



Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 6 September 2010

All minutes are subject to confirmation at a subsequent meeting.

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7.30pm on Monday 6 September 2010, 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
Councillor B Aird
Councillor H Burns
Councillor C Griffin
Councillor A Le Surf
Councillor R Morrison, who presided
Councillor D Murphy, Deputy Chairperson
Councillor C Whitting

ALSO PRESENT

Stephen Clements, Acting General Manager, Executive Manager, Environmental Services
Ross Fleming, Deputy General Manager, People, Place and Infrastructure
Christine Bone, Secretariat Services

APOLOGIES

Apologies were tendered on behalf of Councillors Dr P Macdonald, L Elder and M Norek, for non-attendance.

PS84/10 **RESOLVED: (Hay / Burns)**

That the apologies received from Councillors Dr P Macdonald, L Elder and M Norek, for non-attendance, be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

Nil.

CONFIRMATION OF MINUTES**MOTION**

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 2 August 2010, 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.

PS85/10 **RESOLVED: (Hay / Murphy)**

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 2 August 2010, 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, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird and Burns
Against the Resolution: Nil.

SUSPENSION OF STANDING ORDERS (Griffin / Murphy)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Planning and Strategy Division Report No.20 – LM Graham Reserve Masterplan – Final Draft for Public Exhibition, Report of Committees Report No.32 – Minutes for Adoption by Council – Special Purpose Committees without recommendations of a substantial nature (Traffic) and Planning and Strategy Division Report No.19 – Public exhibition of the North Harbour Reserve Landscape Masterplan.

PS86/10 **RESOLVED: (Griffin / Murphy)**

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Planning and Strategy Division Report No.20 – LM Graham Reserve Masterplan – Final Draft for Public Exhibition, Report of Committees Report No.32 – Minutes for Adoption by Council – Special Purpose Committees without recommendations of a substantial nature (Traffic) and Planning and Strategy Division Report No.19 – Public exhibition of the North Harbour Reserve Landscape Masterplan.

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

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 20
LM Graham Reserve Masterplan – Final Draft for Public Exhibition

SUMMARY

Manly Council has produced the LM Graham Masterplan – Final Draft following extensive community and stakeholder consultation. The Plan has been developed in line with the existing Plan of Management for LM Graham Reserve.

The LM Graham Reserve Working Group has, at its meeting on 19 August 2010, endorsed the Final Draft and has recommended to Council to publicly exhibit the documentation.

In this report, key features of the LM Graham Reserve Masterplan (Final Draft) are identified. The Final Draft Masterplan and supporting documentation is presented in an attachment to this report.

PUBLIC ADDRESSES

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

In support of the Recommendation: Liam Mason

MOTION (Hay / Heasman)

That:

1. The draft LM Graham Reserve Masterplan and LM Graham Reserve Masterplan – Action Plan be placed on public exhibition for a period of eight weeks and an information day be organised to be held at LM Graham Reserve during the exhibition period.
2. The Adopted LM Graham Reserve Plan of Management and the LM Graham Reserve Environmental Constraints Report also be made available, along with the public exhibition documents, as supporting documentation.
3. Notification of the exhibition be forwarded to members of the LM Graham Reserve Working Group, the local Precincts, and that posters providing details of the information day and inviting comment be erected at LM Graham Reserve and the Andrew Boy Charlton Swim Centre for the duration of the exhibition period.
4. The draft LM Graham Reserve Masterplan and LM Graham Reserve Masterplan – Action Plan be sent to the Access Committee for their comments.
5. A new tennis/soccer hit-up wall be included in the draft Masterplan for LM Graham Reserve.
6. The funds allocated from the Manly Warringah Pittwater Sporting Union be allocated to the LM Graham Reserve upgrade.
7. Any current safety and liability issues re the perimeter fence be addressed urgently.

PS87/10 RESOLVED: (Hay / Heasman)

That:

1. The draft LM Graham Reserve Masterplan and LM Graham Reserve Masterplan – Action Plan be placed on public exhibition for a period of eight weeks and an information day be organised to be held at LM Graham Reserve during the exhibition period.
2. The Adopted LM Graham Reserve Plan of Management and the LM Graham Reserve Environmental Constraints Report also be made available, along with the public exhibition documents, as supporting documentation.
3. Notification of the exhibition be forwarded to members of the LM Graham Reserve Working Group, the local Precincts, and that posters providing details of the information day and inviting comment be erected at LM Graham Reserve and the Andrew Boy Charlton Swim Centre for the duration of the exhibition period.
4. The draft LM Graham Reserve Masterplan and LM Graham Reserve Masterplan – Action Plan be sent to the Access Committee for their comments.
5. A new tennis/soccer hit-up wall be included in the draft Masterplan for LM Graham Reserve.
6. The funds allocated from the Manly Warringah Pittwater Sporting Union be allocated to the LM Graham Reserve upgrade.
7. Any current safety and liability issues re the perimeter fence be addressed urgently.

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

REPORTS OF COMMITTEES

Report Of Committees Report No. 32

Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature.

The Minutes of the following Special Purpose Committee Meetings are tabled at this meeting.

Minutes of Meetings for adoption without recommendations of a substantial nature.

- i) Sustainable Transport Committee – 1 July 2010
- ii) Manly Lagoon Catchment Coordinating Committee – 15 July 2010
- iii) Art and Culture Committee – 20 July 2010
- iv) Waste Committee – 21 July 2010
- v) Sister Cities Committee – 28 July 2010
- vi) Traffic Committee – 28 July 2010
- vii) Sustainable Economic Development & Tourism Committee – 5 August 2010
- viii) Traffic Committee – 9 August 2010
- ix) Community Environment Committee – 11 August 2010

PUBLIC ADDRESSES

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

In support of the Recommendation: Laurie Brownlow

MOTION (Burns / Hay)

That the minutes of the following Special Purpose Committee meetings be adopted:

- i) Sustainable Transport Committee – 1 July 2010
- ii) Manly Lagoon Catchment Coordinating Committee – 15 July 2010
- iii) Art and Culture Committee – 20 July 2010
- iv) Waste Committee – 21 July 2010
- v) Sister Cities Committee – 28 July 2010
- vi) Traffic Committee – 28 July 2010
- vii) Sustainable Economic Development & Tourism Committee – 5 August 2010
- viii) Traffic Committee – 9 August 2010
- ix) Community Environment Committee – 11 August 2010

PS88/10 RESOLVED: (Burns / Hay)

That the minutes of the following Special Purpose Committee meetings be adopted:

- i) Sustainable Transport Committee – 1 July 2010
- ii) Manly Lagoon Catchment Coordinating Committee – 15 July 2010
- iii) Art and Culture Committee – 20 July 2010
- iv) Waste Committee – 21 July 2010
- v) Sister Cities Committee – 28 July 2010
- vi) Traffic Committee – 28 July 2010

- vii) Sustainable Economic Development & Tourism Committee – 5 August 2010
- viii) Traffic Committee – 9 August 2010
- ix) Community Environment Committee – 11 August 2010

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

Against the Resolution: Nil.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 19

Public exhibition of the North Harbour Reserve Landscape Masterplan

SUMMARY

Manly Council has produced the North Harbour Reserve Landscape Masterplan following extensive community and stakeholder consultation. The Plan has been developed in line with the management options proposed in the Council adopted North Harbour Coastline Management Plan.

Preliminary design of the North Harbour Reserve Landscape Masterplan was presented at the Harbour Foreshore and Coastline Management Committee (HFCMC), Access Committee, Manly Scenic Walkway Committee (MSW) and Landscape Management and Urban Design Committee (LMUD) during June-July 2010. Final Design of the North Harbour Reserve Landscape Masterplan was presented at the HFCMC, Access and LMUD Committees during August 2010.

Considering feedbacks from all Committees, the Landscape Masterplan and Urban Design (LMUD) Committee, at its meeting on 18 August 2010, has endorsed the Final Design of the North Harbour Reserve Landscape Masterplan and recommended Council to allow public exhibition.

PUBLIC ADDRESSES

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

Against the Recommendation: Sylvia Bell

MOTION (Heasman / Hay)

That this item be deferred to obtain comments from the North Harbour and Balgowlah Precincts.

PS89/10 **RESOLVED: (Heasman / LeSurf)**

That this item be deferred to obtain comments from the North Harbour and Balgowlah Precincts.

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

Against the Resolution: Nil.

RESUMPTION OF STANDING ORDERS (Aird / Whitting)

That Standing Orders be resumed.

PS90/10 **RESOLVED:** (Aird / Whitting)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

REPORTS OF COMMITTEES

Report Of Committees Report No. 33

Minutes for Adoption by Council - Heritage Committee - 4 August 2010

This report was dealt with at the Heritage meeting of 4 August and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

1. ITEM 14 Meeting Quorum – Terms of Reference (TOR) Amendment

The committee discussed the amendment to the TOR regarding the proposed amendment to the wording regarding the quorum for the committee. The committee agreed to amend the TOR as recommended subject to replacing the word “attending” with the word “current”.

MOTION (Burns / Hay)

That the minutes of the Heritage Committee meeting on 4 August be adopted including the following items:

1. ITEM 14 Meeting Quorum – Terms of Reference (TOR) Amendment

That the Heritage Committee Terms of Reference be amended as follows:

- (a) The Heritage Committee Terms of Reference (TOR) be amended by replacing the existing wording of the first paragraph under the TOR heading “5. Meetings” with the new wording below:
“A **QUORUM** shall comprise **half the current members on the committee plus one**. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present.”
- (b) The Heritage Committee Terms of Reference (TOR) be amended by removing the names of the two resigned members.
- (c) The Committee consider refilling the positions in accordance with Councils practice.

PS91/10 **RESOLVED:** (Burns / Hay)

That the minutes of the Heritage Committee meeting on 4 August be adopted including the following items:

1. ITEM 14 Meeting Quorum – Terms of Reference (TOR) Amendment

That the Heritage Committee Terms of Reference be amended as follows:

- (a) The Heritage Committee Terms of Reference (TOR) be amended by replacing the existing wording of the first paragraph under the TOR heading "5. Meetings" with the new wording below:
"A **QUORUM** shall comprise **half the current members on the committee plus one**. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present."
- (b) The Heritage Committee Terms of Reference (TOR) be amended by removing the names of the two resigned members.
- (c) The Committee consider refilling the positions in accordance with Councils practice.

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

Against the Resolution: Nil.

Report Of Committees Report No. 34

Minutes for Adoption by Council - Harbour Foreshore and Coastline Management Committee - 10 August 2010

This report was dealt with at the Harbour Foreshore and Coastline Management Committee meeting of 10 August 2010 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 7 SYDNEY COASTAL COUNCIL GROUP INC. (SCCG) - STRATEGIC PLAN 2010-2014

The Sydney Coastal Councils Group Inc. (SCCG) Strategic Plan 2010-14 has been prepared to document and highlight the focus of the Group for the next four years. This document represents the sixth Business Plan of the Group since 1989 and has been developed in direct consultation with Member Councils.

Manly is one of 15 member Councils.

The Sydney Coastal Councils Group Strategic Plan has been under review for the last 18 months. Through Manly Council representation on the Sydney Coastal Councils Group, Executive Committee, Strategic Plan Directional Committee, Technical Committee and Full Group Manly Council provided input in the review of the old Plan and preparation of the new Plan.

MOTION (Burns / LeSurf)

That the minutes of the Harbour Foreshore and Coastline Management Committee meeting on 10 August 2010 be adopted including the following item:

1. ITEM 7 SYDNEY COASTAL COUNCIL GROUP INC. (SCCG) - STRATEGIC PLAN 2010-2014

That:

1. Members submit feedback by 17 August 2010.

2. The Committee endorses the Plan, subject to inclusion of any feedback received by due date and recommends that the Council formally endorses the Final Draft of the SCCG Strategic Plan 2010-14.

PS92/10 **RESOLVED: (Burns / LeSurf)**

That the minutes of the Harbour Foreshore and Coastline Management Committee meeting on 10 August 2010 be adopted including the following items:

1. ITEM 7 SYDNEY COASTAL COUNCIL GROUP INC. (SCCG) - STRATEGIC PLAN 2010-2014

That:

1. Members submit feedback by 17 August 2010.
2. The Committee endorses the Plan, subject to inclusion of any feedback received by due date and recommends that the Council formally endorses the Final Draft of the SCCG Strategic Plan 2010-14.

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

Against the Resolution: Nil.

Report Of Committees Report No. 35

Minutes for Adoption by Council - Community Safety Committee - 12 August 2010

This report was dealt with at the Community Safety Committee meeting of 12 August 2010 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 6 Report – Section 79 Disturbance Complaint

The Committee discussed the merits of re-lodging the Section 79 Disturbance Complaint, and the need for feedback from NSW Office of Liquor, Gaming and Racing (OLGR) as to their requirements for such a submission.

Councillor Le Surf suggested that only one Section 79 be re-lodged and that Council provide evidence in support of a newly amended Manly Police Section 79.

The Liquor Accord Representative stated that:

- Given assault rates have dropped and given changes in ownership in Manly, is a Section 79 warranted?
- Self-imposed restrictions already include a cease service of alcohol at 3am.
- The Newcastle trial of earlier closing has led to 11 licensed premises closing.
- A possible flow-on effect to restaurants and other entertainment venues may occur, with the possibility of patrons choosing to go elsewhere for a night out.
- If there was a state-wide close at consistent time, that would be more equitable for licensees.

Superintendent Darcy reported that:

- Letter written to NSW OLGR regarding the Manly Police Section 79 Disturbance Complaint, key points are expressing concern regarding the 16-month delay in response since the

- Police Section 79 was submitted.
- OLGR have informally requested additional information be submitted.
 - Requested clarity as to what type of evidence is required, and that this be conveyed at a meeting.
 - Proposes a new evaluation period, and will gather further evidence over the period 1 September 2010 to 31 January 2011.
 - Explained that there have been 5 malicious wounding incidents in Manly recently which involved glassing and young people being permanently disfigured, and
 - Believes that community feeling is strong on this issue. A period of gathering data between 1 September 2010 and 31 January 2011 will allow for a re-assessment of the alcohol-related assaults and anti-social behaviour at 31 January 2011.

The Committee expressed a desire to wait until NSW OLGR provides feedback on what specific evidence is required. It was acknowledged that the Section 79 would only apply to the venues which were problematic.

Mike Baird, Member for Manly stated:

- Has also written to NSW OLGR expressing concern and requesting attendance at a Community Safety Committee meeting.
- Has asked questions of the Minister for Gaming & Racing in Parliament regarding the Manly Precinct Liquor Accord and its progress.
- Will continue to support community solutions for community problems.
- Committed to changing donations to political parties.

MOTION (Hay / LeSurf)

That the minutes of the Community Safety Committee meeting on 12 August 2010 be adopted including the following item:

1. ITEM 6 Report – Section 79 Disturbance Complaint

That Manly Council strongly requests that NSW Office of Liquor, Gaming and Racing attend a meeting in Manly. The letter to NSW OLGR is to be copied to the Minister Kevin Greene. This meeting is required by Council and the Police to brief both Council and Manly Police on the methodology and the type of evidence required to satisfy the legal requirements for a Disturbance Complaint to be lodged and to be heard under Section 79 of the Liquor Act 2007.

PS93/10 **RESOLVED: (Hay / LeSurf)**

That the minutes of the Community Safety Committee meeting on 12 August 2010 be adopted including the following item:

1. ITEM 6 Report – Section 79 Disturbance Complaint

That Manly Council strongly requests that NSW Office of Liquor, Gaming and Racing attend a meeting in Manly. The letter to NSW OLGR is to be copied to the Minister Kevin Greene. This meeting is required by Council and the Police to brief both Council and Manly Police on the methodology and the type of evidence required to satisfy the legal requirements for a Disturbance Complaint to be lodged and to be heard under Section 79 of the Liquor Act 2007.

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

Against the Resolution: Nil.

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

Report Of Committees Report No. 36

Minutes for Adoption by Council - Traffic Committee (Extra Ordinary Email Meeting) - 13 August 2010

This report was dealt with at the Traffic Committee Extra Ordinary email meeting of 13 August 2010 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the minutes for formal adoption by Council.

1. ITEM 48/10 JAZZ FESTIVAL 2010

BACKGROUND

This Item has been sent to Manly Local Traffic Committee (MLTC) members via email as an urgent item in addition to the August 2010 MLTC meeting and received the concurrence from members on 17 August 2010 with no objection for seeking adoption at Council's meeting.

SUMMARY:

An application for altered traffic conditions as part of the 2010 Manly Jazz Festival has been received from Council's Events and Tourism section.

MOTION (Heasman / LeSurf)

That the minutes of the Traffic Committee Extra Ordinary email meeting on 13 August 2010 be adopted including the following item:

1. ITEM 48/10 JAZZ FESTIVAL 2010

That Council adopt the below recommendation:-

That the Manly Traffic Committee raises no objection in principle for the Manly International Jazz Festival involving: clearway restrictions from the corner of the entrance to The Corso, North Steyne to the corner intersection of North Steyne/Raglan Street between the hours of 3.00pm Friday 1 October 2010 and 7.00am Tuesday 5 October 2010; and road closure from the corner intersection of South Steyne/Wentworth Avenue to the corner intersection of North Steyne/Raglan Street between the hours of 4.30pm on the evening of Friday 1 October 2010 and 7.00am on Tuesday 5 October 2010.

Further, that the festival be approved subject to the approval of the Traffic Management Plan by the RTA and following conditions:

1. That two weeks prior to the event the applicant (Manly Council Events and Tourism) must advise all affected residents and commercial premises by letterbox drop of the following (enclosed within the road closure notification):-
 - The proposed date, time and duration, specific location of the street party.
 - That access will be maintained at all times for emergency vehicles during the event.
2. That signs advertising the closure be positioned at the end of the proposed road closure:
 - Opposite Raglan Street, in North Steyne facing the southbound traffic;
 - Opposite Wentworth Street, in South Steyne facing northbound traffic, for a period of two (2) weeks before the closure.

3. Insurance

- The Event Manager is to provide details of insurance that covers employees and volunteers for the event.
 - The Event Manager shall effect and maintain at their own expense on all risks and public liability policy in respect of the event in the name of the organiser and noting the interest of the Council covering the respective rights of the organiser and the Council in respect of liability to the public in the event of death or bodily injury or damage to property arising out of any accident or other event which may occur in the course of or be caused by the organiser's activities. The amount of such insurance shall be not less than Ten Million Dollars (\$10,000,000) in respect of any one claim and shall be unlimited as to the number of claims during the event. The organisers shall produce such policy and a certificate of currency with the Council, Police and Roads & Traffic Authority's interest noted thereon to the Council prior to the event taking place.
 - The provision of a hold harmless agreement from the event organisers which safeguards Council, Police and the Roads & Traffic Authority's interests.
 - All insurance documents and the hold harmless documents will need to be sighted by Council at least twenty-one days prior to the event.
4. That the applicant shall advertise the temporary road closure in the local press stipulating date, time duration and specific location of closure and in the Public Notices section as well as notifying Community Precinct Forums at least one month in advance of the event.
5. That the applicant shall install appropriate safety barriers at the proposed road closure and shall be responsible for all aspects of the Traffic Management during the temporary road closure. All traffic control and management shall be in accordance with the Australian Standard AS 1742.3 and relevant parts including AS1742.3 - Traffic Control Devices for Works on Roads.
6. That the applicant shall notify the Fire Brigade and Ambulance prior to the road closure.
7. That the applicant shall ensure that the area be returned to its original condition and any rubbish be removed at the completion of the event.
8. That the applicant shall notify State Transit of the event and road closure details.
9. That the applicant shall notify the Roads and Traffic Authority to make adjustments to the available green time at the following locations.
- Provide more green time to facilitate the right turning movement from the dedicated right turning lane for the northbound traffic in Belgrave Street/Pittwater Road/Raglan Street intersection.
 - Provide extended green time to facilitate westbound traffic in Sydney Road via Whistler Street and Belgrave Street/Sydney Road intersection.
 - Provide extended green time to facilitate west bound traffic along East and West Esplanade at the Esplanade/Belgrave Street intersection.
10. That the applicant request Police assistance to control traffic in Whistler Street, Sydney Road, Darley Road and Wentworth Street when required. The applicant shall also request Police assistance to minimise the delay at the marked pedestrian foot crossing in Whistler Street, one near the Whistler Street car park and another outside Manly Council.
11. That the applicant seeks Police assistance should queuing and delays be experienced at

the following locations.

- Whistler Street car park exit / Whistler Street
- East Esplanade / Wentworth Street intersection
- Whistler Street / Raglan Street intersection

12. That the applicant engages volunteers to man the road closure points and direct/guide motorists to access the parking stations.
13. That the applicant ensures volunteers are adequately trained and not involved in controlling traffic unless they are **certified traffic controllers**.
14. That the event organiser notifies all Precinct Community Forums of the event.
15. That Council ban parking along the east side in West Promenade and install Bus Zone signs to increase the bus lay over area.
16. That Council Rangers patrol West Promenade to infringe illegally parked vehicles.
17. That Council writes to Sydney Ferries seeking assistance to manage the pedestrian tidal flow resulting from ferry arrivals at Manly Wharf.
18. That the 1 hour parking outside 49-52 North Steyne be replaced by Clearway restrictions from 3.00pm Friday 1 October 2010 to 7.00am Tuesday 5 October 2010. Further that, the event organiser notifies the retail outlets adjacent to this parking of these changes.

PS94/10 **RESOLVED: (Heasman / LeSurf)**

That the minutes of the Traffic Committee Extra Ordinary email meeting on 13 August 2010 be adopted including the following item:

1. ITEM 48/10 JAZZ FESTIVAL 2010

That Council adopt the below recommendation:-

That the Manly Traffic Committee raises no objection in principle for the Manly International Jazz Festival involving: clearway restrictions from the corner of the entrance to The Corso, North Steyne to the corner intersection of North Steyne/Raglan Street between the hours of 3.00pm Friday 1 October 2010 and 7.00am Tuesday 5 October 2010; and road closure from the corner intersection of South Steyne/Wentworth Avenue to the corner intersection of North Steyne/Raglan Street between the hours of 4.30pm on the evening of Friday 1 October 2010 and 7.00am on Tuesday 5 October 2010.

Further, that the festival be approved subject to the approval of the Traffic Management Plan by the RTA and following conditions:

1. That two weeks prior to the event the applicant (Manly Council Events and Tourism) must advise all affected residents and commercial premises by letterbox drop of the following (enclosed within the road closure notification):-
 - The proposed date, time and duration, specific location of the street party.
 - That access will be maintained at all times for emergency vehicles during the event.
2. That signs advertising the closure be positioned at the end of the proposed road closure:
 - Opposite Raglan Street, in North Steyne facing the southbound traffic;

- Opposite Wentworth Street, in South Steyne facing northbound traffic, for a period of two (2) weeks before the closure.

3. Insurance

- The Event Manager is to provide details of insurance that covers employees and volunteers for the event.
 - The Event Manager shall effect and maintain at their own expense on all risks and public liability policy in respect of the event in the name of the organiser and noting the interest of the Council covering the respective rights of the organiser and the Council in respect of liability to the public in the event of death or bodily injury or damage to property arising out of any accident or other event which may occur in the course of or be caused by the organiser's activities. The amount of such insurance shall be not less than Ten Million Dollars (\$10,000,000) in respect of any one claim and shall be unlimited as to the number of claims during the event. The organisers shall produce such policy and a certificate of currency with the Council, Police and Roads & Traffic Authority's interest noted thereon to the Council prior to the event taking place.
 - The provision of a hold harmless agreement from the event organisers which safeguards Council, Police and the Roads & Traffic Authority's interests.
 - All insurance documents and the hold harmless documents will need to be sighted by Council at least twenty-one days prior to the event.
4. That the applicant shall advertise the temporary road closure in the local press stipulating date, time duration and specific location of closure and in the Public Notices section as well as notifying Community Precinct Forums at least one month in advance of the event.
 5. That the applicant shall install appropriate safety barriers at the proposed road closure and shall be responsible for all aspects of the Traffic Management during the temporary road closure. All traffic control and management shall be in accordance with the Australian Standard AS 1742.3 and relevant parts including AS1742.3 - Traffic Control Devices for Works on Roads.
 6. That the applicant shall notify the Fire Brigade and Ambulance prior to the road closure.
 7. That the applicant shall ensure that the area be returned to its original condition and any rubbish be removed at the completion of the event.
 8. That the applicant shall notify State Transit of the event and road closure details.
 9. That the applicant shall notify the Roads and Traffic Authority to make adjustments to the available green time at the following locations.
 - Provide more green time to facilitate the right turning movement from the dedicated right turning lane for the northbound traffic in Belgrave Street/Pittwater Road/Raglan Street intersection.
 - Provide extended green time to facilitate westbound traffic in Sydney Road via Whistler Street and Belgrave Street/Sydney Road intersection.
 - Provide extended green time to facilitate west bound traffic along East and West Esplanade at the Esplanade/Belgrave Street intersection.
 10. That the applicant request Police assistance to control traffic in Whistler Street, Sydney Road, Darley Road and Wentworth Street when required. The applicant shall also request Police assistance to minimise the delay at the marked pedestrian foot crossing in Whistler

Street, one near the Whistler Street car park and another outside Manly Council.

11. That the applicant seeks Police assistance should queuing and delays be experienced at the following locations.
 - Whistler Street car park exit / Whistler Street
 - East Esplanade / Wentworth Street intersection
 - Whistler Street / Raglan Street intersection
12. That the applicant engages volunteers to man the road closure points and direct/guide motorists to access the parking stations.
13. That the applicant ensures volunteers are adequately trained and not involved in controlling traffic unless they are **certified traffic controllers**.
14. That the event organiser notifies all Precinct Community Forums of the event.
15. That Council ban parking along the east side in West Promenade and install Bus Zone signs to increase the bus lay over area.
16. That Council Rangers patrol West Promenade to infringe illegally parked vehicles.
17. That Council writes to Sydney Ferries seeking assistance to manage the pedestrian tidal flow resulting from ferry arrivals at Manly Wharf.
18. That the 1 hour parking outside 49-52 North Steyne be replaced by Clearway restrictions from 3.00pm Friday 1 October 2010 to 7.00am Tuesday 5 October 2010. Further that, the event organiser notifies the retail outlets adjacent to this parking of these changes.

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

Against the Resolution: Nil.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 18

Manly Local Environmental Plan 1988 – draft Amendment 81

SUMMARY

The purpose of this report is to advise Council of consultations and submissions received following the public exhibition of Draft Manly Local Environmental Plan 1988 (Amendment No. 81) (Draft LEP 81) and to make appropriate recommendations in relation to the exhibited Draft Plan for submission to the Minister for Planning in accordance with the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

MOTION (Heasman / Griffin)

That this matter be deferred to the Ordinary Meeting on 13 September 2010 to allow Councillors to review the Heritage Report and maps of specific sights and proposed zoning.

PS95/10 **RESOLVED: (Heasman / Griffin)**

That this matter be deferred to the Ordinary Meeting on 13 September 2010 to allow Councillors to review the Heritage Report and maps of specific sights and proposed zoning.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 21

NSW Coastal Planning Guideline: Adapting to Sea Level Rise and Measures for Identifying Current and Future Coastal Risk Areas

SUMMARY

The NSW Government through the Department of Planning has, in August 2010, released the NSW Coastal Planning Guideline: Adapting to Sea Level Rise.

The Guideline adopts the sea level rise planning benchmarks in the NSW Sea Level Rise Policy Statement. The Sea Level Rise Policy Statement identifies sea level rise projections of up to 40 cm to 2050, and 90 cm to 2100, for the NSW coastline.

The Guideline outlines an approach to assist councils, State agencies, planners and development proponents when addressing sea level rise in land-use planning and development assessment.

Summary and linkages to Policy document and the draft Guideline document were presented at the P&S meetings dated 7 December 2009 and 19 April 2010.

In this report, summary and salient features of the Guideline is presented including information on the planned studies to identify coastal erosion risk area and flood studies and to establish investigation risk areas in the interim.

Council has received DECCW grant to initiate a modeling study to identify and map Coastal Erosion Risk Areas.

MOTION (Whitting / Griffin)

That:

1. The Report on the NSW Coastal Planning Guideline: Adapting to Sea Level Rise be received and noted.
2. Council supports initiatives to identify 'Coastal Risk Areas' following NSW Government's 'Sea Level Rise Policy Statement' and the Guideline.
3. Council seek Government financial assistance for preparation of a Flood Study covering areas of the Manly LGA not included in the Manly Lagoon Catchment Flood Study.

PS96/10 **RESOLVED:** (Whitting / Griffin)

That:

1. The Report on the NSW Coastal Planning Guideline: Adapting to Sea Level Rise be received and noted.
2. Council supports initiatives to identify 'Coastal Risk Areas' following NSW Government's 'Sea Level Rise Policy Statement' and the Guideline.
3. Council seek Government financial assistance for preparation of a Flood Study covering areas of the Manly LGA not included in the Manly Lagoon Catchment Flood Study.

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

Against the Resolution: Nil.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 24

Development Applications Being Processed During September 2010

SUMMARY

DEVELOPMENT APPLICATIONS BEING PROCESSED DURING SEPTEMBER 2010.

MOTION (Hay / LeSurf)

That:

1. The information be noted.
2. The General Manager provide an additional report to Council listing any Development Applications referred to MIAP.

PS97/10 **RESOLVED:** (Hay / LeSurf)

That:

1. The information be noted.
2. The General Manager provide an additional report to Council listing any Development Applications referred to MIAP.

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

Against the Resolution: Nil.

Environmental Services Division Report No. 25

List of Appeals Relating to Development Applications During September 2010

SUMMARY

LIST OF APPEALS RELATING TO DEVELOPMENT APPLICATIONS DURING SEPTEMBER 2010.

MOTION (Murphy / Hay)

That the information be noted.

PS98/10 **RESOLVED: (Murphy / Hay)**

That the information be noted.

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

Against the Resolution: Nil.

HUMAN SERVICES AND FACILITIES DIVISION

Human Services And Facilities Division Report No. 10

Tender T2011/01 for Manly Meals on Wheels Food Services Tender

SUMMARY

A tender was recently called for the Supply of Meals to Manly Meals on Wheels Service. At the close of the tender no Tenders were received by Council. It is recommended that Council enter into negotiations with the current provider for a new contract for the supply of meals to Manly Meals on Wheels Service.

MOTION (Hay / LeSurf)

That:

1. Council note that the reason for declining to invite new tenders for this service is due to the limited number of caterers to provide Meals on Wheels services in the Sydney Metropolitan area and the lack of response received in the recently advertised tender process.
2. As a consequence of not receiving any tenders in response to its advertising for tenders for the Supply of Meals for the Manly Meals on Wheels Service and Council's Community Restaurant and in view of the high quality and affordable service provided by the current supplier, that, in accordance with clause 178 (3)(e) of the Local Government (General) Regulations, 2005, Council enter into negotiations with the current supplier, Master Catering Services Pty Ltd, with a view to entering into a contract in relation to the Supply of Meals for the Manly Meals on Wheels Service and Council's Community Restaurant, for a period of three (3) years with two (2) x one (1) year options, and on the same contract terms and conditions as the advertised tender.

PS99/10 **RESOLVED: (Hay / LeSurf)**

That:

1. Council note that the reason for declining to invite new tenders for this service is due to the

limited number of caterers to provide Meals on Wheels services in the Sydney Metropolitan area and the lack of response received in the recently advertised tender process.

2. As a consequence of not receiving any tenders in response to its advertising for tenders for the Supply of Meals for the Manly Meals on Wheels Service and Council's Community Restaurant and in view of the high quality and affordable service provided by the current supplier, that, in accordance with clause 178 (3)(e) of the Local Government (General) Regulations, 2005, Council enter into negotiations with the current supplier, Master Catering Services Pty Ltd, with a view to entering into a contract in relation to the Supply of Meals for the Manly Meals on Wheels Service and Council's Community Restaurant, for a period of three (3) years with two (2) x one (1) year options, and on the same contract terms and conditions as the advertised tender.

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

Against the Resolution: Nil.

CONFIDENTIAL COMMITTEE OF THE WHOLE

Environmental Services Division Report No. 23

Tender T2010/12 for the supply of one Compact sweeper vehicle

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.

Civic and Urban Services Division Report No. 8

Tender T2010/14 for Supply of Building 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.

CLOSED SESSION

MOTION (Heasman / Murphy)

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.

PS100/10 **RESOLVED: (Heasman / Murphy)**

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

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

OPEN COUNCIL RESUMED

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

Environmental Services Division Report No. 23

Tender T2010/12 for the supply of one Compact sweeper vehicle

MOTION (Heasman / LeSurf)

That:

1. Council accept the offer from MacDonald Johnston Pty Ltd for one C200 Compact Sweeper vehicle for the sum of \$153,545 excluding GST.
2. The unsuccessful tenderers be advised accordingly.

PS101/10 **RESOLVED: (Heasman / LeSurf)**

That:

1. Council accept the offer from MacDonald Johnston Pty Ltd for one C200 Compact Sweeper vehicle for the sum of \$153,545 excluding GST.
2. The unsuccessful tenderers be advised accordingly.

For the Resolution: Councillors Heasman, Whitting, Murphy, LeSurf, Morrison, Aird and Burns
Against the Resolution: Nil.

Councillors Hay and Griffin were not in the room when the voting took place.

Civic and Urban Services Division Report No. 8

Tender T2010/14 for Supply of Building Services

MOTION (LeSurf / Heasman)

- A. That Council accept Tenders from the following companies in their order of listing for supply of building services for a period commencing from 1st October 2010 to end of 30th September 2012:
1. Jodbin Pty Ltd.
 2. Sullivans Constructions.

In the event that the first preferred Tenderer cannot meet Council's time constraints and other

requirements, the work to be offered to second preferred Tenderer.

- B. Allow a provision for a 12 month extension based on satisfactory supplier performance, which may take this tender through to 30th September 2013.

PS102/10 RESOLVED: (LeSurf / Heasman)

- A. That Council accept Tenders from the following companies in their order of listing for supply of building services for a period commencing from 1st October 2010 to end of 30th September 2012:
 1. Jodbin Pty Ltd.
 2. Sullivans Constructions.

In the event that the first preferred Tenderer cannot meet Council's time constraints and other requirements, the work to be offered to second preferred Tenderer.

- B. Allow a provision for a 12 month extension based on satisfactory supplier performance, which may take this tender through to 30th September 2013.

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

CLOSE

The meeting closed at 9.26pm.

The above minutes were confirmed at combined **Planning and Strategy Committee and Ordinary Meeting** of Manly Council held on 11 October 2010.

CHAIRPERSON

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