

Manly Council

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 1 December 2008

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7:45pm on Monday 1 December 2008, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached which are stated hereunder.

PRESENT

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

ALSO PRESENT

Henry T Wong, General Manager
Stephen Clements, Deputy General Manager, Executive Manager Environmental Services
Amanda Spalding, Deputy General Manager, Strategy and Strategic Projects
Ross Fleming, Divisional Manager Corporate Services
Anthony Hewton, Divisional Manager, Corporate Planning & Strategy
Liz Rich, Minute Taker

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

Nil.

CONFIRMATION OF MINUTES**MOTION (Hay / Heasman)**

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

PS97/08 **RESOLVED: (Hay / Heasman)**

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

Against the Resolution: Nil.

At 7.46pm, Councillor Morrison vacated the Chair for consideration of the Mayoral Minute, and the Mayor, Councillor Hay, assumed the Chair.

MAYORAL MINUTES

Mayoral Minute Report No. 11

Inaugural meeting of Australian Council of Local Government - Canberra, 18 November 2008

PUBLIC ADDRESSES

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

In Support of the Recommendation: Allan Dodd

MOTION (Hay)

That Council:

1. Write and congratulate the Prime Minister, Mr. Kevin Rudd, for establishing the Australian Council of Local Government as a mechanism for consulting with local government across Australia, and thank his government for establishing the \$300million stimulus package in response to the prevailing economic conditions, and
2. Allocate Manly Council's share of the first component of the \$300million stimulus package, equating to \$209,000, for the proposed amenities building at Keirle Park, and
3. Note and endorse the infrastructure projects the General Manager proposes to submit for funding under the second component of the Commonwealth's \$300million stimulus package.

PS98/08 **RESOLVED: (Hay)**

That Council:

1. Write and congratulate the Prime Minister, Mr. Kevin Rudd, for establishing the Australian Council of Local Government as a mechanism for consulting with local government across Australia, and thank his government for establishing the \$300million stimulus package in response to the prevailing economic conditions, and
2. Allocate Manly Council's share of the first component of the \$300million stimulus package, equating to \$209,000, for the proposed amenities building at Keirle Park, and
3. Note and endorse the infrastructure projects the General Manager proposes to submit for funding under the second component of the Commonwealth's \$300million stimulus package.

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

Against the Resolution: Nil.

At 7.58pm, the Mayor, Councillor Hay vacated the Chair and Councillor Morrison resumed the chair.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 30

Conduct Review Committee - Selection of panel members**SUMMARY**

Council's new Code of Conduct (adopted in August 2008) includes an important change to the requirements for the composition of Conduct Review Committees that previously were comprised of the General Manager, the Mayor and at least one independent person. The revised Code states that now all members of a Conduct Review Committee shall be independent persons appointed by Council. As a result SHOROC General Managers, to save on duplication and costs, agreed to jointly seek expressions of interest for a panel of independent reviewers that would be available to the four SHOROC Councils.

A selection process has taken place and a panel of 8 independent reviewers is recommended in this report for approval as Manly Council's Conduct Review Committee.

MOTION (Macdonald / LeSurf)

That the following members be appointed to Manly Council's Conduct Review Committee and that the members of the Committee be informed:

- 1) John Boland
- 2) Annette Simpson
- 3) Geoffrey Hopkins
- 4) Vic Baueris
- 5) Barry Davidow
- 6) Adam Halstead
- 7) David Clark
- 8) Emeritus Professor Derek Anderson.

PS99/08 RESOLVED: (Macdonald / LeSurf)

That the following members be appointed to Manly Council's Conduct Review Committee and that the members of the Committee be informed:

- 1) John Boland
- 2) Annette Simpson
- 3) Geoffrey Hopkins
- 4) Vic Baueris
- 5) Barry Davidow
- 6) Adam Halstead
- 7) David Clark
- 8) Emeritus Professor Derek Anderson.

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

Against the Resolution: Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 15

Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees**1. Memorandum of Understanding between North Head Sanctuary Foundation and the Sydney Harbour Federation Trust**

The Council has been informed by the President of the North Head Sanctuary Foundation, Dr Judy Lambert AM that a memorandum of understanding (MOU) between the Foundation and the Sydney Harbour Federation Trust (Trust) has now been signed. The agreement (refer to Attachment 1) sets out the shared vision of the two organizations for the former School of Artillery site on North Head. It also articulates the roles of both organizations under the agreement, and identifies the projects which the community partnership might undertake, including the establishment of a native plant nursery. Manly Council had made a submission to the Trust for the potential leasing of building/s for cultural purposes but to date has had no formal response. It is understood that the Trust has experienced a delay in progressing its leasing program.

It is recommended that Council resolve to receive and note the advice, and congratulate the North Head Sanctuary Foundation on the signing of the community partnership agreement.

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

- i) Joint Services Committee – 21 August 2008
- ii) Joint Services Committee – 20 November 2008

3. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:**i) Manly Traffic Committee – 27 October 2008****a) Item 73/08 Spit Road and Military Road – Traffic Flow Improvements**Recommendation

- 1. That Council receive and note the RTA proposed “Traffic flow improvement initiatives for Spit/Military Roads Corridor – august 2008”.
- 2. That Council request the State Member for Manly, Mr Mike Baird MP, to make representations on behalf of Council to the Minister for Roads on this matter.

b) Item 74/08 NSOOS Project – Sydney WaterRecommendation

- 1. That Council request Sydney Water to provide a feasibility report to providing access pits in the parking lane such that lane closures are not required.
- 2. That Council request Sydney Water to provide an intersection analysis for Ashburner Street and East Esplanade to demonstrate the type of control required during the proposed re-routing of the northbound traffic as a result of the proposed northbound lane closure between Ashburner Street and Wentworth Street.
- 3. That Council request Sydney Water to consider the proposed north bound lane

closure in stages and provide Council the information for assessment.

A reponse from Sydney Water relating to the recommendations proposed by the Manly Traffic Committee, 27 October 2008 - **Item 74/08 NSOOS Project** – Sydney Water, was tabled.

MOTION (Burns / Heasman)

1. That Council resolve to receive and note the advice, and congratulate the North Head Sanctuary Foundation on the signing of the community partnership agreement.
2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2(i) to 2(ii)**, be **adopted**.
- 3 i) That the minutes of the **Manly Traffic Committee - 27 October 2008** be **adopted**, including the following recommendations of a substantial nature:
 - a) **Item 73/08 Spit Road and Military Road – Traffic Flow Improvements**
 1. That Council receive and note the RTA proposed “Traffic flow improvement initiatives for Spit/Military Roads Corridor – August 2008”.
 2. That Council request the State Member for Manly, Mr Mike Baird MP, to make representations on behalf of Council to the Minister for Roads on this matter.
 - b) **Item 74/08 NSOOS Project – Sydney Water**
 1. That Council request Sydney Water to provide a feasibility report to providing access pits in the parking lane such that lane closures are not required.
 2. That Council request Sydney Water to provide an intersection analysis for Ashburner Street and East Esplanade to demonstrate the type of control required during the proposed re-routing of the northbound traffic as a result of the proposed northbound lane closure between Ashburner Street and Wentworth Street.
 3. That Council request Sydney Water to consider the proposed north bound lane closure in stages and provide Council the information for assessment.

PS100/08 RESOLVED: (Burns / Heasman)

1. That Council resolve to receive and note the advice, and congratulate the North Head Sanctuary Foundation on the signing of the community partnership agreement.
2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2(i) to 2(ii)**, be **adopted**.
- 3 i) That the minutes of the **Manly Traffic Committee - 27 October 2008** be **adopted**, including the following recommendations of a substantial nature:
 - a) **Item 73/08 Spit Road and Military Road – Traffic Flow Improvements**
 1. That Council receive and note the RTA proposed “Traffic flow improvement initiatives for Spit/Military Roads Corridor – August 2008”.
 2. That Council request the State Member for Manly, Mr Mike Baird MP, to make representations on behalf of Council to the Minister for Roads on this matter.
 - b) **Item 74/08 NSOOS Project – Sydney Water**

1. That Council request Sydney Water to provide a feasibility report to providing access pits in the parking lane such that lane closures are not required.
2. That Council request Sydney Water to provide an intersection analysis for Ashburner Street and East Esplanade to demonstrate the type of control required during the proposed re-routing of the northbound traffic as a result of the proposed northbound lane closure between Ashburner Street and Wentworth Street.
3. That Council request Sydney Water to consider the proposed north bound lane closure in stages and provide Council the information for assessment.

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

Against the Resolution: Nil.

MATTER ARISING (Aird / Burns)

That in relation to the minutes of the Manly Traffic committee – 27 October 2008:

a) **Item 73/08 Spit Road and Military Road – Traffic Flow Improvements**

1. That a report be prepared for Council's consideration detailing Council's proposal to improve traffic and public transport through this important North-South transport corridor.
2. Council to also write to the Minister for Roads on this matter

PS101/08 **RESOLVED: (Aird / Burns)**

That in relation to the minutes of the Manly Traffic committee – 27 October 2008:

a) **Item 73/08 Spit Road and Military Road – Traffic Flow Improvements**

1. That a report be prepared for Council's consideration detailing Council's proposal to improve traffic and public transport through this important North-South transport corridor.
2. Council to also write to the Minister for Roads on this matter

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

Against the Resolution: Nil.

At 8.34pm Councillor Morrison vacated the Chair and the deputy Chairperson, Councillor Murphy assumed the Chair.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 36

Playground Strategy 2009 - 2014

SUMMARY

The Playground Strategy is a five year strategy that is intended to guide the future management and development of the 30 playground sites in the Manly local government area (Manly LGA) from 2009 to 2014.

The strategy reviews past expenditure and playground developments that occurred during the period 2001 to 2008. It prioritises future works and funding of playgrounds based on an audit analysis of playground conditions, catchment demographic needs and required works.

MOTION (Hay / LeSurf)

That:

1. Council receive and note the Playground Strategy 2009-2014.
2. Staff bring back a report to the Playground Committee investigating a shade structure for the major playground at North Steyne
3. The following words are added to section 5.1 of the Playground Strategy 2009-2014 report:
“ When selecting equipment for new playgrounds, replacement or maintenance, emphasis be placed on:
a) Durability of equipment
b) Environmentally sustainable materials.”

PS102/08 RESOLVED: (Hay / LeSurf)

That:

1. Council receive and note the Playground Strategy 2009-2014.
2. Staff bring back a report to the Playground Committee investigating a shade structure for the major playground at North Steyne
3. The following words are added to section 5.1 of the Playground Strategy 2009-2014 report:
“ When selecting equipment for new playgrounds, replacement or maintenance, emphasis be placed on:
a) Durability of equipment
b) Environmentally sustainable materials.”

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

Against the Resolution: Nil.

At 9.14pm Councillor Murphy vacated the Chair and Councillor Morrison resumed the Chair.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 80

Development Applications Currently Being Processed.

SUMMARY

Development Applications currently being processed with Council.

MOTION (Macdonald / Heasman)

That the information on Development Applications currently being processed with Council be noted.

PS103/08 **RESOLVED:** (Macdonald / Heasman)

That the information on Development Applications currently being processed with Council be noted.

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

Against the Resolution: Nil.

Environmental Services Division Report No. 81

List of Current Appeals Relating to Development Applications

SUMMARY

LIST OF CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATIONS.

MOTION (Macdonald / Heasman)

That the information on the List of current Appeals relating to Development Applications be noted.

PS104/08 **RESOLVED:** (Macdonald / Heasman)

That the information on the List of current Appeals relating to Development Applications be noted.

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

Against the Resolution: Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

Civic Services Division Report No. 2

Regional Procurement (SHOROC) Tender for Supply and Delivery of Road Surfacing and Material Services

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

General Managers Division Report No. 31

Balgowlah Property Matter

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (c) (d) of the Local Government Act, 1993, on the grounds that the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; AND the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

CLOSED SESSION**MOTION (Macdonald / Hay)**

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

The Chairperson, Councillor Morrison, asked if any members of the public gallery objected to the matters being heard in Closed Session.

It is noted that no representations were received from the public gallery.

PS105/08 RESOLVED: (Macdonald / Hay)

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

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

Against the Resolution: Nil.

OPEN COUNCIL RESUMED

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

Civic Services Division Report No. 2

Regional Procurement (SHOROC) Tender for Supply and Delivery of Road Surfacing and Material Services**MOTION (Macdonald / Heasman)**

- 1) That all Tenderers be accepted for this tender as a panel tender to participating SHOROC member councils for the period 1 January 2009 to 31 December 2010, and preference be given to the following submissions:

- **Appendix B Pricing Stabilisation Of Road Pavements**
 - 1st Preference = Stabilised Pavements of Australia
 - 2nd Preference = Downer EDI Works
- **Appendix C Bitumen Sprayed Seal On Road**
 - 1st Preference = SRS Roads (Sami)
- **Appendix D Asphaltic Concrete**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral
 - 3rd Preference = SRS (Sami)
 - 4th Preference = Pioneer
- **Appendix E Cold Milling Of Asphalt And Base Course**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral
- **Appendix F Cold Milling Of Asphalt & Base Course & Asphaltic Concrete By One Contractor**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral

- 3rd Preference = SRS (Sami)
- **Appendix G Crack Sealing**
 - 1st Preference = SRS (Sami)
- **Appendix H Pavement Rejuvenation**
 - 1st Preference = SRS (Sami)
- **If the contractor is awarded both milling and Asphalt laying**
 - 1st Preference = Downer EDI Works

2) That provision be allowed for a 12 month extension based on satisfactory supplier performance which may take this tender through to 30th December 2011.

PS106/08 **RESOLVED: (Macdonald / Heasman)**

1) That all Tenderers be accepted for this tender as a panel tender to participating SHOROC member councils for the period 1 January 2009 to 31 December 2010, and preference be given to the following submissions:

- **Appendix B Pricing Stabilisation Of Road Pavements**
 - 1st Preference = Stabilised Pavements of Australia
 - 2nd Preference = Downer EDI Works
- **Appendix C Bitumen Sprayed Seal On Road**
 - 1st Preference = SRS Roads (Sami)
- **Appendix D Asphaltic Concrete**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral
 - 3rd Preference = SRS (Sami)
 - 4th Preference = Pioneer
- **Appendix E Cold Milling Of Asphalt And Base Course**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral
- **Appendix F Cold Milling Of Asphalt & Base Course & Asphaltic Concrete By One Contractor**
 - 1st Preference = Downer EDI Works
 - 2nd Preference = Boral
 - 3rd Preference = SRS (Sami)
- **Appendix G Crack Sealing**
 - 1st Preference = SRS (Sami)
- **Appendix H Pavement Rejuvenation**
 - 1st Preference = SRS (Sami)
- **If the contractor is awarded both milling and Asphalt laying**
 - 1st Preference = Downer EDI Works

2) That provision be allowed for a 12 month extension based on satisfactory supplier performance which may take this tender through to 30th December 2011.

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

Against the Resolution: Nil.

General Managers Division Report No. 31

Balgowlah Property Matter

MOTION (LeSurf / Heasman)

That Council proceed as discussed in Closed Session of Council.

PS107/08 RESOLVED: (LeSurf / Heasman)

That Council proceed as discussed in Closed Session of Council.

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

Against the Resolution: Councillors Morrison and Norek

CLOSE

The meeting closed at 10.17pm.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 2nd February 2009.

CHAIRPERSON

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