

Agenda

Ordinary Meeting

Notice is hereby given that a Ordinary Meeting of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

Monday 3 June 2013

Commencing at 7.30pm for the purpose of considering items included on the Agenda.

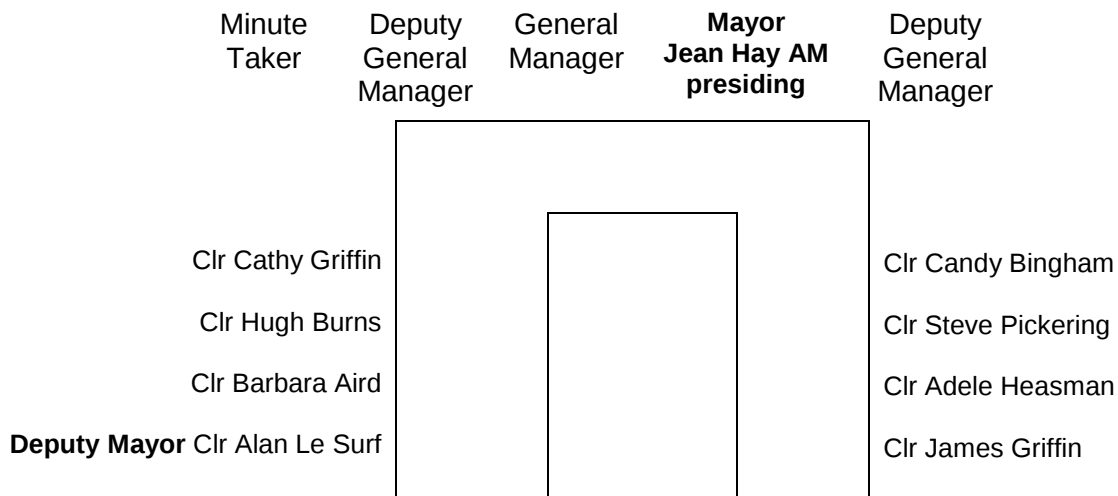
Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes a video camera and any electronic device capable of recording speech.

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



Seating Arrangements for Meetings



Press

Public
Addresses

Public Gallery

Chairperson: The Mayor, Clr Jean Hay AM
Deputy Chairperson: Clr Alan Le Surf

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QUESTIONS WITHOUT NOTICE

MATTERS OF URGENCY

(In accordance with Clause 241 of the Local Government (General) Regulations, 2005)

CLOSED SESSION

CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 12

BCA and Australian Standards Assessments

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) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

******* END OF AGENDA *******

TO: Ordinary Meeting - 3 June 2013
REPORT: Mayoral Minute Report No. 7
SUBJECT: Referendum to amend the Australian Constitution to financially recognise Local Government
FILE NO: MC/13/65063

I Move that Council support the call by Local Government NSW to members of the Federal Parliament to support the passage of the Bill to conduct a referendum to amend the Australian Constitution to financially recognise Local Government.

Report

The Australian Local Government Association (ALGA) has been working with their State counterparts for almost 4 years on lobbying the Commonwealth to hold a referendum to amend the Australian Constitution to recognise Local Government.

The Federal Government recently announced its support for the holding of a referendum to amend the Constitution to enable the Commonwealth to directly fund Local Government. This announcement falls far short of the original intent of entrenching local government as a democratically elected level of government within Australia's tiered system of government.

I have received correspondence from Local Government NSW (formerly the LGSA), requesting Council's support to lobby Federal Members of Parliament to support a Bill for the referendum through both Houses.

The threshold for a referendum to amend the Constitution is extremely high. In order to pass a referendum, the Bill must ordinarily achieve a double majority. That is, a majority of those voting throughout the country, as well as separate majorities in each of a majority of states (4 of 6). In certain circumstances, where any state or states are affected by a referendum then a majority of voters in those states must also agree to the change.

The present proposal to amend the Constitution, if passed, does not guarantee a fairer or a larger share of Commonwealth tax revenue for local government; it will however remove the current uncertainty on the ability of the Commonwealth to directly fund councils, as was demonstrated in the recent case of stimulus funding given to councils for public works.

RECOMMENDATION

I Move that Council support the call by Local Government NSW to members of the Federal Parliament to support the passage of the Bill to conduct a referendum to amend the Australian Constitution to financially recognise Local Government.

ATTACHMENTS

There are no attachments for this report.

OM030613MM_1.DOC

***** End of Mayoral Minute Report No. 7 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 27
SUBJECT: Manly 2015 – Revised Plan
FILE NO: MC/13/64747

Councillor Candy Bingham will move:

In view of the changes to the draft Manly 2015 Plan and the lapse of time since the last exhibition closed in September 2011, that:

1. The proposals in the draft Plan in relation to the Village Centre (Market Place, Manly Library and Whistler Street Car Park) and Manly Oval (incorporating a new underground car park) be deferred, and no action be taken nor any expenditure incurred to implement those two elements of the draft Manly 2015 Plan
2. Council re-exhibit the 2015 Plan, in its current form, for a period of 40 days to allow further public submissions
3. Notice of the changes to the draft Manly 2015 Plan and the re-exhibition of the draft Plan be published in the Manly Council News in the Manly Daily, and on the Home page of Council's website
4. A written advice of the above be sent to all those who made submissions in the original notification period
5. A report regarding any submissions received be brought to an Ordinary Meeting of the Council open to the public

BACKGROUND

Although the Manly 2015 Plan has been in Council's Community Strategic Plan and other documents for many years, September 2011 is the last time that any public comment or update on the Plan has been made public, with the exception of a couple of hasty briefing meetings held recently to the Chamber of Commerce, and a couple of precinct groups upon their request.

The current Plan has a number of significant changes to the original Vision, which was exhibited in 2011. These include changes to the entry/exit of the proposed Oval car park, the removal of an arcade and shops from the new car park, significant changes to the traffic plan, and the proposal to sell the Whistler Street Car park land to developers for commercial, retail and apartments. More detail in relation to the current condition of the Whistler Street car park has since come to hand.

In addition, it would be fair to say that there has not been adequate information provided about the two options for Manly Library. Option One, which now has a budget figure of \$29m on Council's 2015 website, is not clear in stating that this is not only the addition of two floors to the existing Library, but a complete gutting of the current building. Option Two, at \$36m, is a knock-down and complete rebuild of the library building.

The updated website for the 2015 Plan was not online until Monday 13th May, 2013 only allowing 16 days for comment as the submission date for the Community Strategic Plan closed on 29th May. This new website has had very limited promotion and, at the time of preparing this motion, had not been featured in the Manly Council's Manly Daily Pages nor on the home page of Council's website.

Notice of Motion Report No. 27 (Cont'd)

Finally, the recently prepared Fact Sheet on Manly 2015 states:

“TCorp (part of NSW Treasury) recently indicated to Manly Council that it is in a Sound Financial Position. A further assessment followed TCorp’s evaluation of council’s application for Round Two interest subsidy funding from the Local Infrastructure Renewal Scheme funding, which included Manly 2015 in the Long Term Financial Plan that is currently on exhibition as part of Council’s Draft Community strategic Plan, beyond 2023.”

“Manly 2015 has been independently assessed by KPMG and TCorp.”

To date, copies of neither the full KPMG Report nor the New South Wales Treasury Corporation (TCorp) Report have been provided to Councillors.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 27 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 28
SUBJECT: Plan to Protect our Street Trees
FILE NO: MC/13/64744

Councillor Candy Bingham will move:

Due to recent concerns raised by a number of Precinct Forum groups that:

1. The General Manager writes to Ausgrid to put on record that its current brutal practices on Manly's trees are not acceptable to the Manly community.
2. The Council call on Ausgrid to halt any further pruning or removal of trees by its sub contractor pending discussion with Council representatives including the General Manager, Mayor and representatives from the Public Domain Committee.
3. The General Manager raise with Ausgrid the requirement for them to contribute to aerial cable bundling in agreed streets.
4. Council staff report back to Council on aerial cable bundling for Manly. The report is to include the following:
 - a) appropriate streets
 - b) policies of other councils and examples
 - c) costs
5. The General Manager enters into communication with the NBN Co about aerial bundling and co-location of cables when the NBN rollout takes place in Manly
6. Parks and Reserves staff work closely with each precinct in the implementation of Council's Tree Policy. This must include a clear plan for each precinct consistent with the Tree Policy and carried out to the satisfaction of each precinct. The removal of any large tree is to be subject to precinct approval.
7. The General Manager brings back a report on how Council currently assesses the value of each large tree, including its monetary value. The report should articulate precisely what our canopy policy is and how it is being addressed.

Background

The relentless butchering of our trees by Augrid sub-contractors continues to be serious issue resulting in major damage to a number of heritage trees. The systematic need to remove established trees which have become unstable or unhealthy due to inappropriate, and continual, cutting of significant branches has become unacceptable.

For example, Ausgrid are about to remove four smallish trees on Seaview Street between Upper Beach and New Streets. The reason I understand is that they do not want the continual expense of pruning them.

The state of our magnificent established trees in many streets of Manly is heartbreaking. They have been butchered beyond belief by what are surely unqualified sub-contracts who appear to have no idea how to prune a tree.

While aerial bundling is not the best solution, it would bring about a significant improvement. Under this method cables are bundled and insulated which means that contact with branches is much less of a problem and trees do not need to be as radically pruned. Currently the wires, apart from the

Notice of Motion Report No. 28 (Cont'd)

Optus cables, are not insulated. Of course the best solution would be to underground the cables, but reality dictates that this is highly unlikely due to the enormous expense.

A good example of bundling can be seen on Bourke St in Surry Hills. Some bundling has also occurred on Addison Road, Manly.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM030613NM_1.DOC

***** End of Notice of Motion Report No. 28 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 29
SUBJECT: Maintenance and Improvements to Manly Whistler Street Carpark
FILE NO: MC/13/64772

Councillor Hugh Burns will move:

That a report be prepared to address the nominated items and similar matters. That repairs are carried out on the building to be funded and completed within 3 months.

Also that a copy of the the previous structural report/assessment of the Whistler Street Parking Station structure circa 1996/7 (? - could be earlier) be provided to all Councillors for their information.

Background

Whistler Street Carpark opened in 1970 as Manly's first public parking station. Recently it has been reported by staff that this carpark has a current depreciated book value to Council of \$24million, and in addition it is reported to be in fair to average condition ("3" in a asset rating scale of 1 to 5). However it has been suggested that the carpark does not meet current Carpark and other building standards and thus need to be demolished.

Additionally in the interim the structure appears to be in need of a number minor repairs and remedial maintenance to maximise its life, ensure public safety and improve its public presentation.

Given the considerable financial value of the existing Whistler Street carpark and that the structure is basically sound, it is essential for financial prudence that Council investigate the feasibility (including costs) of simply upgrading the existing structure to correct some of the shortfalls so as to provide balanced alternative car parking options for the Councillors, and the Manly community, to consider.

A report should be prepared and presented to Council within 2 months for consideration. These upgrades should be the minimum reasonable expenditure required to address each of the items (and not attempt to "gold plate" the building to make upgrading unviable to assist the case for demolition). The matters to be examined are to include but not be limited to:-

1. Replacing the existing lift and cutting new doors to the existing lift shaft so the lift can serve the odd numbered floors (for disabled access) and basement.(Currently the lift only serves even numbers floors). Note this will result in the loss of one parking space for lift access per odd floor. Consider glass doors for public safety within the lift at light.
2. The existing single carpark stairway be made a smoke proof fire stair and an assessment made whether the building needs a second fire isolated evacuation stair (or whether alternative fire access eg via the library building could be made to suffice)
3. Additionally the fire stairs are to be permanently lit all the way to the top of the building 24 hours per day. (Currently when the upper level lights are turned off the stairs are left in darkness - a safety hazard.)
4. An assessment be made to optionally widen some or all marked parking spaces to meet current standards requirements. (Eg by remarking the bay lines.) Consideration should be given to the possibility of some spaces being left as at existing (eg two spaces between two columns) if marked "for small car only" or similar. Note this remarking will cause parking capacity loss and the report should indentify this figure.

Notice of Motion Report No. 29 (Cont'd)

5. That the top level of the carpark be sufficiently roofed (but no more) to prevent most rain water entry to the structure which occurs by means of the ramps from the roof which leads to water pooling inside at various locations and then slowly leaking out of the structure.
6. That new floor drains are installed in places where water is known to collect due to the existing shape of the concrete slabs and poor placement of existing drains (eg several existing drains are found at floor high points and are ineffectual)
7. Investigation and costing be provided for giving the exterior of the carpark a cosmetic make-over. Eg as per the original Whistler St beautification concept plans of Choi-Ropiha and secondly the alternative "car park greening" proposal from consultants to Councillor Bingham (please contact her for details).

Repairs

That the damaged cracked wall sections on carpark upper levels facing Whistler Street be repaired and/or secured with steel plates or similar, without delay, as a matter of public safety and to maximise the parking bays within the carpark. (Currently about 6 spaces are lost due to spaces adjacent these sections being taped off)

That all previous repairs to concrete spalling are inspected, assessed and again made good as required - particularly in locations where water is visibly pooling/leaking. That the exterior of the building is given an interim steam clean to improve its appearance (if currently appears rather grubby and unkempt).

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 29 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 30
SUBJECT: Manly 2015 Retail Study
FILE NO: MC/13/64863

Councillor Hugh Burns will move:

That as part of the planning feasibility assessment for Manly 2015 (including the carpark relocation), that appropriately experienced consultants be engaged by Council to undertake a retail study to assess the expected changes to foot traffic, expected changes to spending, local vs visitor spending contributions and identify socio-demographic information to enable the community, business tenants and commercial land owners to be advised of the anticipated commercial impact of the various parts of the Manly 2015 proposal.

The report is to give a view on the objective of increasing the provision of shops geared to serve the needs of locals ("buy local") and identify any impediments or issues that need to be addressed to best achieve this. The report is to particularly to assess the changes to foot traffic from relocating the carpark from Whistler Street to under the Oval. The report is to be funded and returned to Council within 3 months.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 30 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 31
SUBJECT: Manly 2015 Oval Carpark Geotechnical Report
FILE NO: MC/13/64865

Councillor Hugh Burns will move:

That if not already undertaken that Council commission a geotechnical report on the ground beneath the proposed location of the oval carpark. The report is to include examination of ground water levels, any ground water contamination and the boundaries of rock within the proposed excavation envelope to enable the excavation cost to be properly and accurately estimated. The report is to be funded and returned to Council within 3 months. If such a report has been previously completed a copy be provided to all Councillors for their information only.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 31 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 32
SUBJECT: North Steyne Footpath Condition and Upgrading
FILE NO: MC/13/64870

Councillor Hugh Burns will move:

That repairs and upgrading (eg to concrete) of this footpath be included as part of the works in the 2013-14 budget to be funded and completed by June 2014.

Background

The footpath on the non-reserve (residential) side of North Steyne currently presents poorly in terms of being rather patchwork and is rather uneven in places. The footpath appears to need to an upgrade to be of a better standard for both aesthetics and public safety.

That all Councillors be provided with the staff assessment of the current condition of this section of the residential side of North Steyne footpath between Carlton and Collingwood Streets for information only.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 32 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 33
SUBJECT: Proposed massive increase in public transport fares
FILE NO: MC/13/65009

Councillor Barbara Aird will move:

That Council seeks an urgent meeting with both the Minister for Transport, Gladys Berejiklian, and our local Member (and Treasurer), Mike Baird, to express those concerns, and call for a review. This is an unprecedented increase with likely very many adverse impacts on commuters, families, businesses, etc. It is also likely to adversely affect the viability of the newly announced "Ferry Express" bus services for Manly.

Background

The NSW State Government has just announced that as from September, there will be a massive increase of \$17 per week (from \$44 to \$61) in the price of a weekly combined ferry/bus/train ticket for those using the Manly ferry.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 33 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Notice of Motion Report No. 34
SUBJECT: Proposed \$15 million indoor facility and redevelopment of Manly Swim Centre
FILE NO: MC/13/64806

Councillor Barbara Aird will move that:

1. Council to provide full details of the proposal to date, including the provision of detailed financial modelling for the operations of the proposed facility, traffic modelling and likely traffic impacts on the local area, etc.
2. This report should also be made available to the public, via Council's website, with an opportunity for feedback.

Note:

Despite ongoing significant community concern and opposition to Council's proposed \$15 million dollar upgrade, Councillors last week voted in closed session to engage consultants to provide all professional services for the design and project delivery of the indoor facility attached to the existing Manly Swim Centre. However, unlike Warringah Council, which has been engaged in extensive community consultation and provision of detailed financial modelling, etc. to its councillors, in regard to their proposed upgrade of Warringah Aquatic Centre, I am concerned that our community have been given very little information on the proposal, and to date I have not yet been provided with feedback from consultants' recent community consultation as I requested.

As councillors have voted to borrow a massive \$15 million dollars, I call on Council to provide full details of the proposal to date, including the provision of detailed financial modelling for the operations of the proposed facility, traffic modelling and likely traffic impacts on the local area, etc.

This report should also be made available to the public, via Council's website, with an opportunity for feedback.

Note: Fairlight Precinct, at its meeting this month, voted against a major upgrade, stating that it supported the outdoor pool being upgraded but not the installation of a new indoor pool.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 34 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Item For Brief Mention Report No. 7
SUBJECT: Item For Brief Mention
FILE NO: MC/13/58204

1. Complaints made to the General Manager

Received	Nature of complaint	Status
February	Code of Conduct	DLG
April	Code of Conduct	Being assessed
May	Code of Conduct	Being assessed

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Notice of Motion (NoM)	Subject	Status
203/12	10 Dec	Mayoral Minute Report No. 12	Stuart Street Manly Properties	LEP approved and on notification
208/12	10 Dec	NoM No. 46	Master Plan for the Ivanhoe Botanic Gardens area.	Held meetings with Precinct representatives.
202/12	10 Dec	NoM No. 11	Manly Pathway of Olympians	Letters complete and sent
28/13	11 March	NoM No. 12	Relocation of Manly Environment Centre	Being progressed.
05/13	11 Feb	NoM No. 5	Feasibility report on reinstating a mural at Lagoon Park	Being framed in preparation for installation.
41/13	8 April	NoM No. 14	Pedestrian footpath - Balgowlah	Works scheduled for June
40/13	8 April	NoM No. 13	Street Furniture upgrade Program	To June Public Domains Committee meeting
67/13	13 May	NoM No. 24	Audit of Usage of Council's Existing Four Car Parks	In progress
64/13	13 May	NoM No. 21	Proposed changes to Manly Council's collection of recycling and vegetation	Being considered by Waste Committee

3. Tabled Documents

	Date Rec.	Author	Subject
1.	10 May 2013	The Hon Brad Hazzard MP Minister NSW Government	Letter regarding the new planning system White Paper.
2.	13 May 2013	Howard Glenn General Manager Office of Boating Safety and Maritime Affairs NSW Government Transport Maritime	Draft Boating Safety Plan for Sydney Harbour and its Tributaries
3.	13 May 2013	Felicity-ann Lewis President ALGA	Prime Minister announces local government referendum

Item For Brief Mention Report No. 7 (Cont'd)

4.	14 May 2013	Barry Buffier Chair, Environment Protection Authority (EPA)	Reply regarding container deposit legislation
5.	14 May 2013	Ross Woodward Chief Executive, Local Government	Circular to Councils 13/23 Model Asbestos Policy for NSW Councils – S23a Guideline
6.	17 May 2013	Ross Woodward Chief Executive, Local Government	Circular to Councils 13-24 Misuse of Council Resources – 2013 Federal Election
7.	20 May 2013	Barry O'Farrell MP Premier of New South Wales	Reply to container deposit legislation letter.
8.	20 May 2013	The Hon Amanda Rishworth MP Parliamentary Secretary for Sustainability and Urban Water	Reply to container deposit legislation letter.
9.	20 May 2013	Paul McInnes Assistant Secretary Local Government Territories and Regional Programs	Reply to Council's letter regarding Commonwealth funding arrangements.
10.	28 May 2013	Howard Glenn General Manager Office of Boating Safety and Maritime Affairs NSW Government	Discussion report and Options Paper on Boat Trailers
11.	28 May 2013	Cr Keth Rhoades and Cr Ray Donald Joint Presidents Local Government NSW	Email received regarding deferment of the Local Government Amendment (Early Intervention) Bill 2013 until 18/19 June 2013.

RECOMMENDATION

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

ATTACHMENTS

There are no attachments for this report.

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***** End of Item For Brief Mention Report No. 7 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 13
SUBJECT: Minutes for adoption by Council - Special Purpose Advisory Committee -
without recommendations of a substantial nature
FILE NO: MC/13/55633

The minutes of the following special Purpose Advisory Committee meetings are tabled at this meeting:

- i) Art & Culture Advisory Committee – 16 April 2013
- ii) Access & Mobility Advisory Committee – 16 April 2013
- iii) Manly Scenic Walkway Advisory Committee – 7 May 2013
- iv) Meals on Wheels Advisory Committee – 8 May 2013
- v) The Corso Wi-Fi Working Group – 8 May 2013
- vi) Manly Local Traffic Advisory Committee – 13 May 2013
- vii) Economic Development and Tourism Advisory Committee – 16 May 2013

RECOMMENDATION

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

- i) Art & Culture Advisory Committee – 16 April 2013
- ii) Access & Mobility Advisory Committee – 16 April 2013
- iii) Manly Scenic Walkway Advisory Committee – 7 May 2013
- iv) Meals on Wheels Advisory Committee – 8 May 2013
- v) The Corso Wi-Fi Working Group – 8 May 2013
- vi) Manly Local Traffic Advisory Committee – 13 May 2013
- vii) Economic Development and Tourism Advisory Committee – 16 May 2013

ATTACHMENTS

There are no attachments for this report.

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***** End of Report Of Committees Report No. 13 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 14
SUBJECT: Minutes for adoption by Council - Sustainable Transport Advisory Committee - 11 April 2013
FILE NO: MC/13/56408

This report was dealt with at the Sustainable Transport Advisory Committee (STAC) meeting of 11 April 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 5 Residential Transport Hubs

For Council to consider developing residential transport hubs.

REPORT

A member of the Sustainable Transport Advisory Committee has suggested that Council consider introducing residential transport hubs at key locations across the Manly LGA. These hubs would collocate active travel and sustainable travel facilities such as 'Hop Skip and Jump' bus stops with cycle racks and potentially car share parking spaces to facilitate travel mode interchange.

The increasing use of bicycles is creating a demand for cycle parking within residential streets. Residential streets are predominantly the home location for most cycle trips and most residents have off street storage for their bicycles. However, the increase in cycling has lead to cycles being locked up to inappropriate street furniture in some residential areas. These areas would benefit from some cycle parking.

Transport hubs such as at rail, ferry and bus stations provide a focal point for sustainable transport and facilitate travel mode interchange. These hubs also tend to be a key location for travel information.

Residential transport hubs could provide similar functions on a more local scale. A travel hub could provide cycle parking alongside a bus stop that may encourage reduced car dependency. A residential transport hub could also be a key location for sustainable and active travel information.

RECOMMENDATION

That the minutes of the Sustainable Transport Advisory Committee meeting of 11 April 2013 be adopted including the following items:

ITEM 5 Residential Transport Hubs

That Council:

- i) Considers developing residential transport hubs and that a report is returned to the STAC committee identifying suitable locations and an estimated budget cost to implement.
- ii) That a report on providing residential car share spaces be returned to the STAC.

ATTACHMENTS

There are no attachments for this report.

OM030613RC_1.DOC

***** End of Report Of Committees Report No. 14 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 15
SUBJECT: Minutes for adoption by Council - Public Domains
Advisory Committee - 17 April 2013
FILE NO: MC/13/65533

This report was dealt with at the Public Domains Advisory Committee meeting of 17 April 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 5 Marine Parade Landscape Master Plan – Draft Consultants brief

The Committee has expressed their concern and disappointment at the length of time and the lack of action taken on the Marine Parade Landscape Master Plan.

RECOMMENDATION

That the minutes of the Public Domains Advisory Committee meeting on 17 April 2013 be adopted including the following items:

ITEM 5 Marine Parade Landscape Master Plan – Draft Consultants brief

Recommendation 2:

- i) That the Committee recommends to the General Manager that a budget be allocated for the engagement of Consultants to develop a landscape master plan for Marine Parade;
- ii) Obtain Engineering advice of the area including Fairy Bower Beach and obtain a recent Map and a Survey of the area to show all fences, paths, trees, stormwater drains;
- iii) View Marine parade project as an entire area – include heritage, historic and aquatic elements as well as the walkway. Consider including Fairy Bower Pool in the brief;
- iv) Consult with Sydney Water and Fisheries on the draft master plan;
- v) Staff to identify all sources of funding including Heritage, Infrastructure, Access grants;
- vi) Provide a timetable on the grants which become available; and
- vii) That a group from the Committee will review the draft Marine Parade Landscape Master Plan to clarify the brief and to determine specific key areas that require attention through a Visioning Statement.

Recommendation 3:

The Committee recommends to the General Manager that the Shelly Beach sand mitigation plan is designed by a specialist engineer to ensure that the works undertaken for sand mitigation on Shelly Beach is sustained over a long term.

ATTACHMENTS

There are no attachments for this report.

OM030613RC_5.DOC

***** End of Report Of Committees Report No. 15 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 16
SUBJECT: Minutes for adoption by Council - Community Environment Advisory Committee
- 8 May 2013
FILE NO: MC/13/65832

These reports were dealt with at the Community Environment Advisory Committee meeting of 8 May 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.

1. ITEM 7 UPDATE ON NORTH HEAD SEWAGE TREATMENT PLANT ISSUES

The General Manager has written to Mike Baird regarding his facilitating attendance of members of this committee at a meeting with the Managing Director of Sydney Water.

It was noted that as the August meeting of the North Head Community Consultative Committee will be devoted to discussing odours from the plant, that Mike Baird be requested to facilitate delegates from this Committee attending.

Council has still not received a reply to their letter of 22nd February asking Mike Baird when he is going to announce the \$34million allocated for the North Head Sewage Treatment Plant Odour Management Project.

2. ITEM 9 CABBAGE TREE BAY ISSUES

b. Mosaic to Mark the Entrance to Cabbage Tree Bay Aquatic Reserve

This project is resourced and funded through this year's Environmental Levy enabling us to engage an artist to make the tiles with students from Manly Village School. Installation will need to be discussed with the works people. We would like it to be completed by the end of September in time for the resumption of the Volunteers or Ocean Care Day in December.

d. Regular Usage of Shelly Beach by SeaAustralia

The community is concerned that over 2,000 students per week are being brought to Shelly Beach. There are up to three groups per day, ie 150 students on the beach at any one time. Each session lasts for approximately 1 to 1.5 hours and there can be three sessions in a day, ie 450 students, without a break.

RECOMMENDATION

That the minutes of the Community Environment Advisory Committee meeting on 8 May 2013 be adopted including the following items:

1. ITEM 7 UPDATE ON NORTH HEAD SEWAGE TREATMENT PLANT ISSUES

Noted

2. ITEM 9 CABBAGE TREE BAY ISSUES

b. Mosaic to Mark the Entrance to Cabbage Tree Bay Aquatic Reserve

The committee supports the installation of the mosaic at the beginning of Marine Parade to mark the entrance to the Cabbage Tree Bay Aquatic Reserve by December.

d) Regular Usage of Shelly Beach by SeaAustralia

Report Of Committees Report No. 16 (Cont'd)

That Council investigate:

- a. The consistent impact of these large numbers in the shallows of the Aquatic Reserve with the resulting compaction of the shallows environment for long period of time without a break; and
- b. Whether some of the fees paid by SeaAustralia could be attributed to enhancement of the Bay.

ATTACHMENTS

There are no attachments for this report.

OM030613RC_6.DOC

***** End of Report Of Committees Report No. 16 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 17
SUBJECT: Minutes for adoption by Council - Community Safety and Place Management
Advisory Committee - 9 May 2013
FILE NO: MC/13/64311

This report was dealt with at the Community Safety and Place Management Advisory Committee meeting of 9 May 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 6 Late Night Manly Working Group

Notes from the first Working Group meeting were distributed to the working group and feedback has been received from them. The recommendation to the committee is to progress a pilot activation of Market Place commencing in September. It was acknowledged that there are many challenges and logistics that still need to be addressed and this will be looked at by the working group. Superintendent Darcy advised that he received positive feedback from the General Manager about the proposal and he suggested a three month trial instead of the initial 6 week proposal.

The committee considered the draft recommendation and agreed with the concept. It was also agreed that the recommendation go to Council as an item of brief mention.

RECOMMENDATION

That the minutes of the Community Safety and Place Management Advisory Committee meeting on 9 May 2013 be adopted including the following items:

Item 6 Late Night Manly Working Group

That a trial activation of Market Place be piloted on weekend evenings for a three month period commencing in September.

Suggested activities may range from music, art markets to street performance to food offerings, and that suitable local businesses or charities be considered with first offers of involvement.

ATTACHMENTS

There are no attachments for this report.

OM030613RC_3.DOC

***** End of Report Of Committees Report No. 17 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Report Of Committees Report No. 18
SUBJECT: Minutes for adoption by Council - Waste Advisory Committee - 15 May 2013
FILE NO: MC/13/64490

This report was dealt with at the Waste Advisory Committee meeting of 15 May 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 Matters Arising – Committee Membership Request

The Committee requested that Silke Stuckenbrock become a member of the Waste Advisory Committee. Silke is a co-founder of the two hands project, which has inspired thousands of litter clean up actions worldwide. Currently, the Waste Advisory Committee Terms of Reference state that the Committee shall consist of 5 Community Members. It is requested that Ms Stuckenbrock be included as currently the Committee only has 5 community members.

RECOMMENDATION

That the minutes of the Waste Advisory Committee meeting on 15 May 2013 be adopted including the following items:

ITEM 4 Matters Arising – Committee Membership Request

The Committee recommends that:

The General Manager be requested to amend the Terms of Reference of the Waste Advisory Committee to allow for six community members. That subject to Council receiving an application, that Ms Silke Stuckenbrock be invited to join the Waste Advisory Committee.

ATTACHMENTS

There are no attachments for this report.

OM030613RC_4.DOC

***** End of Report Of Committees Report No. 18 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: General Managers Division Report No. 10
SUBJECT: Manly Community Strategic Plan Beyond 2023
FILE NO: MC/13/61976

SUMMARY

The Manly Council Integrated Planning and Reporting plan including the *Community Strategic Plan Beyond 2023*, including the Community Strategic Plan (Part 1), Resourcing Strategy (Part 2), Four Year Delivery Program 2013 -2017 (Part 3) and One Year Operational Plan 2013-2014 including Draft Budget Revenue and Financial Plan and Fees and Charges 2013-2014, Operational Plan and Budget 2013-2014 have been exhibited for the statutory period (28 days) and is submitted for adoption by Council.

Public submissions to the Integrated Plans are also presented to Council for consideration in the attached Matrix.

Following the adoption of the above Council is required to make the Rates and Charges for the year 2013-2014.

REPORT

Introduction

At the Extraordinary meeting of Council held on 29th April 2013 Council resolved to adopt and place on exhibition Manly Council's Integrated Plans including its Community Strategic Plan Beyond 2023 and Resourcing Strategy, updated Four Year Delivery Program 2013-2017 and One Year Operational Plan 2013-2014 including the Draft Budget and the Draft Schedule of Fees and Charges 2013-2014.

Public Consultation

Public notice was given in the Manly Daily placing the draft integrated planning documents on exhibition from the 30th April and inviting comments on the Draft Integrated Plans. The exhibition period concluded on 29th May 2013.

Copies of the Draft Integrated Plans were also available to peruse from Council's Customer Service Area, the Manly Library, the Seaforth/Balgowlah Branch Library, as well as Council's web site.

Report

The Community Strategic Plan Beyond 2023 and the Resourcing Strategy, Four Year Delivery Program 2013-2017 and One Year Operational Plan 2013-2014 including the Draft Budget and the Draft Schedule of Fees and Charges 2013-2014 were presented to Council at the Extra-ordinary meeting.

These documents have been drafted to comply with sections 402 – 405 of the *Local Government Act, 1993* and the Department of Local Government's Planning and Reporting Guidelines and Manual for local government in NSW.

Council being in a new term is required to review its Community Strategic Plan (CSP) for the forward 4 years with a 10 years planning horizon within its first nine months.

General Managers Division Report No. 10 (Cont'd)

The review of the CSP has included the following:

- A review of the End of Term report from the outgoing Council on the implementation and effectiveness of the Community Strategic Plan in achieving its social, environmental, economic and civic leadership objectives over the past four years. This was adopted by Council in July 2012 and included in the November 2012 Annual Report, and considered as background to the community engagement activities and strategy in this plan.
- A review of the information that informed the original Community Strategic Plan, as part of the background to the community engagement activities and strategy.
- A Community Engagement Strategy that identified relevant stakeholder groups within the community and outline methods that will be used to engage each group. This is included in the Community Strategic Plan Beyond 2023.

The statutory context for this work is S402 of the *Local Government Act* 1993.

The CSP Beyond 2023 is structured in 3 parts:

- Part 1 The Community Strategic Plan
- Part 2 The Resourcing Strategy
- Part 3 The Four Year Delivery Program and One Year Operational Plan

The plan provides the Manly Local Government Area with the following:

- A new Community Strategic Plan Beyond 2023 (Part 1 of 3). This plan has been informed by the community engagement process undertaken by Elton Consulting and is supported by the 10 year Resourcing Strategy.
- A Resourcing Strategy including the Long Term Financial Plan, Workforce Management Plan and Asset Management Plan, Policy and Strategy (Part 2 of 3).
- A Four Year Delivery Program 2013-2017 and One Year Operational Plan 2013-2014 including a Draft Budget for 2013-2014 and Council's Draft Schedule of Fees and Charges 2013-2014 (Part 3 of 3). The Four Year Delivery Program articulates actions that Council plans to achieve during 2013-2017 in relation to the Community Strategic Plan Beyond 2023.

The CSP Beyond 2023 captures the community's priorities and aspirations that are informed by the community engagement framework. Fundamental to the CSP are social justice principles.

The Four Year Delivery Program and the Long Term Financial Plan (Part 2A) include the following initiatives:

- The Andrew Boy Charlton Swim Centre Redevelopment Proposal
- The implementation of the Manly2015 Master Plan

The Assets Plan and Strategy (Part 2C) for the forward 10 years has been updated following a strategic review. While an expenditure gap remains, the long term resourcing of the Assets Plan is manageable and can achieve a full recovery within two budget cycles.

Consistent with the CSP, a Four Year Delivery Program for 2013-2017 and its One Year Operational Plan is contained in Part 3 of the document.

General Managers Division Report No. 10 (Cont'd)

The One Year Operational Plan has been prepared on the basis that Council adopts the maximum increase in rates of 3.4% permitted by the NSW government. This Plan is resourced in accordance with the Resourcing Strategy (Part 2) of the CSP.

Council's Long Term Financial Plan (Part 2B) includes 2 Scenarios; these analyses took into account Council's Assets Plan, the Manly Andrew Boy Charlton Redevelopment Project, and Manly2015.

The scenarios include options for a special rate variation and other sources of funding.

The draft One Year Resourcing Plan anticipates revenues (operating and capital) of \$107.96 million, an operating expenditure of \$70.878 million and a capital expenditure \$37.085 million.

The Resourcing Plan has been incorporated into the Delivery Program to reflect the full costs of providing the principal programs.

On a consolidated financial reporting basis, Council's 10 Year Consolidated Income Statement provides for a surplus of \$1.59 million after capital grants and contributions.

This has only been achieved by critically reviewing all of Council's operations including revenue planning.

In summary, the One Year Resourcing Plan anticipates:

- Permissible rate pegging increase of 3.4%;
- Domestic Waste Management charge of \$540.00 per residential property
- An average of salaries and award based growth of 4% for each of the next 3 years;
- The weighted average All Groups Consumer Price Index (CPI) of 2.3%;
- Fees and charges growth in line with inflation, market fluctuations and cost of service delivery;
- Interest from investments remain above benchmark rates;
- Increased in energy and utility charges of between 12%-20% over the next 2 years;
- Continuing Council's commitment to purchase 100% Greenpower for street lighting;
- Continuing Council's commitment to purchase 10% Greenpower for Council buildings and facilities;
- Escalation in the cost of domestic waste disposal;
- A 9% factor of the Carbon Tax in domestic waste management.

Budgetary Considerations

The State Government's Rate Pegging Policy is continuing to place pressure on Council's Budget, with increases in the costs of street lighting and electricity, and materials & contracts exceeding any increases in income from Council rates. The Federal Government's Carbon Tax alone is expected to add another \$125,000 to \$130,000 per annum to Council's electricity costs. The Carbon Tax will also be passed onto Council through price increases on other materials and supplies such as road making materials, building supplies and other contractor costs.

Changes in licensing requirements to meet accreditation for Council's Child Care Centres has required Council to review the salary and conditions for staff employed in those Centres, and to operate the Centres on a competitively cost neutral basis.

At the same time Council has a \$165,000 infrastructure maintenance backlog which must be addressed if Council is to maintain its facilities and infrastructure to meet the community's expectation.

General Managers Division Report No. 10 (Cont'd)**Submissions Received**

From the invitation for public comment on the Draft Plans, Council has received 134 individual submissions on proposed child care fee increases at Council run centres. As well, a number of submissions have been received in relation to the Manly2015 plan and objections stated to the demolition of the Whistler Street car park in the Manly Town Centre.

These submissions are summarized and staff responses given to each item raised (refer to Attachment 1). The folder containing copies of all submissions received is **tabled** with this report.

Following consideration of the public submissions by appropriate staff, Council's response to the submissions is provided in Attachment 1.

No change to the Community Strategic Plan is recommended.

A copy of the draft Integrated Plans, including the Schedule of Fees and Changes for 2013-2014, is **tabled** with this report.

The recommendation below includes the making of Rates and Charges and formalising the Budget and Operational Plans for 2013-2014.

Rating Policy 2013-2014

Following the adoption of the Community Strategic Plan and the One Year Operational Plan and the Budget, Council is required to make the Rates and Charges for the year 2013-2014.

The draft Operational Plan 2013-14 contains a Revenue Policy with details of the proposed Rates and Charges to be levied for 2013-2014, and the adoption of the 3.4% rate pegging increase as announced by the Independent Pricing and Regulatory Tribunal (IPART).

Council's Revenue Policy for 2013-2014 provides for a rating structure that is based on an ad valorem (rate in the dollar) with a minimum rate, and these rates will be calculated on the land value of the land as determined by the Valuer General, base dated 1 July 2011.

Interest is to be charged on overdue Rates and domestic waste management charges in accordance with section 566(3) of the Act. The rate of interest for 2013-2014 has been specified by the Minister to be 9%.

Summary and Conclusion

The CSP Beyond 2023 is an exciting document. It will move the Council forward in a number of areas, particularly in terms of urban renewal, and will create certainty for the future of Manly as financially responsible, organisationally innovative, courageous in leadership, and optimistic in outlook.

This CSP will build on Council's reputation as a "can-do" organisation as Council continues to deliver sustainable programs and services to the community for the long term.

General Managers Division Report No. 10 (Cont'd)**RECOMMENDATION**

Whereas the detailed estimates of income and expenditure of the General Fund, for the year commencing 1 July 2013, were considered by Council at an extra-ordinary meeting on 29 April 2013, and having given public notice in accordance with S.405 of the *Local Government Act, 1993*, to allow public submissions on or before 29 May 2013, and whereas the Manly Community Strategic Plan incorporating the Delivery Program, Operational Plans, and estimates of Income and Expenditure for the year commencing 1 July 2013, were adopted by Council at the meeting of 3 June 2013, and having considered any matters in accordance with S.406 of the *Local Government Act, 1993*, Council hereby resolves:

Part 1:

1. Adopt the Manly Council's Integrated Plans including its *Community Strategic Plan Beyond 2023* and related Resourcing Strategy including the Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy, Four Year Delivery Program 2013-2017 and One Year Operational Plan 2013-2014 including the Budget, Statement of Revenue Policy and Schedule of Fees and Charges for 2013-2014;
2. Write to the parties who made submissions to the above Integrated Plans, thanking them for their comments, and providing a response to the points raised by them.
3. That the General manager be authorised to draw down loan borrowings as follows:
 - Aquatic Centre \$15 Million
 - Manly2015 \$17 Million
 - Detention Tank Manly Oval Car Park \$3.35 Million
 - Public Works Infrastructure \$1 Million

Part 2:

1. Make the rates and charges as follows for 2013-2014

A Ordinary Rates

- (i) An Ordinary Rate (Residential) of **0.166904** cents in the dollar be made for the year 2013-2014 on the land value of all rateable land in the Local Government Area categorised as Residential in accordance with S.516 of the *Local Government Act 1993*, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$751.50**;
- (ii) An Ordinary Rate - Business - Manly Business Centre of **0.850548** cents in the dollar be made for the year 2013-2014 on the land value of all rateable land categorised as Business in accordance with S.518 of the *Local Government Act 1993*, within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$982.20**;
- (iii) An Ordinary Rate – Business - Other of **0.458903** cents in the dollar be made for the year 2013-2014 on the land value of all rateable land categorised Business in accordance with S.518 of the *Local Government Act 1993*, within Manly other than that land within the centre of population defined in (ii) above, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$982.20**.

General Managers Division Report No. 10 (Cont'd)**B. Special Rate – Manly Business Centre Improvements**

- (i) That whereas the Council, being of the opinion that works related to the provision of on-going and proposed capital and maintenance works, including the Manly Business Centre, The Corso and the Ocean Beach Front improvements, provide services, facilities and activities of specific benefit to the area, and are of special benefit to that portion of Manly as delineated on Plan Number 1/280A previously defined and adopted by Council, and whereas Council having adopted the Manly Community Strategic Plan beyond 2023, incorporating the estimates of income and expenditure for the Manly Town Centre Improvements Programme, it is hereby resolved that a Special Rate - Manly Business Centre Improvements of **0.28514** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2013-2014.
- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act, 1993*, that no minimum amount of the Special Rate - Manly Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

C. Special Rate – Balgowlah Business Centre Improvements

- (i) That whereas the Council being of the opinion that works related to the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street, provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Manly Community Strategic Plan beyond 2023, incorporating the estimates of income and expenditure for the Balgowlah Business Centre Improvements Programme, it is hereby resolved that a Special Rate - Balgowlah Business Centre Improvements of **0.211461** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2013-2014.
- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act, 1993*, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

D Interest

In accordance with the provisions of S.566(3) of the *Local Government Act, 1993*, Council hereby resolves to adopt the maximum interest rate as advised by the Minister for Local Government for outstanding rates, domestic waste management services and annual charges, being **9.0%** per annum in respect of accrual on a simple basis.

E Domestic Waste Management Services

In accordance with S.496 of the *Local Government Act, 1993*, that an annual charge of **\$540** per annum be made for the year 2013-2014, for each domestic waste management service rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service, a 120 litre recycling bin and a 240 litre green waste bin (monthly);

In accordance with S.502 of the *Local Government Act, 1993*, that an annual charge of **\$540** per annum be made for the year 2013-2014, for each additional 80 litre domestic waste management service rendered to owner occupied single occupancy residential dwellings (excluding green waste and recycling service);

F Stormwater Management Service Charge

General Managers Division Report No. 10 (Cont'd)

In accordance with the *Local Government (General) Regulation 2005* and the *Local Government Act, 1993*, the following annual Stormwater Management Service Charge be made and levied on all developed rateable land categorised for rating purposes as follows:

Land categorised as Residential:	\$25.00	for a single residential dwelling
Residential strata lots:	\$12.50	for each strata unit
Residential flats, community title, tenants-in-common residential units:	\$12.50	for each flat/unit
Land categorised as Business	\$25.00	Plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres up to a maximum charge of \$200.00

ATTACHMENTS

AT- 1 CSP Beyond 2023 - Summary of Submissions 6 Pages

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***** End of General Managers Division Report No. 10 *****

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
134 submissions Made up of: • Harbourview parents (standard letter & submissions 29) • Roundhouse Parents Committee and parents (standard letter & submissions - 98) • Ivanhoe Park (1) • Pre-schools (1) • General (5)	Increases to Childcare Fees at Roundhouse and Harbourview Child Care Centres. Parent representatives requested of Council for no fee increase from July 2013.	The child care fee increases at the Roundhouse and Harbourview Children's Centres have been structured as part of the 2013-14 Operational Plan so as to ensure the service continues to operate on a financially sustainable and cost neutral basis as directed by Council. The fee increases are necessary for the continued quality and sustainable delivery of Manly Council child care service facility at its various centres and pre-school operations, and provide adequate remuneration and the retention of child care staff. The increases have been based on the required costs to operate the service and reduce the \$316, 300 subsidy to a cost-neutral basis from rate-payers towards the operational costs, and the increases in staff costs (including annual staff salary increases, staff to child ratios for 0-2 year olds, staff qualifications, National Quality Framework requirements) and on-cost increases (including utilities up 20%, carbon tax, CPI). The cost of service provision has been affected by; - History of under market fees for service provision and operating in a service deficit - Changes to staff: child ratios for 0-2 years since January 2012. Now a 1:4 ratio, previously 1:5 - Changes to staff qualifications. Minimum requirement is Certificate 111, 50% of educators require Diploma or Degree by January 2014. - Impact on staffing costs to deliver early learning years framework and quality improvement plan in accordance with National Quality Framework which commenced in January 2012 - Increased cost of utilities by 20% - Staff salary increase in April 2012 - Annual staff salary increase by 3.25% - Increased operational costs due to carbon tax, CPI etc. - Increased staff establishment from 2011 for a Children's Services Coordinator position, due to increased child care places and National Quality Framework.

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
28 submissions	Comments on Manly2015 Masterplan: • Objection to demolition of Whistler Street Carpark • Financial viability is questioned. • More consultation should occur, as amendments to the plan have taken place since the exhibition period. • Concern about the impacts associated with the construction of the Manly Oval Carpark. • Environmental planning matters are raised in relation to geotechnical issues in relation to Manly Oval Carpark. • Requests for the release of all due diligence costings and financial documents. • Manly Chamber of Commerce expressed support for Manly2015 – in particular the car park under Manly Oval on the basis of maintaining two hour free car parking, and that Whistler	The Manly2015 plan has been included and structured into the CSP Beyond 2023's Long Term Financial Plans and its various scenarios from a sustainable capital, income and expenditure position with construction commencing in the 2014-15 year, with minimal impacts on the 2013-14 Operational Plan, that includes the on-going public domain improvements to Short Street and Henrietta Lane All the modelling and independent reviews undertaken on Manly2015 indicate that the Plan is financially sound. The proposed governance framework for its delivery is robust as indicated by: • The use of an independent project auditor, who will have oversight of the governance arrangements for the implementation phase of the project. • TCorp (part of NSW Treasury) recently indicating to Manly Council that it is in a sound financial position. A further assessment followed TCorp's evaluation of Council's application for Round Two interest subsidy funding from the Local Infrastructure Renewal Scheme funding, which included Manly2015 in the Long Term Financial Plan that is currently on exhibition as part of Council's Draft Community Strategic Plan, Beyond 2023. • In 2013, KPMG consultants performed an independent feasibility review of the Manly Oval carpark and village centre proposals and concluded that these proposals are viable and that the basis for cost estimates was sound. • The two major components of the Plan have inbuilt revenue to support ongoing expenditure. This is outlined in Council's Long Term Financial Plan which is subject to State Government scrutiny (see section below). The Manly2015 and the redevelopment of the Andrew 'Boy' Charlton Swim Centre are central to Draft Manly Community Strategic Plan – <i>Beyond 2023</i>. The financial aspects of these two proposals are fully captured and supported in the Long Term

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
	Street car park would remain open until the completion of new car park. Local architects Manfredini McCrae generally supportive of new entrance to Manly CBD from corner of Sydney Road and Belgrave Street. Also supportive of the Sydney Road proposal and the revitalization proposed for the northern CBD under Manly2015 to achieve activation of shop fronts. Concern that the public piazza' needs to be as big as possible and various other detailed design comments made.	Financial Plan and summarised below: - Capital financing of Manly2015 and Andrew 'Boy' Charlton Swim Centre will be fully funded by the revenue streams generated from these projects. - During the period of project delivery, the Long Term Financial Plan shows that capital financing of Manly2015 and the Andrew 'Boy' Charlton Swim Centre will increase borrowings from the current \$17.69mil to a peak of \$92mil in 2017/18. The total debt will commence to reduce in the subsequent years when these projects become operational. - The Cashflow Statement shows a positive trend of year-on-year growth in cash balances for the planning period. - The Long Term Financial Plan indicates Council's 2017/18 Cashflow position will be \$41.33mil and will steadily improve to \$117mil by 2022/23. - In 2019/20, Council's Cashflow position will be \$90.03mil, which will exceed the Debt balance outstanding of \$86.42mil. This trend will continue to improve into future years where cashflow will continue to grow and debt will continue to reduce. - In terms of Council's Debt Servicing Ratio (DSR) projections, financial modelling shows that this ratio will be 10.6% in 2017/18, peaking at 11.64% in 2018/19 then reduce to below 10% by 2023/2024. The Division of Local Government's (DLG) Health Check guideline for "Debt Servicing Ratio" (DSR) is in the range between 0 and 15%, which the Long Term Financial Plan indicates the Council will stay well within. - The projection for Council's total Net Assets (Assets less Liabilities) is \$695.89

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
		million in 2017/18. - Council's projected Profit and Loss Statement for 2017/18 shows the Net Profit from Operations of \$4.087mil (this is after paying the interest on all loans). This Net Result is projected to continue for all subsequent years in the Long Term Financial Plan. - As a consequence of Council winning a 4% interest subsidy from NSW Treasury for the Andrew 'Boy' Charlton Swim Centre indoor facility addition, the financing cost of the required capital will be at a maximum of 0.5%. The Manly Chamber of Commerce Executive were briefed by KPMG including the maintenance of the 2 hour free parking. They also held a members meeting at which the President of the Chamber confirmed they were briefed by KPMG and satisfied themselves in relation to the feasibility of the Oval carpark and village centre proposals. Manly2015 is a masterplan if Council progresses into the implementation stage of the project it is at this stage that matters relating to detailed design of the project will be finalized as part of any development approval process. As with all major developments within NSW, Manly2015 and the construction of the various stages would need to adhere the states statutory planning regulations and codes and the necessary approvals obtained.
1 submission	Objection to fee increase for hiring of surf clubs – North Steyne for yoga classes	Fee increases proposed at the Club are minimal (from \$29 to \$35 inc. GST) to recoup increasing service, maintenance and utility costs for various groups from Monday to Sunday (6am-11pm).
1 submission	Objection to \$5030 fee increase for Scuba Diving licence fees	Fee increases are required for the 2013-14 year for this service is provided on a commercial basis for the use of Council's public open space. The licence holder/s is/are provided with the exclusive use of public open space at the

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
		expense of the general public, and the quiet enjoyment of the space for passive recreational purposes. Given this, the fees were structured on the basis of opportunity cost for the use of public land and its underlying value when occupied for the conduct of commercial uses, namely the operation of Diving Classes. Diving Operators typically charge participants in the order of \$500 per person for a weekend scuba course. In this context, given the number of participants in the dive school the fee is considered reasonable. The proposed fee does not recoup the true commercial value of the land and the use of the land for a commercial activity.
1 submission	Waste Policy and proposed increases in garbage fees	The Domestic Waste Charge proposed for 2013/14 is representative of the total cost of providing waste collection; processing and disposal services throughout the municipality taking into account the different residential mix.
2 submissions	Dinghy Storage Bay at Forty Baskets Beach has increased from \$70 to \$230 for a resident and \$460 for non-residents	The fees proposed for the 2013-14 year have been structured on the basis of opportunity cost. The storage of dinghies is an exclusive use of public land at the expense of the general public's enjoyment of the area for passive recreational purposes. The fees still represent a substantially subsidized service considering the underlying value of the public land being occupied, other possible uses, and also in consideration of fees charged by alternative commercial boat storage options available to boat owners. Local residents do receive a discounted fee as well.
1 submission	- Timing of public notification & submissions access (compared with the Royal Far West major Development Application) - Transparency of Council in its decision making - Calculations in Long term financial projections – namely differences in total &	A new CSP is required within nine months of a new Council being elected, and this process involved reviewing the previous CSP, engaging the community and preparing a new suite of integrated plans. It has been a tight turn-around for Council in completing such detailed plans as required by the Division of Local Government that has been accomplished. Given Council's meeting schedule for June 2013, the public exhibition of the plans has met the statutory timeframe so that a new suite of integrated plans can be adopted by 30 June 2013 as required by the Local Government Act.

ATTACHMENT 1

General Managers Division Report No. 10.DOC - Manly Community Strategic Plan Beyond 2023 CSP Beyond 2023 - Summary of Submissions

Submissions Received	Issues Raised in Submission	Staff Comment
	purchases for infrastructure for Capital Expenditure proposed for 2013-2017 (p.88), key assumptions, lack of risk analysis, loan repayment modeling, three projects and scenarios, sale of asset assumptions	The preparation of integrated plans and its requirements under the Local Government Act (and Division of Local Government guidelines) have been complied with fully. It is not appropriate to compare this plan (or its components) with Development Applications and their notification requirements under either the Environmental Planning and Assessment Act, or major projects requirements under Part 3A; as administrated & resourced by the NSW Planning Minister, the NSW Department of Planning, and the Planning Assessment Commission. Council is transparent with the community – evident in its engagement process (as documented in the CSP Beyond 2023), and its ten year Resourcing Strategy including major projects and its Asset Management Plan. The explanations for the assumptions for the ten year Long Term Financial Plan are provided for in the plan, and have been prepared for the term of the next Delivery Program as indicated in the plan.

TO: Ordinary Meeting - 3 June 2013
REPORT: General Managers Division Report No. 11
SUBJECT: Appointment of Code of Conduct Review Panel
FILE NO: MC/13/64670

SUMMARY

To report to Council on the process for appointing a new panel of conduct reviewers and to recommend a new panel for appointment.

REPORT

On 13 March 2013 Council adopted a new Manly Council Code of Conduct (the Code) and Procedures for the Administration of the Manly Council Code of Conduct (the Procedures). The Code and the Procedures require Council to appoint a panel of conduct reviewers by 30 September 2013.

Using the selection process under the Procedures, Council partnered with the other SHOROC Councils to invite expressions of interest (EOIs) for the positions in February 2013. Advertisements were placed in the Sydney Morning Herald, the Manly Daily, the Mosman Daily, as well as on the websites of SHOROC and each of the Councils. 95 applications were received in response to the advertisements. 12 applicants were interviewed by a panel comprising a representative from each of the four SHOROC Councils on 1 May 2013.

The interviewees were highly qualified with legal qualifications and demonstrated a sound understanding of local government, extensive knowledge of and experience in conducting investigations, and met the eligibility requirements under the Procedure.

The persons recommended for appointment to Council's Conduct Review Panel are:-

- Adam Halstead
- Alison Cripps
- Annette Simpson
- Heather Irish
- Jocelyn Sparks
- Kath Roach
- Kathy Thane
- Peter Givorshner
- Peter Taylor SC
- Tim Rogers
- Wendy Klaassen

The panel members will be shared with the other SHOROC Councils as required. The members will receive the advertised hourly rate of \$270 plus GST as a sole reviewer or \$400 plus GST per meeting as part of a committee when reviewing any code of conduct matters.

The new panel will replace the previous panel appointed by Council on 1 December 2008.

Neither the Mayor nor the General Manager have had any involvement in this selection process.

General Managers Division Report No. 11 (Cont'd)**RECOMMENDATION**

1. That Council appoint the following members to its conduct reviewer panel for a term of four years:
 - Adam Halstead
 - Annette Simpson
 - Alison Cripps
 - Peter Givorshner
 - Kath Roach
 - Heather Irish
 - Peter Taylor SC
 - Jocelyn Sparks
 - Wendy Klaassen
 - Kathy Thane
 - Tim Rogers
2. That Council set the rate for work undertaken by the panel at \$270 per hour plus GST as a sole reviewer and \$400 plus GST per meeting as part of a review committee.
3. That the previous panel be terminated.

ATTACHMENTS

There are no attachments for this report.

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***** End of General Managers Division Report No. 11 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Environmental Services Division Report No. 15
SUBJECT: Status of Current Appeals relating to Development Applications
FILE NO: MC/13/62722

SUMMARY

Status of current Appeals relating to Development Applications.

REPORT

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Recent Actions	Current Status
142/11	Class 1 10864/11		Manly Wharf	23/08/12	Pikes & Verekers		Listed for hearing 29-31 May 2013
21/12	Class 1 11223/12	46	White Street	10/12/12	Pikes & Verekers	Need to draft conditions of consent	Listed for hearing 11 & 12 June 2013
377/11	Class 1 11278/12	3	Eustace Street	21/12/12	Marsdens	View final plans, draft conditions for s34 conference	Finalise s34 agreement
304/12	Class 1 10151/13	44	Smith Street	4/3/13	Marsdens	Finalised, s34 agreement reached	Waiting on sealed consent orders
304/11 Sec 96	Class 1 10150/13	6	Fairlight Crescent	4/3/13	Houston Dern O'Conner	Finalise s34 agreement	Need final plans and draft conditions for s34 agreement
294/12	Class 1 10160/13	31	Fairlight Crescent	4/3/13	HWL	Need to see if the amended plans are acceptable	If plans are not acceptable, matter will go to hearing. S34 conference is still on adjourned for 6 weeks.
507/2005	Class 1 10315/13	31	Boyle	1/5/13	Maddocks	Need to prepare SOFCS, additional week as matter is complicated by unauthorised works	Set for call over on 29 May 2013
193/2012	Class 1 10277/13	9	Bower	10/4/13	Marsdens	Need to do joint expert's report	Listed for s34AA conference 2 & 3 July
216/2012	Class 1 10304/13		Manly Wharf Hotel	26/4/13	HWL		Call over 29 May 2013

Environmental Services Division Report No. 15 (Cont'd)

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

OM030613ESD_2.DOC

***** End of Environmental Services Division Report No. 15 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Environmental Services Division Report No. 16
SUBJECT: Development Applications Currently Being Processed During June 2013
FILE NO: MC/13/62723

SUMMARY

Development Applications currently being processed during June 2013.

REPORT

The following Development Applications are being assessed by the Town Planners.

361	2001	87 Ellery Parade	Section 96 Modification - Part 5 - deletion of one (1) residence
76	2005	243 Pittwater Road	Section 96 Modification - Part 3
372	2005	11 Fairlight Crescent	Section 96 Modification - Part 5
507	2005	31 Boyle Street	Section 96 Modification - Part 3
217	2006	38 Denison Street	Section 96 Modification - Part 2
445	2007	24 Collingwood Street	Section 96 Modification - Part 4
436	2008	5 Commonwealth Parade	Section 96 Modification - Part 2
162	2010	27 Daintrey Street	Section 96 Modification - Part 2
24	2011	46 Darley Road	Section 96 Modification - Part 2
183	2011	37 Alexander Street	Section 96 Modification - Part 2
14	2012	34-35 South Steyne	Section 96 Modification - Part 2 - increase existing signage height
137	2012	22 Central Avenue	Alterations and additions
143	2012	44 Alma Street	Section 82A Review
146	2012	8 Jackson Street	Alterations and additions
194	2012	56-68 West Esplanade	Section 96 Modification - Part 2
195	2012	52 Darley Road	Alterations and additions to an existing Boarding House
206	2012	7 Fairlight Street	Section 82A Review
234	2012	92 The Corso	Section 96 Modification - Part 2
235	2012	106 North Steyne	Demolition of existing structures, construction of a five (5) storey Residential Flat Building containing eight (8) units with fourteen (14) car spaces in the basement
239	2012	47 Kangaroo Street	Alterations & additions
278	2012	27 Castle Circuit	Two (2) storey dwelling with double garage
279	2012	208 Sydney Road	Alterations and additions
280	2012	62 Pittwater Road	Demolition of existing structure, Construction of a three (3) storey dwelling including 21 short term accommodation units
290	2012	71 Cutler Road	Alterations and additions
292	2012	38 Wakehurst Parkway	Two (2) storey dwelling with basement parking
297	2012	102 Bower Street	Demolition & 5 storey RFB with 6 units
301	2012	35 Balgowlah Road	Demolition & 2 storey dwelling
303	2012	35 Pacific Parade	Alterations and additions
1	2013	28A Alexander Street	Construction of two (2) double garages

Environmental Services Division Report No. 16 (Cont'd)

5	2013	9 The Corso	Section 96 Modification - Part 2 - modification to internal layout
6	2013	5 West Promenade	Six (6) Lot Strata Subdivision & internal alterations and refurbishment
9	2013	7 Beatty Street	Alterations and additions
12	2013	14A Addison Road	Removal of rear fence and replacement
15	2013	17 Bonner Avenue	Alterations and additions
17	2013	20 Magarra Place	Demolition and new 2 x 2 storey dwelling with attached double garages, new driveway, landscaping, front balconies, front and rear terraces
19	2013	61 Gurney Crescent	New 4 storey residential dwelling
25	2013	Unit 1 - 114 Griffiths Street	Demolition of existing, new 2 storey semi-detached dwelling including single garage, rear porch and front and rear balconies
26	2013	Unit 2 - 114 Griffiths Street	Demolition of existing, new 2 storey semi-detached dwelling including single garage, rear porch and front and rear balconies
27	2013	Unit 3 - 114 Griffiths Street	Demolition of existing, new 2 storey semi-detached dwelling including single garage, rear porch and front and rear balconies
28	2013	1A Dalwood Avenue	New 2 storey dwelling including double garage, rear terrace, vergola, rear deck, pool, driveway and removal of 22 trees and landscaping
31	2013	114 Griffiths Street	Land Subdivision - Part 2
32	2013	61 Francis Street	Partial demolition and new 2 storey rear addition
34	2013	117 Pittwater Road	Alterations and additions
35	2013	23 New Street	Alterations and additions
37	2013	31 Gordon Street	Alterations and additions
39	2013	3A Lauderdale Avenue	Demolition and new 2 semi-detached, 2 Storey dwellings with double garage stackers, side courtyards, side and rear terraces to top floor and torren title subdivision
42	2013	6 Russell Street	Partial demolition and new 2 storey dwelling including basement storage, lift, front balcony, stairs, front fence, tree removal, pool, cabana, landscaping, front and rear patios
44	2013	27 Fairlight Street	Demolition and new 3 storey multi dwelling development including 2 units, 2 double garages, front courtyard and rear decks
45	2013	3 Mulgowrie Crescent	Alterations and additions
49	2013	3A Lauderdale Avenue	Demolition of existing dwelling and a 2 lot torrens title subdivision
50	2013	121 North Steyne	Demolition of existing, new 4 storey dwelling, double garage, rear terrace, rear balcony, first floor pool and landscaping
57	2013	1 Oyama Avenue	Alterations and additions to RFB
58	2013	48-52 Sydney Road	Alterations and additions to RFB
59	2013	33A Osborne road	Construction of a two (2) storey dwelling including double garage

Environmental Services Division Report No. 16 (Cont'd)

60	2013	40 Pine Street	Construction of a two (2) storey dwelling including side balcony
62	2013	27 Gurney Crescent	Partial demolition, construction of a rear two (2) storey addition
63	2013	44 Ellery parade	Alterations and additions
64	2013	32 Denison Street	Alterations and additions
66	2013	63 Griffiths Street	Demolition of existing dwelling and new 2X2 new dwellings
67	2013	17 Hogan Street	Alterations and additions
69	2013	387 Sydney Road	Change of use to Pathologist Centre
70	2013	37 Heathcliff Crescent	Alterations and additions
71	2013	110 North Steyne	Alterations and additions to RFB
72	2013	15-25 Wentworth Street	Change of use to Sushi Train
74	2013	7 South Steyne	Amendment of an existing Strata Subdivision
75	2013	6A Carlton Street	Front fence to substation area
76	2013	42 Eurobin Avenue	Alterations and additions
77	2013	135 Seaforth Crescent	Alterations and additions
78	2013	2 Hayes Street	Demolition of existing, new two (2) storey dwelling
79	2013	61 Macmillan Street	Construction of above ground swimming pool, deck and landscaping
80	2013	51 Alexander Street	Alterations and additions
81	2013	17 Central Avenue	Demolition of existing, construction of building containing one (1) retail shop, twenty (20) residential units and sixteen (16) car parking spaces
82	2013	22 Alma Street	Alterations and additions
83	2013	363 Sydney Road	Shop fitout and modifications to existing façade - Harlequin's
84	2013	82 Clontarf Street	Alterations and additions
85	2013	57 Smith Street	Alterations and additions
86	2013	100A Seaforth Crescent	Alterations and additions
87	2013	37 West Street	Alterations and additions
88	2013	38 Frenchs Forest Road	Change of use to Café with signage and outdoor seating
90	2013	119-120 North Steyne	Alterations and additions to RFB
91	2013	58 Edgecliffe Esplanade	Demolition of existing, construction of a two (2) storey dwelling including basement garage with four (4) car parking spaces, storage area, lift, rear balcony, driveway and landscaping
92	2013	41D Castle Circuit	Construction of a part two (2)/ three (3) storey dwelling including basement garage, decks, swimming pool, driveway and landscaping
93	2013	39 Peronne Avenue	Alterations and additions
94	2013	323 Sydney Road	Demolition of existing, construction of a three (3) storey boarding house with thirteen (13) rooms, caretakers unit, three (3) motorcycle spaces and three (3) bicycle spaces
95	2013	79 Wakehurst Parkway	Alterations and additions

Environmental Services Division Report No. 16 (Cont'd)

96	2013	1 Beatrice Street	Construction of a retaining wall in the rear setback and landscaping to the property
97	2013	15 Battle Boulevard	Alterations and additions

The following applications are with Lodgment & Quality Assurance for advertising, notification and referral to relevant parties.

7/2012 12 Adrian Place, BALGOWLAH HEIGHTS

Section 96 to modify approved Alterations and additions to an existing dwelling including storage area to lower ground floor, rear and side ground floor extensions, front first floor extension, internal alterations and new rear deck – involving first floor front addition, internal alterations, rear covered patio to ground floor, side deck, new balustrade, new windows and infill existing window openings – Part 2

89/2013 106 Darley Road, MANLY

Alterations and additions to an existing Educational Establishment including demolition of southern building, construction of a new three (3) storey wing with teaching and staff facilities, construction of a multi-purpose hall with undercroft space with a “art precinct”, upgrade the facade of the north wing, relocation of parking areas and landscaping – St Paul’s Catholic College Manly

99/2013 65 Curban Street, BALGOWLAH HEIGHTS

Alterations and additions to an existing dwelling including first floor addition, balcony and replace the existing pergola

100/2013 43 Ethel Street, SEAFORTH

Construction of a vergola over an existing third floor deck – Unit 3

98/2013 27 Cliff Street, MANLY

Replace part of the existing driveway and fence

101/2013 58 North Steyne, Manly

Alterations and additions to the existing Novotel Sydney Manly Pacific building including enclosure of the courtyard, restaurant refurbishment on the ground floor, side first floor addition with a rooftop terrace on the second floor

102/2013 16 Fairy Bower Road, Manly

Alterations and additions to an existing dwelling including side first floor addition and new roof to the existing garage

58/2008 18A Thornton Street, FAIRLIGHT

Section 96 to modify approved Alterations and additions including first floor addition to semi and freestanding living area/pavilion – involving deletion of the pavilion and walkway – Part 3

398/2010 18A Thornton Street, FAIRLIGHT

Section 96 to modify approved Alterations and additions to an existing dwelling including rear extension, gazebo and landscaping – involving remove the roof from the gazebo, relocate a window, modification to the decking, retaining walls and steps – Part 2

35/2012 53 Fairlight Street, FAIRLIGHT

Section 96 to modify approved Alterations and additions to an existing Residential Flat Building including bike storage area, new shelter to roof terrace to Unit 1 and window to level 1 of Unit 3 – involving modification to condition ANSO1 to reinstate new deck and pergola to roof terrace – Part 2

Environmental Services Division Report No. 16 (Cont'd)

103/2013 54 Bower Street, MANLY

Demolition of existing structures, construction of a new three (3) storey dwelling with roof top terrace, rear terraces, balconies, storage, decks to the pool, swimming pool, cabana and landscaping

104/2012 138-140 Pittwater Road, MANLY

Alterations and additions to an existing Residential Flat Building including rear first floor with access stairs below, new front fence, new roof rear addition to the first floor units

105/2013 112 Sydney Road, FAIRLIGHT

Demolition of existing structures, construction of a three (3) storey twenty-one (21) studio boarding house with two (2) units on third level, basement car park with eleven (11) spaces, five (5) motorcycle space, bike storage, balconies and landscapes

426/2010 3 Oyama Avenue, MANLY

Section 96 to modify approved Demolition of the existing improvements and construction of a new residential flat building containing three (3) dwellings, parking, swimming pool, landscaping and strata subdivision – involving deletion of condition ANS02 in relation to foreshore walkway, amended plans including modify the spa to a full size swimming pool at first floor, modification to the building footprint and increase terrace - Part 3

289/2012 24 Fairlight Street, FAIRLIGHT

Section 82A Review of Determination of refused Conversion of existing existing carport to garage in existing residential flat building - Part 2

107/2013 66 The Corso, MANLY

Alterations to the existing shopfront, shop fitout, three (3) advertising structures (signage) including an under awning sign, awning fascia sign and top hamper sign - Sussan

108/2013 8 Clavering Road, SEAFORTH

Alterations and additions to the existing dwelling including replacement of roof with Colorbond steel roof

558/2006 29 Victoria Parade, MANLY

Section 96 to modify approved Demolition and Construction of a residential flat building at 25-27 Victoria Parade and alteration and additions to the 'Eversham' building at 29 Victoria Parade – involving deletion of condition ANS02 in relation to disabled access to the entrance and ground floor units – Part 5

106/2013 470 Sydney Road, BALGOWLAH

Change of use to a Health Care Facility – Medical Centre and signage – Suite 9

109/2013 179 Condamine Street, BALGOWLAH

Alterations and additions to an existing duplex building including a two (2) storey rear addition with balconies at the rear and driveway

225/2010 6 Old Sydney Road, SEAFORTH

Section 96 to modify approved Demolition of existing, construction of a three (3) storey dwelling with double garage, decks, swimming pool and landscaping – involving excavation for the swimming pool, stormwater bypass, modifications to plant room to barbeque area, enclosure of deck area with doors and windows – Part 2

Environmental Services Division Report No. 16 (Cont'd)

110/2013 29 Beatrice Street, CLONTARF

Alterations and additions to an existing dwelling including the construction of a rear pergola over the existing deck to the upper floor

111/2013 52 Ponsonby Parade, SEAFORTH

Alterations and additions to an existing dwelling including a first floor addition

112/2013 63-79 New Street, BALGOWLAH HEIGHTS

Replacement of the shop awning and remedial works on the corner of New Street and Beatrice Street frontages

113/2013 113B Seaforth Crescent, SEAFORTH

Construction of a two (2) car stack hardstand, access handle, access stairs, inclinator and the demolition of the existing stairs and fence

114/2013 19 Beatrice Street, CLONTARF

Construction of a three (3) storey dwelling including double garage, rear verandahs, balcony, terraces, lift, swimming pool, driveway, tree removal and landscaping

The following Development Applications were presented to the Manly Independent Assessment Panel 16 May, 2013.

DA65/2012 120 Pittwater Road, Manly – Section 96 Modification

DA256/2012 67 Collingwood Street, Manly

DA36/13 1 Gertrude Street, Balgowlah Heights

DA283/2012 45 Rickard Street, Balgowlah

DA255/2012 15 Dalwood Avenue, Seaforth

DA53/13 550 Sydney Road, Seaforth

DA212/2012 25 Pittwater Road, Manly

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

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***** End of Environmental Services Division Report No. 16 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Corporate Services Division Report No. 11
SUBJECT: Third Quarter Report (1 January to 31 March 2013) – Progress with Four Year Delivery Program 2011-2015, Operational Plan 2012-2013 and Budget 2012-13
FILE NO: MC/13/59414

SUMMARY

This report provides the third progress report on Council's Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-13 for the period 1 January to 31 March 2013, in accordance with the requirements of section 404(5) of the *Local Government Act, 1993*.

Attached is a detailed matrix and graphs showing Council's progress in the second year of its 2011-2015 Delivery Program as adopted by Council in June 2012.

Quarterly Financial Review Reports for the period ending 31 March 2013, including variation recommendations are also discussed and detailed in the Attachments.

REPORT

Section 404(5) of the *Local Government Act, 1993*, requires the General Manager to ensure that regular progress reports are provided to the council "with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months".

In June 2011, Council adopted the Community Strategic Plan Beyond 2021 and its various components, including the Four Year Delivery Program 2011-2015.

In June 2012, Council revised various elements of its previously adopted Community Strategic Plan Beyond 2021, including its ten year Resourcing Strategy based on Council's new priorities, Four year Delivery Program 2011-2015 and adopted a new One Year Operational Plan 2012-2013 and Budget 2012-13.

The Delivery Program establishes the principal activities to be undertaken by Council to implement the strategies established by the Community Strategic Plan within the resources available under the Resourcing Strategy. This cascades downwards to the various one year actions that are articulated in the One year Operational Plan 2012-13 and reported to Council on a quarterly (through quarterly reports) and annual basis (through the Annual Report).

Contained within the Delivery Program are the four main strategic directions undertaken by Council that provide a focus for the development of key goals and strategies arising from the adoption of the Community Strategic Plan. These are:

1. Social Priorities
2. Economic Priorities
3. Environmental Priorities
4. Governance Priorities

The attached spreadsheet (see Attachment 1) shows progress on the various 2011-2015 Delivery Program strategies and actions for the January to March 2013 quarter, and is circulated under separate cover, along with trend data on the key performance indicators. The graphs (at Attachment 2), display monthly data for the first three months of 2013, and the 2012 and 2011 calendar years for comparative purposes, and are also circulated under separate cover.

This Report provides for the requirement of statutory reporting on the Council's four Strategic directions in the Delivery Program for the period ending 31 March 2013.

Corporate Services Division Report No. 11 (Cont'd)

Some of the key Delivery Program highlights for the third quarter are as follows:

Social priorities – Council continues its long standing commitment to operations in the areas of community safety, information and cultural services. This included programs relating to late night transport education, youth and children's services, meals on wheels, library events and services, citizenship and special needs specific programming. The professional lifeguard service continues to provide safe swimming with various preventative measures undertaken on Manly Ocean Beach during the summer months. Highlights in the cultural area included the New Years Eve Fireworks Display, Library activities and continuing exhibitions themed for the summer period at the Manly Art Gallery.

Economic priorities – Key projects have progressed relating to the former Seaforth TAFE Site, including renovation and landscaping works in order to prepare for future community uses. The Manly 2015 project is progressing in terms of streetscape designs for Short Street and Raglan streets and a financial feasibility assessment. Maintenance and improvements to our community infrastructure took place through footpath audits and capital works programs, HopSkipJump community bus network, and car parking facilities. Collaboration with the Manly Chamber of commerce continued through the operation of the Manly Mainstreet program.

Environmental priorities – during the quarter Council continued to responsibly manage our waste, cleaning, community environmental partnerships to protect our community and environmental assets. There is continuous progress with environmental initiatives eg Bushland regeneration, threatened species management, and Watercycle Management. Manly Environment Centre continued its monthly program of events, environmental advocacy work and environmental education initiatives. In relation to urban planning, the new draft Local Environmental Plan was being finalised with the NSW Department of Planning (Ministerial Gazettal on 5 April 2013).

Governance priorities – continuous progress is being made with improvements to Council's governance and reporting systems, policies and procedures. Computer system upgrades are occurring including the refinements of the new Electronic Document Management System (HP - TRIM), recruitment of staff, strategic organisational development initiatives included a focus on Work Health & Safety, performance partnering and coordination of the Investors in People program. Council continues to work with regional stakeholders through SHOROC to improve resources for the local area and Northern Beaches region through savings and enhancements to transport, health and liveability.

QUARTERLY FINANCIAL REPORT

This Financial Report for the period ending 31 March 2013 for the 2012/2013 Financial Year has been prepared in accordance with the Clause 203(2) of the Local Government (General) Regulation, 2005. The Division of Local Government has also issued guidelines to Councils regarding the requirements for the Quarterly Budget Review Statements (QBRS) reporting.

The QBRS are now required to be presented on an accrual basis, and include the following Statements:

1. Budget Review Statement by the Responsible Accounting Officer on Council's financial position
2. Income and Expenses Budget Review Statement (with recommended variations)
3. Capital Budget Review Statement
4. Cash and Investments Statement
5. Key Performance Indicators
6. Summary of Contracts entered into during the Quarter
7. Consultancy and Legal Expenses Statement

Corporate Services Division Report No. 11 (Cont'd)

Council's Budget as presented to Council has been prepared on a "Cash" basis, while the 4 Year Delivery Plan Budget and LTFP adopted by Council in June 2012 with the Community Strategic Plan is prepared on an "Accruals" basis.

The following is a summary of Council's adopted Cash Budget for 2012/2013 and revised Budget Estimates as at 31 March 2013, following the adjustments included in this report.

	Original Budget	Revised Budget At 30/09/2012	Revised Budget At 31/12/2012	Revised Budget At 31/03/2013
Operating Income	-\$69,962,724	-\$70,063,538	-\$70,118,471	-\$70,432,241
Capital Income	-\$21,382,384	-\$21,809,384	-\$21,823,484	-\$23,229,484
Total Income	-\$91,344,658	-\$91,872,922	-\$91,941,955	-\$93,661,725
Operating Expenditure	\$69,826,737	\$69,896,051	\$69,981,084	\$70,330,454
Capital Expenditure	\$22,390,780	\$22,845,370	\$22,915,370	\$24,288,970
Total Expenditure	\$92,217,607	\$92,741,421	\$92,896,454	\$94,619,424
Net Surplus / (Deficit)	(\$872,499)	(\$868,499)	(\$954,499)	(\$957,699)

The Statements (listed above) setting out details of the variations to the Budget for the financial year ended 30 June 2012, as well as Council's Restricted Funds Balance (Reserves) are attached as Attachment 3.

The March 2013 quarter budget review reports a cash budget deficit for the financial year of \$957,699. On an accrual basis the Quarterly Budget Review Statement forecasts a quarterly Net Operating Result surplus of \$124,000 and a deficit of \$36,000 before Capital Income. The full year forecast on an accrual basis is a Net Operating Result from all operations surplus of \$372,000.

RECOMMENDATION**THAT**

1. The third quarterly report for the 2012-2013 Operational Plan and progress report with the second year of Council's Delivery Program 2011-2015 be received and noted.
2. The Financial Statement for the quarter ended 31 March 2013, including the revised estimates and recommended variations contained within the report, be adopted.

ATTACHMENTS

AT- 1	Delivery Program Third Quarter Matrix	30 Pages	Circulated Separately
AT- 2	KPI Graphs for the Third Quarter	12 Pages	Circulated Separately
AT- 3	QBRs_Mar 2012-2013	12 Pages	Circulated Separately

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***** End of Corporate Services Division Report No. 11 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Corporate Services Division Report No. 12
SUBJECT: Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal - 2013 - 2014
FILE NO: MC/13/62466

SUMMARY

The Local Government Remuneration Tribunal has handed down its Report for 2013-2014 regarding the Category of Councils, and the fees payable to the Mayor and Councillor's as from 1st July 2013.

REPORT

Under the Act, the Council must pay the Mayor and each Councillor an annual fee. The fee must be fixed by Council and must be in accordance with the appropriate determination of the Local Government Remuneration Tribunal being equal to or greater than the minimum but not greater than the maximum of the appropriate category. The same fee must be paid to each Councillor.

The Tribunal has now made a determination for 2013 - 2014, handing down its Report on 8th April 2013.

In making their determination the Tribunal is now required under section 242A of the *Local Government Act 1993*, to apply the same cap on increases to Councillors and Mayors remuneration that applies to public sector employees, Members of Parliament, statutory officers and public sector executives.

The Tribunal considered submissions by the LGNSW, regarding the level of fees paid to Mayors and Councillors, as well as 3 submissions from individual councils seeking a maximum statutory increase of 2.5%, a review and benchmarking the fees with that of a State Member of Parliament and also for the Tribunal to introduce a professional remuneration structure to improve accountability and performance.

The Tribunal was not convinced by any of the submissions received and accordingly made no significant changes to the classification and remuneration scheme.

The Tribunal has determined that fees for Mayors and Councillors be increased by 2.5% effective from 1 July 2013 (2.5% in 2012).

A copy of the Remuneration Tribunal Report is **tabled** at this meeting and can also be found at: http://www.remtribunals.nsw.gov.au/local_government/current_determinations

Manly Council is classified as a Metropolitan Category Council - for which the Tribunal has set the following minimum and maximum fees to apply for 2013-2014:

	Minimum	Maximum
Mayor Allowance (current maximum fee paid \$37,230)	\$16,890	\$38,160
Councillors Fees (current maximum fee paid \$17,060)	\$7,930	\$17,490

The fee payable to Mayors is in addition to Councillor fees.

Corporate Services Division Report No. 12 (Cont'd)

At Council's Meeting held on 27th July 1998, Council resolved as follows:

“ That in respect of future determinations by the Local Government Remuneration Tribunal, Council, as policy, set the Mayors’ and Councillors’ remuneration fees at the maximum level determined by that body.”

Budget Implications

There are no implications for the Budget as an allowance had been included for anticipated increases in the Mayors’ and Councillors’ fees.

It is recommended that Council resolve as follows:

RECOMMENDATION**That:**

Council reaffirm its previous policy adopted in July 1998, that pursuant to s.248 and 249 of the *Local Government Act, 1993*, Council set the Mayors’ and Councillors’ remuneration fees for the period 1 July 2013 to 30 June 2014 at the maximum level determined by the Local Government Remuneration Tribunal, with the following fees to apply:

Mayor Allowance - \$38,160

Councillors Fees - \$17,490

ATTACHMENTS

AT- 1 Remuneration Tribunal Report 10 Pages Circulated Separately

OM030613CSD_3.DOC

***** End of Corporate Services Division Report No. 12 *****

TO: Ordinary Meeting - 3 June 2013
REPORT: Corporate Services Division Report No. 13
SUBJECT: Local Government NSW Annual Conference
FILE NO: MC/13/65375

SUMMARY

Advice from the Local Government NSW has been received (copy attached) regarding the arrangements for the inaugural Annual Conference 2013, to be held from 1 to 3 October 2013 at the Sydney Town Hall.

The Association would like to receive input from Councils to guide the content of the business sessions and is calling for all Councils to identify 3 - 5 important issues which we believe are causing concern to the Council and/or local community and provide these details to the Association prior to Friday 19 July 2013. In addition to identifying such issues, Councils are encouraged to suggest an appropriate solution by including either a motion which could be considered by the conference or notes which might guide delegates to an agreed position. The Association will review all responses received and identify the top 3 - 5 issues as identified overall by its member councils.

This report will also seek nominations for delegations and observers to attend the conference.

REPORT

The 2013 Annual Conference of the Local Government New South Wales will be held in the Sydney Town Hall 1st – 3rd October 2013, the draft programme as of 22 May 2013 is attached.

Attendance

Based on population, Manly Council is entitled to three (3) delegates at the conference and in the past Council has also sent two (2) observers. However, as accommodation is not a requirement this year, the cost for all delegates would be registration only.

Council is requested to determine the names and numbers of delegates and observers who are planning to attend the conference.

Submission of 3 – 5 Issues

Councillors are invited to submit their top 3 – 5 issues.

RECOMMENDATION

That:

1. Council be represented at the Local Government New South Wales 2013 Annual Conference in Sydney 1 – 3 October 2013 and that Council meet the registration and associated costs for each attendee.
2. Council determine the three (3) Councillor delegates and two (2) observers to attend the Conference.
3. Should Councillors wish to make a submission that this be provided to the General Manager by no later than 10 June 2013

Corporate Services Division Report No. 13 (Cont'd)

ATTACHMENTS

AT- 1 LGNSW 3 Pages

OM030613CSD_4.DOC

***** End of Corporate Services Division Report No. 13 *****



27 May 2013

Mr Henry Wong
General Manager
Manly Council
PO Box 82
MANLY NSW 1655



Dear Mr Wong

Local Government NSW Annual Conference

As you will be aware Local Government NSW's inaugural conference will be held at the Sydney Town Hall from 1 - 3 October 2013.

Planning for the Conference Program is well advanced and as per the conferences held by the former Local Government Association and the Shires Association time has been set aside for business sessions to discuss the various significant issues which affect the sector.

The Association would now like to receive input from Councils to guide the content of the business sessions. Councils are requested to identify the most important 3 – 5 issues which they believe are causing concern to the Council and/or the local community and provide these details to the Association prior to Friday 19 July 2013. The Association will review all responses received and then identify the top 3 – 5 issues as identified overall by member councils. These issues will then be put to the Conference for debate and deliberation as part of the business sessions.

In addition to identifying an issue, Councils are encouraged to suggest an appropriate solution by including either a motion which could be considered by the Conference or notes which might guide delegates to an agreed position.

Issues identified by Councils which fall outside of the top overall 3 – 5 will be considered by the Board prior to the Conference. Councils will be advised of the outcome of these deliberations also prior to the Conference.

A copy of the Draft Program (as at 22 May 2013) is attached for information.

It would be appreciated if Councils could provide their identified issues and any accompanying notes or motions using the online form which can be found on the Association's website at <http://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference> prior to Friday 19 July 2013.

For any further information regarding this matter please contact Peter Coulton, Director Corporate Services on 9242 4030.

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ATTACHMENT 1

Corporate Services Division Report No. 13.DOC - Local Government NSW Annual Conference
LGNSW

Yours sincerely,



Cr Keith Rhoades AFSM
Joint President



Cr Ray Donald
Joint President

Local Government NSW Annual Conference 2013

DRAFT PROGRAM 1 - 3 October, 2013 (as of 22 May 2013)
Sydney Town Hall, George Street, corner of Park Street, Sydney

Tuesday 1 October

- 4.00pm – 8.00pm Registration opens
Lower Ground Floor, Sydney Town Hall.
- 6.00pm – 8.00pm Presidents' Welcome Reception, Lower Town Hall, sponsored by YMCA.
Welcome from the **Joint Presidents LGNSW**
Welcome from **Cr Clover Moore, Lord Mayor of City of Sydney**
Address by Welcome Function Sponsor

Wednesday 2 October

- 8.00am Registration opens in Lower Town Hall, Sydney Town Hall; Distribution of voting materials; Cloak Room opens in Treasury
- 9.30am – 10.00am *Morning Tea available in Trade Exhibition in Lower Town Hall sponsored by LG Super*
- 8.00am – 10.00am Voting for Executive Positions in Marconi Room, Ground Floor, inclusive of morning tea
(voting is suspended from 10.00am – 11.00am)
- 11.00am – 1.00pm Voting for Executive Positions in Marconi Room, Ground Floor
- 10.00am – 12.00pm Official Opening Ceremony, Centennial Hall, Ground Floor
Official Opening Ceremony:
 Welcome to Country **Glenn Doyle**
 National Anthem
 Introduction by the **Joint Presidents**
 Address from **Her Excellency Professor Marie Bashir AC CVO, Governor of NSW** (invited)
 Address from **Hon Barry O'Farrell MP, Premier of NSW** (invited)
 Presentation of the AR Bluett Awards
 Presentation of Outstanding Service Awards
 Adoption of Standing Orders.
 Presentation and Adoption of Treasurer's Report.
- 12.00pm – 1.00pm *Lunch in trade exhibition in Lower Town Hall sponsored by LG Super*
- 1.00pm – 1.30pm Keynote Address: **Hon Don Page MP, Minister for Local Government**
- 1.30pm – 3.30pm Opening of Business Session
 1.30pm – 1.45pm Keynote Address: **Cr Clover Moore, Lord Mayor of Sydney.**
 Consideration of Motions concerning but not limited to the Independent Local Government Review Panel – findings and directions (**Professor Graham Sansom** invited).
- 3.25pm 5 minutes address by LG Super as Distinguished Sponsor
- 3.30pm *Afternoon tea in Trade Exhibition in Lower Town Hall sponsored by LG Super*
- 4.00pm – 4.30pm **Hon John Robertson MP, Leader of the Opposition** (invited)

ATTACHMENT 1

Corporate Services Division Report No. 13.DOC - Local Government NSW Annual Conference LGNSW

- 4.30pm – 5.00pm LGNSW – Plans for the Future (how your Association will assist its member councils in the year ahead, conference future, membership) Speakers TBC. 5 minute address by NRL Distinguished Sponsor
- 5.00pm End of Day proceedings. Sponsors Happy Hour in Trade Exhibition sponsored by NRL
- 6.00pm Sponsors Happy Hour in Trade Exhibition finishes.
- 4.00pm – 6.30pm Delegates Retreat in Trade Exhibition or Treasury Room as Cloak Room open for dinner arrivals/ changes/ *cloak room facilities to cater for changing for dinner for delegates not returning home*
- 7.30pm – 11.00pm Gala Dinner in Centennial Hall

Thursday 3 October

- 8.00am Registration opens in Vestibule, Ground Floor, Sydney Town Hall.
- 9.00am Conference Business Session Opens for General Business. 5 minute presentation by EPA as Distinguished Sponsor.
- 9.15am **Ms Gail Kelly, Chief Executive Officer, Managing Director, Westpac Banking Corporation**
- 9.45am Conference Business Session Opens - Consideration of Motions (45 minutes)
- 10.30am *Session breaks for Morning Tea in trade exhibition sponsored by EPA*
- 11.00am **Mr Paul Broad, CEO, Infrastructure NSW** (invited)
- 11.30am 'Regional and Urban councils – what will we look like in 2036?' – **Mark McCrindle**, social analyst with an international renown for tracking global changes and analysing social trends
- 12.00pm Planning debate 'The New Planning System: a Cultural Challenge!' Inclusive of **Hon Brad Hazzard MP, Minister for Planning, Mark McCrindle, futurist and demographer, Mr Chris Johnson, Chief Executive Officer, Urban Taskforce, Ms Corrine Fisher, Better Planning Network, and Professor Ed Blakely, United States Studies Centre** (invited)
- 12.50pm Report from Elite sponsor/distinguished sponsor
- 1.00pm *Lunch in trade exhibition sponsored by NSW EPA*
- 2.00pm Consideration of Motions (1.5 hours)
- 3.30pm Close of conference. Conference adjourns for Sponsors Happy Hour drinks in trade exhibition sponsored by NRL inclusive afternoon tea
- 4.30pm Sponsors Happy Hour concludes. End of Day proceedings

CLOSE OF CONFERENCE

This program is correct at the time of printing; speakers and program details may have changed due to unforeseen circumstances.

TO: Ordinary Meeting - 3 June 2013
REPORT: Civic and Urban Services Division Report No. 3
SUBJECT: Draft Tree Conservation and Management Plan for Coastal Norfolk Island Pines
FILE NO: MC/13/61315

SUMMARY

The Tree Conservation and Management Plan for Coastal Norfolk Pines (the Plan) considers the Norfolk Island Pines in the Manly area as a community asset to be maintained and improved into the future. The objective of the Plan is to ensure tree health and to plan for the overall maintenance and improvement of the populations of pines into the future. It is proposed that the review timeframe of this document be set at ten years (2023) but that the actions prescribed in the plan be reviewed and updated on a bi annual basis.

REPORT

Background

The ongoing monitoring and general reporting on the trees in close association with Forsci Pty Limited has resulted in health, nutritional and protection programs for the Pines along the ocean beachfront, development of a data base, and proposals for longer term management. The current plan also includes incorporation of the Norfolk Island Pines at East West Esplanade and in the vicinity of the Manly Lagoon at Queenscliff.

The Plan contains recommendations for replacement of certain Pines that have not performed in terms of mature growth or have been inferior specimens once planted. There are 2 mature pines one on South Steyne opposite the Far West Children's home and one at East Esplanade that have deteriorated and after several levels of testing have been identified as requiring removal and replacement.

RECOMMENDATION

That the Draft Tree Conservation and Management Plan for Coastal Norfolk Pines be endorsed:

ATTACHMENTS

AT- 1 Norfolk Island Pine Management Plan 74 Pages Circulated Separately

OM030613CSU_1.DOC

***** End of Civic and Urban Services Division Report No. 3 ***** .