

## Minutes

### Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly  
on:

**Monday 3 March 2014**

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

*Copies of business papers are available at the Customer Service Counters  
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Council's website:*

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



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**TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:**

The Planning and Strategy Committee, having met at 7.30pm on Monday 3 March 2014, 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**

Mayor, Jean Hay AM  
Councillor B Aird  
Councillor C Bingham  
Councillor H Burns  
Councillor C Griffin  
Councillor J Griffin  
Councillor A Heasman,  
Councillor A Le Surf, Deputy Chair  
Councillor S Pickering, Chair

**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  
Helen Lever, Manager, Administration  
Secretariat Officer

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

It was noted that Councillor <Insert councillor name> was absent on leave previously granted.

**DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

<b>Name:</b>	<b>Item Number:</b>	<b>Nature of Interest:</b>
Clr Barbara Aird	ESD Report 8 - Post Exhibition Report of Amendment to Manly LEP 2013 - Rezoning of 45 Pacific Parade	Subject property is in the street Councillor resides in.

## ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 3

### Items For Brief Mention (MC/14/16416)

#### 1. 2014 National General Assembly of Local Government – Call for Motions

The 2014 National General Assembly of Local Government (NGA), which will be held at the National Convention Centre in Canberra on 15-18 June, is an opportunity for local government to identify and discuss issues which it believes should be addressed by the new Federal Government.

Every council has the opportunity to raise relevant issues for debate at the Assembly and Manly Council is invited to participate in the 2014 NGA by submitting a motion for consideration.

The Australian Local Government Association (ALGA) Board is calling for motions for the 2014 NGA under the theme of *'Getting Down to Business'*.

This theme reflects the renewed focus across all levels of government on the roles and responsibilities of the public sector and the challenges of meeting our communities' needs.

To be eligible for inclusion in the NGA Business Paper motions must follow the principles:

1. Fall under the NGA theme
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policies of state and territory local government associations.

A Discussion Paper has been issued and is available on the ALGA website at [www.alga.asn.au](http://www.alga.asn.au).

Motions are to be received no later than 17 April 2014.

#### 2. Tabled Documents

Date	Author	Subject
7 Feb 14	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet NSW Government	<b>Circular to Councils 14-03</b> Improvement and Intervention Framework for NSW Councils
13 Feb 14	Bill Gillooly AM Chief Executive Local Government NSW	Manly Council Resolution to Support 'Save Our Streets – Real Action on Alcohol Now' Campaign
20 Feb 14	Laurie Glanfield Director General Finance & Services NSW Government	Release of a position paper outlining the NSW Government's proposed reform of key elements of the urban water industry in NSW.
24 Feb 14	Paul McInnes General Manager & reconstruction Programmes Branch Department of Infrastructure and Regional Development	The 2010-11 Local Government National Report - Tabled.

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

That:

1. Councillors wishing to put a motion forward to the 2014 National General Assembly of Local Government submit same to the General Manager's office.
2. That the tabled documents be received and noted.

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

**Against the Resolution:** Nil.

**13/14 RESOLVED: (Le Surf / J Griffin)**

That:

1. Councillors wishing to put a motion forward to the 2014 National General Assembly of Local Government submit same to the General Manager's office.
2. That the tabled documents be received and noted.

\*\*\*\*\*

**REPORTS OF COMMITTEES**

Report Of Committees Report No. 7

**Minutes for notation by Council - special Purpose Advisory committee without recommendations of a significant nature (MC/14/22485)**

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

1. Manly Local Traffic Committee – 10 February 2014

**MOTION (Le Surf / Burns)**

That the minutes of the following Special Purpose Advisory Committee meeting be noted.

1. Manly Local Traffic Committee – 10 February 2014

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

**Against the Resolution:** Nil.

**14/14 RESOLVED: (Le Surf / Burns)**

That the minutes of the following Special Purpose Advisory Committee meeting be noted.

1. Manly Local Traffic Committee – 10 February 2014

\*\*\*\*\*

Report Of Committees Report No. 8

**Minutes for notation by Council - Meals on Wheels Advisory Committee - 12 February 2014 (MC/14/22566)**

This report was dealt with at the Meals on Wheels Advisory Committee meeting of 12 February 2014 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 notation by Council.

**ITEM 5 Community Visitor's Scheme**

The CSM advised that Council was successful in gaining funding from the Federal Government to run a Community Visitor's Scheme until June 2016. This would mean a two day a week position based at Meals on Wheels. Current volunteers will be approached as well as new volunteers identified who would like to be visitors. It is expected to have 20 clients by June who will be visited fortnightly.

**MOTION (Heasman / Le Surf)**

That the minutes of the Meals on Wheels Advisory Committee meeting on 12 February 2014 be received and noted, including the following item:

**ITEM 5 Community Visitor's Scheme**

The Committee recommends to the General Manager:

That it endorses the new Community Visitor's Scheme, to be coordinated from Meals on Wheels, and congratulates Council and the Meals on Wheels staff on receiving this funding.

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

**Against the Resolution:** Nil.

**15/14 RESOLVED: (Heasman / Le Surf)**

That the minutes of the Meals on Wheels Advisory Committee meeting on 12 February 2014 be received and noted, including the following item:

**ITEM 5 Community Visitor's Scheme**

The Committee recommends to the General Manager:

That it endorses the new Community Visitor's Scheme, to be coordinated from Meals on Wheels, and congratulates Council and the Meals on Wheels staff on receiving this funding.

\*\*\*\*\*

**GENERAL MANAGERS DIVISION**

General Managers Division Report No. 1

**Periodic Policy Review (MC/13/148294)**

**SUMMARY**

This is a report on the periodic review of the Policy Register (available on Council's website and will be Tabled).

**MOTION (Heasman / Le Surf)**

That Council in adopting the Revised Policy Register:

1. Adopt amendments listed in Schedule 4;
2. Revoke policies listed in Schedule 2;
3. Subject to 1 and 2, reaffirm the policies, as revised, listed in Schedule 1;
4. Adopt and incorporate policies listed in Schedule 3;
5. Retain the Triple Bottom Line policy and make it consistent with the requirements of the Integrated Planning & Reporting requirements.
6. Retain the Charter of Political Reform policy and make it consistent with the legislative requirements of the Electoral Commission .
7. In relation to the proposed Events Management policy make amendments as agreed, at Paragraph 7 (monitoring breaches), 11 (relevant council policies and procedures and also include Licences & Permissions and Council's Fees & Charges).

#### **AMENDMENT (Burns / Aird)**

That the adoption of the revised policy register be deferred and then referred to a working group for a recommendation to Council.

**For the Amendment:** Councillors Aird and Burns

**Against the Amendment:** Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin, C Griffin and Hay AM

The **Amendment** was declared **Lost**.

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

**Against the Resolution:** Councillors Aird and Burns

#### **16/14 RESOLVED: (Heasman / Le Surf)**

That Council in adopting the Revised Policy Register:

1. Adopt amendments listed in Schedule 4;
2. Revoke policies listed in Schedule 2;
3. Subject to 1 and 2, reaffirm the policies, as revised, listed in Schedule 1;
4. Adopt and incorporate policies listed in Schedule 3;
5. Retain the Triple Bottom Line policy and make it consistent with the requirements of the Integrated Planning & Reporting requirements.
6. Retain the Charter of Political Reform policy and make it consistent with the legislative requirements of the Electoral Commission .
7. In relation to the proposed Events Management policy make amendments as agreed, at Paragraph 7 (monitoring breaches), 11 (relevant council policies and procedures and also include Licences & Permissions and Council's Fees & Charges).

\*\*\*\*\*

Councillor Aird left the Chamber at 8.45pm

## ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 3

### Manly LEP 2013 - Proposed Amendment 3 (MC/14/13474)

#### SUMMARY

This report details a series of amendments to the Manly LEP 2013 that is not considered to require a public exhibition under the *Environmental Planning and Assessment Act 1979*.

#### MOTION (Le Surf / Heasman)

THAT Council adopt the planning proposal to amend the Manly LEP 2013 in applying the exhibited development standards for the Royal Far West site and minor mapping errors contained in the report, and that Council submit to the Department of Planning and Infrastructure LEP Gateway Panel for determination and making of the Amending Manly LEP 2013 under delegation.

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

**Against the Resolution:** Councillors Burns

Clr Aird was out of the Chamber when voting took place.

#### 17/14RESOLVED: (Le Surf / Heasman)

THAT Council adopt the planning proposal to amend the Manly LEP 2013 in applying the exhibited development standards for the Royal Far West site and minor mapping errors contained in the report, and that Council submit to the Department of Planning and Infrastructure LEP Gateway Panel for determination and making of the Amending Manly LEP 2013 under delegation.

\*\*\*\*\*

Clr Aird returned to the Chamber at 8.50pm

Environmental Services Division Report No. 6

### Development Applications Being Processed During March 2014 (MC/14/22364)

#### SUMMARY

Development Applications being processed during March 2014.

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

THAT the information be noted.

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

**Against the Resolution:** Nil.

#### 18/14 RESOLVED: (Le Surf / J Griffin)

THAT the information be noted.

\*\*\*\*\*

Environmental Services Division Report No. 7

**List of LEC Appeals Relating to Development Applications during (MC/14/22962)**

**SUMMARY**

A list of appeals relating to development application currently listed with the Land and Environment Court.

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

THAT the information be noted.

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

**Against the Resolution:** Nil.

**19/14 RESOLVED: (J Griffin / Le Surf)**

THAT the information be noted.

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Clr Aird having declared an interest in the item left the Chamber at 8.53pm

Environmental Services Division Report No. 8

**Post Exhibition Report of Amendment to Manly LEP 2013 - Rezoning of 45 Pacific Parade (MC/14/23112)**

**SUMMARY**

This report is on the submissions received during the exhibition of the Planning Proposal to amend the Manly LEP 2013 land use zoning of 45 Pacific Parade from Zone SP2 Childcare Centre to Zone R1 General Residential. This report recommends Council proceed with Draft LEP Amendment 2 – Rezoning of 45 Pacific Parade - as exhibited.

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

That:

1. Council support the rezoning of 45 Pacific Parade from SP2 Child Care Centre to R1 General Residential; and
2. Council proceed to prepare and make the Draft Manly Local Environmental Plan Amendment No. 2 as exhibited.

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

**Against the Resolution:** Councillor Burns

Clr Aird was not in the Chamber when the voting took place.

20/14 RESOLVED: (Le Surf / J Griffin)

That:

1. Council support the rezoning of 45 Pacific Parade from SP2 Child Care Centre to R1 General Residential; and
2. Council proceed to prepare and make the Draft Manly Local Environmental Plan Amendment No. 2 as exhibited.

\*\*\*\*\*

Councillor Aird returned to the Chamber at 8.56pm

### CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 3

#### **Tender Evaluation for Supply of Electrical Services (MC/14/19929)**

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

General Managers Division Report No. 4

#### **Tender Evaluation for Supply of Plumbing, Drainage and Gas Fitting Services (MC/14/19920)**

*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 / Le Surf)**

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

The Chairperson, Councillor Steve Pickering 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.

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

**Against the Resolution:** Nil.

21/14 RESOLVED: (Le Surf / Heasman)

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

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Mayor Hay AM left the Chamber at 9pm

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General Managers Division Report No. 3

**Tender Evaluation for Supply of Electrical Services (MC/14/19929)**

**MOTION (Heasman / Le Surf)**

Progressed as discussed in Closed Session.

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

**Against the Resolution:** Councillors Burns

Mayor Hay AM was not in the Chamber when the voting took place

**22/14 RESOLVED: (Heasman / Le Surf)**

Progressed as discussed in Closed Session.

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General Managers Division Report No. 4

**Tender Evaluation for Supply of Plumbing, Drainage and Gas Fitting Services (MC/14/19920)**

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

Progressed as discussed in closed session.

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

**Against the Resolution:** Councillors Burns

Mayor Hay AM was not in the Chamber when the voting took place

**23/14 RESOLVED: (Pickering / J Griffin)**

Progressed as discussed in Closed Session.

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Mayor Hay AM returned to the Chamber at 9.04pm

**OPEN COUNCIL RESUMED**

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

**CLOSE**

The meeting closed at [9.05pm](#)

The above minutes were confirmed at the **Ordinary Meeting** of Manly Council held on [10 March 2014](#).

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**CHAIRPERSON**

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