12. Learning Links	\$1,000 operational
13. Manly Warringah Pittwater Branch Animal Welfare League	nil
14. Consumer Activity Network (Mental health)	Nil
15. Aboriginal Support Group	\$300 operational

16. Lone Parent Family Support Service	\$100 operational
17. Bosnia Herzegovina Project Inc.	\$250 operational
18. Aunties & Uncles Co-operative Project Ltd.	\$1,000 capital
19. Uniting Care Ageing Wesley Heights	\$500 operational
20. Pioneer Clubhouse	\$1,000 operational
21. House With No Steps	nil
22. Northern Beaches Multiple Birth Club	\$300 operational
23. Northern Beaches Neighbourhood Service Easy Care Gardening	\$800 operational
<b>TOTAL</b>	<b>\$11,000</b>

3. The **2006/2007 Cultural Grants** amounts be allocated to the following organisations:-

<b>Organisation</b>	
Manly Music Club	\$1,000 operational
Artists in Motion	\$1,000 operational
Manly Warringah Pipe Band	\$1,500 capital
Manly District Band	\$1,500 capital
Manly Warringah Choir	\$1,500 operational
<b>Total</b>	<b>\$6,500</b>

4. That all organisations who applied for a grant in 2006/2007 allocation be advised of the Council's resolution in writing.

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

**Against the Resolution:** Nil.

\*\*\*\*\*

Human Services And Facilities Division Report No. 4

### **International Day for the Elimination of Violence Against Women - White Ribbon Day**

#### **SUMMARY**

The White Ribbon Day campaign is an awareness campaign to draw attention of the community to the International Day held each year on 25<sup>th</sup> November for the elimination of violence against women.

Councillor Pedersen brought this important community awareness and safety program to the staff for implementation, following discussions with the General Manager.

#### **MOTION (Pedersen / Hay)**

That:

1. Council receive and adopt the report on White Ribbon Day activities for week leading to and including 25<sup>th</sup> November 2006.
2. Councillors be invited to the media launch and to respond to the invitation to distribute White Ribbons and information on 25<sup>th</sup> November in exchange for a gold coin donation to the community.

3. The funds raised be donated to the Manly Warringah Womens Resource Centre Ltd.

119/06 **RESOLVED (Pedersen / Hay)**

That:

1. Council receive and adopt the report on White Ribbon Day activities for week leading to and including 25<sup>th</sup> November 2006.
2. Councillors be invited to the media launch and to respond to the invitation to distribute White Ribbons and information on 25th November in exchange for a gold coin donation to the community.
3. The funds raised be donated to the Manly Warringah Womens Resource Centre Ltd.

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

**Against the Resolution:** Nil.

\*\*\*\*\*

## QUESTIONS WITHOUT NOTICE

**QWN Councillor Heasman** - Definition of Privacy Screen

What is the definition of a privacy screen regarding condition of consent.

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

\*\*\*\*\*

**QWN Councillor Heasman** - Council Confidential Meeting with Corso Restaurants

Will Councillors be provided with information regarding the confidential meeting between the Corso Restaurants.

*At the request of the Mayor, the General Manager advised that this matter was facilitated by council on a confidential basis for the parties' benefit.*

\*\*\*\*\*

**QWN Councillor Lambert** - Anti Littering Laws

In view of the appalling extent of littering on the Ocean Beach during hot weather last week, what actions have Rangers taken recently to enforce anti littering laws.

Were any infringement notices issued for littering during the latter part of last week.

*At the request of the Mayor, the General Manager advised that part of the problem was people not taking litter with them, and that education has proved ineffective, enforcement will be considered.*

\*\*\*\*\*



**QWN Councillor Murphy - Dust at the Totem Site**

What steps have been taken to suppress dust and sedimentation filtration at the Totem Site and what steps are being taken to ensure the applicant is aware of their obligations.

*At the request of the Mayor, the General Manager advised that the site is regularly patrolled and the applicant is aware of his obligations.*

\*\*\*\*\*

**QWN Councillor Murphy - Guidelines for Surf Schools**

What Guidelines/Rules do the learn to surf schools on Manly Beach have to abide by? Do the instructors have any formal training/qualifications, like St Johns Ambulance Brigade, First Aid/Bronze Medallion and are they members of any organisation like Fitness NSW.

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

\*\*\*\*\*

**QWN Councillor Evans - Expected Finish Date of Corso Work**

When is the expected finish date of the work on the Corso before works close for Summer, ie the end of Phase 1. Please give expected best and worst case to Councillors. (There are constant questions from the public).

*At the request of the Mayor, the General Manager advised that the first stage would be completed by end of October or worst case the 8 November 2006.*

\*\*\*\*\*

**QWN Councillor Aird - Ranger Presence in the Manly CBD**

Would the General Manager ensure that council's resolution is implemented, with an emphasis on addressing litter and trashing beach with takeaway food and drink containers.

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

\*\*\*\*\*

**QWN Councillor Aird - North Steyne Beach Stormwater pipe**

Stormwater pipe at North Steyne Beach – will safety warning signs be erected as has recently been erected on the storm water pipe at Raglan Street, and if so when and if not – why not?

*At the request of the Mayor, the General Manager advised that a number of options are being considered to better identify the location of the pipe.*

\*\*\*\*\*

**QWN Councillor Norek - Taps on the Beach**

Are taps on the beach checked for leaks.

*At the request of the Mayor, the General Manager advised that staff have a system for the maintenance of these items.*

\*\*\*\*\*

**QWN Councillor Norek - Access to Development Applications by Councillors**

Why has the process for calling up DAs changed. DAs not being available to Councillors until they are approved.

*At the request of the Mayor, the General Manager advised that it is a matter of administrative law principle that matters such as DAs are not perceived to have been pre-judged.*

\*\*\*\*\*

**QWN Councillor Hay - Outcome of Spit Bridge Information Session**

Would Council consider paying the RTA fee of \$5,400 to access information under FOI.

*At the request of the Mayor, the General Manager advised that Council would need to examine the merits of such request if approached.*

\*\*\*\*\*

**MATTERS OF URGENCY**

Councillor Norek raised as a Matter of Urgency, the issue of the Council tender in relation to the process for the Restaurant Tender in The Corso. The Mayor ruled that this was not a Matter of Urgency and would not proceed to debate.

**CLOSE**

The meeting closed at 12.28pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 20 November 2006.

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**MAYOR**

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