



Minutes

Planning and Strategy Committee Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 9 February 2004

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

www.manly.nsw.gov.au

TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee Meeting, having met at 7:47 pm on Monday 9 February 2004, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 290 of 16th September, 2002.

PRESENT

Her Worship The Mayor, Councillor J Hay, AM,
Deputy Mayor Councillor J Heraghty,
Councillor B Aird
Councillor D Dickman (arrived 9.40pm)
Councillor A Heasman
Councillor J Lambert
Councillor B Pedersen
Councillor K Page who presided

ALSO PRESENT

Henry T Wong, General Manager
Jim Hunter, Director Corporate Planning and Strategy
Julia Paul, Minute Secretariat

**APOLOGIES
(File A8/2)**

Apologies were tendered on behalf of Councillor Barr, Councillor Dee, Councillor Morrison and Councillor Sacker, for non-attendance.

RESOLVED: (Pedersen / Heasman)

That the apologies received from Councillor Barr, Councillor Dee, Councillor Morrison and Councillor Sacker, be accepted and leave be granted.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Page and Hay.

Against the Resolution: Nil.

Councillor Dickman was not present and did not take part in the voting on this item.

LEAVE OF ABSENCE

Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST (File A8/4)

Name:	Item Number:	Nature of Interest:
Councillor Heraghty	CPSD Rep. No. 2	Councillor Heraghty is professionally involved with the Dept. of Infrastructure Planning and Resources to whom the Council will be submitting it's response.

CONFIRMATION OF MINUTES (FILE C17/23)**MOTION: (Heasman / Lambert)**

That copies of the Minutes of the Planning and Strategy Committee Meeting held on Monday 8 December 2003, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

RESOLVED: (Heasman / Lambert)

That copies of the Minutes of the Planning and Strategy Committee Meeting held on Monday 8 December 2003, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Page and Hay.

Against the Resolution: Nil.

Councillor Dickman was not present and did not take part in the voting on this item.

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Standing Orders: (Page / Heasman)

That **Standing Orders** be **suspended** to allow for consideration of items for which debate/questions have been identified i.e. Items for Brief Mention - Minutes of Adoption by Council - Special Purpose Committee and Joint Committees, Corporate Planning and Strategy Division Report No. 3, Plans of Management and Associated Landscape Masterplans for Seaforth Oval, Keirle Park and Tania Park - Adoption of Draft for Implementation, Corporate Planning and Strategy Division Report No. 5, The Corso Amphitheatre Design - Community Feedback. All other items will be grouped for a Block Vote as per the Code of Meeting Practice.

RESOLVED: (Page / Heasman)

That **Standing Orders** be **suspended**.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Page and Hay.

Against the Resolution: Nil.

Councillor Dickman was not present and did not take part in the voting on this item.

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CORPORATE PLANNING AND STRATEGY DIVISION REPORTS

Corporate Planning And Strategy Division Report No. 1

Item for Brief Mention - Minutes for Adoption by Council - Special Purpose Committees and Joint Committees**Minutes of Meetings**

1. Warringah, Manly, Mosman and Pittwater Council Joint Services Committee - Minutes of a Meeting Held on 20th November, 2003.
2. Manly Sustainability Strategy Management Group - Minutes of a Meeting Held on 9th December, 2003.
3. Manly Traffic Committee - Minutes of a Meeting Held on 15th December, 2003.
4. Waste Management Committee - Minutes of a Meeting Held on 28th January, 2004.
5. Manly Social Plan Implementation Committee - Minutes of a Meeting Held on 17th December, 2003.
6. Manly Community Environment Committee - Minutes of a Meeting Held on 20th November, 2003.
7. Manly Council Heritage Committee - Minutes of a Meeting Held on 18th February, 2004

MOTION 1: (Hay / Heasman)

That the recommendations as listed in the following Minutes of the Special Purpose Committees and Joint Committees be adopted.

1. Warringah, Manly, Mosman and Pittwater Council Joint Services Committee - Minutes of a Meeting Held on 20th November, 2003.
2. Manly Sustainability Strategy Management Group - Minutes of a Meeting Held on 9th December, 2003.
3. Waste Management Committee - Minutes of a Meeting Held on 28th January, 2004.
4. That **Item 4 - "Functions and Responsibilities of the Committee"** of Item 6 of the Manly Community Environment Committee Meeting held on 20th November, 2003 be adopted as follows:-

"With consideration of Manly's special natural landscapes, biodiversity and aquatic environments (no part of Manly being more than 1km from the Harbour, Ocean or a waterway), the Committee's function is to advocate for a sustainable, healthy and safe environment for present and future generations of the Manly community.

The Terms of Reference for the Committee will be:

1. A community advisory committee making recommendations to Council, other Committees of Council, and the community, on the broad range of environmental matters identified by the community, the Manly Sustainability Strategy, or other sources as being of concern.

This will be achieved through:

- Community representatives on this committee
 - Providing a forum for the community voice on environmental matters
 - Liaison with, and support for the Manly Environment Centre, Sustainability Youth Crew and other stakeholders and interested parties, including the National Parks and Wildlife Service in the Manly area.
2. The formal advisory body on allocation of funds through the Environment Levy, consistent with the criteria for Levy expenditure
 - (a) facilitating community awareness of the function and priorities for Levy expenditure,
 - (b) setting annual priorities for expenditure, and
 - (c) monitoring environmental outcomes of Levy-funded projects.
 3. An advisory body to Council on environmental education and community environmental awareness relevant to specific environmental matters identified in 1. above."
5. That **Item 6.1 - "Bathers' Pavilion, West Esplanade"** of the Manly Council Heritage Committee Meeting held on 10 December, 2003, be adopted as follows:-
- "The Committee recommends that Council write to the Heritage Office expressing concern that 'in principle' approval was given to major alterations and extensions to the Bathers' Pavilion, West Esplanade, a listed item in Manly Local Government Area, without prior consultation with Council."
6. That **Item 6.5 - "Ocean Beachfront Masterplan"** of the Manly Council Heritage Committee Meeting held on 10th December, 2003, be adopted as follows:-
- "The Heritage Committee opposes the proposed replacement of the shelter shed on the ocean beachfront opposite Denison Street, and recommends that it be retained and refurbished."

MOTION 2: (Hay / Heasman)

That the Minutes of the following Special Purpose Committees and Joint Committees be adopted as amended hereunder:

1. **Manly Traffic Committee** - Minutes of a Meeting Held on 15th December, 2003; the issue relating to traffic entering the slip road heading south at Condamine Street, Balgowlah and the relocation of bus stop to 70 metres northwards. This Committee recommendation is endorsed on the provision that the 'right turn' arrow on the traffic lights is approved and installed by the RTA to facilitate the safe movement of traffic.
2. That **Item 7 - "Community and Aged Care Time Bank"** of Item 7 of the Manly Social Plan Implementation Committee Meeting held on 17th December, 2003, be amended as follows:-

That a report on this issue be provided to Council clarifying the request for a letter of support for the Community and Aged Care Time Bank concept.

MOTION 3: (Hay / Heraghty)

1. That the recommendations in: **Item 6.3 - "110-112 The Corso"** of the Manly Council Heritage Committee Meeting held on 10 December 2003; and **Item 6.4 - "The Corso Amphitheatre Shade Structure"** of the Manly Council Heritage Committee Meeting held

on 10 December 2003 be considered in conjunction with the separate item on this agenda.

RESOLVED: (Hay / Heasman)

- 1: That the recommendations as listed in the following Minutes of the Special Purpose Committees and Joint Committees be adopted.
1. Warringah, Manly, Mosman and Pittwater Council Joint Services Committee - Minutes of a Meeting Held on 20th November, 2003.
 2. Manly Sustainability Strategy Management Group - Minutes of a Meeting Held on 9th December, 2003.
 3. Waste Management Committee - Minutes of a Meeting Held on 28th January, 2004.
 4. That **Item 4 - "Functions and Responsibilities of the Committee"** of the Manly Community Environment Committee Meeting held on 20th November, 2003 be adopted as follows:-

"With consideration of Manly's special natural landscapes, biodiversity and aquatic environments (no part of Manly being more than 1km from the Harbour, Ocean or a waterway), the Committee's function is to advocate for a sustainable, healthy and safe environment for present and future generations of the Manly community.

The Terms of Reference for the Committee will be:

1. A community advisory committee making recommendations to Council, other Committees of Council, and the community, on the broad range of environmental matters identified by the community, the Manly Sustainability Strategy, or other sources as being of concern.

This will be achieved through:

- Community representatives on this committee
 - Providing a forum for the community voice on environmental matters
 - Liaison with, and support for the Manly Environment Centre, Sustainability Youth Crew and other stakeholders and interested parties, including the National Parks and Wildlife Service in the Manly area.
2. The formal advisory body on allocation of funds through the Environment Levy, consistent with the criteria for Levy expenditure
 - (a) facilitating community awareness of the function and priorities for Levy expenditure,
 - (b) setting annual priorities for expenditure, and
 - (c) monitoring environmental outcomes of Levy-funded projects.
 3. An advisory body to Council on environmental education and community environmental awareness relevant to specific environmental matters identified in 1. above."

- 2: That the Minutes of the following Special Purpose Committees and Joint Committees be adopted as amended hereunder:
1. **Manly Traffic Committee** - Minutes of a Meeting Held on 15th December, 2003; the issue relating to traffic entering the slip road heading south at Condamine Street, Balgowlah and the relocation of bus stop to 70 metres northwards. This Committee recommendation is endorsed on the provision that the 'right turn' arrow on the traffic lights is approved and installed by the RTA to facilitate the safe movement of traffic.
 2. That **Item 7 - "Community and Aged Care Time Bank"** of Item 7 of the Manly Social Plan Implementation Committee Meeting held on 17th December, 2003, be amended as follows:-

That a report on this issue be provided to Council clarifying the request for a letter of support for the Community and Aged Care Time Bank concept.

- 3: That the recommendations in: **Item 6.3 - "110-112 The Corso"** of the Manly Council Heritage Committee Meeting held on 10 December 2003; and **Item 6.4 - "The Corso Amphitheatre Shade Structure"** of the Manly Council Heritage Committee Meeting held on 10 December 2003 be considered in conjunction with the separate item on this agenda.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Dickman and Page.

Against the Resolution: Nil.

Councillor Hay was not present in the Chamber and did not take part in the voting.

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PROCEDURAL MOTION: (Hay / Pedersen)

That the representative from a user group of Seaforth Oval, Mr Peter Coates, and from a user group of Keirle Park, Mr Peter Blake, be permitted to address Council regarding their concerns associated with the Plan of Management for these areas.

RESOLVED: (Hay / Pedersen)

That the representative from a user group of Seaforth Oval, Mr Peter Coates, and from a user group of Keirle Park, Mr Peter Blake, be permitted to address Council regarding their concerns associated with the Plan of Management for these areas.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Dickman and Hay.

Against the Resolution: Councillor Page.

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Corporate Planning And Strategy Division Report No. 3

Plans of Management and Associated Landscape Masterplans for Seaforth Oval, Keirle Park and Tania Park - Adoption of Draft for Implementation

SUMMARY

1. Council commenced development of Plans of Management for Seaforth Oval, Keirle Park and Tania Park in June 2002.
2. Significant community consultation has taken place to ensure community input into the process.
3. In April, 2003, the three community steering committees recommended to council that the plans be placed on public exhibition for a period of six weeks, ending June, 2003, which was subsequently endorsed by Council.
4. Recommend that Council adopt the Seaforth Oval, Tania Park and Keirle Park Plans of Management and associated Landscape Masterplans, and refer these to the Department of Infrastructure, Planning and Natural Resources (DIPNR) for approval.

MOTION: (Hay / Heasman)

1. That Council adopt the Seaforth Oval, Tania Park and Keirle Park Plans of Management and associated Landscape Masterplans, and refer these to the Department of Infrastructure, Planning and Natural Resources (DIPNR) for approval.
2. That Council acknowledges the co-operative efforts of the Community Steering Committees and staff responsible for the preparation of the Management Plans and Landscape Masterplans.
3. That bushland regeneration and wetland area encroachments that are planned on the Keirle Park playing field are minimal in nature consistent with wetland maintenance.
4. That the Mayor write to the three sub-committees and those who made submissions to thank them for their input into these plans of management.
5. That Council notes negotiations are ongoing with user groups on the final uses of Seaforth Oval and these will be taken into account in the final master plan.
6. That a letter be provided to the 49 respondents who made submissions:
 - a) thanking them for their input into the process
 - b) advising them that Council endorsed the plans after lengthy discussion
 - c) that the final outcome attempted a balance between all parties.

RESOLVED: (Hay / Heasman)

1. That Council adopt the Seaforth Oval, Tania Park and Keirle Park Plans of Management and associated Landscape Masterplans, and refer these to the Department of Infrastructure, Planning and Natural Resources (DIPNR) for approval.
2. That Council acknowledges the co-operative efforts of the Community Steering Committees and staff responsible for the preparation of the Management Plans and Landscape Masterplans.
3. That bushland regeneration and wetland area encroachments that are planned on the Keirle Park playing field are minimal in nature consistent with wetland maintenance.

4. That the Mayor write to the three sub-committees and those who made submissions to thank them for their input into these plans of management.
5. That Council notes negotiations are ongoing with user groups on the final uses of Seaforth Oval and these will be taken into account in the final master plan.
6. That a letter be provided to the 49 respondents who made submissions:
 - a) thanking them for their input into the process
 - b) advising them that Council endorsed the plans after lengthy discussion
 - c) that the final outcome attempted a balance between all parties.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Dickman, Page and Hay.
Against the Resolution: Nil.

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Standing Orders: (Page / Heasman)

That **Standing Orders** be resumed.

RESOLVED: (Page / Heasman)

That **Standing Orders** be resumed.

For the Resolution: Councillors Pedersen, Aird, Heasman, Heraghty, Lambert, Dickman, Page and Hay.
Against the Resolution: Nil.

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GENERAL MANAGER'S OFFICE REPORTS

General Manager's Office Report No. 1

Manly West Precinct Community Forum - Change of Name to Balgowlah Precinct Community Forum

SUMMARY

That Manly West Precinct Community Forum has requested a name change to Balgowlah Precinct Community Forum.

MOTION: (Page / Hay)

That the Council approve Manly West Precinct Community Forum to change its name to Balgowlah Precinct Community Forum.

RESOLVED: (Page / Hay)

That the Council grant approval to the Manly West Precinct Community Forum to change its name to Balgowlah Precinct Community Forum.

For the Resolution: Councillors Pedersen, Aird, Heasman, Lambert, Dickman, Page and Hay.

Against the Resolution: Nil.

Councillor Heraghty was not present in the Chamber and did not take part in the voting.

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Corporate Planning And Strategy Division Report No. 2

Improving Local Development Assessment in New South Wales - Local Development Taskforce Report

SUMMARY

- The Taskforce Report focuses on the decision making process for “local development” for which councils are the determining authority.
- The report makes 61 recommendations and submissions have been invited in relation thereto.
- Concern is raised in respect to a number of recommendations as addressed in this report, which include adopting a common set of housing standards, expanding the ambit of exempt and complying provisions and removing the requirement to notify for complying development.
- It is recommended the Council endorse a submission to DIPNR expressing the concerns raised in this report.

MOTION: (Page / Hay)

That a submission be lodged with the Department of Infrastructure Planning and Natural Resources expressing the concerns as outlined in this report.

RESOLVED: (Page / Hay)

That a submission be lodged with the Department of Infrastructure Planning and Natural Resources expressing the concerns as outlined in this report.

For the Resolution: Councillors Pedersen, Aird, Heasman, Lambert, Dickman, Page and Hay.

Against the Resolution: Nil.

Due to Conflict of Interest as noted above Councillor Heraghty was not present in the Chamber and did not take part in the voting.

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Corporate Planning And Strategy Division Report No. 4
Manly Art Gallery and Museum Air Conditioning System Upgrade

SUMMARY

The air conditioning system upgrade for Manly Art Gallery and Museum was put to open tender.

MOTION: (Page / Hay)

1. That subject to contract, Council accept the tender of "Zenith Air Pty Ltd" in the amount of \$165,625 excl GST.
2. That the Council authorize the execution of the relevant documents under the Common Seal of Council.

RESOLVED: (Page / Hay)

1. That subject to contract, Council accept the tender of "Zenith Air Pty Ltd" in the amount of \$165,625 excl GST.
2. That the Council authorize the execution of the relevant documents under the Common Seal of Council.

For the Resolution: Councillors Pedersen, Aird, Heasman, Lambert, Dickman, Page and Hay.

Against the Resolution: Nil.

Councillor Heraghty was not present in the Chamber and did not take part in the voting.

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Corporate Planning And Strategy Division Report No. 6
Towards Zero Waste Policy - Recommended for Adoption

SUMMARY

1. That at the 2004 annual update of Council's Corporate Plan, the Waste & Cleansing Program objective be updated to reflect the move towards zero waste.
2. A Draft "Towards Zero Waste" Policy has been prepared by Council's Waste Management Committee.
3. Recommend that the Policy be adopted.

MOTION: (Page / Hay)**Waste Management Committee Recommendation 1**

That at the 2004 annual update of Council's Corporate Plan, the Waste & Cleansing Program objective 5.3.1 be updated to read:

Work towards the goal of Zero Waste, consistent with sound sustainability practice.

Waste Management Committee Recommendation 2:

That Council adopt a 'Towards Zero Waste' Policy as follows:

Manly Council commits to working towards the goal of Zero Waste across the Local Government Area for:

- *economic benefits of greater efficiency of resource use and less waste disposal,*
- *reducing damage to the environment from waste generation and disposal, and*
- *lowering the social costs and risks of waste.*

Zero Waste is a new approach to the flow of materials and energy in our society.

It recognises that waste is an avoidable problem that is limiting our capacity to sustain our environment and quality of life in Manly.

By September 2004 Council will develop a Strategy identifying actions required across the Manly Local Government Area, to achieve the goal of Zero Waste within 10 years.

RESOLVED: (Page / Hay)

Waste Management Committee Recommendation 1

That at the 2004 annual update of Council's Corporate Plan, the Waste & Cleansing Program objective 5.3.1 be updated to read:

Work towards the goal of Zero Waste, consistent with sound sustainability practice.

Waste Management Committee Recommendation 2:

That Council adopt a 'Towards Zero Waste' Policy as follows:

Manly Council commits to working towards the goal of Zero Waste across the Local Government Area for:

- *economic benefits of greater efficiency of resource use and less waste disposal,*
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Zero Waste is a new approach to the flow of materials and energy in our society.

It recognises that waste is an avoidable problem that is limiting our capacity to sustain our environment and quality of life in Manly.

By September 2004 Council will develop a Strategy identifying actions required across the Manly Local Government Area, to achieve the goal of Zero Waste within 10 years.

For the Resolution: Councillors Pedersen, Aird, Heasman, Lambert, Dickman, Page and Hay.

Against the Resolution: Nil.

Councillor Heraghty was not present in the Chamber and did not take part in the voting

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The Planning and Strategy Meeting was adjourned at 9.56pm

The meeting was reconvened at 9.59pm with the following Councillors present:

Her Worship The Mayor, Councillor J Hay, AM,
Deputy Mayor Councillor J Heraghty,
Councillor B Aird
Councillor D Dickman
Councillor A Heasman
Councillor J Lambert
Councillor B Pedersen
Councillor K Page who presided

Corporate Planning And Strategy Division Report No. 5

The Corso Amphitheatre Design - Community Feedback

SUMMARY

Following endorsement by Council at the 19th May SPC meeting, 4 consultants were invited to participate in a limited design competition for The Corso amphitheatre refurbishment. All 4 presented their proposals to the 14th August Landscape Management and Urban Design Committee meeting. The Committee selected the entry by Lacoste + Stevenson.

Following a Council resolution and subsequent notice of motion, all 4 proposals were placed on public exhibition. A summary of community feedback from these 2 exhibitions is provided. It is recommended to proceed to formal lodgment of a development application for the Lacoste + Stevenson proposal.

MOTION: (Hay / Heasman)

1. Based on Council's previous endorsement of the "Tract" Master Plan for The Corso (which suggests shade structures), plus Council endorsement of the Mini Competition for the amphitheatre upgrade including a shade structure and the numerical analysis of the exhibition responses, that Council engage Lacoste + Stevenson to proceed with design development on the basis of their fixed lump sum fee proposal submitted to the 14 August Landscape Management and Urban Design Committee meeting.
2. That the General Manager report to Council, at the earliest possible opportunity, relating to the issue of potential or perceived conflict of interest for any party involved. This report should include a probity plan and independent/third party legal advice.
3. That the report is obtained for transparency and accountability in the process and the protection of all parties involved.

AMENDMENT: (Pedersen / Aird)

1. That Council support in principal the concept of a shade structure in the Corso but defer decision for redesign to address the excessive visual impact of the proposed shade structure and to look at options for a temporary and/or demountable structure.
2. a) That the General Manager report to Council, at the earliest possible opportunity, relating to the issue of potential or perceived conflict of interest for any party involved. This report should include a probity plan and independent/third party legal advice.

- b) That the report be obtained for transparency and accountability in the process and the protection of all parties involved.

For the Amendment: Councillors Pedersen, Aird and Lambert.

Against the Amendment: Councillors Heasman, Heraghty, Dickman, Page and Hay.

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

RESOLVED: (Hay / Heasman)

1. Based on Council's previous endorsement of the "Tract" Master Plan for The Corso (which suggests shade structures), plus Council endorsement of the Mini Competition for the amphitheatre upgrade including a shade structure and the numerical analysis of the exhibition responses, that Council engage Lacoste + Stevenson to proceed with design development on the basis of their fixed lump sum fee proposal submitted to the 14 August Landscape Management and Urban Design Committee meeting.
2. That the General Manager report to Council, at the earliest possible opportunity, relating to the issue of potential or perceived conflict of interest for any party involved. This report should include a probity plan and independent/third party legal advice.
3. That the report is obtained for transparency and accountability in the process and the protection of all parties involved.

For the Resolution: Councillors Heasman, Heraghty, Page and Hay.

Against the Resolution: Councillors Pedersen, Aird, Lambert and Dickman.

With the voting being equal the Chairperson exercised her casting vote for the motion and declared it **Carried**.

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CLOSE

The meeting closed at 10.53pm

The above minutes were confirmed at the **Planning and Strategy Committee Meeting** of Manly Council held on 8 March 2004.

CHAIRPERSON

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