



Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly
on:

Monday 3 November 2014

All minutes are subject to confirmation at a subsequent meeting.

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Council's website:*

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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 November 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 J Griffin, Chairperson
Councillor A Heasman
Councillor A Le Surf, Deputy Chairperson
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
Helen Lever, Manager, Administration – left the meeting at 7.40pm
Secretariat Officer

APOLOGIES

Apologies were tendered on behalf of Councillor Cathy Griffin, for non-attendance.

MOTION (Hay AM / Le Surf)

That the apology received from Councillor Cathy Griffin, be accepted and leave be granted.

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

Against the Resolution: Nil

45/14 RESOLVED: (Hay AM / Le Surf)

That the apology received from Councillor Cathy Griffin, be accepted and leave be granted.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 17

Items For Brief Mention (MC/14/124704)**1. Report on Replica Surfboard**

In July of this year Council resolved to seek information relating to the protocol around producing a “replica” of the surfboard that Council gave to the Duke and Duchess of Cambridge on the occasion of their visit to Manly in April. Information received from Senior Protocol Officer NSW Department of Premier & Cabinet was sought and staff were advised that there is no problem for Council to commission a replica of the gift and when displayed it should be labelled as a replica.

2. Tabled Documents

Date	Author	Item
7 Oct	Geoff Withycombe Regional Coastal Environment Officer/ Executive Officer Sydney Coastal Councils Group Inc.	SCCG minutes from Annual General Meeting – 13 September 2014
7 Oct	Steve Orr Acting Chief Executive Office of Local Government	Circular to Councils 14-26 Special Rate and Minimum Rate Variation Guidelines and Process for 2015/16
7 Oct	Troy Grant MP Minister for Hospitality, Gaming and Racing Minister for the Arts	Letter advising that the NSW Government has increased public libraries funding in the 2014/15 budget to help public libraries better meet the needs of local communities.
14 Oct	Mike Baird MP State Member for Manly	Letter from Minister for Transport regarding fast ferry tender for the Manly to Circular Quay service.
15 Oct	Troy Grant MP Minister for Hospitality, Gaming and Racing Minister for the Arts	Letter advising approved funding of \$45,000 through the NSW Government’s Arts and Cultural Development Program towards Manly Art Gallery and Museum’s 2015 annual program.
16 Oct	Ben Taylor Executive Director SHOROC	SHOROC Extraordinary General Meeting Minutes 16 October 2014
22 Oct	The Hon Paul Toole MP Minister for Local Government NSW Government	Government response to Joint Standing Committee on Electoral Matters Report http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/3310CB62E97A9793CA257CA8000DF143?open&refnavid=CO3_1
23 Oct	The Hon Gladys Berejiklian MP Minister for Transport NSW Government	Reply to Council’s letter regarding the Opal Card.
22 Oct	Rob Stokes MP Minister for the Environment Minister for Heritage Minister for the Central Coast Assistant Minister for Planning NSW Government	Reply to Council’s letter regarding a request for an Interim Heritage Order for the remains of Undercliff Villa at 69 Pittwater Road, Manly.
27 Oct	Rob Rogers AFSM Deputy Commissioner Director Operational Services	Reply to Council’s letter regarding the 10/50 Vegetation Clearing Code of Practice (10/50).

	NSW Rural Fire Service	
29 Oct	Mike Baird MP State Member for Manly	Acknowledgement of Council's letter regarding Fit for the Future Local Government reforms.

MOTION (Le Surf / Heasman)

1. That IFBM reports 1 and 2 be received and noted.

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

Against the Resolution: Nil

46/14 RESOLVED: (Le Surf / Heasman)

1. That IFBM reports 1 and 2 be received and noted.

REPORTS OF COMMITTEES

Report Of Committees Report No. 34

Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature (MC/14/129106)

The Minutes of the following Special Purpose Advisory Committee meetings be noted;

1. Meals on Wheels Advisory Committee – 10 September 2014
2. Waste Advisory Committee – 10 September 2014
3. Meals on Wheels Advisory Committee – 8 October 2014
4. Manly Local Traffic Committee – 13 October 2014

MOTION (Le Surf / Bingham)

That the Minutes of the of the following Special Purpose Advisory committee meetings be noted:

1. Meals on Wheels Advisory Committee – 10 September 2014
2. Waste Advisory Committee – 10 September 2014
3. Meals on Wheels Advisory Committee – 8 October 2014
4. Manly Local Traffic Committee – 13 October 2014

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

Against the Resolution: Nil

47/14 RESOLVED: (Le Surf / Bingham)

That the Minutes of the of the following Special Purpose Advisory committee meetings be noted:

1. Meals on Wheels Advisory Committee – 10 September 2014
2. Waste Advisory Committee – 10 September 2014
3. Meals on Wheels Advisory Committee – 8 October 2014
4. Manly Local Traffic Committee – 13 October 2014

Report Of Committees Report No. 35

**Minutes for notation by Council - Manly LEP/DCP Working Group - 23 October 2014
(MC/14/131527)**

This report was/ dealt with at the Manly LEP/DCP Working Group meeting of 23 October 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 6 General Business

(iii) Section 96 modifications and Development “Creep”

The Working Group discussed the issues of continual modifications to developments and “Development Creep” over time by the use of these modifications.

MOTION (Le Surf / Bingham)

That the minutes of the Manly LEP/DCP Working Group meeting on 23 October be received and noted:

ITEM 6 General Business

(iii) Section 96 modifications and Development “Creep”

The Working Group recommends to the General Manager that:

Council write to the Department of Planning and the Minister highlighting:

- Misuse of Section 96 Modifications;
- Subsequent Development Creep;
- review of the provisions and restrict number of S96 Modifications relating to the size of the development; and
- the legal loop hole be closed.

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

Against the Resolution: Nil

48/14 RESOLVED: (Le Surf / Bingham)

That the minutes of the Manly LEP/DCP Working Group meeting on 23 October be received and noted:

ITEM 6 General Business

(iii) Section 96 modifications and Development “Creep”

The Working Group recommends to the General Manager that:

Council write to the Department of Planning and the Minister highlighting:

- Misuse of Section 96 Modifications;
- Subsequent Development Creep;
- review of the provisions and restrict number of S96 Modifications relating to the size of the development; and
- the legal loop hole be closed.

Report Of Committees Report No. 36

Minutes for notation by Council - Community Safety & Place Management Advisory Committee - 9 October 2014 (MC/14/131615)

This report was dealt with at the Community Safety & Place Management Advisory Committee meeting of 9 October 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 Rangers Report (part)

East Esplanade Complaints

Complaints about use of East Esplanade park increasing with warmer weather. Committee agree that the major issue continues to be the amount of rubbish particularly bottles. Discussion about whether more bottle bins and/or more frequent clearing of bins is needed. Committee are aware of staffing issues but contend that this is an important safety issue to be addressed. It was agreed to ask if staff could report on current cleaning approach and consider plans for an increased regime this summer and the report be prepared for discussion at next month's meeting. Cllr Aird also asked that the report be referred for discussion at the Waste Committee.

MOTION (Le Surf / Burns)

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 9 October be received and noted:

ITEM 5 Rangers Report (part)

East Esplanade Complaints

The Committee recommends to the General Manager that a report be prepared on cleansing issues at East Esplanade park for discussion at next month's meeting.

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

Against the Resolution: Nil

49/14 RESOLVED: (Le Surf / Burns)

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 9 October be received and noted:

ITEM 5 Rangers Report (part)

East Esplanade Complaints

The Committee recommends to the General Manager that a report be prepared on cleansing issues at East Esplanade park for discussion at next month's meeting.

ENVIRONMENTAL SERVICES DIVISION

Environmental Services Division Report No. 41

Development Applications being processed during November 2014 (MC/14/124674)**SUMMARY**

Development applications being processed during November 2014.

MOTION (Le Surf / Heasman)

THAT the information be received and noted.

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

Against the Resolution: Nil

50/14 RESOLVED: (Le Surf / Heasman)

THAT the information be received and noted.

Environmental Services Division Report No. 42

List of LEC Appeals relating to DAs during November 2014 (MC/14/124700)**SUMMARY**

A list of appeals relating to Development Applications currently listed with the Land and Environment Court.

MOTION (Le Surf / Heasman)

THAT the information be received and noted.

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

Against the Resolution: Nil

51/14 RESOLVED: (Le Surf / Heasman)

THAT the information be received and noted.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 25

Policy for the Payment of Expenses and Provision of Facilities to Mayor and Councillors (MC/14/124415)**SUMMARY**

This report recommends the exhibition of the policy on *Payment of Expenses and Provision of Facilities to Mayor and Councillors*.

MOTION (Le Surf / Burns)

That:

1. Pursuant to Section 253 of the *Local Government Act 1993*, Council gives public notice of its intention to adopt the policy on *Payment of Expenses and Provision of Facilities to the Mayor and Councillors*; and
2. the policy be exhibited for 28 days and thereafter adopted if no submissions are received.

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

Against the Resolution: Nil

52/14 RESOLVED: (Le Surf / Burns)

That:

1. Pursuant to Section 253 of the *Local Government Act 1993*, Council gives public notice of its intention to adopt the policy on *Payment of Expenses and Provision of Facilities to the Mayor and Councillors*; and
2. the policy be exhibited for 28 days and thereafter adopted if no submissions are received.

CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 10

Senior Staff (MC/14/132139)

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) (a) of the Local Government Act, 1993, on the grounds that the matter will involve the discussion of personnel matters concerning a particular individual

It further being considered that discussion of the matter in open meeting would be, on balance, contrary to public interest by reason of the foregoing and report contains personal information concerning a member of staff.

CLOSED SESSION

MOTION (Heasman / Pickering)

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

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

Against the Resolution: Nil

53/14 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.

General Managers Division Report No. 10

Senior Staff (MC/14/132139)

MOTION (Hay AM / Heasman)

Progressed as discussed in closed session.

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

Against the Resolution: Councillors Aird, Burns and Bingham

54/14 RESOLVED: (Hay AM / Heasman)

Progressed as discussed in closed session.

CLOSE

The meeting closed at 8pm

The above minutes were confirmed at the Ordinary Meeting of Manly Council held on 10 November 2014.

CHAIRPERSON

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