

# Manly Council

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## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 17 March 2008**

*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 17 March 2008. The meeting commenced at 7:39pm.

## PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided  
Deputy Mayor, Councillor M Norek  
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 B Pedersen

## ALSO PRESENT

Henry Wong, General Manager  
Stephen Clements, Executive Manager Environmental Services  
Ross Fleming, Divisional Manager Corporate Services/Chief Financial Officer  
Anthony Hewton, Divisional Manager, Corporate Planning & Strategy  
Jennie Minifie, Branch Manager, Planning & Strategy  
Hector Abrahams, Conservation Architect  
Liz Rich, Minute Taker

## OPENING PRAYER

The Opening Prayer was presented by Rev. Mike Frost.

## APOLOGIES

Nil

## DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

<b>Name:</b>	<b>Item Number:</b>	<b>Nature of Interest:</b>
Councillor Heasman	Items for Brief Mention Report No.4, Manly Community Environment Committee, Item 9, Community Garden	Councillor Heasman's house backs onto the proposed site for the community garden.
Councillor Murphy and Councillor Aird	Planning and Strategy Division Report No.12, Comprehensive Heritage Review	Both Councillors have houses in the areas under discussion.

**CONFIRMATION OF MINUTES****MOTION (Lambert / Evans)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 18 February 2008, 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.

22/08 **RESOLVED: (Lambert / Evans)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 18 February 2008, 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 Aird, Cant, Daley, Evans, Hay, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Nil.

**PUBLIC FORUM**

NAME	SUBJECT/PUBLIC SPEAKERS
Michael Darby	Manly Mental Health Day – 30 <sup>th</sup> March, 2008.

**SUSPENSION OF STANDING ORDERS (Pedersen / Evans)**

That Standing Orders be suspended to consider items of public interest, being General Managers Division Report No.4, Council Poll of Electors on Options for the Former Seaforth TAFE Site; Planning and Strategy Division Report No.12, Comprehensive Heritage Review: Consultant's Report; and Notice of Motion Report No.6, Waste Free Elections.

23/08 **RESOLVED: (Pedersen / Evans)**

That Standing Orders be suspended to consider items of public interest, being General Managers Division Report No.4, Council Poll of Electors on Options for the Former Seaforth TAFE Site; Planning and Strategy Division Report No.12, Comprehensive Heritage Review: Consultant's Report; and Notice of Motion Report No.6, Waste Free Elections.

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

**Against the Resolution:** Nil.

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**GENERAL MANAGERS DIVISION**

General Managers Division Report No. 4

**Council Poll of Electors on Options for the Former Seaforth TAFE Site****SUMMARY**

At its meeting of 5 November 2007, Council resolved to defer making a decision on the recommendation of the Seaforth TAFE Community Reference Group until after the conduct of a poll of electors of the area. **The outcome of such a Poll is non binding on the Council.**

This report seeks to inform Council of the key issues relating to, and influencing the preparation of the upcoming Poll. It also provides Council with the opportunity to give a final signoff on a process that it had resolved to initiate by its resolution of 5 November 2007.

### **PUBLIC ADDRESSES**

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

Against the Recommendation: Mr Peter Fysh

In Support of the Recommendation: Mr Doug Price

### **MOTION (Morrison / Norek)**

That the Department of Education and Training be invited to lodge a DA for its Seaforth site that complies with the Development Control Plan (DCP) and the Local Environment Plan (LEP) for the Manly area.

### **AMENDMENT (Evans / Aird)**

That in regards to the Report on the Council Poll of Electors on Options for the Former Seaforth TAFE Site:

- 1 The Poll document be amended to present:
  - a) The options framed as questions
  - b) The question about Seaforth TAFE, question 1, should be separated out on the plebiscite paper from questions 2 and 3, and should be: "Do you support the reopening of Seaforth TAFE as an educational institution?"
  - c) If question 1 is not accepted, in question 2 there should be a reference that no guarantee can be given to the 3 storey option and that the DET proposes a minimum of 5 storeys
  - d) In the third dot point in the arguments against question 2, add at the end "with the associated safety problems."

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

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

The Amendment was declared **CARRIED** and became the Motion.

24/08 **RESOLVED: (Evans / Aird)**

That in regards to the Report on the Council Poll of Electors on Options for the Former Seaforth TAFE Site:

- 1 The Poll document be amended to present:
  - a) The options framed as questions
  - b) The question about Seaforth TAFE, question 1, should be separated out on the plebiscite paper from questions 2 and 3, and should be: "Do you support the reopening of Seaforth TAFE as an educational institution?"
  - c) If question 1 is not accepted, in question 2 there should be a reference that no guarantee can be given to the 3 storey option and that the DET proposes a minimum of 5 storeys
  - d) In the third dot point in the arguments against question 2, add at the end "with the associated safety problems."

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

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

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## PLANNING AND STRATEGY DIVISION

At 9.20pm Councillors Aird and Murphy reaffirmed their interest in Planning and Strategy Division Report No.12, Comprehensive Heritage Review: Consultant's Report, and left the Chamber.

Planning And Strategy Division Report No. 12

### **Comprehensive Heritage Review: Consultant's Report**

#### **SUMMARY**

The final report of the Comprehensive Heritage Review, entitled "*Manly's Sustainable Heritage – A Review of Heritage Strategy and Statutory Planning Controls Under the Environmental Planning Act*", prepared by Clive Lucas Stapleton and Partners, has been submitted to Council for their consideration. The report recommends five key strategic directions that will have the greatest benefit for heritage conservation in the long term for the Manly LGA.

One of the actions contained within the report is the proposal to create six new Conservation Areas. The report reviews the feedback received from residents during the two stages of the consultation process. This feedback has informed the recommendations in the report.

This covering report recommends placing the consultant's report on public exhibition for a period of one month, to provide Council with the opportunity to consider public submissions and determine the adoption of the final report at the May 2008 Planning and Strategy Meeting. This timeframe would enable the review to proceed in accordance with the proposed Manly LEP 2010 timeframe.

This report further recommends that the consideration of the individual listings be deferred until after a determination is made on the Conservation Areas and this will be the subject of a further report to Council.

#### **PUBLIC ADDRESSES**

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

Against the Recommendation: Mr Martin Hanrahan

In Support of the Recommendation: Mrs Anne Warren

#### **MOTION (Morrison / Daley)**

That Council:

1. Receive the tabled Report entitled "*Manly's Sustainable Heritage – A Review of Heritage Strategy and Statutory Planning Controls Under the Environmental Planning Act*", prepared by Clive Lucas Stapleton and Partners, and place the Report on public exhibition for a period of 5 weeks, and invite written submissions from members of the public.
2. Remove Palmerston Place, Seaforth from the Report.
3. Receive a further report following the above mentioned exhibition period that summarises public submissions and in the light of this, makes recommendations to the Council on the implementation of the consultant's Report.
4. Receive a further report on the consideration of the proposed individual items for heritage listing, after the Council has resolved on the proposed Conservation Areas.

**AMENDMENT (Lambert / Evans)**

That Council:

1. Receive the tabled Report entitled "*Manly's Sustainable Heritage – A Review of Heritage Strategy and Statutory Planning Controls Under the Environmental Planning Act*", prepared by Clive Lucas Stapleton and Partners, and place the Report on public exhibition for a period of 5 weeks, and invite written submissions from members of the public.
2. Receive a further report following the above mentioned exhibition period that summarises public submissions and in the light of this, makes recommendations to the Council on the implementation of the consultant's Report.
3. Receive a further report on the consideration of the proposed individual items for heritage listing, after the Council has resolved on the proposed Conservation Areas.

**For the Amendment:** Councillors Evans and Lambert

**Against the Amendment:** Councillors Cant, Daley, Hay, Heasman, Morrison, Norek, Pedersen and Macdonald

*Councillors Aird and Murphy were not in the Chamber having declared a conflict of interest.*

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

25/08      **RESOLVED: (Morrison / Daley)**

That Council:

1. Receive the tabled Report entitled "*Manly's Sustainable Heritage – A Review of Heritage Strategy and Statutory Planning Controls Under the Environmental Planning Act*", prepared by Clive Lucas Stapleton and Partners, and place the Report on public exhibition for a period of 5 weeks, and invite written submissions from members of the public.
2. Remove Palmerston Place, Seaforth from the Report.
3. Receive a further report following the above mentioned exhibition period that summarises public submissions and in the light of this, makes recommendations to the Council on the implementation of the consultant's Report.
4. Receive a further report on the consideration of the proposed individual items for heritage listing, after the Council has resolved on the proposed Conservation Areas.

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

**Against the Resolution:** Councillor Lambert

*Councillors Aird and Murphy were not in the Chamber having declared a conflict of interest.*

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Councillors Aird and Murphy returned to the Chamber at 10.15pm.

**NOTICES OF MOTION**

Notice of Motion Report No. 6

**Waste Free Elections**

Councillor Aird moved:

That Manly Council call upon the NSW Electoral Commission, the Australian Electoral Commission and relevant respective Ministers of State and Federal Governments (and Shadow Ministers) to:

1. Nationally prohibit the canvassing for votes and dissemination of electoral matter within 100 metres of a polling place during polling times, so as to significantly reduce adverse environmental impacts at source, by avoiding the current great waste of natural resources, and also address Climate Change concerns. Similar legislation has been successfully in place in Tasmania for over 25 years and in the A.C.T.
2. Display how-to-vote cards in voting compartments.

**PUBLIC ADDRESSES**

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

Against the Recommendation: Mr Tom Shanahan

**MOTION (Aird / Daley)**

That Manly Council call upon the NSW Electoral Commission, the Australian Electoral Commission and relevant respective Ministers of State and Federal Governments (and Shadow Ministers) to:

1. Nationally prohibit the canvassing for votes and dissemination of electoral matter within 100 metres of a polling place during polling times, so as to significantly reduce adverse environmental impacts at source, by avoiding the current great waste of natural resources, and also address Climate Change concerns. Similar legislation has been successfully in place in Tasmania for over 25 years and in the A.C.T.
2. Display how-to-vote cards in voting compartments.

**AMENDMENT (Cant / Heasman)**

That Manly Council call upon the NSW Electoral Commission, the Australian Electoral Commission and relevant respective Ministers of State and Federal Governments (and Shadow Ministers) to:

1. Nationally prohibit the dissemination of electoral matter on election day, so as to significantly reduce adverse environmental impacts at source, by avoiding the current great waste of natural resources, and also address Climate Change concerns. Similar legislation has been successfully in place in Tasmania for over 25 years and in the A.C.T.
2. Display how-to-vote cards in voting compartments.

**For the Amendment:** Councillors Cant and Heasman

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

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



26/08      **RESOLVED:      (Aird / Daley)**

That Manly Council call upon the NSW Electoral Commission, the Australian Electoral Commission and relevant respective Ministers of State and Federal Governments (and Shadow Ministers) to:

1. Nationally prohibit the canvassing for votes and dissemination of electoral matter within 100 metres of a polling place during polling times, so as to significantly reduce adverse environmental impacts at source, by avoiding the current great waste of natural resources, and also address Climate Change concerns. Similar legislation has been successfully in place in Tasmania for over 25 years and in the A.C.T.
2. Display how-to-vote cards in voting compartments.

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

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

That Standing Orders be resumed.

27/08      **RESOLVED:      (Lambert / Evans)**

That Standing Orders be resumed.

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

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## **NOTICES OF MOTION**

Notice of Motion Report No. 5

### **Council Delivery of Service Where Needed**

Councillor Norek moved:

That council initiate a complete independent external audit of current council expenditure and activities focusing on efficiency, effectiveness and accountability. Such to identify potential savings of money and resources that could be reallocated to the infrastructure improvements that are desperately required in this local government area.

### **MOTION      (Norek)**

That council initiate a complete independent external audit of current council expenditure and activities focusing on efficiency, effectiveness and accountability. Such to identify potential savings of money and resources that could be reallocated to the infrastructure improvements that are desperately required in this local government area.

The Motion **LAPSED** due to a lack of a Seconder.

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At 10.50pm Councillor Heasman reaffirmed her interest in Items for Brief Mention Report No.4, Manly Community Environment Committee, Item 9, Community Garden, and left the Chamber.

**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 4

**Items for Brief Mention****1. Minutes of Meetings without recommendations of a substantial nature:**

- i) Manly Community Safety Committee – 24 January 2008
- ii) Manly Meals on Wheels Service Committee - 13 February 2008
- iii) Manly Visitor and Community Board – 14 February 2008
- iv) Manly Youth Council – 18 February 2008
- v) Manly Access Committee – 21 February 2008

**2. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:****i) Social Plan Implementation Committee– 19 February 2008****a) Item 4.2 Social Impact Assessment (SIA)**Recommendation

This Committee would like to see any social impact assessments submitted by applicants to other agencies be made available to the Manly community. Presently, there does not appear to be any requirement to do so.

**b) Item 5.2 A.2. a.ii Sexual Health**Recommendation

This Committee recommends that:

- i. Council explores the opportunities for displaying appropriate health promotion messages targeting young people in public toilets.
- ii. Continue to work with the Liquor Accord to explore other avenues for promoting these safety messages in pubs and hotels.

**c) Item 5.4 B.1.a Information Services for ATSI Communities**Recommendation

- i. This Committee recommends that Council make representations to the Head Office of DoCS to increase its financial contribution to the implementation of the Northern Sydney Aboriginal Social Plan (NSASP) consistent with its recognition of Aboriginal people as one of the key target groups in social planning and in recognition of the regional work initiated and preparing of the NSASP by DoCS.
- ii. This correspondence should be copied to the State and Federal MP and the Federal Minister for Indigenous Affairs.

**ii) Manly Community Environment Committee – 21 February 2008****a) Item 4 Vacancies on Committee**

Recommendation

That Council confirm the appointment to the Committee of Eira Battaglia, Susan Matthews and Susan Buchan.

**b) Item 5 Environmental Levy Review and Environmental Levy 2008/09**Recommendation

- i) In addition to the funding criteria of bushland and water quality that the additional criteria of climate change be added.  
Note: this is independent of agreement or otherwise with regard to recommendations ii) and iii) below. These criteria were last reviewed in July 2002 and climate change should be a factor when considering future Levy bids.
- ii) There should be a review of existing projects funded by the Levy to enable funding of approximately \$150,000 towards an iconic climate change project.
- iii) The prototype iconic project relate to making Manly Council energy efficient and self sufficient through alternative energy sources, as the basis for a major program of community education and leadership toward greater energy efficiency and self-sufficiency in Manly homes and businesses.

**Divisional Manager's Note:**

I recommend that Council only note this resolution at this time to allow a briefing by the General Manager to occur as part of the budget process for 2007/8 in relation to the different options for funding projects which address climate change issues. This is recommended in the light of alternative resolutions being proposed by Council's Climate Change Committee eg the creation of a Climate Change Levy or to simply fund climate change projects from general revenue.

**c) Item 8.2 Australian Institute of Police Management Redevelopment**Recommendation

- i) Acknowledges the hard work which Council staff put into their excellent submission (see [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)).
- ii) Requests Council write to Ministers Garrett, Debus and Sartor requesting a further site visit, where building lines and height templates are erected and the 20 trees to be removed on the site and further clearing in the adjoining national park are marked, in accordance with the normal planning processes in Manly.
- iii) In view of significant information not being provided by AIPM prior to past decisions being made in this matter, Council to request Minister Garrett to make AIPM replies to outstanding matters publicly available prior to his making his decision.
- iv) Council calls on the Commonwealth Government to abandon the redevelopment proposal in view of the danger to threatened species.
- v) "Clr. Pedersen will raise these matters at Council as a matter of urgency."

**d) Item 9 Community Garden**Recommendation

The committee requests Council consider the former Council nursery site in Griffith Street as a more suitable location for the community garden.

**e) Item 11 Development Issues in the Low Lying Areas of Manly Local Government Area**Recommendation

That as the Manly area is at risk from the impacts of climate change and sea level rise these matters should be addressed in the current review of the Manly LEP and DCP and other Management Plans.

**MOTION (Hay / Lambert)**

1. That the recommendations of **Minutes of Meetings**, as listed in **item 1**, being **1(i) to 1(v)**, be **adopted**.

28/08 **RESOLVED: (Hay / Lambert)**

1. That the recommendations of **Minutes of Meetings**, as listed in **item 1**, being **1(i) to 1(v)**, be **adopted**.

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

**Against the Resolution:** Nil.

*Councillor Heasman was not in the Chamber having declared a conflict of interest.  
Councillor Daley was not in the Chamber when the voting took place.*

**MOTION (Lambert / Aird)**

- 2 i) That the minutes of the **Social Plan Implementation Committee – 19 February 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 4.2 Social Plan Assessment (SIA)**

Any social impact assessments submitted by applicants to other agencies be made available to Manly Council and thus to the Social Plan Implementation Committee and the Manly community. Presently, there does not appear to be any requirement to do so.

- b) **Item 5.2 A.2.a.ii Sexual Health**

- i) Council explores the opportunities for displaying appropriate health promotion messages targeting young people in public toilets.
- ii) Continue to work with the Liquor Accord to explore other avenues for promoting these safety messages in pubs and hotels.

- c) **Item 5.4 B.1. a. Information Services for ATSI Communities**

- i) This Committee recommends that Council make representations to the Head Office of DoCS to increase its financial contribution to the implementation of the

Northern Sydney Aboriginal Social Plan (NSASP) consistent with its recognition of Aboriginal people as one of the key target groups in social planning and in recognition of the regional work initiated and preparing of the NSASP by DoCS.

- ii) This correspondence should be copied to the State and Federal MP and the Federal Minister for Indigenous Affairs.

29/08 **RESOLVED: (Lambert / Aird)**

- 2 i) That the minutes of the **Social Plan Implementation Committee – 19 February 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 4.2 Social Plan Assessment (SIA)**

Any social impact assessments submitted by applicants to other agencies be made available to Manly Council and thus to the Social Plan Implementation Committee and the Manly community. Presently, there does not appear to be any requirement to do so.

- b) **Item 5.2 A.2.a.ii Sexual Health**

- i) Council explores the opportunities for displaying appropriate health promotion messages targeting young people in public toilets.
- ii) Continue to work with the Liquor Accord to explore other avenues for promoting these safety messages in pubs and hotels.

- c) **Item 5.4 B.1. a. Information Services for ATSI Communities**

- i) This Committee recommends that Council make representations to the Head Office of DoCS to increase its financial contribution to the implementation of the Northern Sydney Aboriginal Social Plan (NSASP) consistent with its recognition of Aboriginal people as one of the key target groups in social planning and in recognition of the regional work initiated and preparing of the NSASP by DoCS.
- ii) This correspondence should be copied to the State and Federal MP and the Federal Minister for Indigenous Affairs.

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

**Against the Resolution:** Nil.

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

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

**MOTION (Pedersen / Cant)**

- 2 ii) That the minutes of the **Manly Community Environment Committee – 21 February 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 4 Vacancies on Committee**

That Council confirm the appointment to the Committee of Eira Battaglia, Susan Matthews and Susan Buchan.

**30/08 RESOLVED: (Pedersen / Cant)**

- 2 ii) That the minutes of the **Manly Community Environment Committee – 21 February 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4 Vacancies on Committee**

That Council confirm the appointment to the Committee of Eira Battaglia, Susan Matthews and Susan Buchan.

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

**Against the Resolution:** Nil.

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

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

**MOTION (Pedersen / Aird)**

- 2 ii) That of the following recommendations of a substantial nature from the **Manly Community Environment Committee – 21 February 2008**, item (i) is **adopted** and items (ii) and (iii) are **noted**:

b) **Item 5 Environmental Levy Review and Environmental Levy 2008/09**

- i) In addition to the funding criteria of bushland and water quality that the additional criteria of climate change be added.  
Note: this is independent of agreement or otherwise with regard to recommendations ii) and iii) below. These criteria were last reviewed in July 2002 and climate change should be a factor when considering future Levy bids.
- ii) There should be a review of existing projects funded by the Levy to enable funding of approximately \$150,000 towards an iconic climate change project.
- iii) The prototype iconic project relate to making Manly Council energy efficient and self sufficient through alternative energy sources, as the basis for a major program of community education and leadership toward greater energy efficiency and self-sufficiency in Manly homes and businesses.

**31/08 RESOLVED: (Pedersen / Aird)**

- 2 ii) That of the following recommendations of a substantial nature from the **Manly Community Environment Committee – 21 February 2008**, item (i) is **adopted** and items (ii) and (iii) are **noted**:

b) **Item 5 Environmental Levy Review and Environmental Levy 2008/09**

- i) In addition to the funding criteria of bushland and water quality that the additional criteria of climate change be added.  
Note: this is independent of agreement or otherwise with regard to recommendations ii) and iii) below. These criteria were last reviewed in July 2002 and climate change should be a factor when considering future Levy bids.
- ii) There should be a review of existing projects funded by the Levy to enable funding of approximately \$150,000 towards an iconic climate change project.
- iii) The prototype iconic project relate to making Manly Council energy efficient and

self sufficient through alternative energy sources, as the basis for a major program of community education and leadership toward greater energy efficiency and self-sufficiency in Manly homes and businesses.

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

**Against the Resolution:** Nil.

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

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

**MOTION (Pedersen / Lambert)**

2 ii) That the following recommendations of a substantial nature from the **Manly Community Environment Committee – 21 February 2008** be adopted:

c) **Item 8.2 Australian Institute of Police Management Redevelopment**

- i) Acknowledges the hard work which Council staff put into their excellent submission (see [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)).
- ii) Requests Council write urgently to Ministers Garrett, Debus and Sartor requesting a further site visit, where building lines and height templates are erected and the 20 trees to be removed on the site and further clearing in the adjoining national park are marked, in accordance with the normal planning processes in Manly.
- iii) In view of significant information not being provided by AIPM prior to past decisions being made in this matter, Council to urgently request Minister Garrett to make AIPM replies to outstanding matters publicly available prior to his making his decision.

d) **Item 9 Community Garden**

The committee requests Council consider the former Council nursery site in Griffith Street as a more suitable location for the community garden.

e) **Item 11 Development Issues in the Low Lying Areas of Manly Local Government Area**

That as the Manly area is at risk from the impacts of climate change and sea level rise these matters should be addressed in the current review of the Manly LEP and DCP and other Management Plans.

32/08 **RESOLVED: (Pedersen / Lambert)**

2 ii) That the following recommendations of a substantial nature from the **Manly Community Environment Committee – 21 February 2008** be adopted:

c) **Item 8.2 Australian Institute of Police Management Redevelopment**

- i) Acknowledges the hard work which Council staff put into their excellent submission (see [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)).
- ii) Requests Council write urgently to Ministers Garrett, Debus and Sartor requesting a further site visit, where building lines and height templates are erected and the 20 trees to be removed on the site and further clearing in the

adjoining national park are marked, in accordance with the normal planning processes in Manly.

- iii) In view of significant information not being provided by AIPM prior to past decisions being made in this matter, Council to urgently request Minister Garrett to make AIPM replies to outstanding matters publicly available prior to his making his decision.

d) **Item 9 Community Garden**

The committee requests Council consider the former Council nursery site in Griffith Street as a more suitable location for the community garden.

e) **Item 11 Development Issues in the Low Lying Areas of Manly Local Government Area**

That as the Manly area is at risk from the impacts of climate change and sea level rise these matters should be addressed in the current review of the Manly LEP and DCP and other Management Plans.

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

**Against the Resolution:** Nil.

*Councillor Heasman was not in the Chamber having declared a conflict of interest.  
Councillor Daley was not in the Chamber when the voting took place.*

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## **CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 8

### **Amended Schedule of Meetings September & October 2008**

#### **SUMMARY**

Council at its Ordinary Meeting of 19 November 2007 adopted a Schedule of Meetings for 2008. Following the announcement that the Council elections have been brought forward two weeks to 13 September 2008, a revised schedule of proposed dates for Council and Principal Committee meetings from 1 September to 31 October 2008 is submitted to Council for adoption. Meeting dates for all other months remain unchanged.

#### **MOTION (Morrison / Hay)**

That the Revised Meeting Schedule for the period 1 September to 31 October 2008, as outlined in Corporate Services Division Report No.8, be adopted.

33/08 **RESOLVED: (Morrison / Hay)**

That the Revised Meeting Schedule for the period 1 September to 31 October 2008, as outlined in Corporate Services Division Report No.8, be adopted.

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

**Against the Resolution:** Nil.

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



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*Councillor Daley returned to the Chamber at 11pm.  
Councillor Heasman returned to the Chamber at 11.02pm.*

Corporate Services Division Report No. 9

**Report on Council Investments as at 29 February 2008**

**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 (Morrison / Pedersen)**

That the statement of Bank Balances and Investment Holdings as at 29 February, 2008 be received and noted.

34/08      **RESOLVED: (Morrison / Pedersen)**

That the statement of Bank Balances and Investment Holdings as at 29 February, 2008 be received and noted.

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

**Against the Resolution:** Nil.

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Corporate Services Division Report No. 10

**Review of Council's Investment Policy**

**SUMMARY**

Changes to legislation governing investments necessitates that Council periodically review and update its investment policy.

**MOTION (Evans / Hay)**

That Council **defer** adoption of the draft Investment Policy.

35/08      **RESOLVED: (Evans / Hay)**

That Council **defer** adoption of the draft Investment Policy.

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

**Against the Resolution:** Nil.

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**QUESTIONS WITHOUT NOTICE**

**QWN7/08 Councillor Hay** - Independent external audit of current Council expenditure

With regards to Councillor Norek's Notice of Motion raised tonight that Council initiate

a complete independent external audit of current Council expenditure, isn't it incumbent on this Council and every Council to have an independent external audit done and submitted to the Department of Local Government?

At the request of the Mayor, the General Manager advised that yes, that was correct.

**QWN8/08 Councillor Morrison - Go Get Car Share**

I was under the impression that we were going to get a report back after the one-year trial of the Go Get Car Scheme. I don't recall having seen it. Has there been one?

At the request of the Mayor, the General Manager advised that there was a contract for 3 years, which was reviewed after the first year. This review was carried out by staff administratively, but was not brought back to Council. The General Manager advised he would take it on notice as to what had happened to the report.

**QWN9/08 Councillor Pedersen - Vision for cycle racks in Stage 2 of The Corso upgrade**

The Bike Committee wanted me to ask tonight about the vision for cycle racks in Stage 2 of The Corso upgrade. What is going to be removed and what is going to be replaced?

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

**QWN10/08 Councillor Pedersen - Legal action with Steyne Hotel**

Where are we at with the legal action against the Steyne Hotel?

At the request of the Mayor, the General Manager advised that the Section 104 is still ongoing. The Steyne has been given a trial period to implement a security management plan. There are RSA officers in the building. A change in proprietor has been a turning point in the establishment.

Councillor Pedersen then asked if there had been a date set to be back in court?

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

**QWN11/08 Councillor Aird - Report on recent Council action on awnings**

Could Councillors have a report on the issue of awnings, answering such questions as what Council expenditure has there been in terms of implementing the emergency procedures? Is there any responsibility on the owners in terms of time/implementation to rectify that, and any other issues you think might be relevant?

At the request of the Mayor, the General Manager advised that he will produce such a report.

**QWN12/08 Councillor Aird - Manly Council's anti-whaling actions**

At the November 2007 Planning & Strategy meeting, there was an item on anti-whaling action for Council to support the National Day of action for whales, and to join with other northern beaches councils. Have any actions happened? We were to express our concerns to the Japanese government.

At the request of the Mayor, the General Manager advised that letters have been sent. He was not sure what the other northern beaches councils have done, but he would provide Councillor Aird with copies of the relevant correspondence.

**QWN13/08 Councillor Hay - Request for new dog litter bag dispenser at LM Graham Reserve**

Last Wednesday, the LM Graham Reserve Working Party had a site inspection, and was asked by dog walkers if another dog litter bag dispenser could be provided on the Kenneth Road side near the toilet block? There is only one at present.

At the request of the Mayor, the General Manager advised that yes another dispenser could be provided.

**MATTERS OF URGENCY****MATTER OF URGENCY (Norek)**

Councillor Norek requested that he be allowed to introduce a Matter of Urgency regarding advertising signs on shop awnings, in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice.

The Chairperson ruled that it was not a Matter of Urgency and did not allow the item to proceed.

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**CLOSE**

The meeting closed at 11.30pm.

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 21<sup>st</sup> April 2008.

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**MAYOR**

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