

Manly Council

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 12 May 2008

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TABLE OF CONTENTS

Item	Page No.
PRESENT	2
APOLOGIES.....	2
DECLARATIONS OF PECUNIARY INTEREST	2
CONFIRMATION OF MINUTES.....	3
Planning and Strategy Committee - 21/04/2008.....	3
GENERAL MANAGERS DIVISION.....	3
General Managers Division Report No. 9	
Seaforth TAFE Site - Poll of Electors.....	3
ITEMS FOR BRIEF MENTION	5
Item For Brief Mention Report No. 8	
Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees	5
PLANNING AND STRATEGY DIVISION	7
Planning And Strategy Division Report No. 15	
Clontarf / Bantry Bay Estuary Management Plan Adoption	7
Planning And Strategy Division Report No. 17	
Manly Cemetery Security Measures.....	9
ITEMS FOR BRIEF MENTION	10
Item For Brief Mention Report No. 8	
Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees	10
PLANNING AND STRATEGY DIVISION	22
Planning And Strategy Division Report No. 16	
Gazettal of State Environmental Planning Policy (Infrastructure) 2007: Implications for Manly	22
CONFIDENTIAL COMMITTEE OF THE WHOLE	23
General Managers Division Report No. 7	
Property Matter	23

TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7:45pm on Monday 12 May 2008, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 535 of 19th September, 2005.

PRESENT

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

ALSO PRESENT

Henry T Wong, General Manager
Amanda Spalding, Deputy General Manager, Strategy and Strategic Projects
Anthony Hewton, Divisional Manager, Corporate Planning & Strategy
Liz Rich, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillor Cant for non-attendance.

MOTION (Macdonald / Lambert)

That the apology received from Councillor Cant be accepted and leave be granted.

PS31/08 RESOLVED: (Macdonald / Lambert)

That the apology received from Councillor Cant be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

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

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 21 April 2008, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

PS32/08 **RESOLVED: (Macdonald / Lambert)**

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 21 April 2008, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

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

Against the Resolution: Nil.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 9

Seaforth TAFE Site - Poll of Electors

SUMMARY

This report presents the final results of the Seaforth TAFE Poll of electors.

PUBLIC ADDRESSES

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

Against the Recommendation: Mr Alan Johnson

In Support of the Recommendation: Mr Doug Price

MOTION (Norek / Morrison)

That Mr Fysh be allowed to make a public address on this item, in favour of the recommendation.

PS33/08 **RESOLVED: (Norek / Morrison)**

That Mr Fysh be allowed to make a public address on this item, in favour of the recommendation.

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

Against the Resolution: Nil.

PUBLIC ADDRESSES

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

In Support of the Recommendation: Mr Peter Fysh

MOTION (Macdonald / Evans)

That Council write to the Minister for Education in the following terms:

Part A

1. Council has noted the clear support shown for the re-opening of Seaforth TAFE as an educational establishment in the recent Poll. This is consistent with the previous resolution of Council in 2000 in support of the re-opening of TAFE. Council acknowledges that this is contrary to the government's intentions.
2. Council notes that:
 - a) after 3 years of deliberations by the Community Reference Group set up by Landcom, it clearly supported Option 3 at its last meeting on 24 October 2007 by a majority of 14:3
 - b) the poll indicates that amongst those who support development of the site, Option 2 is favoured over Option 3 by 2:1
3. Council notes that Option 2 is unrealistic and makes no guarantee or restriction in terms of height or bulk (could be in excess of 5 storeys)
4. Council notes that Option 2 delivers no meaningful community benefits as it is merely a mixed residential/commercial development

Part B

1. That Council commence a Masterplan process for Seaforth to take into account the matters raised during the CRG process, including but not limited to traffic and parking.
2. That irrespective of the decision on the future use of Seaforth TAFE, the State Government respects the need for secondary and tertiary public education facilities within easy commuting access from the Manly LGA.
3. That in recognition of the wishes of the people expressed through the poll, the TAFE site be re-opened and this is to be expressed through an urgent submission/delegation to the Federal Minister for Education and the Prime Minister

AMENDMENT (Morrison / Norek)

Given the Poll results, it is recommended that:

1. The Minister for Planning and the Minister for Education be advised of the outcome of the Poll. Council has noted the clear support shown for the re-opening of Seaforth TAFE as an educational establishment in the recent Poll. This is consistent with the previous resolution of Council in 2000 in support of the re-opening of TAFE. Council acknowledges that this is contrary to the government's intentions.
2. Council thank the Department of Education and Landcom for 3 years of effort and invite them to re-open the TAFE , and if they are not willing to do so, submit a development application for the TAFE site that is compliant with the Seaforth commercial/residential DCP
3. Irrespective of the decision on the future use of Seaforth TAFE, the State Government respect the need for secondary and tertiary education facilities within easy commuting access from the Manly LGA.
4. In recognition of the wishes of the people expressed through the poll, the TAFE site be re-opened and this is to be expressed through an urgent submission/delegation to the Federal Minister for Education and the Prime Minister.

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

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

FORESHADOWED AMENDMENT (Hay / Heasman)

Given the Poll results, it is recommended that:

1. The Minister for Planning and the Minister for Education be advised of the outcome of the Poll,
2. Council seeks an immediate commitment from the State Government that the Seaforth TAFE site will be retained for use as an educational institution, and that the Minister for Planning will not act to rezone the site for use for any other purposes.
3. This Council vehemently oppose the Option 3 Landcom proposal.
4. In recognition of the wishes of the people expressed through the poll, the TAFE site be re-opened and this is to be expressed through an urgent submission/delegation to the Federal Minister for Education and the Prime Minister.

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

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

PS34/08 RESOLVED: (Hay / Heasman)

Given the Poll results, it is recommended that:

1. The Minister for Planning and the Minister for Education be advised of the outcome of the Poll
2. Council seeks an immediate commitment from the State Government that the Seaforth TAFE site will be retained for use as an educational institution, and that the Minister for Planning will not act to rezone the site for use for any other purposes
3. This Council vehemently oppose the Option 3 Landcom proposal
4. In recognition of the wishes of the people expressed through the poll, the TAFE site be re-opened and this is to be expressed through an urgent submission/delegation to the Federal Minister for Education and the Prime Minister.

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

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 8

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

iii) Manly Community Environment Committee – 17 April 2008**a) Item 5 Environmental Levy Review and Environmental Levy 2008/09**Recommendation

If there is no decision on the climate change levy in time for this 2008/9 financial year, it is our strong view that \$150,000 should be set aside for climate change from the environmental levy.

Divisional Manager's Note:

At its Extraordinary Meeting held on Tuesday 6 May 2008 Council resolved to put the proposal of a special rate variation to collect funds to address climate change initiatives to a poll of electors in the Manly LGA. Given this it is unlikely a 'climate change levy' if supported and approved will be able to commence until the 2009/10 financial year. I am concerned if Council adopts this recommendation it will be at the expense of other existing and important projects currently funded by the Environmental Levy which relate to progressing bush care, water cycle management, environmental education and biodiversity initiatives.

I would recommend that Council does not adopt the committee's recommendation but alternatively notes the committee's desire to fund climate change initiatives, and waits until after the deliberations of the Environment Committee meeting in May where Council's resolution on the 6th May can be discussed and the impacts to any changes in the priorities for allocating funds be carefully considered.

PUBLIC ADDRESSES

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

In Support of the Recommendation: Mr Richard Hewitt

MOTION (Pedersen / Hay)

3. iii) That the minutes of the **Manly Community Environment Committee -17 April 2008** be **adopted**, including the following recommendation of a substantial nature:

a) Item 5 Environmental Levy Review and Environmental Levy 2008/9

1. That Council supports a \$150,000 budget allocation within this year's environment levy for an icon climate change project.
2. That this \$150,000 be a one-off allocation for this year only, pending the Climate Change levy poll in September.
3. That staff bring to the next Environment Committee meeting:
 - a) a recommendation of existing levy projects to the amount of \$150,000 to be deleted and/or deferred from this year's levy
 - b) a proposal for an icon project(s) focused on greenhouse reduction technologies and energy efficiency.

PS35/08 **RESOLVED: (Pedersen / Hay)**

3. iii) That the minutes of the **Manly Community Environment Committee -17 April 2008** be **adopted**, including the following recommendation of a substantial nature:

- a) **Item 5 Environmental Levy Review and Environmental Levy 2008/9**
1. That Council supports a \$150,000 budget allocation within this year's environment levy for an icon climate change project.
 2. That this \$150,000 be a one-off allocation for this year only, pending the Climate Change levy poll in September.
 3. That staff bring to the next Environment Committee meeting:
 - a) a recommendation of existing levy projects to the amount of \$150,000 to be deleted and/or deferred from this year's levy
 - b) a proposal for an icon project(s) focused on greenhouse reduction technologies and energy efficiency.

For the Resolution: Councillors Aird, Evans, Hay, Heasman, Lambert, Morrison, Pedersen and Macdonald

Against the Resolution: Councillors Daley, Murphy and Norek

Note: Other Items for Brief Mention were discussed later in the meeting.

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 15

Clontarf / Bantry Bay Estuary Management Plan Adoption

SUMMARY

At Council's Planning and Strategy Committee meeting of 10th March, 2008, Council resolved to place the draft Clontarf/Bantry Bay Estuary Management Plan (EMP), along with the supporting documents (Estuary Processes Study and Estuary Management Study), on public exhibition (PS28/08).

The documents were publicly exhibited at five locations from 17 March to 21 April 2008. During this period, a field day was also organised to obtain direct community feedback on the Plan. Seventy eight (78) submissions were received.

The Clontarf/Bantry Bay Estuary Management Working Group, at its meeting on 28 April 2008, reviewed all submissions and staff responses. The plan is now presented to Council for formal adoption on the recommendation of staff and the working group.

PUBLIC ADDRESSES

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

In Support of the Recommendation: Mr John Clapin

MOTION (Morrison / Daley)

1. That Council adopts the Clontarf/Bantry Bay Estuary Management Plan.
2. That Council refers the adopted Plan to selected State Government agencies (NSW DECC, NSW Maritime, NSW DPI) for their further assistance in implementation.
3. Implementation of the adopted EMP is monitored and reported to the community and Harbour Foreshore Management Committee.

4. That in relation to the issue of dog management at Sandy Bay that:
 - a. dogs off leashes be permitted on lands that Council controls above the mean high water mark, separate to current restrictions on Clontarf Reserve
 - b. the issues of dog activity on the tidal flat at Sandy Bay below the mean high water mark be referred to NSW Maritime.
5. That Council write to members of the Clontarf/Bantry Estuary Management Working Group to thank them for their work on the committee, and in particular thank Councillor Lambert for her work.

AMENDMENT (Norek)

1. That Council adopts the Clontarf/Bantry Bay Estuary Management Plan.
2. That Council refers the adopted Plan to selected State Government agencies (NSW DECC, NSW Maritime, NSW DPI) for their further assistance in implementation.
3. Implementation of the adopted EMP is monitored and reported to the community and Harbour Foreshore Management Committee.
4. That in relation to the issue of dog management at Sandy Bay that:
 - a. dogs off leashes be permitted on lands that Council controls above the mean high water mark, separate to current restrictions on Clontarf Reserve
 - b. the issues of dog activity on the tidal flat at Sandy Bay below the mean high water mark be referred to NSW Maritime.
5. That Council write to members of the Clontarf/Bantry Estuary Management Working Group to thank them for their work on the committee, and in particular thank Councillor Lambert for her work.
6. That Council investigate introducing a licencing system for dinghies, and not storage facilities.

The Amendment **LAPSED** due to lack of a seconder.

PS36/08 RESOLVED: (Morrison / Daley)

1. That Council adopts the Clontarf/Bantry Bay Estuary Management Plan.
2. That Council refers the adopted Plan to selected State Government agencies (NSW DECC, NSW Maritime, NSW DPI) for their further assistance in implementation.
3. Implementation of the adopted EMP is monitored and reported to the community and Harbour Foreshore Management Committee.
4. That in relation to the issue of dog management at Sandy Bay that:
 - a. dogs off leashes be permitted on lands that Council controls above the mean high water mark, separate to current restrictions on Clontarf Reserve
 - b. the issues of dog activity on the tidal flat at Sandy Bay below the mean high water mark be referred to NSW Maritime.

5. That Council write to members of the Clontarf/Bantry Estuary Management Working Group to thank them for their work on the committee, and in particular thank Councillor Lambert for her work.

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

Councillor Pedersen retired from the Chamber at 10.20pm.

SUSPENSION OF STANDING ORDERS (Lambert / Evans)

That Standing Orders be suspended to consider items of public interest, being Planning and Strategy Division Report No.17, Manly Cemetery Security Measures.

PS37/08 **RESOLVED: (Lambert / Evans)**

That Standing Orders be suspended to consider items of public interest, being Planning and Strategy Division Report No.17, Manly Cemetery Security Measures.

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

Planning And Strategy Division Report No. 17

Manly Cemetery Security Measures

SUMMARY

In 2007 Council’s Cemetery Working Group requested that the Council prepare a report on security measures for the Manly Cemetery due to vandalism. The consultant, Mr Chris Betteridge of Musecape Pty Ltd has provided a report, with the main recommendation being for dark coloured metal fencing (approximately 2.1m high), around the cemetery in an open palisade (or picket) style, and no night time access, to reduce vandalism.

PUBLIC ADDRESSES

The following people were available to answer questions on this item:

In Support of the Recommendation: Mr Larry Mildwater
 Ms Sue de Moncho

MOTION (Heasman / Murphy)

That Council:

1. Support the consultant’s recommendation for the installation of sympathetically designed open palisade (or picket) style perimeter fencing around Manly Cemetery combined with prohibition of night time access.
2. Approve the provision of informational and educational signage and liaison with local schools and police.
3. Note that:
 - i) full funding has been allocated in 2008/09 and 2009/10 fiscal years.

- ii) the DA process to be commenced immediately
- iii) construction to be completed in one stage

- 4. Extend its sincere thanks for the tremendous efforts the Manly Cemetery Working Party has made.

PS38/08 RESOLVED: (Heasman / Murphy)

That Council:

- 1. Support the consultant's recommendation for the installation of sympathetically designed open palisade (or picket) style perimeter fencing around Manly Cemetery combined with prohibition of night time access.
- 2. Approve the provision of informational and educational signage and liaison with local schools and police.
- 3. Note that:
 - i) full funding has been allocated in 2008/09 and 2009/10 fiscal years.
 - ii) the DA process to be commenced immediately
 - iii) construction to be completed in one stage
- 4. Extend its sincere thanks for the tremendous efforts the Manly Cemetery Working Party has made.

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

Against the Resolution: Nil.

RESUMPTION OF STANDING ORDERS (Morrison / Heasman)

That Standing Orders be resumed.

PS39/08 RESOLVED: (Morrison / Heasman)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 8

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

1. Reports:

The Future of Manly Hospital: Minister for Health response

Last year Council wrote to the Minister for Health, The Hon. Reba Meagher, MP expressing concerns about the future of Manly Hospital and stating that in the interest of the whole community "the Manly Hospital land be retained as a health care facility or designated for aged care, to meet future demand."

A response is now to hand, indicating that the future of the site “would be determined in consultation with the community, and that a possible use would be aged care.” The letter, signed by the Parliamentary Secretary for Health, is attached for the information of the Council.

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

- i) Playground Management Committee – 21 February 2008
- ii) Manly Harbour Foreshores Management Committee – 15 April 2008
- iii) Manly Scenic Walkway Committee – 22 April 2008
- iv) Project Manly LEP Working Group – 22 April 2008

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

i) Manly Sustainable Strategy Management Group – 1 April 2008

a) Item 7.1 Manly’s Code of Respect for the Environment

Recommendation

That Council adopt the Code of Respect for the Environment:

i) Manly’s Code of Respect for the Environment:

The environment has a special place in the hearts and minds of both residents and visitors to Manly.

Our community vision:

“A vibrant and inclusive community which values its heritage and works together to create a sustainable lifestyle and environment for all to enjoy.”

There are many things you can do to help us achieve this vision:

ENJOY MANLY... and remember:

No smoking at our beaches and public outdoor places.

Just look at the birds, don't feed them!

Our drinking fountains save you buying bottled water.

Your protection of our endangered Little Penguins and Long-nosed Bandicoots is needed.

Manly's waterways and bushland need your protection too.

Avoid wasteful packaging and littering.

No plastic bags!

Leave your car at home.

Your support is greatly appreciated... ENJOY MANLY!

ii) That the Code be displayed at the Visitor Information Centre;

iii) That the Code be made available for interested shops and businesses to display; and,

iv) That the Code be printed on calico bags to be available for sale at the

Visitor Information Centre and Manly Environment Centre.

ii) Manly Sports Facilities Committee – 4 April 2008

a) Item 8 LM Graham Master Plan - Update

Recommendation

That the LM Graham Reserve Steering Committee recommendation, that Active Sport be the main direction for LM Graham Reserve Master Plan, be fully supported by the Manly Sport Facilities Committee. Also that the following matters be referred to that Committee for consideration.

- i. That the cricket nets be relocated on LM Graham Reserve as a matter of urgency.
- ii. That the possible recycling of 40,000 litres of backwash from the Manly Swim Centre be investigated as a water saving project funded through the Manly Council Environment Levy.

b) Item 9 2008/09 Budget Estimates

Recommendation

That Council supports the same level of funding of \$85,000 for the sports facilities upgrade in the 2008/09 Budget, to maintain safe player conditions.

iii) Manly Community Environment Committee – 17 April 2008

b) Item 6 Penguins at Manly Wharf

Recommendation

That the Environment Committee and Council supports the additional proposed conservation areas in Manly Cove as outlined in the NPWS report to be presented to the Penguin Recovery Team on 29 April 2008.

c) Item 7 Sydney Water Issues

Recommendation

Council write to Sydney Water:

- i. Stating that it is unacceptable that there are odours from the North Head Sewage Treatment Plant and biosolid trucks and call for independent monitoring.
- ii. Expressing concern that the tender document being prepared for trucking of biosolids for the next 5 years (with a 5 year option) ensures an outcome of no odour emissions from biosolids trucks.
- iii. Requesting that Council be afforded an opportunity to review and comment on tender specification before Sydney Water next tender for Sludge Removal.

iv) Climate Change Working Group – 23 April 2008

a) Item 7.2 24 Hour Hot Water Referral Service

Recommendation

That the 24-hour Hot Water Referral Service project, to provide immediate information to residents on installing a solar hot water system when their existing electric system fails, be implemented as a matter of high priority.

v) Social Plan Implementation – 24 April 2008**a) Item 6.1a Australasian Clubhouse Conference (mental health)**Recommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Australasian Clubhouse Conference' to be held by the Pioneer Clubhouse in September 2008 in regard to objective A. Mental Health. Recognising that travel subsidies are necessary, but is not a key area for funding from the Social Plan, to provide funding only for the second component - printing and posting costs associated with conference marketing and registration. Total amount to be funded: \$1,000.

b) Item 6.1b Referral Kit and Manual for the HomelessRecommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Referral kit and resource manual for the homeless' to be prepared by Manly Community Centre in regard to objective B. Information and Support Services. It is more appropriate that SPIC support the resource kit for agencies and the client leaflet. The evaluation project is considered a bigger project that would require greater funds to conduct this in a comprehensive way. Total amount to be funded: \$1,500.

c) Item 6.1.c Drink Check 2008Recommendation

This Committee recommends that Council funds the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Drink Check 2008' to be implemented by Manly Drug Education & Counselling Centre (MDECC) during Manly Food and Wine festival. This program, in regard to objective E. Community Safety & Crime Prevention, would be supported through the Code of Respect campaign. Noting the opportunities available to increase the use of volunteers and therefore reduce the number of paid staff hours required. Total amount to be funded: \$2,500.

Divisional Manager's Note:

If Council resolves to support this funding it is intended to advertise our intention to fund these groups for a period of 28 days allowing public comment before allocating funds to the groups concerned. This note refers to Items 6.1a, 6.1b, 6.1c (above) and also Item 7.2 (below).

d) Item 7.2 NAIDOC Week School Competitions 2008Recommendation

- This Committee recommends that Council provide funds to Koori Kids for this year's NAIDOC Week school competition. Total amount to be funded: \$450.
- That, in future years, the Koori Kids program would be better advised to seek funding through Council's Community Grants Awards program available in August each year.
- That Koori Kids liaise with the Northern Beaches Aboriginal Education Consultative Group (AECG) as this group provides awards and funding for local Indigenous young people.

vi) Clontarf/ Bantry Bay Working Group – 28 April 2008**a) Item 4.1 Public Exhibition of the Final draft of the Estuary Management Plan (EMP)**Recommendation

- i. That the Clontarf/Bantry Bay Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
- ii. That a separate report be prepared on the issue of dinghy storage with a plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
- iii. That a separate report be prepared on the issue of 'Sandy Bay as dog off-leash area' with a range of alternative solutions, based on community submissions and further feedback.

MOTION (Macdonald / Evans)

1. That the information from the Parliamentary Secretary for Health, concerning the future of Manly Hospital, be received and noted.

PS40/08 RESOLVED: (Macdonald / Evans)

1. That the information from the Parliamentary Secretary for Health, concerning the future of Manly Hospital, be received and noted.

For the Resolution: Councillors Aird, Daley, Evans, Hay, Heasman, Morrison and Macdonald

Against the Resolution: Nil.

Councillors Lambert, Murphy and Norek were not in the Chamber when the voting took place.

MOTION (Macdonald / Hay)

2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i, 2ii, 2iii**

and 2iv, be adopted.
 PS41/08 **RESOLVED:** (Macdonald / Hay)

2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i, 2ii, 2iii and 2iv**, be adopted.

For the Resolution: Councillors Aird, Daley, Evans, Hay, Heasman, Morrison and Macdonald

Against the Resolution: Nil.

Councillors Lambert, Murphy and Norek were not in the Chamber when the voting took place.

MOTION (Heasman / Evans)

- 3 i) That the minutes of the **Manly Sustainability Strategy Management Group -1 April 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 7.1 Manly's Code of Respect for the environment**

That Council adopt the Code of Respect for the Environment:

- i) Manly's Code of Respect for the Environment:
 The environment has a special place in the hearts and minds of both residents and visitors to Manly.

Our community vision:

"A vibrant and inclusive community which values its heritage and works together to create a sustainable lifestyle and environment for all to enjoy."

There are many things you can do to help us achieve this vision:

ENJOY MANLY... and remember:

No smoking at our beaches and public outdoor places.

Just look at the birds, don't feed them!

Our drinking fountains save you buying bottled water.

Your protection of our endangered Little Penguins and Long-nosed Bandicoots is needed.

Manly's waterways and bushland need your protection too.

Avoid wasteful packaging and littering.

No plastic bags!

Leave your car at home.

Your support is greatly appreciated... ENJOY MANLY!

- ii) That the Code be displayed at the Visitor Information Centre, Manly Environment Centre and other relevant Council owned facilities, such as the Swim Centre, surf clubs, the Library etc.;
- iii) That the Code be made available for interested shops and businesses to display;
- iv) That the Code be printed on calico bags to be available for sale at the Visitor Information Centre and Manly Environment Centre;
- v) That the Code be included in digital way-finding signage to be used around

Manly, subject to design approval.

PS42/08 **RESOLVED:** (Heasman / Evans)

3 i) That the minutes of the Manly Sustainability Strategy Management Group -1 April 2008 be **adopted**, including the following recommendations of a substantial nature:

a) **Item 7.1 Manly's Code of Respect for the environment**

That Council adopt the Code of Respect for the Environment:

i) Manly's Code of Respect for the Environment:
The environment has a special place in the hearts and minds of both residents and visitors to Manly.

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Manly's waterways and bushland need your protection too.

Avoid wasteful packaging and littering.

No plastic bags!

Leave your car at home.

Your support is greatly appreciated... ENJOY MANLY!

- ii) That the Code be displayed at the Visitor Information Centre, Manly Environment Centre and other relevant Council owned facilities, such as the Swim Centre, surf clubs, the Library etc.;
- iii) That the Code be made available for interested shops and businesses to display;
- iv) That the Code be printed on calico bags to be available for sale at the Visitor Information Centre and Manly Environment Centre;
- v) That the Code be included in digital way-finding signage to be used around Manly, subject to design approval.

For the Resolution: Councillors Aird, Daley, Evans, Hay, Lambert, Morrison, Norek and Macdonald

Against the Resolution: Nil.

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

MOTION (Hay / Macdonald)

- 3 ii) That the minutes of the **Manly Sports Facilities Committee - 4 April 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 8 LM Graham Master Plan – Update**

That the LM Graham Reserve Steering Committee recommendation, that Active Sport be the main direction for LM Graham Reserve Master Plan, while also respecting the need to protect Manly Lagoon and its buffer zone, be fully supported by the Manly Sport facilities Committee. Also, that the following matters be referred to that Committee for consideration.

- i. That the cricket nets be relocated on LM Graham Reserve as a matter of urgency.
- ii. That the possible recycling of 40,000 litres of backwash from the Manly Swim Centre be investigated as a water saving project funded through the Manly Council Environment Levy.

b) **Item 9 2008/09 Project Budget Estimates**

That Council supports the same level of funding of \$85,000 for sports facilities upgrades in the 2008/09 Budget, to maintain safe player conditions.

PS43/08 **RESOLVED: (Hay / Macdonald)**

- 3 ii) That the minutes of the **Manly Sports Facilities Committee - 4 April 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 8 LM Graham Master Plan – Update**

That the LM Graham Reserve Steering Committee recommendation, that Active Sport be the main direction for LM Graham Reserve Master Plan, while also respecting the need to protect Manly Lagoon and its buffer zone, be fully supported by the Manly Sport facilities Committee. Also, that the following matters be referred to that Committee for consideration.

- i. That the cricket nets be relocated on LM Graham Reserve as a matter of urgency.
- ii. That the possible recycling of 40,000 litres of backwash from the Manly Swim Centre be investigated as a water saving project funded through the Manly Council Environment Levy.

b) **Item 9 2008/09 Project Budget Estimates**

That Council supports the same level of funding of \$85,000 for sports facilities upgrades in the 2008/09 Budget, to maintain safe player conditions.

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

Against the Resolution: Nil.

MOTION (Macdonald / Lambert)

3. iii) That the following recommendations of a substantial nature from the **Manly Community Environment Committee -17 April 2008** be **adopted**:

b) **Item 6 Penguins at Manly Wharf**

That the Environment Committee and Council supports the additional proposed conservation areas in Manly Cove as outlined in the NPWS report to be presented to the Penguin Recovery Team on 29 April 2008.

c) **Item 7 Sydney Water Issues**

Council write to Sydney Water:

- i. Stating that it is unacceptable that there are odours from the North Head Sewage Treatment Plant and biosolid trucks and call for independent monitoring of each.
- ii. Expressing concern that the tender document being prepared for trucking of biosolids for the next 5 years (with a 5 year option) ensures an outcome of no odour emissions from biosolids trucks.
- iii. Requesting that Council be afforded an opportunity to review and comment on tender specification before Sydney Water next tender for Sludge Removal.

PS44/08 **RESOLVED: (Macdonald / Lambert)**

3. iii) That the following recommendations of a substantial nature from the **Manly Community Environment Committee -17 April 2008** be adopted:

b) **Item 6 Penguins at Manly Wharf**

That the Environment Committee and Council supports the additional proposed conservation areas in Manly Cove as outlined in the NPWS report to be presented to the Penguin Recovery Team on 29 April 2008.

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- iii. Requesting that Council be afforded an opportunity to review and comment on tender specification before Sydney Water next tender for Sludge Removal.

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

Against the Resolution: Nil.

MOTION (Macdonald / Lambert)

3. iv) That the minutes of the **Climate Change working Group -23 April 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 7.2 24-Hour Hot Water Referral Service**

That the 24-hour Hot Water Referral Service project, to provide immediate information to residents on installing a solar hot water system when their existing electric system

fails, be implemented as a matter of high priority.

PS45/08 **RESOLVED: (Macdonald / Lambert)**

3. iv) That the minutes of the **Climate Change working Group -23 April 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 7.2 24-Hour Hot Water Referral Service**

That the 24-hour Hot Water Referral Service project, to provide immediate information to residents on installing a solar hot water system when their existing electric system fails, be implemented as a matter of high priority.

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

Against the Resolution: Councillor Norek

MOTION (Lambert / Evans)

3. v) That the minutes of the **Social Plan Implementation -24 April 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 6.1a Australasian Clubhouse Conference (mental health)**

That Council resolves under Section 356 of the NSW Local Government Act 1993, to allocate funds to the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Australasian Clubhouse Conference' to be held by the Pioneer Clubhouse in September 2008 in regard to objective A. Mental Health. Recognising that travel subsidies are necessary, but is not a key area for funding from the Social Plan, to provide funding only for the second component - printing and posting costs associated with conference marketing and registration. Total amount to be funded: \$1,000.

b) **Item 6.1b Referral Kit and Manual for the Homeless**

That Council resolves under Section 356 of the NSW Local Government Act 1993, to allocate funds to the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Referral kit and resource manual for the homeless' to be prepared by Manly Community Centre in regard to objective B. Information and Support Services. It is more appropriate that SPIC support the resource kit for agencies and the client leaflet. The evaluation project is considered a bigger project that would require greater funds to conduct this in a comprehensive way. Total amount to be funded: \$1,500.

c) **Item 6.1c Drink Check 2008**

That Council resolves under Section 356 of the NSW Local Government Act 1993, to allocate funds to the above projects in recognition of their relevance to the Social Plan

objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Drink Check 2008' to be implemented by Manly Drug Education & Counselling Centre (MDECC) during Manly Food and Wine festival. This program, in regard to objective E. Community Safety & Crime Prevention, would be supported through the Code of Respect campaign. Noting the opportunities available to increase the use of volunteers and therefore reduce the number of paid staff hours required. Total amount to be funded: \$2,500.

d) **Item 7.2 NAIDOC Week School Competitions 2008**

- That Council resolves under Section 356 of the NSW Local Government Act 1993, to allocate funds to the Koori Kids for this year's NAIDOC Week school competition. Total amount to be funded: \$450.
- That, in future years, the Koori Kids program would be better advised to seek funding through Council's Community Grants Awards program available in August each year.
- That Koori Kids liaise with the Northern Beaches Aboriginal Education Consultative Group (AECG) as this group provides awards and funding for local Indigenous young people.

PS46/08 **RESOLVED: (Lambert / Evans)**

3. v) That the minutes of the **Social Plan Implementation -24 April 2008** be adopted, including the following recommendations of a substantial nature:

a) **Item 6.1a Australasian Clubhouse Conference (mental health)**

That Council resolves under Section 356 of the NSW Local Government Act 1993, to allocate funds to the above projects in recognition of their relevance to the Social Plan objectives and existing community needs; however, given the total funds available are less than the applications received, the amounts requested be reduced. Projects to be funded as following:

'Australasian Clubhouse Conference' to be held by the Pioneer Clubhouse in September 2008 in regard to objective A. Mental Health. Recognising that travel subsidies are necessary, but is not a key area for funding from the Social Plan, to provide funding only for the second component - printing and posting costs associated with conference marketing and registration. Total amount to be funded: \$1,000.

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'Drink Check 2008' to be implemented by Manly Drug Education & Counselling Centre (MDECC) during Manly Food and Wine festival. This program, in regard to objective E. Community Safety & Crime Prevention, would be supported through the Code of Respect campaign. Noting the opportunities available to increase the use of volunteers and therefore reduce the number of paid staff hours required. Total amount to be funded: \$2,500.

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- That, in future years, the Koori Kids program would be better advised to seek funding through Council's Community Grants Awards program available in August each year.
- That Koori Kids liaise with the Northern Beaches Aboriginal Education Consultative Group (AECG) as this group provides awards and funding for local Indigenous young people.

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

Against the Resolution: Nil.

MOTION (Morrison / Daley)

3. vi) That the minutes of the **Clontarf/Bantry Bay Estuary Management Working Group - 28 April 2008** be adopted, and the items below be noted, having previously been dealt with in conjunction with Planning and Strategy Division Report No.15, Clontarf/Bantry Bay Estuary Management Plan Adoption, **Resolution Number PS36/08.**

a) **Item 4.1 Public exhibition of the Final draft of the Estuary Management Plan (EMP)**

- i. That the Clontarf/Bantry Bay Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
- ii. That a separate report be prepared on the issue of dinghy storage with a plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
- iii. That a separate report be prepared on the issue of 'Sandy Bay as dog off-leash area' with a range of alternative solutions, based on community submissions and further feedback.

PS46A/08 **RESOLVED:** (Morrison / Daley)

3. vi) That the minutes of the **Clontarf/Bantry Bay Estuary Management Working Group -**

28 April 2008 be adopted, and the items below be noted, having previously been dealt with in conjunction with Planning and Strategy Division Report No.15, Clontarf/Bantry Bay Estuary Management Plan Adoption, **Resolution Number PS36/08.**

a) **Item 4.1 Public exhibition of the Final draft of the Estuary Management Plan (EMP)**

- i. That the Clontarf/Bantry Bay Working Group endorsed the Final Report of the Clontarf/Bantry Bay Estuary Management Plan for adoption.
- ii. That a separate report be prepared on the issue of dinghy storage with a plan which details design and location of storage facilities throughout the Clontarf/Sandy Bay foreshore.
- iii. That a separate report be prepared on the issue of ‘Sandy Bay as dog off-leash area’ with a range of alternative solutions, based on community submissions and further feedback.

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

Against the Resolution: Councillor Norek

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 16

Gazettal of State Environmental Planning Policy (Infrastructure) 2007: Implications for Manly

SUMMARY

The purpose of this report is to advise on the gazettal of *State Environmental Planning Policy (Infrastructure) 2007* and the implications for Manly.

MOTION (Macdonald / Lambert)

- 1. That the report on the gazettal of State Environment Policy (Infrastructure) 2007 and the implications for Manly, be received and noted.
- 2. That Council write to the Minister for Planning and the Premier expressing grave concern at the further erosion of Local Government capacity to act on behalf of its community and to protect the character and amenity of the Manly LGA.

PS47/08 RESOLVED: (Macdonald / Lambert)

- 1. That the report on the gazettal of State Environment Policy (Infrastructure) 2007 and the implications for Manly, be received and noted.
- 2. That Council write to the Minister for Planning and the Premier expressing grave concern at the further erosion of Local Government capacity to act on behalf of its community and to protect the character and amenity of the Manly LGA.

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

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

CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 7

Property Matter

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (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 (Macdonald / Evans)

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

The Chair, Councillor Aird asked if any members of the public gallery objected to the matter being heard in Closed Session.

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

PS48/08 **RESOLVED:** (Macdonald / Evans)

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

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

Against the Resolution: Nil.

OPEN COUNCIL RESUMED

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

General Managers Division Report No. 7

Property Matter

MOTION (Macdonald / Murphy)

That Council proceed as discussed in Closed Session of Council.

PS49/08 **RESOLVED:** (Macdonald / Murphy)

That Council proceed as discussed in Closed Session of Council.

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

Against the Resolution: Nil.

CLOSE

The meeting closed at 11.23pm.

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 10th June 2008.

CHAIRPERSON

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