

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 6 July 2009

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7:44pm on Monday 6 July 2009, 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 D Murphy, Deputy Chairperson, who presided
Councillor M Norek
Councillor C Whitting

ALSO PRESENT

Stephen Clements, Deputy General Manager, Executive Manager, Environmental Services
Amanda Spalding, Deputy General Manager, Strategy and Strategic Projects
Ross Fleming, Chief Financial Officer, Divisional Manager Corporate Services
Liz Rich, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillors Macdonald and Morrison for non-attendance.

MOTION (Hay / Whitting)

That the apologies received from Councillors Macdonald and Morrison, be accepted and leave be granted.

PS97/09 RESOLVED: (Hay / Whitting)

That the apologies received from Councillors Macdonald and Morrison, be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Elder	Civic and Urban Services Division Report No.6 – Northern Suburbs Ocean Outfall Sewer Rehabilitation Project	Lives in area affected by project.

CONFIRMATION OF MINUTES

MOTION (Heasman / LeSurf)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 June 2009, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

PS98/09 RESOLVED: (Heasman / LeSurf)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 01 June 2009, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 12

Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees

1. Reports:

State Emergency Services (SES) Re-appointment of Volunteer Local Controller

Bernard Kates, Region Controller SES Sydney Northern Region has written to Council advising of his intention to re-appoint Mr Mark Simpson to the Local Controller's position for a further period of two years commencing 1 August 2009, and asking Council's support for the re-appointment (refer to Attachment 1).

Mr Simpson has worked cooperatively and in partnership with Council's Emergency management staff, most notably during the tragic collapse of an awning in Sydney Road and also in various storm and flood events; his re-appointment is therefore supported.

It is recommended that Council write to Mr Kates confirming its support for the re-appointment of Mr Mark Simpson to the role of Volunteer Local Controller for the Manly SES for a period of two years commencing 1 August 2009.

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

- i) Joint Services Committee – 21 May 2009
- ii) Manly Warringah Pittwater Local Emergency Management Committee – 11 June 2009
- iii) Manly Lagoon Catchment Coordinating Committee – 11 June 2009
- iv) Traffic Committee – 16 June 2009

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

i) Sustainability & Climate Change – 12 May 2009

- a) Item 5 Report – Sustainability Strategy Implementation & Sustainability

Indicators

Staff provided a presentation on the implementation status of the Manly Sustainability Strategy (MSS) and Education for Sustainability Strategy (EFSS). The presentation was requested by the Committee to help inform their discussion on the Committee's priorities for 2009-12 and therefore staff also identified a proposed list of priorities based on the implementation status of the above strategies and also based on the draft list that the Committee had brainstormed at the April meeting.

The Committee agreed to adopt the proposed priorities subject to one change, being that the Committee monitor the progress of the Carbon Neutral Plan in addition to providing input.

Recommendation

The Sustainability & Climate Change Committee recommends to the General Manager and Council that the Committee's proposed priorities for 2009-12 are considered as follows:

- i. Identify meaningful and practical sustainability (including climate change) indicators for future use in the Manly Sustainability Strategy / Integrated Strategic Plan, based on work already done by the former Manly Sustainability Strategy Management Group (MSSMG), Scientific Advisory Panel (SAP) and staff and following consideration of existing indicators used by Council.
- ii. Provide sustainability (including climate change) input into the draft Management Plan / Integrated Strategic Plan on an annual basis.
- iii. Monitor and evaluate Manly Sustainability Strategy implementation and outcomes.
- iv. Input into the formal review of the MSS – either as part of the scheduled update or in line with the integrated planning framework process.
- v. Assist Council with climate change and sustainability education e.g. provide input into updating the Education for Sustainability Strategy and priorities and the Climate Change Education Plan.
- vi. Provide input into Council's climate change adaptation planning e.g. the Climate Change Adaptation Action Plan.
- vii. Provide input into the Manly Council Carbon Neutral by 2010 and Beyond plan and monitor the plan's development and implementation.
- viii. To assist Council to lead by example to the community with respect to sustainability and climate change.
- ix. Provide strategic direction on development of a Biodiversity Strategy.
- x. Provide input into SHOROC green purchasing policy.
- xi. Advise Council on climate change and sustainability matters relevant to Council.

ii) Playground Committee – 14 May 2009

a) **Item 3 Matters Arising**

An Expression of Interest was received from Denise Mulder to sit on the Committee as a community representative. Ms. Mulder was asked to leave the room during consideration of this item.

Recommendation

The Committee recommends to Council that Denise Mulder be appointed as a

community representative on the Committee.

iii) **Art and Culture Committee – 19 May 2009**

a) **Item 4(ii) Landscape Management and Urban Design Committee**

The Deputy General Manager represented the LMUD Committee in making a presentation on Public Art and how other councils in Australia and England have incorporated Public Art into Council planning documents and ensured their funding and maintenance. The presentation included the Strategic Framework and priorities that have been agreed for the LMUD Committee for 2009-12, and the approved Laneways Strategy.

Parramatta Council's *Art in the Public Domain* program ensured that Public Art was incorporated into its DCP and this has been adapted by the City of Sydney. Wakefield in UK had instituted a 1- 2% percentage for Public Art and all developments had changed the perception of the area. All proposals had maintenance contributions as part of approval.

The document 'Beyond The Corso' that identifies laneways where Public Art's role could enliven spaces and contribute to "place making" was circulated.

4 (i) Public Art in Manly

The 1997 Leasing of Public Sculpture Program and the 2006 *Public Art in Manly* brochure were discussed. The major problem with leasing was the amount of maintenance funds that were required to ensure the artworks could be returned in good condition at the end of the lease period.

4 (ii) Additional Presentation from LMUD representative on Public Art

The Deputy Chair of the LMUD Committee also made a presentation and said that there is a need to be more directive in the design stages of commissioning of artworks and the corrosive nature of Manly's environment must be considered.

Guiding principles of commissioning Public Art:

- 1. Acknowledge the locality as art itself** – incorporate texture, landforms, natural materials.
- 2. Distinguish between place and space:** Space becomes place through architecture. Actively engage the community and distinguish between "extraverted" spaces (The Corso) and "introverted" (Gilbert Park). Utilize ephemeral art as it is cost effective.
- 3. Recognise your objectives** – declutter main areas; place art in laneways and back areas; use art to tell stories; use art as gateways and destinations.

Recommendation

The Art and Culture Committee request that the LMUD Committee invites members of the Art and Culture Committee to attend meetings that may be held in the future to consider Public Art in major developments.

The Committee recommends to Council that Public Art be included in its priorities and be scheduled on meeting agendas appropriately.

iv) **Manly Scenic Walkway Committee – 19 May 2009**

a) Item 3 Matters Arising

An application was received by the Chair from Mr Derek Macintosh to sit on the committee; there is one vacancy on the committee for a community representative.

The Committee considered the application after Mr Macintosh left the room.

Recommendation

That the Committee recommends to the General Manager that Derek Macintosh be appointed to the vacant community representative position on the committee.

b) Item 4 Report – Manly Scenic Walkway Track inspection and Project Development.

The following projects identified in the report were discussed and considered by the committee :

1. Widen the footpath along the seawall at North Harbour Reserve. The committee recommended that this be addressed in the North Harbour Coastal Management Plan. **This project was agreed as the Committee's top priority.**
2. Undertake repairs to storm water outlet and stacked sandstone retaining wall between Forty Baskets Beach and the National Park.
3. Undertake the restoration of the walking track between Dobroyd Head and Clontarf Reserve. **This was clarified as Ogilvy Road steps to Dobroyd Head.**
4. Undertake landscape improvements to the section of walkway at the Beatrice St entrance to the track.
5. Construct a concrete footpath from Clontarf Reserve to Sandy Bay in the same style as the path from Federation Point to Lauderdale Avenue.
6. Improve aquatic habitat at Fisher Bay by planting mangroves.

Recommendation

That the Committee recommends to the General Manager.

1. That a report that costs the resources required to fulfil the works, be submitted prior to committee requesting resources be allocated from Council.
2. That feedback and advice from the Natural Resources section be sought on Grant funding that may be available For The North Harbour Coastal Management Plan and related projects.
3. That the Harbour Foreshore and Coastline Management Committee be requested to comment on the proposal to incorporate steps to the mud flat at North Harbour Reserve.

c) Item 6 Report National Parks & Wildlife Service Presentation to the Committee on Track Works Undertaken.

The NPWS updated the Committee, on recent works completed and issues that

have arisen.

Fox Baiting at North Head is proposed because foxes are now a problem to Bandicoots.

National Parks & Wildlife Service has received funding for upgrading of the Manly Scenic Walkway within the National Park a large amount of work has been carried out by National Parks to improve the quality of the walk.

National Parks will provide a copy of the map locating the works and a breakdown report of works carried out from the funding received, as an update for the next meeting.

Recommendation

The Committee received and noted the report

d) Item 7 Brochure and Signage Review

The production of the current MSW brochure and signage was discussed. There have been some significant changes to the walkway that mean the current signage is out of date. In 2008 a community organisation called the Walking Volunteers completed a project to develop a network of walking tracks from Palm Beach to Cronulla and produced brochures for each section.

In the Manly section a walking track has been developed from Manly Beach to Manly Wharf via North Head. This new section links in with the existing Manly Scenic Walkway route. As this track is now being promoted, the current MSW signage needs to be updated to include the new walking tracks at North Head.

Whilst the brochures have been modified to include the new walking routes, Council's General Manager has requested that the design of the brochure be reviewed by Council's Graphic Designer.

Recommendation

The Committee recommends to the General Manager that the draft format from Council's Graphic Designer come back to the Committee for comment prior to proceeding to print.

e) Item 8 Report - 21ST Anniversary of The Manly Scenic Walkway

The Committee discussed the possibilities for celebrating the anniversary, including possibilities like having a show type bag to celebrate the event rather than perhaps a one day event.

The Committee suggest that the event take place in late September 2009 and in consultation with National Parks and Wildlife Services.

Recommendation

The Committee recommends that this item be referred to the General Manager for consideration because the allocation of staff time and resources from the Events Team would be required.

v) Waste Committee – 20 May 2009**a) Item 3 Matters Arising (Matter 1)**

The Committee asked why the Vegetation Bin Report deferred from the last Waste Committee meeting was not on this meeting's agenda. The report was not put on the agenda as it had been decided by Council at the Budget Meeting that Council will issue a vegetation bin to all single dwellings in the LGA.

Recommendation

The General Manager is requested to provide a report detailing the vegetation bin rollout for the next Waste Committee meeting.

b) Item 3 Matters Arising (Matter 2)

The Committee discussed the current public place bins and the importance of their placement and signage to help achieve the highest level of recycling possible. They also discussed the use of a "reverse vending" recycling unit in Manly.

Recommendation

The General Manager be requested to arrange for a report on public place bins to be developed and presented to the next Waste Committee meeting, and arrange for the waste educators to investigate the "reverse vending" recycling unit and report back to the next Waste Committee meeting on 15 July 2009.

c) Item 3 Matters Arising (Matter 3)

The Committee discussed the importance of educating the community on ways to reduce waste.

Recommendation

The General Manager be requested to arrange for staff to investigate the following: promotion of websites such as www.reuseit.org.au and www.freecycle.org on Council's waste, recycling and clean-up calendar; issuing of waste information packs to real estate agents to issue to renters; presentation of waste education workshops to ESL schools in the LGA; current trial of collection of kitchen waste by Zero Waste, S.A.

d) Item 4 Report – Analysis of Regional Council and Industry Partnership e-waste Collection.

The Committee discussed the joint industry and council e-waste recycling collection that occurred on the weekend of the 18th and 19th of October 2008. The Committee was informed of the price differential between recycling e-waste and disposing it in landfill, and expressed a preference for extended producer responsibility from manufacturers of electronic goods.

Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require producers of electronic goods, in particular television and computer manufactures, to take responsibility for their products once they reach end of life.

e) Item 5 Report – Waste Avoidance and Resource Recovery (Container Recovery) Bill 2008

This bill proposes to introduce in NSW, a deposit scheme for beverage containers if the targets set by the National Packaging Covenant (2005) are not met. The Committee discussed the Bill and were supportive of it.

Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require the manufactures of beverage containers to participate in a container deposit scheme, which would result in numerous environmental benefits including increasing recycling rates of beverage containers and reducing litter.

vi) Sustainable Economic Development and Tourism Committee – 21 May 2009

a) Item 6 Manly Mainstreet Centre Management Report – including a presentation on a proposed Surf Festival

The Centre Manager presented her report including confidential information about new leases and vacant properties.

The presentation for a proposed Surf Festival for Manly was very well received by the Committee. Sponsorship of \$20,000 is already in place. It is proposed that it would be a small event in 2009 and larger in 2010. Finding a date in Manly's very busy events calendar has been difficult.

The Centre Manager proposes to coordinate the event, and requested Council's assistance on operational and regulatory issues.

Recommendation

The Committee requests the General Manager to consider Council support for the event on operational and regulatory issues.

vii) Surf Club Liaison Working Group – 9 June 2009

a) Item 7 General Business – North Steyne Surf Life Saving Club

The Mayor congratulated the President of North Steyne SLSC on the National award for the cleanest beach.

The development of a banner was discussed and it was noted that it should acknowledge the National Award for the Cleanest Beach and inform the community of the criteria for achieving this award.

Recommendation

North Steyne SLSC will develop the banner and liaise with Council regarding its completion and display.

Manly as a National Surfing Reserve was discussed in relation to acknowledging people who have been successful in both State and National titles. The Chair reported that the General Manager has agreed to Council preparing a submission to the Department of Lands for reserve status.

There was a discussion regarding plaques to recognise successful surfing and surf life saving competitors and the criteria for this. The Queenscliff SLSC representatives will liaise with the Clubs regarding a legends' walk and the recognition for past accomplishments.

To inform Council that the Surf Life Savings Clubs support the proposal for application for the National Surfing Reserve.

viii) **Harbour Foreshores & Coastline Management Committee – 9 June 2009**

a) **Item 5 Business Arising From Previous Meeting**

EOI for Membership Clontarf Precinct (verbal)

Council received correspondence from Clontarf Precinct expressing an interest in nominating a member for the Committee. Clontarf Precinct nominated Carlo Bongarzoni as the proposed Precinct's representative. Carlo had been an active member in Council's 'Clontarf-Bantry Bay Estuary Management Working Group'.

Inclusion of the additional community representative will require modifications in Terms of Reference of the Committee.

Cathedral Rock Options Report

The natural overhang known as 'Cathedral Rock' was identified as posing risk to public safety. The site is also known as having Aboriginal Heritage Significance. A report was provided and a presentation was made to describe and discuss five remedial options.

Various options, engineering advice and advice from Aboriginal Heritage Office (AHO) were considered. The Committee resolved to recommend the option of facilitated controlled drop with a supporting communication strategy to inform the community of the various stages of work. Grant funding is already available to implement the agreed option.

Options to address usability of Clontarf Swimming Enclosure

A total of four different options were presented during the last HFCMC meeting to address siltation at Clontarf Swimming Enclosure.

Staff sought feedback from Clontarf Precinct which was received and circulated at the meeting. Clontarf Precinct favoured option 1 (dredging) assuming that dredging would be required every 3-5 years instead of annual dredging or option 3 (extending the enclosure to deeper water). Clontarf Precinct also proposed a new option to construct concrete pool replacing the existing pool.

Option 3 (extending the enclosure to deeper water) was agreed. The Committee also noted that Council is not in a position at this stage to fund and implement any of the recommended options.

Recommendation

The Committee recommends to the General Manager and Council that:

- 1) Carlo Bongarzoni be appointed as a Community Representative to represent the Clontarf Precinct;
- 2) The Terms of Reference be modified to include an additional community representative, resulting in a total of 18 members and a required quorum of

10 members;

- 3) Council facilitate a controlled drop of the Cathedral Rock to remove the level of risk posed at the location after:
 - a) obtaining necessary S90 permit in consultation with AHO;
 - b) dissemination of information about the planned work through Precinct newsletters;
 - c) signage at site.
- 4) Upon budget availability, Option 3 (extending the enclosure to deeper water) is undertaken to address siltation problem and usability at Clontarf Swimming Enclosure. Staff to undertake further investigations in consultation with NSW Maritime including impact on mooring dislocation.
- 5) The General Manager is requested to approve staff efforts to seek external funding from NSW Maritime and/or DECC.

b) Item 6 Business Referred to the Committee from Council Meetings

Manly Cove East - Pontoon Platform Report

The report containing risk assessment, environmental assessment, design options and cost estimates of a number pontoon/platform structures proposed to be built within the existing netted swimming enclosure that will facilitate jumping off into the water was discussed. The Committee concluded that, as a result of risk issues, none of the structures are suitable to be located at the existing netted swimming enclosure to provide as a source of entertainment and excitement for youth.

Use of Manly Civic Club Sand for Beach Nourishment Purposes

A report was received in response to a Council resolution to look at the possibility of purchasing sand from the Manly Civic Club redevelopment, to be used for beach nourishment on Little Manly Beach.

Having reviewed the geotechnical information that relates to the site the Committee concluded that it may not be environmentally appropriate to utilise the sand for beach nourishment due the high probability of contamination of the spoil material resulting from past land uses.

Various legislative requirements including Council's current policy were considered. Sydney Coastal Councils Group is undertaking a scoping study for the extraction of offshore sand reserves for beach nourishment and beach nourishment activities of Warringah Council.

The Committee moved to reconsider the existing Council Policy preventing the use of excavated development material for beach nourishment purposes, requesting that a report be presented to the August 2009 meeting for consideration. The report is to outline quality assurance issues and outline criteria utilised by other councils when placing excavated material onto beaches.

Update on Manly Council's Support for a proposed Sydney Marine Park

The Committee received copies of correspondence relating to Council resolution [187/08] to publicly support the creation of Sydney Marine Park including Council's outgoing letter and response from the NSW National Parks and Wildlife Service informing that the NSW Government has no plans for additional marine parks at this time.

Recommendation

The Committee recommends to the Council that:

- 1) Council does not proceed with the provision of a pontoon/platform, for jumping off into the water, between the two centre poles that support the existing netted Manly Cove swimming enclosure, due to risk and environmental issues;
- 2) The Committee rejects the use of excavated fill from Manly Civic Club redevelopment based on potential contamination issues;
- 3) That the General Manager be requested to provide a report as soon as possible outlining issues relating to the use of excavated borrow from construction sites for beach nourishment purposes. The report to outline quality assurance issues and criteria utilised by other councils when placing excavated material onto beaches.

a) Item 8 Report – Fisher Bay Mangrove Restoration Project

A presentation was given on the progress of the project, which is identified as high priority management option (No. AH3.2) in the Council adopted Clontarf/Bantry Bay Estuary Management Plan.

Recommendation

The Committee recommends to the Council that:

- 1) The Committee supports proposals for Stages II and III of the Fisher Bay Mangrove Expansion Project.
That the General Manager be requested to present this report to Council for approval.

ix) Community Environment Committee – 10 June 2009**a) Item 4 MATTERS ARISING – Terms of Reference**Recommendation

The Committee requests that the General Manager agree to the removal of the NSW National Parks and Wildlife representative from membership of the Committee, but that NPWS be sent the agendas for meetings so that an observer can attend when possible.

General Manager's Note:

The General Manager does not agree to the removal of the representative from National Parks and Wildlife being removed from the Committee. The involvement of State Agencies in Council's Advisory Committees is an invaluable resource and aids communications between Council and the State Government as well as improving coordination on the ground.

b) Item 5.3 Community Reference Group

As a number of developments over recent years have had the potential to significantly impact on Penguins, these concerns were brought to the attention of Council through the operation of a Community Reference Group. Council has advised that this group will not be reformed. Just as development applications are

forwarded to representatives of the Heritage Committee and Precinct Chairs, the committee requests that all development applications in Critical Habitat or on Manly Cove's foreshore should be forwarded to the Penguin Warden Representative for penguin specific comment.

Recommendation

In the absence of the Community Reference Group, and in order to provide penguin warden input (beyond that provided by Natural Resource staff), this committee requests the General Manager be requested to advise the head penguin Warden in Manly of all development applications in Penguin Critical Habitat.

General Manager's Note:

This matter relates to the administration of the Development Application assessment, notification and approval process and as such is an operational matter.

All Development Applications that come into Council where the property falls within a State Government declared critical habitat (in Manly's case for our endangered population of Little Penguins) are referred as a standard operational business practice within Council from the Development Assessment Unit (DAU) to a professional member of Council's Natural Resource Team who ensures such DAs are conditioned appropriately in the light of the property being within declared critical habitat. This work is done in an integrated way with the conditions applied from an urban planning perspective by the DAU as well.

Furthermore all Development Applications that are within or likely to impact on declared critical habitat are referred by DAU to the Department of Environment and Climate Change, in the case that Council intends to approve the application. Where critical habitat is involved Council cannot approve the DA without the Department's concurrence and general terms of approval (i.e. conditions).

I acknowledge the Department of Environment and Climate Change Volunteer Penguin Wardens have an important role to play in protecting and monitoring our local Little Penguin population. They are free on an equitable basis, as all citizens, to lodge submissions in relation to any development applications.

Sufficient transparency exists with Council's online and media display of publically available information about DAs before Council.

A further consideration is the proposed introduction of an additional layer of administration to DA notifications relating to critical habitat outside of what exists would also add to the time to reach a determination.

Given the above I cannot support this recommendation.

c) Item 7 Quarantine Station

Recommendation

The General Manager be requested to arrange for a report to be prepared for a future meeting in accordance with the Committee's agreed priorities on the impacts of any future proposals which may result in waiving any of the conditions imposed by the original approval for the Q Station.

d) Item 8 Sydney Marine Park

The proposed representative from the National Parks Association (NPA) was unable to attend the meeting to give a presentation on this issue. She tendered her apologies for this meeting and the next few months. As the support of N.S.W. for the Commonwealth Marine Parks process has not been comparable to other states, she requested our immediate support for the Marine Parks concept by sending an e-letter to the Premier; see www.marine.org.au/lobbyform.htm.

There is an excellent description of NPA's concept in their report "The Torn Blue Fringe" at www.marine.org.au/marineparks7.htm.

Council's letter of support last year for the Sydney Marine Park concept, addressed to the Minister of the Environment, was re-tabled at the meeting and briefly discussed.

NSW Fisheries had indicated at Cabbage Tree Bay meetings last year that they would provide support for the extension of the North (Sydney) Harbour Aquatic Reserve as part of the Marine Parks process.

Recommendation

That the General Manager be requested to provide an overview report on Council's support for the Sydney Marine Park for a future meeting in accordance with the Committee's approved priorities.

e) Item 9 Environmental Levy

The Environmental Levy papers will be re-sent to committee members so that they can study the various programs in preparation for the August meeting.

Recommendation

That the General Manager be requested to provide a report on an overview of the past 10 years' levy expenditure for the August meeting.

x) Community Safety Committee – 11 June 2009

a) Item 4.2 Graffiti

Council is in receipt of two claims for the graffiti reward scheme relating to the graffiti incident at Little Manly Kiosk.

In this incident, a young male admitted guilt, and he was formally cautioned by Manly Police under the Young Offenders Act for malicious damage to the kiosk.

Council's resolution of 4th May 2009 was that Council:
"publicise and continue to offer a monetary reward of up to \$1,000 upon the conviction of a graffiti vandal for their crime".

Research indicates that offenders of graffiti vandalism are predominantly young offenders, and if apprehended would not be convicted, but would be dealt with under the Young Offenders Act.

The following recommendation was therefore made:

Recommendation

That Council consider extending the graffiti reward scheme to be payable for

information leading to a criminal proceeding resulting in any of the following:

- a conviction
- a formal caution under the Young Offenders Act, or
- a juvenile justice conference under the Young Offenders Act.

General Manager's Note

While the principle of the recommendation is sound, the proposed change to policy needs further analysis as the standard of proof for the reward proposed is far less than what is required in a trial.

Therefore it is important for Council to receive a staff report on the issue. Such a report would provide proper analysis on the likely effectiveness of the use of caution vs verdict in judgement to on the psychology of graffiti vandals and therefore the likely result in terms of anti-graffiti outcomes.

I also would take the opportunity to undertake a comprehensive review of the currency policy with the view to devise a range of incentives for reporting graffiti crimes made against public property.

Recommendation to Council

That the General Manager be requested to prepare a report to Council on a new policy on the offer of public rewards offers for the reporting of, conviction, and official cautions against persons involved in graffiti crimes committed or made against public properties.

b) Item 7 Report - Draft Crime Prevention Plan

Following guidance from the NSW Attorney General's Department, letter of support from MDECC and consideration of BOCSAR data, the Committee recommended:

Recommendation

- That the Committee recommends to Council that Council supports the selection of Alcohol-related Assault (non-Domestic-violence related) as the priority crime for the draft Manly Crime Prevention Plan (CPP) for endorsement by NSW Attorney General's Department.
- That actions and strategies for the CPP be developed in consultation with the Community Safety Committee.
- That a working party be formed to advise Council on the CPP.
- That a community awareness strategy be incorporated as part of the development of the CPP.
- That additional crime priorities be considered for inclusion in a 'Community Safety Plan' to be prepared, implemented and funded by Council and its partners.
- That an invitation be extended to the Magistrate of Manly Court to present to the Community Safety Committee at a future meeting in accordance with the Committee's priorities.

That the General Manager be requested to arrange for the Council's Road Safety Officer to present to a future Committee meeting in accordance with the agreed priorities.

c) Item 10.1 Young People and Binge Drinking

The NSW Member for Manly has supported a funding submission which involves Manly Youth Council and Northern Beaches Health Promotion. Research has shown that young people in the Northern Beaches are involved in high levels of binge drinking resulting in alcohol related injury, assault and crime. The submission has been put to the Minister for Juvenile Justice with the aim of engaging high schools to build capacity around binge drinking health promotion.

The Committee would like to consider how to engage youth in considering their use of alcohol, and this issue could be addressed at a future meeting.

Recommendation

That the General Manager be requested to arrange for a report to be provided to a future Committee meeting, in accordance with the Committee's priorities, so that the Committee can discuss the matter of young people and binge drinking.

MOTION (Heasman / Hay)

1. That Council write to Mr Kates confirming its support for the re-appointment of Mr Mark Simpson to the role of Volunteer Local Controller for the Manly SES for a period of two years commencing 1 August 2009.

PS99/09 **RESOLVED: (Heasman / Hay)**

1. That Council write to Mr Kates confirming its support for the re-appointment of Mr Mark Simpson to the role of Volunteer Local Controller for the Manly SES for a period of two years commencing 1 August 2009.

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

Against the Resolution: Nil.

MOTION (LeSurf / Heasman)

- 2 i) That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i to 2iii**, be **adopted**.

PS100/09 **RESOLVED: (LeSurf / Heasman)**

- 2 i). That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i to 2iii**, be **adopted**.

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

Against the Resolution: Nil.

MOTION (Heasman / Hay)

- 2 ii) That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2iv Traffic Committee**, be **adopted**, apart from item 57/09 which be **DEFERRED** until a full survey of the residents of Glade Street is conducted.

PS101/09 **RESOLVED: (Heasman / Hay)**

- 2 ii) That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2iv Traffic Committee**, be **adopted**, apart from item 57/09 which be **DEFERRED** until a full survey of

the residents of Glade Street is conducted.

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

Against the Resolution: Nil.

MOTION (Hay / Burns)

2 iii) In future all draft minutes of Advisory Committees be sent to the Chair of each Committee for their confirmation before coming to Council for adoption.

PS102/09 **RESOLVED: (Hay / Burns)**

2 iii) In future all draft minutes of Advisory Committees be sent to the Chair of each Committee for their confirmation before coming to Council for adoption.

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

Against the Resolution: Nil.

MOTION (Griffin / Heasman)

3 i) That the minutes of the **Sustainability & Climate Change Committee – 12 May 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5 Sustainability Strategy Implementation & Sustainability Indicators**

Recommendation

The Sustainability & Climate Change Committee recommends to the General Manager and Council that the Committee's proposed priorities for 2009-12 are considered as follows:

- i. Identify meaningful and practical sustainability (including climate change) indicators for future use in the Manly Sustainability Strategy / Integrated Strategic Plan, based on work already done by the former Manly Sustainability Strategy Management Group (MSSMG), Scientific Advisory Panel (SAP) and staff and following consideration of existing indicators used by Council.
- ii. Provide sustainability (including climate change) input into the draft Management Plan / Integrated Strategic Plan on an annual basis.
- iii. Monitor and evaluate Manly Sustainability Strategy implementation and outcomes.
- iv. Input into the formal review of the MSS – either as part of the scheduled update or in line with the integrated planning framework process.
- v. Assist Council with climate change and sustainability education e.g. provide input into updating the Education for Sustainability Strategy and priorities and the Climate Change Education Plan.
- vi. Provide input into Council's climate change adaptation planning e.g. the Climate Change Adaptation Action Plan.
- vii. Provide input into the Manly Council Carbon Neutral by 2010 and Beyond plan and monitor the plan's development and implementation.
- viii. To assist Council to lead by example to the community with respect to sustainability and climate change.
- ix. Provide strategic direction on development of a Biodiversity Strategy.
- x. Provide input into SHOROC green purchasing policy.

- xi. Advise Council on climate change and sustainability matters relevant to Council.

PS103/09 **RESOLVED:** (Griffin / Heasman)

- 3 i) That the minutes of the **Sustainability & Climate Change Committee – 12 May 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5 Sustainability Strategy Implementation & Sustainability Indicators**

Recommendation

The Sustainability & Climate Change Committee recommends to the General Manager and Council that the Committee's proposed priorities for 2009-12 are considered as follows:

- i. Identify meaningful and practical sustainability (including climate change) indicators for future use in the Manly Sustainability Strategy / Integrated Strategic Plan, based on work already done by the former Manly Sustainability Strategy Management Group (MSSMG), Scientific Advisory Panel (SAP) and staff and following consideration of existing indicators used by Council.
- ii. Provide sustainability (including climate change) input into the draft Management Plan / Integrated Strategic Plan on an annual basis.
- iii. Monitor and evaluate Manly Sustainability Strategy implementation and outcomes.
- iv. Input into the formal review of the MSS – either as part of the scheduled update or in line with the integrated planning framework process.
- v. Assist Council with climate change and sustainability education e.g. provide input into updating the Education for Sustainability Strategy and priorities and the Climate Change Education Plan.
- vi. Provide input into Council's climate change adaptation planning e.g. the Climate Change Adaptation Action Plan.
- vii. Provide input into the Manly Council Carbon Neutral by 2010 and Beyond plan and monitor the plan's development and implementation.
- viii. To assist Council to lead by example to the community with respect to sustainability and climate change.
- ix. Provide strategic direction on development of a Biodiversity Strategy.
- x. Provide input into SHOROC green purchasing policy.
- xi. Advise Council on climate change and sustainability matters relevant to Council.

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

Against the Resolution: Nil.

MOTION (Hay / Elder)

- 3ii) That the minutes of the **Playground Committee – 14 May 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 3 Matters Arising**

Recommendation

The Committee recommends to Council that Denise Mulder be appointed as a community representative on the Committee.

PS104/09 **RESOLVED:** (Hay / Elder)

3ii) That the minutes of the **Playground Committee** – 14 May 2009 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 3 Matters Arising**

Recommendation

The Committee recommends to Council that Denise Mulder be appointed as a community representative on the Committee.

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

Against the Resolution: Nil.

MOTION (Heasman / LeSurf)

3iii) That the minutes of the **Art and Culture Committee** – 19 May 2009 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4(ii) Landscape Management and Urban Design Committee**

Recommendation

The Art and Culture Committee request that the LMUD Committee invites members of the Art and Culture Committee to attend meetings that may be held in the future to consider Public Art in major developments.

The Committee recommends to Council that Public Art be included in its priorities and be scheduled on meeting agendas appropriately.

PS105/09 **RESOLVED:** (Heasman / LeSurf)

3iii) That the minutes of the **Art and Culture Committee** – 19 May 2009 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4(ii) Landscape Management and Urban Design Committee**

Recommendation

The Art and Culture Committee request that the LMUD Committee invites members of the Art and Culture Committee to attend meetings that may be held in the future to consider Public Art in major developments.

The Committee recommends to Council that Public Art be included in its priorities and be scheduled on meeting agendas appropriately.

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

Against the Resolution: Nil.

MOTION (Hay / Elder)

3iv) That the minutes of the **Manly Scenic Walkway Committee** – 19 May 2009 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 3 Matters arising**Recommendation

That the committee recommends to the General Manager that Derek Macintosh be appointed to the vacant community representative position on the committee.

b) **Item 4 Report – Manly Scenic Walkway Track inspection and Project Development.**Recommendation

That the Committee recommends to the General Manager.

1. That a report that costs the resources required to fulfil the works, be submitted prior to committee requesting resources be allocated from Council.
2. That feedback and advice from the Natural Resources section be sought on Grant funding that may be available For The North Harbour Coastal Management Plan and related projects.
3. That the Harbour Foreshore and Coastline Management Committee be requested to comment on the proposal to incorporate steps to the mud flat at North Harbour Reserve.

c) **Item 6 Report National Parks & Wildlife Service Presentation to the Committee on Track Works Undertaken**Recommendation

The Committee received and noted the report.

d) **Item 7 Brochure and Signage Review**Recommendation

The Committee recommends to the General Manager that the draft format from Council's Graphic Designer come back to the Committee for comment prior to proceeding to print.

e) **Item 8 Report - 21ST Anniversary of The Manly Scenic Walkway**Recommendation

The Committee recommends that this item be referred to the General Manager for consideration because the allocation of staff time and resources from the Events Team would be required.

PS106/09 **RESOLVED: (Hay / Elder)**

3iv) That the minutes of the Manly Scenic Walkway Committee – 19 May 2009 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 3 Matters arising**Recommendation

That the committee recommends to the General Manager that Derek Macintosh be appointed to the vacant community representative position on the committee.

b) **Item 4 Report – Manly Scenic Walkway Track inspection and Project Development.**

Recommendation

That the Committee recommends to the General Manager.

1. That a report that costs the resources required to fulfil the works, be submitted prior to committee requesting resources be allocated from Council.
2. That feedback and advice from the Natural Resources section be sought on Grant funding that may be available For The North Harbour Coastal Management Plan and related projects.
3. That the Harbour Foreshore and Coastline Management Committee be requested to comment on the proposal to incorporate steps to the mud flat at North Harbour Reserve.

c) **Item 6 Report National Parks & Wildlife Service Presentation to the Committee on Track Works Undertaken**

Recommendation

The Committee received and noted the report.

d) **Item 7 Brochure and Signage Review**

Recommendation

The Committee recommends to the General Manager that the draft format from Council's Graphic Designer come back to the Committee for comment prior to proceeding to print.

e) **Item 8 Report - 21ST Anniversary of The Manly Scenic Walkway**

Recommendation

The Committee recommends that this item be referred to the General Manager for consideration because the allocation of staff time and resources from the Events Team would be required.

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

Against the Resolution: Nil.

MOTION (LeSurf / Whitting)

3v) That the minutes of the Waste Committee – 20 May 2009 be adopted, including the following recommendations of a substantial nature:

a) **Item 3 Matters Arising (Matter 1)**

Recommendation

The General Manager be requested to provide a report detailing the vegetation bin rollout for the next Waste Committee meeting.

b) **Item 3 Matters Arising (Matter 2)**

Recommendation

The General Manager be requested to arrange for a report on public place bins to be developed and presented to the next Waste Committee meeting, and arrange for the waste educators to investigate the “reverse vending” recycling unit and report back to the next Waste Committee meeting on 15 July 2009.

c) **Item 3 Matters Arising (Matter 3)**

Recommendation

The General Manager be requested to arrange for staff to investigate the following: promotion of websites such as www.reuseit.org.au and www.freecycle.org on Council’s waste, recycling and clean-up calendar; issuing of waste information packs to real estate agents to issue to renters; presentation of waste education workshops to ESL schools in the LGA; current trial of collection of kitchen waste by Zero Waste, S.A.

d) **Item 4 Report – Analysis of Regional Council and Industry Partnership e-waste Collection.**

Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require producers of electronic goods, in particular television and computer manufactures, to take responsibility for their products once they reach end of life.

e) **Item 5 Waste Avoidance and Resource Recovery (Container Recovery) Bill 2008**

Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require the manufactures of beverage containers to participate in a container deposit scheme, which would result in numerous environmental benefits including increasing recycling rates of beverage containers and reducing litter.

PS107/09 **RESOLVED: (LeSurf / Whitting)**

3v) That the minutes of the **Waste Committee – 20 May 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 3 Matters Arising (Matter 1)**

Recommendation

The General Manager be requested to provide a report detailing the vegetation bin rollout for the next Waste Committee meeting.

b) **Item 3 Matters Arising (Matter 2)**Recommendation

The General Manager be requested to arrange for a report on public place bins to be developed and presented to the next Waste Committee meeting, and arrange for the waste educators to investigate the “reverse vending” recycling unit and report back to the next Waste Committee meeting on 15 July 2009.

c) **Item 3 Matters Arising (Matter 3)**Recommendation

The General Manager be requested to arrange for staff to investigate the following: promotion of websites such as www.reuseit.org.au and www.freecycle.org on Council’s waste, recycling and clean-up calendar; issuing of waste information packs to real estate agents to issue to renters; presentation of waste education workshops to ESL schools in the LGA; current trial of collection of kitchen waste by Zero Waste, S.A.

d) **Item 4 Report – Analysis of Regional Council and Industry Partnership e-waste Collection.**Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require producers of electronic goods, in particular television and computer manufactures, to take responsibility for their products once they reach end of life.

e) **Item 5 Waste Avoidance and Resource Recovery (Container Recovery) Bill 2008**Recommendation

The Committee recommends to Council that it continues to lobby State and Federal Government to put into effect regulations that require the manufactures of beverage containers to participate in a container deposit scheme, which would result in numerous environmental benefits including increasing recycling rates of beverage containers and reducing litter.

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

Against the Resolution: Nil.

MOTION (Griffin / Hay)

3vi) That the minutes of the **Sustainable Economic Development and Tourism Committee – 21 May 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 6 Manly Mainstreet Centre Management Report – including a presentation on a proposed Surf Festival**Recommendation

The Committee requests the General Manager to consider Council support for the

event on operational and regulatory issues.

PS108/09 **RESOLVED: (Griffin / Hay)**

3vi) That the minutes of the **Sustainable Economic Development and Tourism Committee – 21 May 2009** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 6 Manly Mainstreet Centre Management Report – including a presentation on a proposed Surf Festival**

Recommendation

The Committee requests the General Manager to consider Council support for the event on operational and regulatory issues.

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

Against the Resolution: Nil.

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

MOTION (Elder / Whitting)

3vii) That the minutes of the **Surf Club Liaison Working Group- 9 June 2009** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 7 General Business – North Steyne Surf Life Saving Club**

Recommendation

North Steyne SLSC will develop the banner and liaise with Council regarding its completion and display.

Manly as a National Surfing Reserve was discussed in relation to acknowledging people who have been successful in both State and National titles. The Chair reported that the General Manager has agreed to Council preparing a submission to the Department of Lands for reserve status.

There was a discussion regarding plaques to recognise successful surfing and surf life saving competitors and the criteria for this. The Queenscliff SLSC representatives will liaise with the Clubs regarding a legends' walk and the recognition for past accomplishments.

To inform Council that the Surf Life Savings Clubs support the proposal for application for the National Surfing Reserve.

PS109/09 **RESOLVED: (Elder / Whitting)**

3vii) That the minutes of the **Surf Club Liaison Working Group- 9 June 2009** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 7 General Business – North Steyne Surf Life Saving Club**

Recommendation

North Steyne SLSC will develop the banner and liaise with Council regarding its

completion and display.

Manly as a National Surfing Reserve was discussed in relation to acknowledging people who have been successful in both State and National titles. The Chair reported that the General Manager has agreed to Council preparing a submission to the Department of Lands for reserve status.

There was a discussion regarding plaques to recognise successful surfing and surf life saving competitors and the criteria for this. The Queenscliff SLSC representatives will liaise with the Clubs regarding a legends' walk and the recognition for past accomplishments.

To inform Council that the Surf Life Savings Clubs support the proposal for application for the National Surfing Reserve.

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

Against the Resolution: Nil.

MOTION (Heasman / LeSurf)

3viii) That the minutes of the **Harbour Foreshores & Coastline Management Committee- 9 June 2009** be adopted, including the following recommendations of a substantial nature:

a) **Item 5 Business Arising from Previous Meeting**

Recommendation

The Committee recommends to the General Manager and Council that:

1. Carlo Bongarzoni be appointed as a Community Representative to represent the Clontarf Precinct;
2. The Terms of Reference be modified to include an additional community representative, resulting in a total of 18 members and a required quorum of 10 members;
3. Council facilitate a controlled drop of the Cathedral Rock to remove the level of risk posed at the location after
 - a) obtaining necessary S90 permit in consultation with AHO;
 - b) dissemination of information about the planned work through Precinct newsletters
 - c) signage at site.
4. Upon budget availability, Option 3 (extending the enclosure to deeper water) is undertaken to address siltation problem and usability at Clontarf Swimming Enclosure. Staff to undertake further investigations in consultation with NSW Maritime including impact on mooring dislocation.
5. The General Manager is requested to approve staff efforts to seek external funding from NSW Maritime and/or DECC.

b) **Item 6 Business Referred to the Committee From Council Meetings**

Recommendation

The Committee recommends to the Council that:

1. Council does not proceed with the provision of a pontoon/platform, for jumping off into the water, between the two centre poles that support the existing netted Manly Cove swimming enclosure, due to risk and environmental issues;
2. The Committee rejects the use of excavated fill from Manly Civic Club redevelopment based on potential contamination issues;
3. That the General Manager be requested to provide a report as soon as possible outlining issues relating to the use of excavated borrow from construction sites for beach nourishment purposes. The report to outline quality assurance issues and criteria utilised by other councils when placing excavated material onto beaches.

c) Item 8 Report – Fisher Bay Mangrove Restoration Project

Recommendation

The Committee recommends to the Council that:

1. The Committee supports proposals for Stages II and III of the Fisher Bay Mangrove Expansion Project.
2. That the General Manager be requested to present this report to Council for approval.

PS110/09 **RESOLVED:** (Heasman / LeSurf)

3viii) That the minutes of the Harbour Foreshores & Coastline Management Committee- 9 June 2009 be **adopted**, including the following recommendations of a substantial nature:

a) Item 5 Business Arising from Previous Meeting

Recommendation

The Committee recommends to the General Manager and Council that:

1. Carlo Bongarzoni be appointed as a Community Representative to represent the Clontarf Precinct;
2. The Terms of Reference be modified to include an additional community representative, resulting in a total of 18 members and a required quorum of 10 members;
3. Council facilitate a controlled drop of the Cathedral Rock to remove the level of risk posed at the location after
 - a) obtaining necessary S90 permit in consultation with AHO;
 - b) dissemination of information about the planned work through Precinct newsletters
 - c) signage at site.
4. Upon budget availability, Option 3 (extending the enclosure to deeper water) is undertaken to address siltation problem and usability at Clontarf Swimming Enclosure. Staff to undertake further investigations in consultation with NSW Maritime including impact on mooring dislocation.

5. The General Manager is requested to approve staff efforts to seek external funding from NSW Maritime and/or DECC.

b) **Item 6 Business Referred to the Committee From Council Meetings**

Recommendation

The Committee recommends to the Council that:

1. Council does not proceed with the provision of a pontoon/platform, for jumping off into the water, between the two centre poles that support the existing netted Manly Cove swimming enclosure, due to risk and environmental issues;
2. The Committee rejects the use of excavated fill from Manly Civic Club redevelopment based on potential contamination issues;
3. That the General Manager be requested to provide a report as soon as possible outlining issues relating to the use of excavated borrow from construction sites for beach nourishment purposes. The report to outline quality assurance issues and criteria utilised by other councils when placing excavated material onto beaches.

c) **Item 8 Report – Fisher Bay Mangrove Restoration Project**

Recommendation

The Committee recommends to the Council that:

1. The Committee supports proposals for Stages II and III of the Fisher Bay Mangrove Expansion Project.
2. That the General Manager be requested to present this report to Council for approval.

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

Against the Resolution: Nil.

MOTION (Griffin / Burns)

- 3ix) That the minutes of the **Community Environment Committee- 10 June 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4 MATTERS ARISING – Terms of Reference**

Recommendation

1. That the General Manager accept that the quorum of the Community Environment Committee be set at six.

b) **Item 5.3 Community Reference Group**

Recommendation

In the absence of the Community Reference Group, and in order to provide penguin warden input (beyond that provided by Natural Resource staff), this committee requests the General Manager be requested to advise the head penguin Warden in Manly of all development applications in Penguin Critical Habitat.

General Manager's Note:

This matter relates to the administration of the Development Application assessment, notification and approval process and as such is an operational matter.

The General Manager does not support the Recommendation.

c) **Item 7 Quarantine Station**Recommendation

The General Manager be requested to arrange for a report to be prepared for a future meeting in accordance with the Committee's agreed priorities on the impacts of any future proposals which may result in waiving any of the conditions imposed by the original approval for the Q Station.

d) **Item 8 Sydney Marine Park**Recommendation

That the General Manager be requested to provide an overview report on Council's support for the Sydney Marine Park for a future meeting in accordance with the Committee's approved priorities.

e) **Item 9 Environmental Levy**Recommendation

That the General Manager be requested to provide a report on an overview of the past 10 years' levy expenditure for the August meeting.

PS111/09 **RESOLVED: (Griffin / Burns)**

3ix) That the minutes of the **Community Environment Committee- 10 June 2009** be adopted, including the following recommendations of a substantial nature:

a) **Item 4 MATTERS ARISING – Terms of Reference**Recommendation

That the General Manager accept the quorum of the Community Environment Committee to be set at 6.

b) **Item 5.3 Community Reference Group**Recommendation

In the absence of the Community Reference Group, and in order to provide penguin warden input (beyond that provided by Natural Resource staff), this committee requests the General Manager be requested to advise the head penguin Warden in Manly of all development applications in Penguin Critical Habitat.

General Manager's Note:

This matter relates to the administration of the Development Application assessment, notification and approval process and as such is an operational matter.

The General Manager does not support the Recommendation.

c) **Item 7 Quarantine Station**

Recommendation

The General Manager be requested to arrange for a report to be prepared for a future meeting in accordance with the Committee's agreed priorities on the impacts of any future proposals which may result in waiving any of the conditions imposed by the original approval for the Q Station.

d) **Item 8 Sydney Marine Park**

Recommendation

That the General Manager be requested to provide an overview report on Council's support for the Sydney Marine Park for a future meeting in accordance with the Committee's approved priorities.

e) **Item 9 Environmental Levy**

Recommendation

That the General Manager be requested to provide a report on an overview of the past 10 years' levy expenditure for the August meeting.

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

Against the Resolution: Councillor LeSurf

MOTION (Hay / Elder)

3x) That the minutes of the **Community Safety Committee – 11 June 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4.2 Graffiti**

Recommendation

That the General Manager be requested to prepare a report to Council on a new policy on the offer of public rewards offers for the reporting of, conviction, and official cautions against persons involved in graffiti crimes made or made against public properties.

b) **Item 7 Report – Draft Crime prevention Plan**

Recommendation

- That the Committee recommends to Council that Council supports the selection of Alcohol-related Assault (non-Domestic-violence related) as the priority crime for the draft Manly Crime Prevention Plan (CPP) for endorsement by NSW Attorney General's Department.
- That actions and strategies for the CPP be developed in consultation with the Community Safety Committee.
- That a working party be formed to advise Council on the CPP.

- That a community awareness strategy be incorporated as part of the development of the CPP.
- That additional crime priorities be considered for inclusion in a 'Community Safety Plan' to be prepared, implemented and funded by Council and its partners.
- That an invitation be extended to the Magistrate of Manly Court to present to the Community Safety Committee at a future meeting in accordance with the Committee's priorities.

That the General Manager be requested to arrange for the Council's Road Safety Officer to present to a future Committee meeting in accordance with the agreed priorities.

c) **Item 10.1 Young People and Binge Drinking**

Recommendation

That the General Manager be requested to arrange for a report to be provided to a future Committee meeting, in accordance with the Committee's priorities, so that the Committee can discuss the matter of young people and binge drinking.

PS112/09 **RESOLVED:** (Hay / Elder)

3x) That the minutes of the **Community Safety Committee – 11 June 2009** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 4.2 Graffiti**

Recommendation

That the General Manager be requested to prepare a report to Council on a new policy on the offer of public rewards offers for the reporting of, conviction, and official cautions against persons involved in graffiti crimes made or made against public properties.

b) **Item 7 Report – Draft Crime prevention Plan**

Recommendation

- That the Committee recommends to Council that Council supports the selection of Alcohol-related Assault (non-Domestic-violence related) as the priority crime for the draft Manly Crime Prevention Plan (CPP) for endorsement by NSW Attorney General's Department.
- That actions and strategies for the CPP be developed in consultation with the Community Safety Committee.
- That a working party be formed to advise Council on the CPP.
- That a community awareness strategy be incorporated as part of the development of the CPP.
- That additional crime priorities be considered for inclusion in a 'Community Safety Plan' to be prepared, implemented and funded by Council and its partners.
- That an invitation be extended to the Magistrate of Manly Court to present to the Community Safety Committee at a future meeting in accordance with the Committee's priorities.

That the General Manager be requested to arrange for the Council's Road Safety Officer to present to a future Committee meeting in accordance with the agreed priorities.

c) **Item 10.1 Young People and Binge Drinking**

Recommendation

That the General Manager be requested to arrange for a report to be provided to a future Committee meeting, in accordance with the Committee's priorities, so that the Committee can discuss the matter of young people and binge drinking.

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

Against the Resolution: Nil.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 25

Amendments to Manly Development Control Plan for the Business Zone 1989

SUMMARY

An amendment to the Manly Business Development Control Plan (Business DCP) has been prepared and exhibited dealing with setbacks to Lane 34, Balgowlah (adjoining the Stockland Development). There are no submissions received following Council's exhibition of the draft DCP Amendment.

It is recommended that Amendment No. 6 to Manly Development Control Plan for the Business Zone 1989 be adopted.

MOTION (LeSurf / Burns)

That:

1. Council approve and give public notice to the adoption of Amendment 6 to the Manly Business DCP in the form that it was publically exhibited in accordance with clause 21 of the EP& A Regulation 1980.

PS113/09 **RESOLVED: (LeSurf / Burns)**

That:

1. Council approve and give public notice to the adoption of Amendment 6 to the Manly Business DCP in the form that it was publically exhibited in accordance with clause 21 of the EP& A Regulation 1980.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 26

Fisher Bay Mangrove Ecosystem Restoration Project

SUMMARY

Manly Council is implementing the Fisher Bay Mangrove Ecosystem Restoration Project, identified as high priority management option (No. AH3.2) in the Council adopted Clontarf/Bantry Bay Estuary Management Plan (2008). A total of 500 *Avicennia marina* seedlings, have been planted to date within the Fisher Bay.

This report describes the progress so far and proposes further expansion and initiatives for consideration. The proposed measures, among others, include construction of boom gate, plantation of further 2500-3000 seedlings, board walk within the forest and erection of signboards.

MOTION (Heasman / Griffin)

That Council:

1. Receives and notes this report;
2. Endorses proposals for Stages II and III of Fisher Bay Mangrove Expansion Project. The proposal, among others, includes construction of boom gate, plantation of further 2,500-3,000 seedlings, board walk within the forest and erection of signboards.

PS114/09 **RESOLVED: (Heasman / Griffin)**

That Council:

1. Receives and notes this report;
2. Endorses proposals for Stages II and III of Fisher Bay Mangrove Expansion Project. The proposal, among others, includes construction of boom gate, plantation of further 2,500-3,000 seedlings, board walk within the forest and erection of signboards.

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

Against the Resolution: Nil.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 16

Development Applications being processed during July, 2009.

SUMMARY

DEVELOPMENT APPLICATIONS CURRENTLY BEING PROCESSED.

MOTION (LeSurf / Hay)

That the information on Development Applications being processed during July, 2009 be noted.

PS115/09 **RESOLVED: (LeSurf / Hay)**

That the information on Development Applications being processed during July, 2009 be noted.

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

Against the Resolution: Nil.

Environmental Services Division Report No. 17

Current Appeals Relating to Development Applications

SUMMARY

CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATIONS.

MOTION (LeSurf / Burns)

That the information on Current Appeals Relating to Development Applications be noted.

PS116/09 **RESOLVED: (LeSurf / Burns)**

That the information on Current Appeals Relating to Development Applications be noted.

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

Against the Resolution: Nil.

Councillor Elder, having previously declared a Conflict of Interest in the following item, left the Chamber at 8.53pm.

CIVIC AND URBAN SERVICES DIVISION

Civic and Urban Services Division Report No. 6

Northern Suburbs Ocean Outfall Sewer Rehabilitation Project

SUMMARY

For Council to endorse the Sydney Water proposed Northern Suburbs Ocean Outfall Sewer rehabilitation project.

MOTION (Heasman / Whitting)

That Council:

1. accept the commencement of the staged north bound lane closure works;
2. endorse the conditions stipulated in the recommendations of the Manly Traffic Committee meeting of 11 May 2009; and
3. during Stage Two of the Project, request Sydney Water to install an extra manhole in Darley Road to mitigate the impact on traffic in terms of congestion on East Esplanade.

PS117/09 **RESOLVED: (Heasman / Whitting)**

That Council:

1. accept the commencement of the staged north bound lane closure works;

2. endorse the conditions stipulated in the recommendations of the Manly Traffic Committee meeting of 11 May 2009; and
3. during Stage Two of the Project, request Sydney Water to install an extra manhole in Darley Road to mitigate the impact on traffic in terms of congestion on East Esplanade.

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

Against the Resolution: Nil.

Councillor Elder returned to the Chamber at 9.02pm.

CONFIDENTIAL COMMITTEE OF THE WHOLE

Civic and Urban Services Division Report No. 5

T2008/30 Tender for the Manly Oval Lighting Upgrade Project (Lump sum contract)

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.

Planning And Strategy Division Report No. 24

Manly Local Heritage Fund - Allocation of Grants for 2009/2010

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.

CLOSED SESSION

MOTION (Hay / Whitting)

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

The Chairperson, Councillor Murphy 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.

PS118/09 RESOLVED: (Hay / Whitting)

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

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Norek, Griffin, Aird and Burns
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 and Urban Services Division Report No. 5

T2008/30 Tender for the Manly Oval Lighting Upgrade Project (Lump sum contract)

MOTION (Hay / Elder)

That the lowest tender submitted by Musco Lighting Australia P/L be accepted by the Council.

PS119/09 **RESOLVED: (Hay / Elder)**

That the lowest tender submitted by Musco Lighting Australia P/L be accepted by the Council.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 24

Manly Local Heritage Fund - Allocation of Grants for 2009/2010

MOTION (LeSurf / Heasman)

1. That subject to public notice under Section 356(2) of the *Local Government Act 1993*, the allocated grant funds be awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been carried out as required under resolution 1 above.

PS120/09 **RESOLVED: (LeSurf / Heasman)**

1. That subject to public notice under Section 356(2) of the *Local Government Act 1993*, the allocated grant funds be awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been carried out as required under resolution 1 above.

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

Against the Resolution: Nil.

CLOSE

The meeting closed at 9.09pm.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 3rd August 2009.

CHAIRPERSON

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