

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 9 December 2013

All minutes are subject to confirmation at a subsequent meeting.

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Council's website:*

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 9 December 2013. The meeting commenced at 7.32pm.

PRESENT

Her Worship, The Mayor, Jean Hay AM, who presided
Councillor B Aird
Councillor C Bingham
Councillor H Burns
Councillor C Griffin
Councillor J Griffin
Councillor A Heasman, Deputy Mayor
Councillor A Le Surf
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
Helen Lever, Manager Administration
Secretariat Officer

OPENING PRAYER

The Opening Prayer was given by Senior Pastor – Robin Kinstead, Christ Church Northern Beaches

APOLOGIES

Nil

CONFIRMATION OF MINUTES

MOTION (Pickering / Le Surf)

That copies of the Minutes of the Ordinary Meeting held on Monday, 11 November 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.

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

Against the Resolution: Nil.

213/13 RESOLVED: (Pickering / Le Surf)

That copies of the Minutes of the Ordinary Meeting held on Monday, 11 November 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.

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

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 02 December 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.

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

Against the Resolution: Nil.

214/13 RESOLVED: (Pickering / Le Surf)

That copies of the Minutes of the Planning and Strategy Committee held on Monday, 02 December 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.

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

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday, 02 December 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.

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

215/13 RESOLVED: (Le Surf / Pickering)

That copies of the Minutes of the Extraordinary Meeting of Council held on Monday, 02 December 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.

Note: the General manager agreed to seek advice from the DLG regarding the minutes of 11 November at the request of Councillor Bingham.

SUSPENSION OF STANDING ORDERS (Heasman / Pickering)

That Standing Orders be suspended to consider items of public interest being: Notice of Rescission Report No. 4 – Rezoning of Stuart Street Manly, Notice of Motion Report No 77 – additional Seating and Bike and Clothes Racks, Corporate and Urban Services Division Report No 7 – Stuart Street Economic Plan for Little Manly Reserve.

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

Against the Resolution: Nil.

216/13 RESOLVED: (Heasman / Pickering)

That Standing Orders be suspended to consider items of public interest being: Notice of Rescission Report No. 4 – Rezoning of Stuart Street Manly, Notice of Motion Report No 77 – additional Seating and Bike and Clothes Racks, Corporate and Urban Services Division Report No 7 – Stuart Street Economic Plan for Little Manly Reserve.

Notice of Rescission Report No. 4

Re-zoning of Stuart Street Manly (MC/13/120662)

The following person addressed the meeting on this item:

In support of the Motion: Jacqueline French

This report was deferred from the Ordinary Meeting of Council on 14 October 2013.

Councillors Cathy Griffin, Barbara Aird, and Hugh Burns moved:

MOTION (C Griffin / Aird)

“That the Council’s decision of 9 September 2013 being Environment Services Division Report No. 17 in respect of Re-zoning of Stuart Street Manly be and is hereby rescinded.”

AMENDMENT (Hay / Le Surf)

That Council rescind so much of its decision of 9 September 2013 ESD Report 17 as it relates to the rezoning of 34 & 36 Stuart Street, Manly.

The **Amendment** became the **Motion** and was put and declared **Carried**.

For the Amendment: Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin and Hay
Against the Amendment: Councillors Aird, Burns and C Griffin

MOTION (Hay AM / Le Surf)

That Council rescind so much of its decision of 9 September 2013 ESD Report 17 as it relates to the rezoning of 34 & 36 Stuart Street, Manly.

217/13 RESOLVED: (Hay AM / Le Surf)

That Council rescind so much of its decision of 9 September 2013 ESD Report 17 as it relates to the rezoning of 34 & 36 Stuart Street, Manly.

ALTERNATE MOTION (Hay AM / Le Surf)

That Council proceed with the rezoning of 38 Stuart Street, to E4 Environmental Living.

For the Motion: Councillors Heasman, Bingham, Pickering, Le Surf, J Griffin and Hay
Against the Motion: Councillors Aird, Burns and C Griffin

218/13 RESOLVED: (Hay AM / Le Surf)

That Council proceed with the rezoning of 38 Stuart Street, to E4 Environmental Living.

Councillor C Girffin left the Chamber 7.59pm

Notice of Motion Report No. 77

Additional Seating and Bike and Clothes Racks (MC/13/130534)

The following person addressed the meeting on this item:

In support of the Motion: Julie Isbill

Councillor Pickering moved:

That Manly Council prepares a report on the feasibility of providing shelter, seating and additional bike and clothes racks adjacent to Manly Surf Life Saving Club for use by groups such as the Bold and Beautiful Swim Squad Manly and the wider community.

MOTION (Pickering / Burns)

That

- i) Manly Council prepares a report on the feasibility of providing shelter, seating and additional bike and clothes racks adjacent to Manly Surf Life Saving Club for use by groups such as the Bold and Beautiful Swim Squad Manly and the wider community; and
- ii) The report be referred to the Public Domains Advisory Committee.

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

Against the Resolution: Nil.

219/13 RESOLVED: (Pickering / Burns)

That

- i) Manly Council prepares a report on the feasibility of providing shelter, seating and additional bike and clothes racks adjacent to Manly Surf Life Saving Club for use by groups such as the Bold and Beautiful Swim Squad Manly and the wider community; and
- ii) The report be referred to the Public Domains Advisory Committee.

Civic and Urban Services Division Report No.7

Stuart Street Economic Plan for Little Manly Reserve (MC/13/137589)

The following person addressed the meeting on this item:

In support of the Motion: Judy Brain

SUMMARY

At its Ordinary Meeting of 11th November 2013, Council, inter alia, resolved that a business case be prepared on the Stuart Street properties including the following options:

- A. Retain No. 40 Stuart Street for 8 to 10 years and pay interest only on its loan.
- B. Relocate the Manly Environment Centre (MEC) to No. 34 Stuart Street.
- C. Elevate No. 34 to meet the footpath level in Stuart Street.
- D. Operate a secured premium boat storage facility under an elevated 34 Stuart Street.

- E. Demolish No. 36 Stuart Street to provide increase recreation space and for boat storage.
- F. The cost of the Manyo Design scheme.
- G. Increase the Environment Levy by 50 cents per week for each rateable property.
- H. Examine the timeline for public consultation and referral to the Minister on the levy increase.

MOTION (Heasman / Pickering)

That the matter be referred back to the next Public Domains Advisory Committee of Wednesday 11 December 2013 and that Council further workshop the Committee's recommendations at its February Strategic Workshop.

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

Against the Resolution: Nil.

220/13 RESOLVED: (Heasman / Pickering)

That the matter be referred back to the next Public Domains Advisory Committee of Wednesday 11 December 2013 and that Council further workshop the Committee's recommendations at its February Strategic Workshop.

RESUMPTION OF STANDING ORDERS (Heasman / Pickering)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

MAYORAL MINUTES

Mayoral Minute Report No. 17

A National approach to the fight against bike thefts (MC/13/142298)**MOTION (Hay AM)**

That Council fully support and promote to our residents the *National Bicycle Identification System* using Data Dot Technology, particularly via our service touch points such as the Library and Service Centres.

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

Against the Resolution: Nil.

221/13 RESOLVED: (Hay AM)

That Council fully support and promote to our residents the *National Bicycle Identification System* using Data Dot Technology, particularly via our service touch points such as the Library and Service Centres.

Mayoral Minute Report No. 18

Appointment of Independent Members of the Manly Audit and Risk Committee

MOTION (Hay AM)

That Council appoint Mr Gordon and Mr Hrnjak as independent members of the Manly Audit and Risk Committee for the next 4 years and Mr Gordon as its independent chair.

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

Against the Resolution: Nil.

222/13 RESOLVED: (Hay AM)

That Council appoint Mr Gordon and Mr Hrnjak as independent members of the Manly Audit and Risk Committee for the next 4 years and Mr Gordon as its independent chair.

NOTICES OF RESCISSION

Notice of Rescission Report No. 6

Manly Traffic Committee - Item 57/13 (MC/13/141814)

Councillors Aird, C Griffin & Burns moved:

“That the Council’s decision of 14 October 2013 being Report of Committees No. 28 in respect of Minutes for Adoption, Manly Traffic Committee (MTC) be and is hereby rescinded.”

MOTION (Heasman / Burns)

That:

- i) Council notes Councillor Burns has withdrawn his Rescission Motion; and
- ii) the General Manager be requested to amend the Minutes of the meeting of Council held on 14 October 2013 to reflect that the minutes of the Traffic Committee were notated not adopted and that Clr Aird voted against the resolution.

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

Against the Resolution: Councillor Hay

223/13 RESOLVED: (Heasman / Burns)

That:

- i) Council notes Councillor Burns has withdrawn his Rescission Motion; and
- ii) the General Manager be requested to amend the Minutes of the meeting of Council held on 14 October 2013 to reflect that the minutes of the Traffic Committee were notated not adopted and that Clr Aird voted against the resolution.

NOTICES OF MOTION

Notice of Motion Report No. 78

Review of 2012/2013 Capital Works Program (MC/13/141088)

Councillor Candy Bingham moved:

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.
2. This report should specify which projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

MOTION (Bingham / Burns)

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.
2. This report should specify which projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

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

Against the Resolution: Nil.

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

224/13 RESOLVED: (Bingham / Burns)

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.
2. This report should specify which projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

Notice of Motion Report No. 79

**Rectification of Flooding problems in the vicinity of Kenneth Rd. and Balgowlah Rd.
(MC/13/141236)**

Councillor Barbara Aird moved:

MOTION (Aird / Heasman)

That:

- i) Council urgently addresses the on-going flooding problems in the vicinity of Kenneth Road, Balgowlah Road and surrounding streets such as Golf, Rolf and Alexander Sts which in the last few weeks alone has caused the closure of these streets for several hours at a time, and
- ii) Staff bring back a progress report to the next Ordinary Meeting of Council, such a report will identify the causes and rectification measures necessary, projected budget and timeline for the necessary works to eliminate the flooding.

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

Against the Resolution: Nil.

225/13 RESOLVED: (Aird / Heasman)

That:

- i) Council urgently addresses the on-going flooding problems in the vicinity of Kenneth Road, Balgowlah Road and surrounding streets such as Golf, Rolf and Alexander Sts which in the last few weeks alone has caused the closure of these streets for several hours at a time, and
- ii) Staff bring back a progress report to the next Ordinary Meeting of Council, such a report will identify the causes and rectification measures necessary, projected budget and timeline for the necessary works to eliminate the flooding.

Notice of Motion Report No. 81

**Upgrade works to enable the reopening of the Whistler St Carpark basement (MC/13/141250)
Councillor Hugh Burns moved:**

That Council commission an independent engineering report on the cheapest options to upgrade the fire services to this level of the carpark sufficient to enable it to be reopened, so as to provide the community with another approx 24 parking spaces. The report should include but not be limited to:

- the installation of sprinklers and fire hydrants to this level,
- consideration of smoke spill fans to serve the partially enclosed basement level.
- and smoke isolation of the main pedestrian stairway (at this level).

The report be brought back to the February 2014 meeting of Council.

MOTION (Burns / Aird)

That the matter be noted.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,
J Griffin and Hay
Against the Resolution: Nil.

226/13 RESOLVED: (Burns / Aird)

That the matter be noted.

Notice of Motion Report No. 82

Senior Citizens' Centre (MC/13/141253)

Councillor Hugh Burns moved:

MOTION (Burns / Aird)

That Council:

1. where appropriate proceeds to organise a "spring" clean of the premises; and
2. undertakes a review of the building cleaning arrangements.

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

Against the Resolution: Nil.

227/13 RESOLVED: (Burns / Aird)

That Council:

1. where appropriate proceeds to organise a "spring" clean of the premises; and
2. undertakes a review of the building cleaning arrangements.

Notice of Motion Report No. 83

Balgowlah Swim Centre Parking and Transport Options (MC/13/141255)

Councillor Hugh Burns moved:

That Council investigate addressing the apparent swim centre parking space shortfall caused by some of the existing parking areas being used for the proposed extensions to the Swim Centre, by investigating provision of a transport link between the swim centre and other nearby parking locations such as the Buckingham Street Carpark and the two Pittwater Road carparks - serving Keirle Park and Lagoon Park.

That the matter also be referred to the tramway working group for its investigation and consideration.

MOTION (Burns / Heasman)

That:

That the matter be deferred pending the decision of the JRPP.

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf,

J Griffin and Hay

Against the Resolution: Nil.**228/13 RESOLVED: (Burns / Heasman)**

That:

That the matter be deferred pending the decision of the JRPP.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 17

Items For Brief Mention (MC/13/135959)**1. Complaints made to the General Manager**

Received	Nature of complaint	Status
August	Code of Conduct	Being assessed
October	Code of Conduct	Being assessed

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
178/13	14 Oct	NoM No. 68	Provision of bus shelter at Condamine Street Hop, Skip and Jump bus terminal	Contacted supplier
202/13	11 Nov	NoM No. 76	Save our Streets – Real Action on Alcohol Now Campaigns	Letters sent
204/13	2 Dec	NoM No. 75	Beach front meter parking to commence at 8am	On public exhibition

3. Tabled Documents

Date	Author	Subject
2 Dec 13	Clr Keith Rhoades AFSM President	Regional Australia Development Fund (RDAF round5) funding.
27 Nov 13	Ben Taylor Executive Director SHOROC	SHOROC Annual General Meeting of 27 November 2013.
20 Nov 13	Ben Taylor Executive Director SHOROC	SHOROC Board Meeting Minutes of 20 November 2013.

MOTION (Heasman / Le Surf)

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

For the Resolution: Councillors Aird, Burns, Heasman, Bingham, Pickering, Le Surf, J Griffin and Hay**Against the Resolution:** Nil.**229/13 RESOLVED: (Heasman / Le Surf)**

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

REPORTS OF COMMITTEES

Report Of Committees Report No. 40

Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature. (MC/13/139524)

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

- i) Playground Advisory Committee – 10 October 2013
- ii) Manly Local Traffic Committee – 11 November 2013
- iii) Community Safety & Place Management Advisory Community – 14 November 2013

MOTION (Le Surf / Heasman)

That the minutes of the following Special Purpose Advisory Committee meetings be received and noted.

- i) Playground Advisory Committee – 10 October 2013
- ii) Manly Local Traffic Committee – 11 November 2013
- iii) Community Safety & Place Management Advisory Community – 14 November 2013

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

Against the Resolution: Nil.

230/13 RESOLVED: (Le Surf / Heasman)

That the minutes of the following Special Purpose Advisory Committee meetings be received and noted.

- i) Playground Advisory Committee – 10 October 2013
- ii) Manly Local Traffic Committee – 11 November 2013
- iii) Community Safety & Place Management Advisory Community – 14 November 2013

Report Of Committees Report No. 41

Minutes for notation by Council - Waste Advisory Committee 30 October 2013 (MC/13/137449)

This report was dealt with at the Waste Advisory Committee meeting of 30 October 2014 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

ITEM 6 General Business Brought to the Attention of the Chair Prior to the Meeting and Approved for consideration

Additional Councillor Position on Waste Advisory Committee

Clr Bingham expressed interest in joining the Waste Advisory Committee.

MOTION (Aird / Heasman)

That the minutes of the Waste Advisory Committee meeting on 30 October 2013 be received and noted including the following items:

ITEM 6 General Business Brought to the Attention of the Chair Prior to the Meeting and Approved for consideration

That the Committee recommends to the General Manager that:

- i) The membership of the Committee as outlined in the Terms of Reference be expanded to allow for 3 Councillor representatives.
- ii) Due to the expression of interest received, that this role be offered to Clr Bingham.

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

Against the Resolution: Nil.

231/13 RESOLVED: (Aird / Heasman)

That the minutes of the Waste Advisory Committee meeting on 30 October 2013 be received and noted including the following items:

ITEM 6 General Business Brought to the Attention of the Chair Prior to the Meeting and Approved for consideration

That the Committee recommends to the General Manager that:

- i) The membership of the Committee as outlined in the Terms of Reference be expanded to allow for 3 Councillor representatives.
- ii) Due to the expression of interest received, that this role be offered to Clr Bingham.

Clr Aird left the Chamber 9.41pm

Report Of Committees Report No. 42

Minutes for notation by Council - Surf Club Liaison Working Group (MC/13/139538)

This report was dealt with at the Surf Club Liaison Working Group meeting of 19 November 2013 and was listed as a Recommendation in those minutes. This item is hereby submitted to the Ordinary Meeting, together with the minutes for receiving and noting by Council.

ITEM 4 Club Reports – Queenscliff SLSC

- Dilapidation Report covers southern end of Club. A whole of building report is required to assist an effective maintenance plan in partnership with Council; and
- Club wishes to discuss with Council an income stream to assist the completion of the works in the Masterplan.

MOTION (Le Surf / J Griffin)

That the minutes of the Surf Club Liaison Working Group meeting on 19 November 2013 be received and noted including the following items:

ITEM 4 Club Reports – Queenscliff SLSC

The Working Group request that the club reports be received and noted.

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

Against the Resolution: Nil.

Councillor Aird was not present when the voting took place.

232/13 RESOLVED: (Le Surf / J Griffin)

That the minutes of the Surf Club Liaison Working Group meeting on 19 November 2013 be received and noted including the following items:

ITEM 4 Club Reports – Queenscliff SLSC

The Working Group request that the club reports be received and noted.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 17

Complaints Reporting (MC/13/135909)**SUMMARY**

Under the new Model Code of Conduct Procedures, which Council adopted in February 2013 and Council's Complaint Management Policy (C120), a report is to be provided to Council on a range of complaints statistics within three months of the end of September each year. This report has been completed to fulfill these requirements.

MOTION (Heasman / Le Surf)

That Council receive and note this report.

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

Against the Resolution: Nil.

Councillor Aird was not present when the voting took place.

233/13 RESOLVED: (Heasman / Le Surf)

That Council receive and note this report.

Councillor Aird returned to the Chamber 9.53pm

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 32

Report on Council Investments as at 30 November 2013 (MC/13/141036)**SUMMARY**

In accordance with clause 212 of the Local Government (General) Regulation 2005, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

MOTION (Le Surf / J Griffin)

That: the statement of Bank Balances and Investment Holdings as at 30 November 2013 be received and noted.

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

Against the Resolution: Nil.

234/13 RESOLVED: (Le Surf / J Griffin)

That: the statement of Bank Balances and Investment Holdings as at 30 November 2013 be received and noted.

CIVIC AND URBAN SERVICES DIVISION

Civic and Urban Services Division Report No. 6

Various Tree Related Matters (MC/13/128918)**SUMMARY**

This report addresses various tree related issues raised by Council recently, namely, valuation methodology, tree canopy policy, vegetation around lookouts, and iconic Manly Pines.

MOTION (Le Surf / Aird)

That the Council receive and note the report and that the report be forwarded to the Public Domains Committee for notation.

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

Against the Resolution: Nil.

235/13 RESOLVED: (Le Surf / Aird)

That the Council receive and note the report and that the report be forwarded to the Public Domains Committee for notation.

QUESTIONS WITHOUT NOTICE**QWN69/13 Councillor Bingham – Manly 2015 November Bulletin**

In the 4 November Bulletin 2015 a number of reports are listed as being due in mid November namely:

- Village Centre Development Mix Study
- Retail Centre Study
- Parking Demand Study

In addition, due in December is:

- Independent Due Diligence Advice

When will these reports be available to Councillors and made public (as resolved by Council on 3 June, 2013)?

At the request of the Mayor the General Manager advised that Council should have a good idea on timing for their report by the end of the week.

QWN70/13 Councillor Bingham - Progress on Market Lane Garbage

When can Councillors expect to see some outcome from the Management of Market Lane garbage bin storage area as raised at the 8 April meeting 2013.

At the request of the Mayor the General Manager advised we wish we were able to report good news but most of the offenders have responded but there are still a few that are having difficulty managing their waste. Particularly along the stretch between Whistler Street and the Library Place.

The Deputy General Manager advised that difficulty with the people in the management of any new "compound" space is that they all have different contractors and different keys and they all get picked up on different days. Staff are trying to work with those that are difficult, there have been over 24 bins confiscated. We have also served a number of Notices of Intention and now Orders.

QWN71/13 Councillor Le Surf - Inspection of Backyard Swimming Pools

Where are we up to in relation to the inspection of back yard swimming pools?

At the request of the Mayor the Deputy General Manager advised that we have 2000 swimming pools and registration has been poor as it is self regulated.

At the moment we are issuing Certificates of Compliance with every premises that has a pool that has been sold or rented.

QWN72/13 Councillor Burns - Works on corner of Bower and Cliff Street

How long before the works are finished on the corner of Bower and Cliff Streets?

At the request of the Mayor the General Manager advised that he would liaise with Mrs Lawsen and provide Cllr Burns with a response.

QWN72/13 Councillor Burns - Copy of letter to go to Councillors

I believe a letter was sent to Council's CFO querying Council's management of Section 94 Contributions. Could I request the CFO provide all Councillors with a copy of Council's response?

At the request of the Mayor the General Manager advised that if someone has written requesting information then our CFO will respond accordingly.

QWN73/13 Councillor Aird - Proposed redevelopment of Manly Swim Centre

- Why have the Minutes of the Joint Regional Planning Panel (JRPP) meeting of 26 November 2013 not been posted onto Council's website?
- The name of the Independent consultant appointed by Council to prepare the independent parking and traffic report as requested by the JRPP
- When will the report be completed?
- Will report be posted to council's Website?
- Will councillors be given a copy and when?
- Why wasn't Council's own traffic assessment put on the website until approximately a month after completion? Given that the assessment was uploaded to the website the day after it was received by Deputy General Manager, Stephen Clements on 20 November why did it take approximately a month to reach him?

At the request of the Mayor the Deputy General Manager advised he would take the questions on notice.

QWN74/13 Councillor Aird - Line Markings on the CBD Roads

Line markings on the CBD roads and in particular Wentworth Street are worn and patchy and in need of repainting.

Especially there is a safety concern regarding the worn marking of pedestrian crossing lines on Wentworth Street at the entrance to the Peninsula Car Park.

Can Council attend to this as a matter of high importance?

At the request of the Mayor the General Manager advised that he would attend to this matter.

CONFIDENTIAL COMMITTEE OF THE WHOLE

Notice of Motion Report No. 80

Property Matter (MC/13/141192)

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 / Pickering)**

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

The Chairperson, 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 and Hay

Against the Resolution: Nil.

236/13 RESOLVED: (Heasman / Pickering)

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

OPEN COUNCIL RESUMED

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

Notice of Motion Report No. 80

Property Matter (MC/13/141192)**MOTION (Bingham / Burns)**

As progressed in closed session.

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

Against the Resolution: Nil.

237/13 RESOLVED: (Bingham / Burns)

As progressed in closed session.

CLOSE

The meeting closed at [10.59pm](#).

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

MAYOR

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