

## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly  
on:

**Monday 8 April 2013**

*All minutes are subject to confirmation at a subsequent meeting.*

*Copies of business papers are available at the Customer Service Counters  
at Manly Council, Manly Library and Seaforth Library and are available on  
Council's website:*

*[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 8 April 2013. The meeting commenced at 7.35pm.

## PRESENT

Her Worship, The Mayor, Jean Hay AM, who presided  
Councillor B Aird  
Councillor C Bingham  
Councillor H Burns  
Councillor C Griffin  
Councillor A Le Surf, Deputy Mayor  
Councillor S Pickering

## ALSO PRESENT

Henry Wong, General Manager  
Stephen Clements, Deputy General Manager, Executive Manager, Landuse & Sustainability  
Beth Lawsen, Deputy General Manager, People, Place & Infrastructure  
Anthony Hewton, Executive Manager, Corporate Support Services  
Secretariat Officer

## OPENING PRAYER

The Opening Prayer was presented by Graham Perry from the Balgowlah Uniting Church.

## APOLOGIES

Apologies were tendered on behalf of Councillor Adele Heasman, for non-attendance.

## MOTION (Le Surf / Burns)

That the apology received from Councillor Adele Heasman, be accepted and leave be granted.

## 35/13 RESOLVED: (Le Surf / Burns)

That the apology received from Councillor Adele Heasman, be accepted and leave be granted.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin  
and Hay

**Against the Resolution:** Nil.

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

## MATTERS OF URGENCY

**Note:** Councillor Aird requested that she be allowed to introduce a **Matter of Urgency** in accordance with the provisions of Clause 20(3) of Council's Code of Meeting Practice. Following an outline of the matter the Mayor put the matter to the vote.

**36/13      RESOLVED:      (Aird / C Griffin)**

That in accordance with the provisions in Clause 20(3) of Council's Code of Meeting Practice, the matter relating to container deposits be considered as a **Matter of Urgency**.

**For the Resolution:**      Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:**      Nil.

The Mayor ruled that the item was a matter of urgency and the matter proceed to debate.

**MOU1/13   Container Deposit Legislation****MOTION      (Aird / Burns)**

That Council urgently write to the Prime Minister, the Premier, and State and Federal Ministers for the Environment, to urge them to adopt a uniform national container deposit legislation when the Commonwealth and State Environment Ministers meet on 11 April 2013.

**37/13      RESOLVED:      (Aird / Burns)**

That Council urgently write to the Prime Minister, the Premier, and State and Federal Ministers for the Environment, to urge them to adopt a uniform national container deposit legislation when the Commonwealth and State Environment Ministers meet on 11 April 2013.

**For the Resolution:**      Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:**      Nil.

**CONFIRMATION OF MINUTES****MOTION      (Le Surf / Pickering)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 11 March 2013, 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 subject to the exclusion of Resolution 27/13.

**38/13      RESOLVED:      (Le Surf / Pickering)**

That copies of the Minutes of the Ordinary Meeting held on Monday, 11 March 2013, 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 subject to the exclusion of Resolution 27/13.

**For the Resolution:**      Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:**      Nil.

**PUBLIC FORUM**

| NAME             | SUBJECT/PUBLIC SPEAKERS                             |
|------------------|---|
| Roger Freney     | Thank you from North Harbour Precinct               |
| David Barr       | Manly Council's Policy regarding large trees        |
| Craig Riddington | Surf Education license on Manly Beach               |
| Harold Scruby    | Shared Parths (Bicycles) especially the Spit Bridge |
| David Parsons    |   |

**MAYORAL MINUTES**

Mayoral Minute Report No. 3

**Be Straw Free (MC/13/40305)**

I Move that Council:

1. Congratulates Milo for his global environmental initiative that makes a big difference locally;
2. encourages local businesses to sign up to Milo's "Be Straw Free" project by offering plastic straws rather than serving them in drinks automatically; and
3. eliminates the use of plastic straws at its functions.

**MOTION (Hay AM)**

That Council:

1. Congratulates Milo for his global environmental initiative that makes a big difference locally;
2. encourages local businesses to sign up to Milo's "Be Straw Free" project by offering plastic straws rather than serving them in drinks automatically;
3. eliminates the use of plastic straws at its functions; and
4. the matter be raised at the next Waste Committee.

**39/13 RESOLVED: (Hay AM)**

That Council:

1. Congratulates Milo for his global environmental initiative that makes a big difference locally;
2. encourages local businesses to sign up to Milo's "Be Straw Free" project by offering plastic straws rather than serving them in drinks automatically;
3. eliminates the use of plastic straws at its functions; and
4. the matter be raised at the next Waste Committee.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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**NOTICES OF MOTION**

Notice of Motion Report No. 13

**Street Furniture Review and Upgrade Program (MC/13/38521)**

**Councillor Barbara Aird moved:**

That Council undertakes an audit of the condition of its street furniture in high use areas (excluding those areas already upgraded along the Ocean Beach front) and develops an upgrade program in consultation with the Public Domains Committee and to be considered into Council's upcoming Budget.

**MOTION (Aird / Burns)**

That:

- i) Council undertakes an audit of the condition of its street furniture in high use areas (excluding those areas already upgraded along the Ocean Beach front) and develops an upgrade program in consultation with the Public Domains Committee and to be considered into Council's upcoming Budget.
- ii) Council also seek possible grants.

**40/13 RESOLVED: (Aird / Burns)**

That:

- i) Council undertakes an audit of the condition of its street furniture in high use areas (excluding those areas already upgraded along the Ocean Beach front) and develops an upgrade program in consultation with the Public Domains Committee and to be considered into Council's upcoming Budget.
- ii) Council also seek possible grants.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

\*\*\*\*\*

Notice of Motion Report No. 14

**Pedestrian Footpath (MC/13/38529)**

**Councillor Le Surf moved that:**

1. the General Manager be requested to provide in the current financial year a contiguous concrete footpath on the western side of Roseberry Street between Balgowlah Road and Hayes Street, and a marked pedestrian crossing in Roseberry Street, at its intersection with Balgowlah Road, and
2. Council to urgently approach the owners and tenants of adjacent premises to resolve the unauthorized use of footpaths in Roseberry Street for the parking of vehicles.

**MOTION (Le Surf / C Griffin)**

1. After an appropriate risk assessment, the General Manager be requested to investigate the provision of a continuous concrete footpath minimum of 3 mtrs wide to allow bikes (with pedestrian priority) on the western side of Roseberry Street between Balgowlah Road and Hayes Street, and a marked pedestrian crossing in Roseberry Street, at its intersection with Balgowlah Road, and
2. Council to urgently approach the owners and tenants of adjacent premises to resolve the unauthorized use of footpaths in Roseberry Street for the parking of vehicles.

**41/13 RESOLVED: (Le Surf / C Griffin)**

1. After an appropriate risk assessment, the General Manager be requested to investigate the provision of a continuous concrete footpath minimum of 3 mtrs wide to allow bikes (with pedestrian priority) on the western side of Roseberry Street between Balgowlah Road and Hayes Street, and a marked pedestrian crossing in Roseberry Street, at its intersection with Balgowlah Road, and
2. Council to urgently approach the owners and tenants of adjacent premises to resolve the unauthorized use of footpaths in Roseberry Street for the parking of vehicles.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil

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Notice of Motion Report No. 15

**Management of Garbage Bins in Market Lane (MC/13/38775)**

**Councillor Candy Bingham moved that:**

- i) The General Manager arrange for a report to be prepared on the Management of the Market Lane area in relation to garbage bin storage (which should be within buildings not on the set-back area which is for public access and use) and how Council proposes to address this issue in the immediate future.
- ii) This report include the Council garbage truck collection time which is now 9.30 am and causes considerable conflict with al-fresco cafe activity and general use of the plaza area.



**MOTION (Bingham / Aird)**

That:

- i) the General Manager arrange for a report to be prepared on the Management of the Market Lane area in relation to garbage bin storage (which should be within buildings not on the set-back area which is for public access and use) and how Council proposes to address this issue in the immediate future; and
- ii) this report to come back to the next Ordinary Meeting and include the Council garbage truck collection time which is now 9.30am and which may be the cause of considerable conflict with the al-fresco cafe activity and general use of the plaza area.

**42/13 RESOLVED: (Bingham / Aird)**

That:

- i) the General Manager arrange for a report to be prepared on the Management of the Market Lane area in relation to garbage bin storage (which should be within buildings not on the set-back area which is for public access and use) and how Council proposes to address this issue in the immediate future; and
- ii) this report to come back to the next Ordinary Meeting and include the Council garbage truck collection time which is now 9.30am and which may be the cause of considerable conflict with the al-fresco cafe activity and general use of the plaza area.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Notice of Motion Report No. 17

**Visitor Information To Remain At Manly Wharf with Transport Information Service (MC/13/39230)**

**Councillor Hugh Burns moved:**

**That:**

The issues below be referred to the Economic Development and Tourism Advisory Committee including the following points for consideration in developing a *"Destination Manly Plan"*.

- a. Council not relocate the existing VIC away from Manly Wharf;
- b. Council review public and staff facilities at the existing VIC building with a view to improving the facility, including any enlargement of the building that may be required to improve its function. (Such upgrading to be completed within the next 12 months)
- c. Council provision of bus timetable information by means of displaying full range of printed bus timetables covering the Manly area;
- d. Council provide inside the building a dedicated locked down PC for use by the public to access the 131500 timetable and trip planning website; and

- e. Council to approach Transport NSW for assistance with grants or funding for Council to provide timetable information for local State Transit services.

**MOTION (Burns / Aird)****That:**

The issues below be referred to the Economic Development and Tourism Advisory Committee including the following points for consideration in developing a *"Destination Manly Plan"*.

- a. Council not relocate the existing VIC away from Manly Wharf;
- b. Council review public and staff facilities at the existing VIC building with a view to improving the facility, including any enlargement of the building that may be required to improve its function. (Such upgrading to be completed within the next 12 months)
- c. Council provision of bus timetable information by means of displaying full range of printed bus timetables covering the Manly area;
- d. Council provide inside the building a dedicated locked down PC for use by the public to access the 131500 timetable and trip planning website; and
- e. Council to approach Transport NSW for assistance with grants or funding for Council to provide timetable information for local State Transit services.

**43/13 RESOLVED: (Burns / Aird)****That:**

The issues below be referred to the Economic Development and Tourism Advisory Committee including the following points for consideration in developing a *"Destination Manly Plan"*.

- a. Council not relocate the existing VIC away from Manly Wharf;
- b. Council review public and staff facilities at the existing VIC building with a view to improving the facility, including any enlargement of the building that may be required to improve its function. (Such upgrading to be completed within the next 12 months)
- c. Council provision of bus timetable information by means of displaying full range of printed bus timetables covering the Manly area;
- d. Council provide inside the building a dedicated locked down PC for use by the public to access the 131500 timetable and trip planning website; and
- e. Council to approach Transport NSW for assistance with grants or funding for Council to provide timetable information for local State Transit services.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Notice of Motion Report No. 18

**Whistler Street Car Park to be Retained (MC/13/39235)**

**Councillor Hugh Burns moved:**

That Council retains the existing Whistler Street Carpark with consideration of replacing the existing structure on the existing site if the community is of the view this needs to be upgraded.

**MOTION (Burns / Bingham)**

That Council retains the existing Whistler Street Carpark with consideration of replacing the existing structure on the existing site if the community is of the view this needs to be upgraded.

**For the Resolution:** Councillors Burns, Bingham and C Griffin

**Against the Resolution:** Councillors Aird, Pickering, Le Surf, J Griffin and Hay

The **Motion** was put and declared **lost**

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**ITEMS FOR BRIEF MENTION**

Item For Brief Mention Report No. 4

**Items For Brief Mention (MC/13/29007)**

**1. Complaints made to the General Manager as at March 2013.**

| Received | Nature of complaint | Outcome     | Status    |
|----------|---------------------|-------------|-----------|
| February | Code of conduct     | Not proved. | Finalised |

**2. Notices of Motion status report.**

The following Notices of Motion are currently in progress.

| Res No. | Meeting Date | Report                  | Subject   | Status                     |
|---------|--------------|-------------------------|---|----------------------------|
| 207/12  | 10 Dec       | Notice of Motion No. 43 | 2014 School Student of the Year   | Presentation in 2014       |
| 208/12  | 10 Dec       | Notice of Motion No. 46 | Master Plan for the Ivanhoe Botanic Gardens area.                             | With Precinct              |
| 204/12  | 10 Dec       | Notice of Motion No. 47 | Free Wi Fi Access in Manly CBD  | Working group meeting      |
| 202/13  | 10 Dec       | Mayoral Minute No. 11   | Manly Pathway of Olympians  | List being compiled        |
| 194/12  | 12 Nov       | Notice of Motion No. 39 | Introduce up to 3 hours free parking for residents at Council owned car parks | Introduction in late April |
| 05/13   | 11 Feb       | Notice of Motion No. 5  | Feasibility report on reinstating a mural at Lagoon Park                      | Playground Committee       |
| 22/13   | 11 March     | Notice of Motion No. 7  | Manly Business Commercial Event Fees  | 2013/2014 Fees & Charges   |
| 27/13   | 11 March     | Notice of Motion No. 11 | Manly Whistler Street Carpark Structural Assessment Report                    | In progress                |
| 28/13   | 11 March     | Notice of Motion No. 12 | Relocation of Manly Environment Centre  | Not commenced              |

## 3. Tabled Documents

|    | Date          | Author   | Subject  |
|----|---------------|--|--|
| 1  | 8 March 2013  | Ross Woodward<br>Chief Executive, Local Government<br>A Division of the Department of Premier and Cabinet      | Circular to Councils 13-07<br>2013 Ministers' Awards for Women in Local Government – Winners Announced   |
| 2  | 13 March 2013 | Benjamin Davies<br>CPS Global (on behalf of Vodafone)  | Site Sharing Initiative Between Vodafone and Optus   |
| 3  | 19 March 2013 | Clr Cathy Griffin<br>Chairperson<br>Sydney Coast Councils  | Provision of Legal Advice – CSIRO's Sea Level Rise Hazard Mapping (for the SCCG) " <i>Hazard Mapping in a Changing Legislative Framework</i> " |
| 4  | 19 March 2013 | Brad Hazzard MP<br>Minister for Planning & Infrastructure  | Media Release<br>Sydney's Future Made Clear<br>Draft <i>Metropolitan Strategy for Sydney to 2031</i>   |
|    | 25 March 2013 | Sam Haddad<br>Director General   | Draft <i>Metropolitan Strategy for Sydney to 2031</i>  |
| 5  | 21 March 2013 | Steve Orr<br>Acting Chief Executive<br>Local Government<br>A Division of the Department of Premier and Cabinet | Circular to Councils 13-09<br>Swimming Pools Amendment Act 2012 – Implementation Update  |
| 6  | 25 March 2013 | Steve Orr<br>Acting Chief Executive<br>Local Government<br>A Division of the Department of Premier and Cabinet | Circular to Councils 13-11<br>Consultation on Companion Animals Taskforce Reports  |
| 7  | 26 March 2013 | Steve Orr<br>Acting Chief Executive<br>Local Government<br>A Division of the Department of Premier and Cabinet | NSW Swimming Pools Register commencing operation from 29 April 2013  |
| 8  | 26 March 2013 | Brad Hazzard MP<br>Minister for Planning & Infrastructure  | Manly Standard Instrument Local Environment Plan (SI LEP) and Part 3A Application by Royal Far West  |
| 9  | 26 March 2013 | Kevin Young<br>Managing Director<br>Sydney Water   | Reply to Council's letter regarding odour management at North Head Wastewater Treatment Plant.   |
| 10 | 26 March 2013 | Kevin Young<br>Managing Director<br>Sydney Water   | Reply to Council's letter regarding the current and future operation of North Head Wastewater Treatment Plant.                                 |
| 11 | 26 March 2013 | Jillian Skinner MP<br>Minister for Health<br>Minister for Medical Research                                     | Reply to Council's letter regarding impacts of the North Head Sewage Treatment Plant in the Manly Community.                                   |
| 12 | 26 March 2013 | Clr Ray Donald and<br>Clr Keith Rhoads AFSM<br>Joint Presidents  | Local Government Amendment (Early Intervention) Bill   |

|    |               |  |  |
|----|---------------|--|--|
|    |               | Local Government NSW   |  |
| 13 | 27 March 2013 | Geoff Withycombe<br>Sydney Coastal Environment<br>Officer / Executive Officer<br>Sydney Coastal Councils Group<br>Inc. | Minutes and Actions from the SCCG<br>Ordinary Meeting held 16 March 2013 |
| 14 | 28 March 2013 | Clr Ray Donald and<br>Clr Keith Rhoads AFSM<br>Joint Presidents<br>Local Government NSW                                | Local Government Association of<br>NSW (LGNSW) update.                   |

**MOTION (Le Surf / Burns)**

That Reports 1, 2 and 3 be received and noted.

**44/13 RESOLVED: (Le Surf / Burns)**

That Reports 1, 2 and 3 be received and noted.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin  
and Hay

**Against the Resolution:** Nil.

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**REPORTS OF COMMITTEES**

Report Of Committees Report No. 5

**Special Purpose Advisory Committees Minutes without recommendations of a substantial nature (MC/13/30360)**

The following Special Purpose Advisory Committee minutes are tabled at this meeting.

- i) Human Services Planning & Policy Advisory Committee – 26 February 2013
- ii) Manly Sister Cities Advisory Committee – 27 February 2013
- iii) Meals on Wheels Advisory Committee – 13 March 2013
- iv) Manly Local Traffic Committee – 11 March 2013

**MOTION (Le Surf / Burns)**

That the minutes of the following Special Purpose Advisory Committee meetings be adopted.

- i) Human Services Planning & Policy Advisory Committee – 26 February 2013
- ii) Manly Sister Cities Advisory Committee – 27 February 2013
- iii) Meals on Wheels Advisory Committee – 13 March 2013
- iv) Manly Local Traffic Committee – 11 March 2013

**45/13 RESOLVED: (Le Surf / Burns)**

That the minutes of the following Special Purpose Advisory Committee meetings be adopted.

- i) Human Services Planning & Policy Advisory Committee – 26 February 2013
- ii) Manly Sister Cities Advisory Committee – 27 February 2013
- iii) Meals on Wheels Advisory Committee – 13 March 2013
- iv) Manly Local Traffic Committee – 11 March 2013

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Report Of Committees Report No. 6

**Minutes for adoption by Council****Community Safety and Place Management Advisory Committee - 14 March 2013 (MC/13/37403)**

This report was dealt with at the meeting of Community Safety and Place Management Advisory Committee meeting 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.

**MOTION (Le Surf / Burns)**

That the minutes of the Community Safety and Place Management Advisory Committee meeting on 14 March 2013 be adopted including the following items:

**ITEM 6 Late Night Manly Working Group**

That a Late Night Manly Working Group be formed as a sub-committee reporting to the Safety Committee with a view to making night time Manly safer and more attractive to a wider range of people.

**46/13 RESOLVED: (Le Surf / Burns)**

That the minutes of the Community Safety and Place Management Advisory Committee meeting on 14 March 2013 be adopted including the following items:

**ITEM 6 Late Night Manly Working Group**

That a Late Night Manly Working Group be formed as a sub-committee reporting to the Safety Committee with a view to making night time Manly safer and more attractive to a wider range of people.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Report Of Committees Report No. 7

**Minutes for adoption by Council**

**Manly Scenic Walkway Advisory Committee - 5 March 2013 (MC/13/38565)**

These reports were dealt with at the Manly Scenic Walkway Advisory Committee meeting of 5 March 2013 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**MOTION (Le Surf / Burns)**

That the minutes of the Manly Scenic Walkway Advisory Committee meeting on 5 March 2013 be adopted including the following items:

That:

**1. ITEM 4 - Manly Scenic Walkway Committee 2013 Works Program**

1. The report was received and noted by the Committee.
2. The Committee recommends to the General Manager that the program be endorsed subject to funding.

**2. ITEM 7 - Jump Rock Landscape Plan**

1. The Committee recommend to the General Manager that the Little Manly Point area be consulted under the MSW committee guidance, because it forms part of the circuit linear pathway network linkages associated with the MSW, and a long term access transition needs to be considered through this area;
2. the Committee report and make recommendations on general improvements to the area that are associated with access as a significant linkage to the MSW;
3. Council write to Mosman Council about improved signage to make the linkage from Mosman to the MSW more obvious for tourist and track user groups;
4. Council & NP&WS maintain a dialogue in terms of transition from NP&WS areas to other local areas within Manly.

**AMENDMENT (C Griffin / Bingham)**

That:

That the minutes of the Manly Scenic Walkway Advisory Committee meeting on 5 March 2013 be adopted including the following items:

**1. ITEM 4 - Manly Scenic Walkway Committee 2013 Works Program**

1. The report was received and noted by the Committee.
2. The Committee recommends to the General Manager that the program be endorsed subject to funding.

**2. ITEM 7 - Jump Rock Landscape Plan**

1. The Committee recommend to the General Manager that the Little Manly Point area be consulted under the MSW committee guidance, because it forms part of the circuit linear pathway network linkages associated with the MSW, and a long term access transition needs to be considered through this area.
2. The Committee report and make recommendations on general improvements to the area that are associated with access as a significant linkage to the MSW.
3. That Council if practical investigate the idea of a boat access wharf below jump rock.

4. That Council write to Mosman Council about improved signage to make the linkage from Mosman to the MSW more obvious for tourist and track user groups.
5. That Council consider naming the un-named reserve at the end of Stuart Street.
6. That Council & NP&WS maintain a dialogue in terms of transition from NP&WS areas to other local areas within Manly.

**For the Amendment:** Councillors Bingham, Pickering, J Griffin, Aird and C Griffin

**Against the Amendment:** Councillors Burns, Le Surf and Hay AM

The **Amendment** became the **motion** and was put and declared **carried**.

**47/13 RESOLVED: (C Griffin / Bingham)**

That:

That the minutes of the Manly Scenic Walkway Advisory Committee meeting on 5 March 2013 be adopted including the following items:

**1. ITEM 4 - Manly Scenic Walkway Committee 2013 Works Program**

1. The report was received and noted by the Committee.
2. The Committee recommends to the General Manger that the program be endorsed subject to funding.

**2. ITEM 7 - Jump Rock Landscape Plan**

1. The Committee recommend to the General Manager that the Little Manly Point area be consulted under the MSW committee guidance, because it forms part of the circuit linear pathway network linkages associated with the MSW, and a long term access transition needs to be considered through this area.
2. The Committee report and make recommendations on general improvements to the area that are associated with access as a significant linkage to the MSW.
3. That Council if practical investigate the idea of a boat access wharf below jump rock.
4. That Council write to Mosman Council about improved signage to make the linkage from Mosman to the MSW more obvious for tourist and track user groups.
5. That Council consider naming the un-named reserve at the end of Stuart Street.
6. That Council & NP&WS maintain a dialogue in terms of transition from NP&WS areas to other local areas within Manly.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Report Of Committees Report No. 8

**Minutes for adoption by Council**

**Harbour Foreshores & Coastline Management Advisory Committee - 12 March 2013  
(MC/13/39151)**

This report was dealt with at the Harbour Foreshores & Coastline Management Advisory Committee meeting of 12 March 2013 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.

**ITEM 4 Kelp Management – Manly Ocean Beach**

Council's Manager Natural Resources, Community & Environmental Partnerships presented a report on the Management of Kelp at Manly Ocean Beach.

Marcel Green – Fisheries NSW gave an update on the procedure and guidelines for a permit to harm marine vegetation.

Cllr Cathy Griffin noted two papers from the SCCG Biodiversity Workshop by Dr Paul Adams & Dr Bob Creese would be of interest to the Committee.

**MOTION (C Griffin / Le Surf)**

That the minutes of the Harbour Foreshores & Coastline Management Advisory Committee meeting of 12 March 2013 be adopted including the following item:

**ITEM 4 Kelp Management – Manly Ocean Beach**

This item is included as an Item For Brief Mention to Council.

**48/13 RESOLVED: (C Griffin / Le Surf)**

That the minutes of the Harbour Foreshores & Coastline Management Advisory Committee meeting of 12 March 2013 be adopted including the following item:

**ITEM 4 Kelp Management – Manly Ocean Beach**

This item is included as an Item For Brief Mention to Council.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Report Of Committees Report No. 9

**Minutes for adoption by Council**

**Community Environment Advisory Committee - 13 March 2013 (MC/13/39222)**

This report was dealt with at the Community Environment Advisory Committee meeting of 13 March 2013 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.

**ITEM 7 COMMITTEE ENVIRONMENTAL LEVY BID IDEAS –  
b. PROTECTED SEAHORSE HABITAT ON MANLY COVE SWIMMING  
ENCLOSURE NET**

This swimming enclosure net was once home to one of the largest colonies of protected seahorses in Sydney Harbour. This colony was severely impacted by damage to the nets in 2002 when the net was replaced and again in 2010 by apparent vandalism. During 2011 Council adopted recommendations for best management practices and a net was rehung specifically for seahorse habitat and Council adopted recommendations for a more permanent solution in 2012. (Manly Council State of the Environment Report 2010-2011).

Dave Thomas from Ecodivers reported that his recent audit of the swimming enclosure net showed that the population has increased to 147 Seahorses. However, there is insufficient habitat to provide adequate protection to the seahorses, particularly to their very vulnerable young.

It is essential that Council prioritizes Environmental Levy funding for a long term solution for this internationally recognized seahorse habitat, in the form of a new trampoline- style structure free of copper to encourage the marine growth to provide protection and camouflage.

**MOTION (Burns / Le Surf)**

That the minutes of the Community Environment Advisory Committee meeting held on 13 March 2013 be adopted including the following item:

**ITEM 7 COMMITTEE ENVIRONMENTAL LEVY BID IDEAS –  
b. PROTECTED SEAHORSE HABITAT ON MANLY COVE SWIMMING  
ENCLOSURE NET**

That Council to develop a proposal to replace netting with a seahorse-habitat-friendly structure. This netting structure should be free of copper and be designed to encourage marine growth to provide protection for the seahorses.

Funding from the Environment Levy should be used for this project and Council should seek additional grant funding for this protected precinct.

**49/13 RESOLVED: (Burns / Le Surf)**

That the minutes of the Community Environment Advisory Committee meeting held on 13 March 2013 be adopted including the following item:

**ITEM 7 COMMITTEE ENVIRONMENTAL LEVY BID IDEAS –  
b. PROTECTED SEAHORSE HABITAT ON MANLY COVE SWIMMING  
ENCLOSURE NET**

Council to develop a proposal to replace netting with a seahorse-habitat-friendly structure. This netting structure should be free of copper and be designed to encourage marine growth to provide protection for the seahorses.

Funding from the Environment Levy should be used for this project and Council should seek additional grant funding for this protected precinct.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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## ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 6

**Development Applications Being Processed During April 2013 (MC/13/30343)**

### SUMMARY

Development Applications being processed during April 2013.

### MOTION (Le Surf / Burns)

THAT the information be noted.

**50/13 RESOLVED: (Le Surf / Burns)**

THAT the information be noted.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Environmental Services Division Report No. 7

**Status of Current Appeals Relating to Development Applications During April 2013 (MC/13/30353)**

### SUMMARY

Status of current appeals relating to Development Applications during April 2013.

### MOTION (Le Surf / Burns)

THAT the information be noted.

**51/13 RESOLVED: (Le Surf / Burns)**

THAT the information be noted.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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Environmental Services Division Report No. 8

**Manly Lagoon Flood Study Draft 2013 – Public Exhibition – Joint Study with Warringah Council (MC/13/30598)**

**MOTION (C Griffin / Burns)**

That:

1. the report be received and noted;
2. the Draft Manly Lagoon Flood Study be exhibited for 28 days; and
3. Council thank the staff and consultants for the excellent report.

**52/13 RESOLVED: (C Griffin / Burns)**

That:

1. the report be received and noted;
2. the Draft Manly Lagoon Flood Study be exhibited for 28 days; and
3. Council thank the staff and consultants for the excellent report.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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## **CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 9

**Report on Council Investments as at 31 March 2013 (MC/13/39176)**

**MOTION (Le Surf / J Griffin)**

**That:** the statement of Bank Balances and Investment Holdings as at 31 March 2013 be received and noted.

**53/13 RESOLVED: (Le Surf / J Griffin)**

**That:** the statement of Bank Balances and Investment Holdings as at 31 March 2013 be received and noted.

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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**QUESTIONS WITHOUT NOTICE****QWN22/13 Councillor C Griffin - Parking**

What is the situation with the ambulance parking outside Drummond House use by Royal Far West (RFW) patient transfer buses. Cars are parked there permanently and the RFW appear to be the only organisation that have free parking. Do they pay for use of 3 public car on street parking spaces if not why not?

Has traffic committee resolved to return to the ½ hour parking or 1 hour parking?

*At the request of the Mayor the General Manager advised that Council staff are currently dealing with this matter, however before Council can change the restriction and the zone adjoining properties are consulted with.*

**QWN23/13 Councillor Aird - Progress on water outside Royal Far West**

Would the General Manager advise on the progress dealing with the significant water outside the Royal Far West?

*At the request of the Mayor the General Manager advised that the street trees in the area have caused damage to the gutter and also to the drainage and a response had been recorded through your questions without notice of last month.*

**QWN24/13 Councillor Burns - Mobile phones to pay parking fines**

It has been reported in the press that motorists using their mobile phones to pay for parking have been fined.

Can the General Manager advise in writing the number of reported fines or complaints and what is being done to cancel these fines and revise ranger/parking officer procedure to ensure no further problems – eg. Sign on car windscreens.

*At the request of the Mayor the General Manager advised he would take this on notice.*

**QWN25/13 Councillor Burns - Additional Committees**

Council staff have disputed that Council can create committees except by delegation from the General Manager.

The DLG has a Councillor Guide which says “Many Councils also delegate function to specialist committees that include Councillors, Council Staff and members of the public”.

North Sydney Council calls such committees “reference groups”.

Can the General Manager advise in writing why advice is being given such committees as envisaged by DLG cannot be formed, and confirm they can be formed if called “reference groups” reporting to Council (not the General Manager)?.

*At the request of the Mayor the General Manager advised he would take this on notice.*

**CONFIDENTIAL COMMITTEE OF THE WHOLE**

Notice of Motion Report No. 16

**Notice of Motion Report No. 16 (MC/13/39215)**

*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.*

Notice of Motion Report No. 19

**Notice of Motion Report No. 19 (MC/13/39260)**

*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 (Le Surf / Burns)**

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

The Chairperson, Mayor Jean Hay AM 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.

**54/13 RESOLVED: (Le Surf / Burns)**

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

**For the Resolution:** Councillors Aird, Burns, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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**OPEN COUNCIL RESUMED**

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

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Notice of Motion Report No. 16

**Notice of Motion Report No. 16 (MC/13/39215)**

**MOTION (C Griffin / J Griffin)**

Progressed as discussed in closed session.

**55/13 RESOLVED: (C Griffin / J Griffin)**

Progressed as discussed in closed session.

**For the Resolution:** Councillors Aird, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay

**Against the Resolution:** Nil.

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## **CLOSE**

The meeting closed at 11.28pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on **13 May 2013**.

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**MAYOR**

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