



Agenda

Ordinary Meeting

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

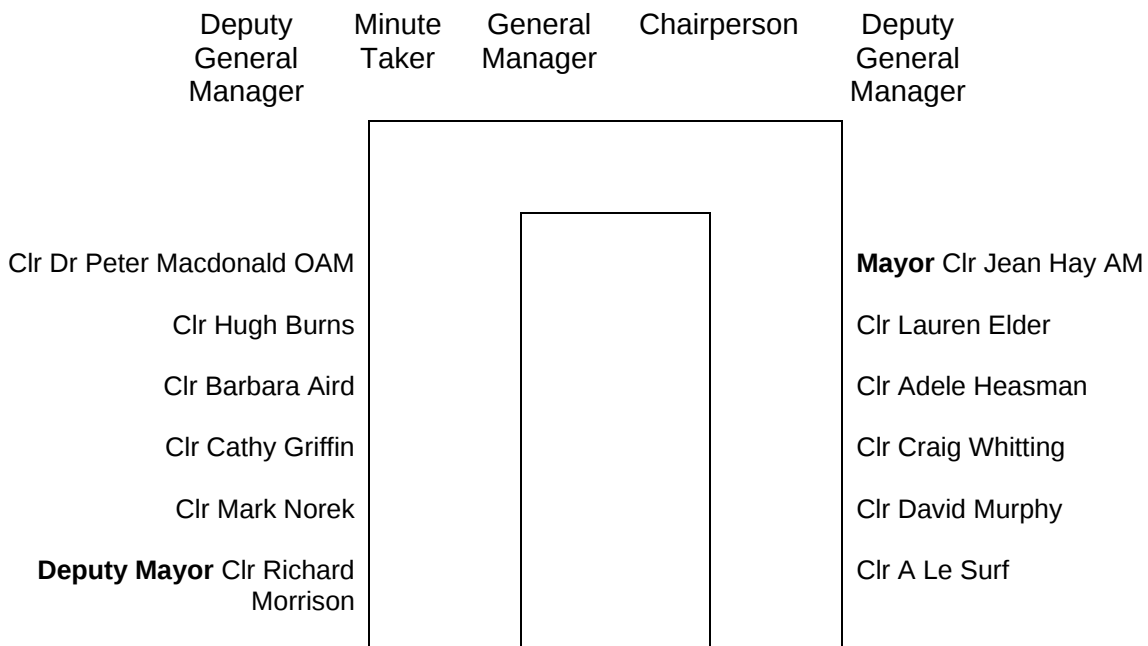
Monday 18 July 2011

Commencing at 7:30 PM 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 Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:
www.manly.nsw.gov.au*

Seating Arrangements for Meetings



Public
Addresses

Public Gallery

Chairperson: The Mayor, Clr Jean Hay AM
Deputy Chairperson: Deputy Mayor Clr Richard Morrison

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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**Civic and Urban Services Division Report No. 6**

Tender T2011/24 - Evaluation for Design & Construction of Pickering Point Public Jetty & Pontoon

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

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

TO: Ordinary Meeting - 18 July 2011
REPORT: Mayoral Minute Report No. 9
SUBJECT: Review of Police Resources by NSW Government
FILE NO:

Summary

In response to an invitation to make a submission to the Government's on a review of resources involving Policing in this state, I Move that Manly Council strongly support the retention of the present Manly Local Area Command.

Report

A letter received by Council on 29th June 2011 was tabled at the July Community Safety Committee.

The letter was from Hon Michael Gallacher MLC to Hon. M B Baird MP advised of a comprehensive audit of police resources and invited submissions from the local member on behalf of their local community.

The Local Member in turn asked the Council, via the Community Safety Committee to provide feedback to the Review.

Among the matters to be examined are in the review are the following:

- Is current Police resourcing in this State appropriate? And
- The effectiveness of the current Local Area Command Structure

Following a briefing by the Local Area Commander, the Community Safety Committee discussed and agreed to include the following feedback in the Council's submission:

1. While a sensible approach to operational merging of police administrative staff is supported, given that Manly is a high volume tourist destination and an entertainment venue, the Committee would therefore strongly opposed to any proposal that reduces Police resources located at Manly and the CBD in particular;
2. The Committee strongly supports the current operational arrangements where Manly Police operates in the CBD of Manly as an independent Local Area Command, noting that it has done so with great effect since 1995, and
3. The Committee strongly supports the appointment of a Commissioned Officer, who is also a highly effective communicator, into the Commander's role to command the Manly Police,
4. It is imperative for the Commander to remain located at the Manly CBD.

RECOMMENDATION

I move that Council submit the following to the Review and also write in the same terms to the Leader of the Government in Legislative Council, Minister of Police and Emergency Services and Minister for the Hunter, by way of letter to Hon. M. B Baird, Member for Manly:

1. Manly must retain its 24 hour operational Police and Station in the Manly CBD;

Mayoral Minute Report No. 9 (Cont'd)

2. The strength of operational Police must be significantly increased for frontline duties on Friday and Saturday nights and on public holidays in the Manly CBD;
3. While Council support proposals to merge administrative staff, any proposal to merger operational police will be strongly opposed to;
4. Any loss of permanent operational police from the Manly LGA will be opposed to, and
5. The permanent position of the Commander, held by a Commissioned Officer, who is also properly delegated to represent the Police in all business and community issues, must be located in the Manly CBD.

ATTACHMENTS

There are no attachments for this report.

OM180711MM_1

***** End of Mayoral Minute Report No. 9 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Notice of Motion Report No. 16
SUBJECT: Leaching at Little Manly Point
FILE NO:

Councillor Cathy Griffin will move:

That Council provide a detailed report on the leaching causing a blue stain in the rocks and cliff face at Little Manly Cove and provide assurance to community that this leaching is not toxic and does not present any danger to the community or environment.



This report should include but not be limited to

1. The location, date, and time of any tests that have been carried out in the area.
2. The result of the tests and what they indicate.
3. The method of communicating the results of any tests and to whom.
4. The organisation with responsibility for determining what the blue substance is and assuring the community that the blue substance that is visible on the rockface is safe, non toxic and not polluting the environment.
5. What action if any has been taking to prevent the leaching and discolouration of the rockface
6. The monitoring regime for the area
7. The function of the pump and the maintenance regime for the pump.

Notice of Motion Report No. 16 (Cont'd)**Background**

A Gasworks previously operated at Little Manly Point.

The Gasworks was decommissioned and the Department of Planning rehabilitated the land to a recreational park. This rehabilitation included 'capping' the area to prevent leaching of any remaining toxic chemicals into the environment and making the area safe for recreation.

Manly Council has care and control of the Little Manly Point Park.

Approximately 5 years ago Manly Council and the State Government were made aware of the leaching of a blue substance into Little Manly Cove. Engineering works were completed to divert this substance into the sewerage system and prevent it from entering the environment. This included the construction of a pumping system with a red light located on the top of the pump which when flashing red apparently alerts when the system is overflowing.

This issue of the leaching blue substance has been a regular agenda item at LMCPF for many years. Recently, residents, through the LMPCF requested Council test the blue substance that continues to leach into Little Manly Cove and provide assurance that it is safe or non toxic and not polluting the environment.

Council has advised the LMPCF that there will be no further action to be taken on this issue.

The community remains concerned that the leaching of the blue substance into the environment continues and claim that the red light on top of the pump flashes regularly, particularly after a short period of rain.

The community request assurances that the system installed to divert this substance to the sewer is operational and is regularly maintained.

The community requests a report to provide assurance that there is no cause for concern regarding this blue substance entering the environment.



Notice of Motion Report No. 16 (Cont'd)



Notice of Motion Report No. 16 (Cont'd)



RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM180711NM_1

***** End of Notice of Motion Report No. 16 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Notice of Motion Report No. 17
SUBJECT: Sensitivity Analysis Report
FILE NO:

Councillor Craig Whitting will move:

That Manly Council provides a Sensitivity Analysis Report outlining how the purchase of Seaforth TAFE will impact Council's Asset Management Plan and Long Term Financial Plan.

The Report should address the key factors or assumptions that are most likely to impact on the achievement of council's long-term financial plan's financial targets, with reference made (brief or detailed tabular-depending on financial outcomes) on:

- Operating result
- Net financial liabilities.

The report is to provide relevant material to be presented to councillors to help inform the community. The report's aim is to be brief, easy to read and ideally less than 10 pages. Strategically focused on the points requested.

- usage options including projected revenue cashflows,
- the impact of renewal, maintenance and repair work costs,
- the impact of the repayments on principle and interest on the 10 year Community Strategic Plan,
- the impact of the increased depreciation on the 10 year community Strategic Plan,
- net financial liabilities ratio and interest cover ratio targets,
- and if the above places council in a deficit position on the income and expenditure statement what steps will council take if unfavourable scenarios materialise (i.e. review service levels & timing of new projects etc).

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM180711NM_2

***** End of Notice of Motion Report No. 17 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Notice of Motion Report No. 18
SUBJECT: Redirection of the stormwater pipe away from Clontarf Pool
FILE NO:

Councillor Craig Whitting will move:

That Manly Council proceed with the redirection of the stormwater pipe away from Clontarf Pool.

1. That all work to be completed by November in readiness for the 2011 Summer Season.
2. The design of the stormwater pipe is diverted to an existing adjacent outlet away from the Clontarf swimming enclosure.

Background.

The Clontarf Precinct has raised concerns of a Stormwater Pipe draining directly into Clontarf's Swimming Enclosure and that additional pollutants are draining directly from the nearby car park into the swimming enclosure.

The Harbour Foreshore & Coastline Management Committee Meeting of June 14, 2011 has recommended that Council proceed with the implementation of redirecting the stormwater before the coming Summer Season.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM180711NM_3

***** End of Notice of Motion Report No. 18 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Notice of Motion Report No. 19
SUBJECT: Manly2015
FILE NO:

Councillor Hugh Burns will move:

To enable the Manly2015 proposal to be properly considered with clarity by all Manly residents:

- 1) Council hereby confirms that no street closures, one way conversions, or shared zones will be included on the beachfront (North and South Steyne) or the Corso via Whistler Street routes in the Manly2015 scheme
- 2) That this design clarification is widely promoted including by staff presentation to the Fairy Bower and Little Manly Precincts, newspaper advertising and that all public display and consultation documentation for Manly2015 is promptly amended to reflect this clarification.
- 3) That the closure and conversion of Sydney road to a mall between Whistler Street and the Corso be retained within the Manly2015 proposal for public comment.
- 4) That conversion of Whistler street to two way traffic flow from Sydney Road to Raglan Street be undertaken if it is still proposed that Sydney road be closed between Belgrave and Whistler Street as part of the current Manly2015 proposal.

Background

Manly2015 - clarification to remove suggestions or options of closures of North and South Steyne, The Corso and Whistler Street from the proposed Manly2015 scheme currently on public display.

The current Manly2015 proposal is on public exhibition and contains proposals and options for partial closure or limiting of motor vehicle access via the beachfront and via stage 2 (wharf end) of the Corso through into Whistler Street. (For clarification the East Esplanade route is not affected)

The current result is that three existing traffic lanes each way for the Eastern Hill across three routes could be reduced to two lanes each way across three routes.

The placing of this issue in the public domain is creating a great deal of concern in the community about traffic congestion to and from the Eastern Hill (notwithstanding the expert traffic study that has been included in the Manly2015 proposal documentation).

These changes are distracting the community's attention from consideration of the major elements of the broader scheme, such as the changed main carpark location, tramway loop and repaving works to encourage pedestrians.

The success of Manly2015 in some form will require support across the whole community and the whole Council, and any failure of existing Councillors and senior staff to promptly address and resolve such controversial inclusions could place the whole Manly2015 proposal at political risk.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

Notice of Motion Report No. 19 (Cont'd)

OM180711NM_4

***** End of Notice of Motion Report No. 19 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Notice of Motion Report No. 20
SUBJECT: Manly's Iconic Norfolk Island Pine Trees
FILE NO:

Councillor Hugh Burns will move:

That Manly Council prepare a comprehensive Norfolk Island Pine Tree Restoration Plan to identify all the locations where the pine trees were traditionally planted in the Manly LGA with a view to reinstating as many of the trees in these locations as possible.

These locations to be examined are to include but not be limited to North and South Steyne, East and West Esplanade, Wentworth Street, Pittwater Road from Golf Parade to the Eurobin avenue (manly concentrated near the roundabout and old tram shed at Balgowlah Road intersection).

That in any location where views might be affected, the Council liaise with the traffic committee, the local precinct and directly affected residents to advise and consult, including noting the considerable time taken for the trees to grow to full height (30 years).

The plan is to include a program of Council growing sufficient trees to be able to plant out re-established rows with the same age of tree (for clarity all existing remaining trees in such rows are to be retained)

Background

The pine trees on the Manly Beach fronts are a major part of the "Manly look" that makes Manly a very special and memorable place to live in and visit.

In recent years there have been some efforts made to replace some pine trees that have died or are otherwise missing. However careful inspection of older photographs and existing tree locations suggest there are many more trees missing that could be replaced to create a much more spectacular and lush tree environment within the existing beach reserves.

A particular example location is the end of Raglan Street on North Steyne where historic photos show an extremely attractive avenue of trees almost as per Frank Hurley 1950s photograph of the avenue of trees to the then Wishing Well Pavilion opposite South Steyne. However today there are only a couple of trees remaining in this location and the area is covered with a coach parking area.

Similarly Pittwater road at North Manly was lined on both sides with Norfolk Island Pines (like Victoria avenue) (could be replaced on the verge rather than on the road in the kerbside traffic lane) and similarly there were some Norfolk Island pine trees down the middle of the Corso near the Ocean Beach end.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM180711NM_5

***** End of Notice of Motion Report No. 20 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Item For Brief Mention Report No. 10
SUBJECT: Items for Brief Mention
FILE NO:

1. Complaints made to the General Manager

Complaints made to the General Manager as at July 2011

Matter No.	Received	Nature of complaint	Outcome	Status
COMP2011-05-04	May 2011	Complaint re compliance matter	No breach of code of conduct found. No further action.	Finalised
COMP2010-12-03	May 2011	Request for a Review - Complaint re compliance matter	Additional information submitted was reviewed. No breach found. No further action.	Finalised
COMP2010-12-06	May 2011	Request for a Review - Complaint re compliance matter	Additional information submitted was reviewed. No breach found. No further action.	Finalised

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
100/11	20 June 2011	Works on North Steyne stormwater outfall pipes	That: 1) Any works on the North Steyne stormwater outfall pipes be deferred pending further consultation with the surfing community.	Review brief being prepared.
			2) Following the consultation process with the surfing community and seek the opinion of Manly Hydraulics and the matter be brought back to Council for consideration.	Review brief being prepared.
84/11	9 May 2011	Combating Graffiti	That: 1. Manly Council investigate participating in the VandalTrak project to assist its residents acting as agents to report vandal damage, both to their own and Council property;	Pending.
			2. Council explore with local Rotary groups participation in the cleaning up and removal of graffiti on private property in the Manly area;	Pending.
			3. Council liaise with local police to explore a coordinated local and regional strategy to report, prosecute and otherwise minimise graffiti;	Pending.
			4. Council investigate electronic integration of reported vandalism to Manly Council property made to the VandalTrak web site being automatically transferred to Council's management systems, to enable staff to check and promptly rectify reported damage logged via this website; and	Pending.
			5. A report be brought back to Council within 3 months on these matters, including expected costs and savings to Council and benefits to the community amenity.	Pending.
08/11	14 February 2011	Masterplan for the site bounded by Wentworth St, Darley Rd, Victoria Pde and South Steyne	1. That design control guidelines be prepared for the site bounded by Wentworth St, Darley Rd, Victoria Pde and South Steyne from which a development control plan could be developed to address the significant access, parking, urban design, landscape and environmental planning issues on the site which	Pending.

Item For Brief Mention Report No. 10 (Cont'd)

			Council has previously identified.	
44/10	19 April 2010	Notice of Motion - Manly Council to Investigate Resuming Provision of Street Lighting in the Manly Municipality	That Manly Council conducts an investigation and produces a report on the feasibility or taking over all or part of the street lighting in the Manly Municipality, currently run by Energy Australia at Council's expense. That such a report include but not be limited to the following items: - Identification of possible areas to be taken over including staging options and outlining selection methodology/criteria, - Identification of any additional costs or savings from taking over these assets over say a 20 year term. - Consideration of whether the transfer would assist Council to make the street lighting installation more energy efficient and likely cost savings and environmental benefits from such a change. - Consideration of whether such a transfer would enable Council to place more lighting wiring underground to make selected areas more attractive and the installations less prone to damage. - Consideration of whether there would be further cost savings from undertaking the street lighting on a regional or SHOROC based scale.	Pending.

3. Documents to be Tabled

Date	Author	Subject
08/07/11	Sydney Water	Completion of SewerFix work in Manly.
07/07/11	The Hon G Berejiklian MP Minister for Transport	Transport re Manly Ferry Service
07/07/11	Division of Local Government, Premier & Cabinet	Circular: Strengthening protections for public officials who make public interest disclosures
29/06/11	Division of Local Government, Premier & Cabinet	Circular – Conduct of elections by Councils – Amendments to the Local Government Act 1993.
29/06/11	Division of Local Government, Premier & Cabinet	Circular - Constitutional arrangements for Councils - Amendments to the Local Government Act 1993.
28/06/11	SES, Sydney Northern Region & Outgoing letter from Manly Council	Re-appointment of SES Local Controller – Manly SES Unit.
28/06/11	NSW Local Government Grants Commission	2011-12 Financial Assistance Grants.
24/06/11	Division of Local Government, Premier & Cabinet	Circular – Watershed Planning Event: Local Government - Destination 2036.
21/06/11	NSW Local Government Grants Commission	Circular – 2011-12 Financial Assistance Grants Advance Payment.
16/06/11	Division of Local Government, Premier & Cabinet	Request assistance with establishment by the NSW Government of a State wide graffiti hotline.
15/06/11	Division of Local Government, Premier & Cabinet	Email re Final Council groups for the implementation of the integrated Planning and Reporting Framework.
14/06/11	The Hon Simon Crean MP, Minister for Regional Australia, Regional Development and Local Government Minister for the Arts	Constitutional recognition of local government.
03/06/11	NSW Government, Planning and Infrastructure	Circular - Repeal of SEPP 53 Metropolitan Residential Development.
23/05/11	Local Government Association of NSW	Modernising Local Government: Consultation Report is now available on the Associations web site.

Item For Brief Mention Report No. 10 (Cont'd)

RECOMMENDATION

1. That the information be received and noted.
2. That the information be received and noted.
3. That the documents Tabled at this meeting be received and noted.

ATTACHMENTS

There are no attachments for this report

OM180711IBM_1

***** End of Item For Brief Mention Report No. 10 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Report Of Committees Report No. 27
SUBJECT: Minutes for adoption by Council - Special Purpose Committee - without recommendations of a substantial nature.
FILE NO:

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

- i) Manly Arts Festival Working Group – 22 June 2011
- ii) Waste Committee – 22 June 2011
- iii) Access Committee – 21 June 2011
- iv) Art and Culture Committee – 21 June 2011
- v) Community Safety Committee – 9 June 2011
- vi) Sustainable Transport Committee – 9 June 2011
- vii) Community Environment Committee – 8 June 2011
- viii) Meals on Wheels Committee – 8 June 2011

RECOMMENDATION

That the minutes of the following Special Purpose Committee meeting be adopted:

- i) Manly Arts Festival Working Group – 22 June 2011
- ii) Waste Committee – 22 June 2011
- iii) Access Committee – 21 June 2011
- iv) Art and Culture Committee – 21 June 2011
- v) Community Safety Committee – 9 June 2011
- vi) Sustainable Transport Committee – 9 June 2011
- vii) Community Environment Committee – 8 June 2011
- viii) Meals on Wheels Committee – 8 June 2011

ATTACHMENTS

There are no attachments for this report.

OM180711RC_1

***** End of Report Of Committees Report No. 27 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Report Of Committees Report No. 28
SUBJECT: Minutes for Adoption by Council - Manly Scenic Walkway Committee - 5 July 2011
FILE NO:

These reports were dealt with at the Manly Scenic Walkway Committee meeting of 5 July 2011 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 6 REPORT: Ellery's Punt Reserve Landscape Masterplan – Final Design

Ellery's Punt Reserve is an existing foreshore park located on the Manly Scenic Walkway adjacent to the Spit Bridge. It provides access and parking for harbour users. Historically this reserve was used as the platform for the punt crossing and the Manly tram and has heritage significance. Adjacent to the punt landing area is an eroded embankment and stormwater outlet pipe.

Preliminary Design of the Ellery's Punt Reserve Landscape Masterplan was presented to the Landscape Masterplan & Urban Design (LMUD), Harbour Foreshores & Coastline Management (HFCM), Heritage and Manly Scenic Walkway Committees during June – September 2010.

A Final Design has been prepared based on feedback from these Committees. The Masterplan is now presented to discuss and recommend to Council for public exhibition.

Development of a Landscape Masterplan for Ellery's Punt Reserve is proposed to integrate improvements to the harbour edge addressing erosion and community concerns.

Landscape Masterplan for Ellery's Punt Reserve

The main landscape elements proposed for upgrade are:

1. Formalise access to water for recreation uses.
2. Improve the visibility of the existing stormwater services to the water's edge.
3. Propose a solution to the current erosion of the existing sand embankment.
4. Investigate remaining heritage stonework and integrate this with the landscape upgrade of the foreshore.

It was communicated that this landscape plan is being developed in response to the continuing erosion issues at the site and to resolve the problem of soil erosion to the harbour foreshore area. The protection of the existing soil profile to the harbour is important to maintain.

RECOMMENDATIONS FROM COMMITTEES

Preliminary Design of the Ellery's Punt Reserve Landscape Masterplan was presented to the Landscape Masterplan & urban Design (LMUD), Harbour Foreshores & Coastline Management (HFCM), Heritage and Manly Scenic Walkway Committees during June – September 2010 and following feedbacks were received.

LMUD Committee (dated 16 June 2010)

Landscape Management & Urban Design Committee recommends that the landscape drawings be presented to the Heritage Committee for feedback in August.

The importance of incorporating interpretive signage was highlighted by committee members. It is recommended that the historical significance of this site is communicated to the visitors and users of the Manly Scenic Walkway.

Report Of Committees Report No. 28 (Cont'd)**Heritage Committee (dated 4 August 2010)**

It was advised that staff have requested archaeological advice from the DoP Heritage Office. The stormwater pipe is proposed to be shortened and covered by a timber boardwalk. It is proposed to retain the archaeological remnants of the former punt, partly under water. The committee made the following comments:

- Do not shorten the pipe as this would undermine the structures;
- Consider existing signage/plaques, including the O'Halloran monument in the area. Suggest consolidation of signage and that the committee is included in this work;
- The committee requested that the proposal be brought back to the committee;
- Use appropriate timber for the marine environment; durability is preferred, and
- The site is significant as it predates the wharf at Manly and has Aboriginal significance.

Harbour Foreshores & Coastline Management Committee (dated 10 August 2010)

As the Committee was presented the plan for the first time, members requested more time to understand the Masterplan. In general, the committee feels that the Plan is over-designed and can be made simple. They, however, contributed constructive comments and suggestions. Some of these are:

- Proposed sand embankment is a good idea;
- Proposed timber steps could become a maintenance issue later for Council as the timber steps could become slippery, and
- Retain full length of the storm water pipe to prevent soil erosion.

The Committee recommends that:

1. Mr. Carlo Bongarzoni, a member of the Committee, visit the site and submit a report on the proposed works.
2. A revised Plan is presented at the next meeting.

LMUD Committee (dated 18 August 2010)

Following a verbal report by Council staff regarding the comments other Committees had noted regarding the Ellery Punt landscape plans, the LMUD Committee members made the following comments:-

- They would like to be made aware of the Heritage Committee comments regarding the scheme;
- They prefer the proposed boardwalk to be flat as opposed to sloped towards the water's edge given the potential problem of sea growth and slipperiness, and
- They prefer the stormwater pipe outlet be left out at the end of the proposed boardwalk rather than back in at the face of the sea wall.

Manly Scenic Walkway Committee (dated 7 September 2010)

The Committee recommend to the General Manager that the following suggestions be considered for inclusion in the plan:

1. The informal path is incorporated into the design plan.
2. Continue the path to the steps below the bridge.
3. Link in pathways from Avona Crescent and Battle Boulevard.
4. Incorporate interpretive signage.
5. Look at the bigger picture of the surrounding area for a more holistic project.
6. Look at other seating possibilities.
7. Break the plan down into stages so project can be funded.

Feedback from different committees has been considered and a final design of the Masterplan has been prepared (see attachments).

Mr. Carlo Bongarzoni of the Harbour Foreshore & Coastline Management Committee had a site visit with Architect Michael Biddulph on 12 October 2010 to discuss various aspects of the Masterplan.

Report Of Committees Report No. 28 (Cont'd)**2. ITEM 9 REPORT: 40 Baskets Beach Proposed High Tide Access Route**

The issue of high tide access along the rock platform south of 40 Baskets Beach has been raised as a problem for users of the walkway. During a recent inspection of this area by the Committee, a proposed high tide access route was identified.

During periods of high tide, the rock shelf to the south of 40 Baskets Beach becomes difficult to cross due to tidal inundation. This issue had been previously addressed by placing large sandstone boulders across the shelf to act as stepping stones for users of the walkway to cross this rock shelf.

It has become apparent that this solution is not effective as track users have been creating tracks through the surrounding bush to bypass the rock shelf. This issue has been identified by the Committee as a project that Council should implement to address the problem.

An inspection of this area was undertaken by some members of the Committee on 7 June 2011. During this inspection a potential high tide bypass route was identified in the bushland that borders the rock platform.

It was identified that a narrow track exists within the bushland running parallel to the rock shelf. At the site inspection it was proposed that stairs be constructed at the northern end of the rock shelf to access this track. It was also identified that stairs are currently present on the southern side of the track. Some minor vegetation pruning would be required to improve the accessibility of the track and the installation of signage would be required.

This was considered the most practical and cost effective solution to the access issue.

3. ITEM 10 REPORT: Manly Scenic Walkway Track Upgrade and Maintenance

The section of walking track from Ellery Punt Reserve to Fisher Bay is requiring upgrade works to improve the condition of the walking track. This section of track has deteriorated as a result of extensive public usage and weather exposure. Council is planning to upgrade this track.

The Ellery Punt Reserve to Fisher Bay section of track is the gateway to the Manly Scenic Walkway for walkers commencing from Spit Bridge, or the final destination for walkers starting at Manly. It is important that the condition of this track is of a high standard to provide a good experience for users of the walkway.

The walking track has deteriorated as a result of extensive public usage and weather exposure. As this is a very popular and important part of the Manly Scenic Walkway, upgrading of the track is required to improve the condition of the walking track and create a high quality experience for users of the walkway. The National Parks and Wildlife Service has commenced extensive upgrade work of the Dobroyd Head section of the walkway. Given the high standard of track upgrade currently being undertaken by the National parks and Wildlife Service, this has set the standard on which all other bushland sections of the walkway should be upgraded to.

It is proposed that Council will adopt a similar style of track construction as used by the National Parks and Wildlife Service. This will ensure a consistent style of walking track is used throughout bushland sections of the Manly Scenic Walkway. The general specifications of works proposed for the upgrade of approximately 90m of walking track will include:

- Built track to a width of 1200mm unless prevented by site constraints.
- Rebuild stairs using dimension sandstone blocks with blocking stones capping the tread stones. An example of this is illustrated below.
- Sandstone used in the existing stairs will be reused as edging stones with additional edging stone imported onto site as required.

Report Of Committees Report No. 28 (Cont'd)

- Compacted crushed sandstone will be used to provide a smooth walking track surface.

In addition to these works, replacement of the boardwalk at the western end of Sandy Bay Road will also be undertaken. The bridge deck is reaching the end of its lifespan and requires replacement.

To undertake these works it will be required to close the walking track from Sandy Bay to Ellery Punt Reserve for all or part of the duration of works. It is anticipated that this work may take up to 1 month to complete. A detour route will be put in place around the work site. Given the high usage of the track, extensive public notification will be undertaken prior to commencing the works.

Quotations will be requested from companies specialising in this type of work in July. It is intended that works will be undertaken between August and October 2011.

RECOMMENDATION

That the minutes of the Manly Scenic Walkway Committee meeting on 5 July 2011 be adopted including the following items:

1. ITEM 6 REPORT: Ellery's Punt Reserve Landscape Masterplan – Final Design

1. That the Ellery's Punt Reserve Landscape Masterplan Final Design be placed on public exhibition.
2. That the benefits of the project for the local communities' enjoyment and the history of the site be acknowledged.

2. ITEM 9 REPORT: 40 Baskets Beach Proposed High Tide Access Route

That the Committee recommends to the General Manager and Council that the proposed creation of a high tide access track through the bushland bordering the rock shelf be implemented.

3. ITEM 10 REPORT: Manly Scenic Walkway Track Upgrade and Maintenance

1. That the proposed upgrade of the walking track be implemented.
2. That Council endorses closure of the track from Sandy Bay to Ellery Punt Reserve for maintenance purposes.

ATTACHMENTS

AT- 1 Final Design of the Ellery's Punt Reserve Landscape Masterplan 3 Pages

AT- 2 Design Element for the Ellery's Punt Reserve Landscape Masterplan 1 Page

OM180711RC_5

***** End of Report Of Committees Report No. 28 *****

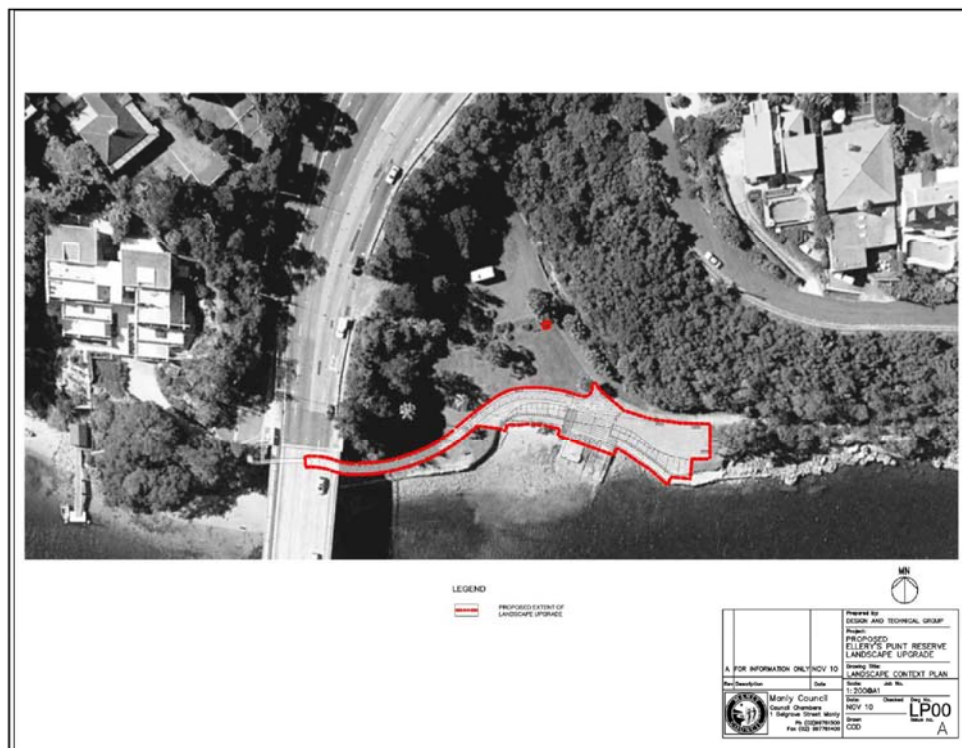
ATTACHMENT 1

Report Of Committees Report No. 28 - Minutes for Adoption by Council - Manly Scenic Walkway Committee - 5 July 2011 Final Design of the Ellery's Punt Reserve Landscape Masterplan

Attachment 1

Final Design of the Ellery's Punt Reserve Landscape Masterplan

Drawing 1 – LANDSCAPE CONTEXT PLAN



Report Of Committees Report No. 28 - Minutes for Adoption by Council - Manly Scenic Walkway Committee - 5 July 2011
Final Design of the Ellery's Punt Reserve Landscape Masterplan

[illegible]

Report Of Committees Report No. 28 - Minutes for Adoption by Council - Manly Scenic Walkway Committee - 5 July 2011
Final Design of the Ellery's Punt Reserve Landscape Masterplan

Report Of Committees Report No. 28 - Minutes for Adoption by Council - Manly Scenic
Walkway Committee - 5 July 2011
Design Element for the Ellery's Punt Reserve Landscape Masterplan

Attachment 2

Design Element for the Ellery's Punt Reserve Landscape Masterplan

The landscape drawings show how we propose to protect the reserve from further erosion, screen the stormwater outlet pipe, protect the punt landing area and provide an attractive park for the local and Manly Scenic Walkway user.

The Main Design items include:

1. **Retaining sea wall:** Removal of existing eroded sand embankment to be replaced with a retaining sea wall.
2. **Slope improvement:** Improve and enhance the grass slope to the shoreline.
3. **Timber Walkway:** To screen the existing stormwater pipe and provide a viewing platform to the water's edge.
4. **Timber Steps:** To connect the user with the shoreline, existing punt ramp and water's edge path with minimal disturbance to the existing soil profile and potential underground remnants of the punt ramp.
5. **Furniture:** We propose seating to the path edge overlooking the water, a rubbish bin close to the existing car park and a water bubbler adjacent to the timber steps.
6. **Interpretive Signage:** We propose an interpretive sign also adjacent to the timber steps with viewing access from the footpath.
7. **Heritage signage:** Consolidation of existing signage/plaques, including the O'Halloran monument in the area.
8. **Stormwater pipe:** Retained full length of the stormwater pipe.
9. **Footpath:** We propose a new footpath to connect the user with the Manly Scenic Walkway and the existing steps under the spit bridge providing access to Battle Boulevard and Avona Crescent.

TO: Ordinary Meeting - 18 July 2011

REPORT: Report Of Committees Report No. 29

SUBJECT: Minutes for Adoption by Council - Harbour Foreshores & Coastline Management Committee - 14 June 2011

FILE NO:

This report was dealt with at the Harbour Foreshores and Coastline Management Committee meeting of 14 June 2011 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 REDIRECTION OF THE STORMWATER PIPE AWAY FROM CLONTARF POOL

Council's Design Manager presented a report explaining concerns of the Clontarf Precinct regarding the stormwater pipe directly draining into Clontarf swimming enclosure. Clontarf Precinct members raised concern about the concentration of additional pollutant from harmful vehicle emissions on the ground from the nearby car park and being directly polluting the swimming enclosure.

As such, Urban Services' design team has completed a detailed design involving the re-direction of this storm water pipe to an existing adjacent outlet away from swimming enclosure. Estimated cost of the redirection is \$70,000.

Water Cycle Management Team advised that the relocation of this single pipe is not to serve any significant benefit in water quality within swimming enclosure, due to upstream Middle Harbour stormwater and sewage pollution in wet weather. Based on advice and cost, staff made a recommendation not to proceed with redirection of the stormwater pipe.

Members of the Committee vehemently opposed the proposed recommendation suggesting that redirection would have immense benefit to users of Clontarf pool based on amenity and perception. Pool area will remain clean from rubbish and polluted water. Members considered option to have standard pollutant trap but indicated problems with clean up of the trap. Members considered other options of redirection but concluded that the presented design is the most practical one.

Members unanimously voiced to recommend to Council to proceed with implementation of redirection before the coming summer season.

RECOMMENDATION

That:

1. The Committee's recommendation be received and noted;
2. Due to the significant urban catchment area upstream of Clontarf Beach that discharges into the Middle Harbour, as advice by expert professional staff of the Water Cycle Management Team, the proposal will not improve the water quality nor public health risk at this location; therefore the work cannot be justified;
3. Council note the proposed work and its \$70,000 expenditure is not provided for in the Council Adopted Delivery Program for 2011-12.

ATTACHMENTS

There are no attachments for this report.

OM180711RC_3

***** End of Report Of Committees Report No. 29 *****

TO: Ordinary Meeting - 18 July 2011

REPORT: Report Of Committees Report No. 30

SUBJECT: Minutes for Adoption by Council - Sports Facilities Committee - 3 June 2011

FILE NO:

These reports were dealt with at the Sports Facilities Committee meeting of 3 June 2011 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 4 Report: Update on Items from Previous Meetings

This report will update the Committee on previous items raised.

North Head – Use of Oval

The Manager Parks & Reserves outlined that a letter signed by the Mayor had gone to the Sydney Harbour Federation Trust requesting a meeting and further discussion on the use of the sporting field. The Committee outlined that there were no suitable fields in Warringah for use by Manly clubs.

The Committee raised that Council has allocated \$120,000 towards the refurbishment of a field for use during the 2015 project. This funding could easily be used to raise the standard of the North Head Oval. Along with maintenance funds spent on Manly Oval.

Up until now the major issue is the environmental protection of the bandicoots, which neglects the historical fact that Rugby has been played up at the Oval for 60 years. Also those commercial programs such as the Biggest Loser can use the grounds with no issue.

It was felt by the Committee that the use of the oval at North Head was an intricate part of the 2015 project. Crucial to its success and transition for relocation of users. The Committee felt that Council should continue to pursue this issue further.

Manly Oval Toilet Block Refurbishment

The work has now been completed. The Rugby and cricket Club are delighted with the work carried out by Manly Council. Special thanks to Council's Facilities Manager and Building Technical Manager who have completed the project in a highly professional manner.

Manly Oval Spectator seating

The old seating has been removed, and slab installed. 2 new seating modules have been ordered for installation.

PA System Manly Oval

Council has allocated funding in the 2012 budget for the installation of a P.A System at Manly Oval.

Balgowlah Oval replacement light pole

Earlier in the cricket season the pole on the southern side of the oval fell in a storm and had to be removed, the current remaining pole cannot accommodate additional light fixtures because of their age and structural integrity. This leaves a shadowing on the field that will present an issue to user groups. No existing funds are available at this point for this replacement. Seaforth Football Club has offered some assistance with costs. The estimate for replacement only as is will be \$22,000.

Blackout dates for Renovation periods.

Possible future blackout dates for renovation works:

- 4th July 2011 to 15th July 2011
- 26th September 2011 to 7th October
- 21st December 2011 to 26th January 2012

Report Of Committees Report No. 30 (Cont'd)

- 6th April 2012 to 22nd April 2012
- 30th June 2012 to 15th July 2012
- 22nd September 2012 to 7th October 2012
- 22nd December 2012 to 28th January 2013
- 13 April 2013 to 28th April 2013
- 30th June 2013 to 15th July 2013
- 21st September 2013 to 7th October 2013
- 21st December 2013 to 27th January 2013

Keirle Park Half Pipe Ramp

Onsite consultation with some of the regular users of the ramp has been carried out at site. Quotes have been received from 2 manufacturers of these types of ramps. There are a restricted number of manufacturers of these ramps.

Future Agenda items

- That the Parks Manager bring back to the committee at a future meeting a concept proposal for the future reconfiguration and sizing of Balgowlah Oval for discussion. **Pending**
- That a work shop be held with sporting clubs at the end of the February meeting to work through possible water and power saving measures that could be implemented in sporting areas to help reduce Councils carbon footprint in this area. **Pending**
- Those projects such as solar offset infrastructure are looked at by Council to help offset sports lighting (e.g. Those projects such as solar offset infrastructure are looked at by Council to help offset sports lighting (E.G Solar panels on Manly oval club house roof to feed back into the grid). **Pending**

2. ITEM 5 Report LM Graham Masterplan

The LM Graham Landscape Masterplan was endorsed by Council on the 7th February 2011; the plan outlines future changes and improvements to the reserve. The implementation of the project will need to be staged in order to fund the improvements.

Councils Landscape Architect addressed the meeting to run through the final plan. A copy of the adopted Landscape Masterplan was tabled at the meeting for discussion.

The Open Space Coordinator reported that two grant applications were being prepared for the Masterplan project, both grants can be matched on a dollar for dollar basis. \$410,000 has been allocated in Councils adopted budget for 2011/ 12 funds.

It was the general consensus of the Committee that the Suwarrow Street area at the western end of LM Grahams Reserve is an integral part of the open space area that needs to be utilized as part of stage one of the plan. In order that new infrastructure be installed in this area first, to avoid compromising the use of the field areas.

It is suggested that the storage area at the western end of the fields be moved to the eastern end temporarily because of the need for the storage area, so that new infrastructure proposed can be installed as stage one of the project. This infrastructure can then be used whilst other works is carried out.

The gate vehicle entry areas to Grahams Reserve are retained at the cult a sac at the end of Odahwarra close where the original gate entry was, and the entry at the Kenneth Road side of the oval as well.

Report Of Committees Report No. 30 (Cont'd)

It was raised by the Committee that on the original plans there was a storm water collection and storage tank included on the Balgowlah Road frontage to store storm water for reuse as irrigation, this needs to be included on any construction design drawings to make sure it is included in the hydraulic civil works.

RECOMMENDATION

That the minutes of the Sports Facilities Committee meeting on 3 June 2011 be adopted including the following items:

1. ITEM 4 Report – Update on Items from Previous Meetings

The Committee recommend that:

1. Council pursue the need for the use of the North Head Oval with the Sydney Harbour Federation Trust, as over the 2 year period it will be an intricate part of the success of the 2015 project and transition of relocating the local user clubs. Seeking further political assistance if a meeting is not agreed to by the trust;
2. The P.A. System at Manly Oval is installed as soon as possible;
3. The replacement of lighting at Balgowlah oval is made a high priority green energy project because of related safety issues related to poor lighting during use, and
4. Block out dates nominated in the above report are used for possible renovation periods.

2. ITEM 5 Report – LM Graham Masterplan

The Committee endorse the final plan in principal. The Committee recommends that the project be considered in the following stages:

1. The Suwarrow Street compound is moved to the eastern end of the playing fields to allow the installation of new essential infrastructure, as per Landscape Master plan;
2. A temporary facility is installed on the eastern end of the fields to accommodate user needs whilst construction is carried out;
3. Demolition of the old toilet block and facilities buildings;
4. Removal of old infrastructure such as fences and site screens;
5. Civil and hydraulic works, mounding, levelling works, and irrigation works of sporting fields and wickets, and
6. The remaining infrastructure works nominated in the Landscape Master Plan.

ATTACHMENTS

There are no attachments for this report.

OM180711RC_2

***** End of Report Of Committees Report No. 30 *****

TO: Ordinary Meeting - 18 July 2011

REPORT: Report Of Committees Report No. 31

SUBJECT: Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011

FILE NO:

These reports were dealt with at the Audit and Risk Committee meeting of 31 May 2011 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 1 APOLOGIES AND LEAVE OF ABSENCE

No apologies were received for the meeting. Cllr Norek was absent from the meeting without apology. Cllr Norek's record of attendance at the Committee is as follows:

28 April 2010: Absent without apology
31 August 2010: Absent with apology
13 September 2010: Absent without apology
23 November 2010: Absent without apology
31 March 2011: Absent without apology

The Secretariat wrote to Cllr Norek informing him that he has missed three consecutive meetings and is requested to indicate if he intends to continue as a member of the Committee. This letter was tabled at the meeting. No response has been forthcoming from Cllr Norek, hence he is no longer considered to be a member of the Audit & Risk Committee.

Therefore, membership of the Audit & Risk Committee now stands at three Councillors (being Cllr Jean Hay (Mayor), Cllr Hugh Burns, and Cllr Cathy Griffin) and two independents (being John Gordon and Brian Hrnjak).

The Internal Auditor reminded the Committee that the DLG Guidelines state that a majority of the Committee membership should be independents. The Chair indicated that the current membership is suitable, and that, as Chair, if there is a split decision, he has the casting vote.

2. ITEM 7 REPORT – Impact of Revised DLG Internal Audit Guidelines

The Internal Auditor presented and spoke to his written Report on the Impact of Revised Internal Audit Guidelines. A discussion followed, including discussion on the proposed amendments/additions to Council's Audit and Risk Committee Charter, as circulated.

- Voting Membership of the Committee: it was agreed that membership of the Committee consist of:
 - o Three Councillors
 - o An independent external member (not a member of the Council)
 - o An independent external member (an independent to be the chairperson)
- Notwithstanding the Revised DLG Guidelines the Committee wished to endorse the retention of the current Mayor (Cllr Jean Hay) as a Councillor member of the Audit and Risk Committee.

The following further points were made regarding Council's Audit & Risk Committee Charter:

- With regard to "5. Reporting" and the additional last sentence: *"The Committee will report regularly, and at least annually, to the governing body of Council on the management of risk and internal controls."*
The Chair suggested that the Committee report annually to Council after the issuing of the

Report Of Committees Report No. 31 (Cont'd)

Financial Statements, say, in November each year. This report should also refer to the outcomes of the Committee's bi-annual review. It was also suggested that the Chair attend the pre-Council-meeting dinner, and brief the Councillors on any contentious issues contained within the annual report.

- Cllr Burns suggested that exception reporting to Council be conducted if and when necessary.
- With regard to "6.4 Conflicts of Interest", Cllr Burns questioned the need for the additional first paragraph. The Internal Auditor stated that it was taken directly from the DLG Guidelines.
- The Chair raised the matter of the need, if any, for the two independents to provide an annual confidential Declaration of Pecuniary Interest, and offered to provide Mr Hewton with a sample declaration for review by Council's Counsel.

It was recommended that the Report and the attached Audit and Risk Committee Charter (as revised) be received and noted.

Moved: Cllr Cathy Griffin Seconded: Cllr Hugh Burns

RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting on 31 May 2011 be adopted including the following items:

1. ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

The Committee unanimously recommends to Council that the Secretariat write to Cllr Norek informing him that he is no longer a member of the Committee.

2. ITEM 7 REPORT – Impact of Revised DLG Internal Audit Guidelines

The Committee recommends that:

- i. The Internal Auditor's Report on the Revised DLG Internal Audit Guidelines be received and noted;
- ii. The Audit and Risk Committee Charter (as revised and attached) be adopted, and
- iii. Notwithstanding the Revised DLG Guidelines, the current Mayor is endorsed as a Councillor member of the Audit and Risk Committee.

ATTACHMENTS

AT- 1 Manly Audit and Risk Committee Charter 5 Pages

OM180711RC_6

***** End of Report Of Committees Report No. 31 *****

Manly Council Audit and Risk Committee Charter

1. Objective

The objective of the Audit and Risk Committee (Committee) is to provide independent assurance and assistance to Manly Council (Council) on risk management, control, governance, and external accountability responsibilities.

2. Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or councillor at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

3. Composition and Tenure

The Committee will consist of:

3.1 Members (voting)

- Councillors (3);
- Independent external member (not a member of the Council); and
- Independent external member (an independent to be the chairperson).

3.2 Attendee (non-voting)

- General Manager;
- Internal Auditor; and
- Chief Financial Officer.

3.3 Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor.
- Other officers may attend by invitation as requested by the Committee or General Manager.

All Councillors (other than Committee Members) are welcome to attend meetings as observers.

The independent external members will be appointed for the term of Council, after which they will be eligible for extension or re-appointment following a formal review of their performance.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

Report Of Committees Report No. 31 - Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011
Manly Audit and Risk Committee Charter

4. Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

4.1 Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud;
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

4.2 Control Framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.3 External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls;
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments;
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors;
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements;
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations;
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Report Of Committees Report No. 31 - Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011

Manly Audit and Risk Committee Charter

4.4 Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

4.5 Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan.
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.
- Monitor the implementation of internal audit recommendations by management.
- Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- Periodically review the performance of Internal Audit.

4.6 External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.
- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

4.7 Responsibilities of Members

- Members of the Committee are expected to:
- Understand the relevant legislative and regulatory requirements appropriate to Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

5. Reporting

At the first Committee meeting after 30 June each year, Internal Audit will provide a performance report of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators.
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

Report Of Committees Report No. 31 - Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011
Manly Audit and Risk Committee Charter

The Committee will report regularly, and at least annually, to the governing body of council on the management of risk and internal controls.

6. Administrative Arrangements

6.1 Meetings

The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion. The Committee may meet annually with the Internal Auditor in the absence of other staff.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter.

6.2 Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference.

The Head of Internal Audit will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Chief Finance Officer or any other employees to participate for certain agenda items, as well as the external auditor.

6.3 Secretariat

The Committee has appointed the Head of Internal Audit to provide secretariat support to the Committee. The Secretariat will ensure that the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes of the meeting will record all voting details for each item resolved by the Committee.

Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held. Minutes of the meeting will be published by Council subject to any confidentiality requirements relating to particular items in accordance with the *Local Government Act, 1993*.

6.4 Conflicts of Interest

Councillors, council staff and members of council committees must comply with the applicable provisions of Council's Code of Conduct in carrying out of the functions as council officials. It is the personal responsibility of council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

ATTACHMENT 1

Report Of Committees Report No. 31 - Minutes for Adoption by Council - Audit and Risk Committee - 31 May 2011

Manly Audit and Risk Committee Charter

6.5 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.6 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

6.7 Review of Audit Committee Charter

At least once every two years the Audit Committee will review this Audit Committee Charter.

The Audit Committee will approve any changes to this Audit Committee Charter.

7. RELATED DOCUMENTS

Local Government Act 1993

Local Government (General) Regulation 1995

Manly Council Code of Conduct for Community Members on Special Purpose Committees and Working Groups

Internal Audit Charter

North Shore Councils Internal Audit Operating Protocols

Approved:	Audit Committee Meeting	Date: 31 st August 2010
	Planning & Strategy Committee	Date: 7 th February 2011
	Audit and Risk Committee Meeting	Date: 31 st May 2011

TO: Ordinary Meeting - 18 July 2011
REPORT: Report Of Committees Report No. 32
SUBJECT: Minutes for Adoption by Council - Manly Tramway Loop Feasibility Working Group - 18 May 2011
FILE NO:

This report was dealt with at the Manly Tramway Loop Feasibility Working Group meeting of 18 May 2011 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 Draft Terms of Reference

Head of Strategy informed the meeting that the draft Terms of Reference for this Working Group were adapted from Council's generic Terms of Reference for Committees. The General Manager requested that the wording of the Working Group's objectives (on page 1) be revised by using the word "scoping" instead of "feasibility".

The General Manager further requested that the quorum for the Working Group be 4 members.

RECOMMENDATION

That the minutes of the Manly Tramway Loop Feasibility Working Group meeting held on 18 May 2011 be adopted including the following item:

ITEM 4 Draft Terms of Reference

The Working Group recommends to Council that the draft Terms of Reference be adopted subject to the following 2 revisions:

- I. On Page 1, under Role and Objectives, the word 'feasibility' be replaced with "scoping", and
- II. On Page 2, under Membership of the Working Group, the quorum for the Working Group is 4 members.

ATTACHMENTS

There are no attachments for this report.

OM180711RC_4

***** End of Report Of Committees Report No. 32 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Corporate Services Division Report No. 23
SUBJECT: Adoption of draft Investment Policy; draft Asset Disposal Policy; and draft Loan Borrowing and Overdraft Policy
FILE NO:

SUMMARY

This report presents to Council (1) the draft Investment Policy; (2) the draft Asset Disposal Policy; and (3) the draft Loan Borrowing and Overdraft Policy for adoption.

REPORT

Council at the Planning and Strategy Committee of 2 May 2011, resolved subject to amendments, to place the following draft Policies on public exhibition:

- draft Investment Policy,
- draft Asset Disposal Policy, and
- draft Loan Borrowing and Overdraft Policy

The draft policies were placed on public exhibition until 27 June 2011, with copies available at Council's Customer Service Counter, the Library and on Council's Website.

At the close of the exhibition period, no submissions had been received.

The policies are now presented to Council for formal adoption.

RECOMMENDATION

That the following Policies be adopted and be added to Council's Policy Register:

- Investment Policy;
- Asset Disposal Policy, and
- Loan Borrowing and Overdraft Policy.

Documents Tabled:

Investment Policy
Asset Disposal Policy
Loan Borrowing and Overdraft Policy

OM180711CSD_1

***** End of Corporate Services Division Report No. 23 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Corporate Services Division Report No. 24
SUBJECT: Report on Council Investments as at 31 May 2011
FILE NO:

SUMMARY

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

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

REPORT

Council is required to report on a monthly basis, all invested funds which have been made in accordance with the Local Government Act 1993, The Local Government (General) Regulation 2005, and Council's Investment Policy.

Attached is the report of the bank balances and investment performance for May 2011.

Legislative & Policy Implications

Manly Council Investment Policy
Section 625 Local Government Act 1993
Clause 212 Local Government (General) Regulation 2005
DLG Circular 10-35 – Ministerial Investment Order
DLG Circular 10-11 – Investment Policy Guidelines

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

The following securities held are currently rated less than the minimum required under the Ministerial Investment Order. Council is permitted to hold securities under the grandfathering clause in the Ministerial Investment Order dated 31 July 2008.

- Flinders CDO currently rated BB
- Parkes CDO currently rated CCC-
- Scarborough CDO currently rated CCC-
- Torquay CDO currently rated CC
- Coolangatta CDO – B+ (unwinding)
- Global Bank Note - B- (unwinding)

Investment Performance

The Investment Report shows that Council has total Investments of \$14,396,591, comprising a combined Bank Balance of \$1,502,000 and Investment Holdings of \$9,844,591 directly managed and \$3,050,000 externally managed.

Corporate Services Division Report No. 24 (Cont'd)

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 5.11% (*Council Benchmark = 5.00% - benchmark is 90 day average BBSW*)

The reduced interest returns for May are a result of several investments not paying interest coupons and initiating capital guarantee mechanisms to protect the investment. These include Emu Note (Dresdner Bank), ANZ Climate Change Trust, and Lehman Bros Zircon (Coolangatta) and Beryl (Global Bank Note).

The average rate of return for investments paying interest is 6.11%

Lehman Brothers Australia (Grange) Portfolio Performance

Return on Lehman Brothers Australia Limited (Grange) Managed Funds since inception was 2.56%, less than the benchmark UBSWA Index of 5.51% (for the month of May 2011 the monthly return was 1.86% above the benchmark UBSWA Index). Whilst the current market value of these investments (included in the report for information) shows a reduction in the value and the returns reported by Lehman Brothers Australia (Grange) indicate a return below benchmark, it is important to note that the Investments are recorded by Council at their original principal face value, and there would be no erosion of Council's initial capital investment if the investment continues to be held at the present time to maturity.

Movements in Investments for the Month of May 2011**Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Community CPS Australia Ltd	Term Deposit	\$472,338.99
Community CPS Australia Ltd	Term Deposit	\$464,566.83

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Credit Union Australia	Term Deposit	\$500,000.00	\$500,000.00
Community CPS Australia Ltd	Term Deposit	\$459,834.94	\$459,834.94
Community CPS Australia Ltd	Term Deposit	\$467,527.94	\$467,527.94

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 31 May 2011 be received and noted.

ATTACHMENTS

AT- 1 Investment Report May 2011 4 Pages

OM180711CSD_2

***** End of Corporate Services Division Report No. 24 *****

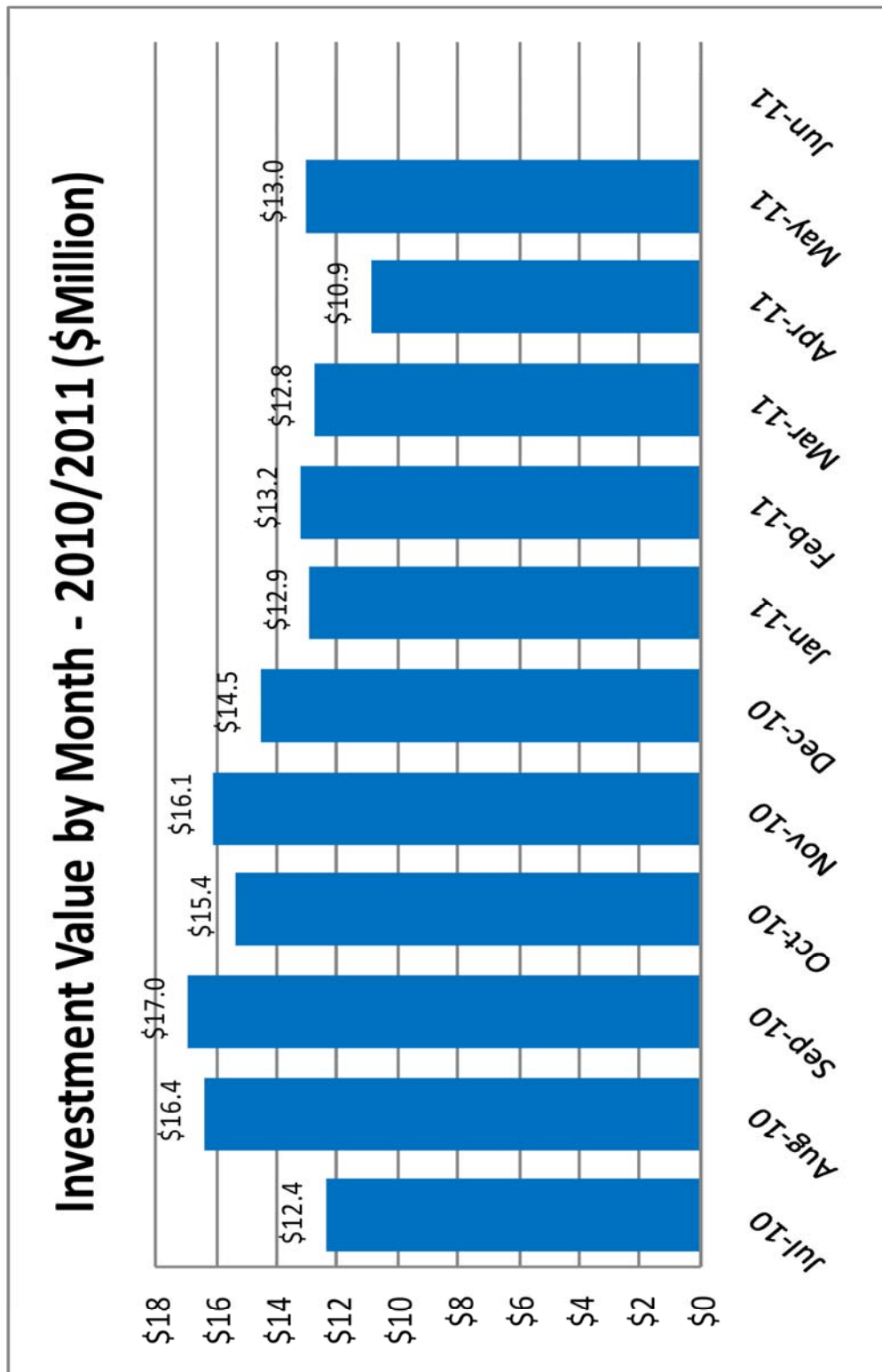
ATTACHMENT 1

Corporate Services Division Report No. 24 - Report on Council Investments as at 31 May 2011 Investment Report May 2011

MANLY COUNCIL INVESTMENT PORTFOLIO as at 31 May 2011									
	Form of Investment	Investment in AUS\$	Market Val	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Investment Returns Interest Rate	Interest Accrual YTD May 2011
Directly Managed Funds									
Trading Account	Cash	1,502,000	1,502,000	10.43%	AA-			3% ⁽³⁾	\$ 46,274 \$ 5,273
Others									
Emu Note - Dresdner Bank	Structured Note	500,000	394,300	3.47%	AAA	25/10/2005	13/12/2012	0.00%	\$ - \$ -
ANZ Climate Change Trust	Structured Note	500,000	423,310 ⁽⁵⁾	3.47%	AA	21/12/2007	21/12/2013	0.00%	\$ - \$ -
Bank of Queensland	Term Deposit	500,000	500,000	3.47%	BBB+	5/07/2010	30/06/2011	6.30%	\$ 28,479 \$ 2,675
Adelaide and Bendigo Bank	Term Deposit	719,877	719,877	5.00%	BBB+	5/07/2010	30/06/2011	6.20%	\$ 40,352 \$ 3,791
Suncorp Metway	Term Deposit	500,000	500,000	3.47%	AA	6/07/2010	30/06/2011	6.30%	\$ 28,479 \$ 2,675
AMP Limited	Term Deposit	500,000	500,000	3.47%	A	8/09/2010	8/09/2011	6.31%	\$ 22,906 \$ 2,680
Community CPS Credit Union	Term Deposit	500,000	500,000	3.47%	Cr Union	7/03/2011	6/06/2011	6.21%	\$ 7,231 \$ 2,637
Credit Union Australia	Term Deposit	500,000	500,000	3.47%	Cr Union	7/03/2011	6/06/2011	6.03%	\$ 7,021 \$ 2,561
Community CPS Australia Ltd	Term Deposit	472,339	472,339	3.28%	Cr Union	6/05/2011	6/06/2011	5.76%	\$ 1,863 \$ 1,863
Community CPS Australia Ltd	Term Deposit	464,567	464,567	3.23%	Cr Union	6/05/2011	6/06/2011	5.76%	\$ 1,833 \$ 1,833
Macquarie Cash Management Account	@ Call	220	220	0.00%	AAA	At call	At call	4.75%	\$ 4,776 \$ 1
AMP Limited	@ Call	4,085,483	4,085,483	28.38%	A	At call	At call	5.75%	\$ 105,435 \$ 19,634
Commonwealth Bank	@ Call	602,105	602,105	4.18%	AA-	At call	At call	4.00%	\$ 93,221 \$ 1,269
Total Directly Managed Funds		9,844,591	9,662,207	68.38%					
		11,346,591	11,164,207						
Lehman Brothers Australia (Grange) Managed Funds (All in AUS\$)									
Approved Deposit Institutions (Bank)									
HSBC	Floating Rate Note	500,000	504,300	3.47%	AA	20/03/2007	22/09/2011	5.15%	\$ 23,784 \$ 2,188
	Total	500,000	504,300	3.47%					
Interest Bearing Securities (Non Bank)									
Magnolia (Flinders)	Floating Rate CDO	300,000	264,699	2.08%	BB	20/03/2007	20/03/2012	6.34%	\$ 17,510 \$ 1,615
MAS6-7 (Parker IIA)	Floating Rate CDO	500,000	54,145	3.47%	CCC-	20/03/2007	20/06/2015	8.14%	\$ 23,061 \$ 3,457
Helio308 (Scarborough)	Floating Rate CDO	250,000	27,033	1.74%	CCC-	21/06/2007	23/06/2014	6.68%	\$ 12,334 \$ 1,419
Corsair (Torquay)	Floating Rate CDO	500,000	23,260	3.47%	CC	20/03/2007	20/06/2013	6.49%	\$ 18,122 \$ 2,756
Zircon (Coolangatta)	Floating Rate CDO	500,000	460,000	3.47%	B+	20/03/2007	20/09/2014	0.00%	\$ - \$ -
Beryl (Global Bank Note)	Floating Rate Note	500,000	530,000	3.47%	B-	3/04/2007	20/09/2014	0.00%	\$ - \$ -
	Total	2,550,000	1,359,137	17.71%					
Total Grange Managed Funds		3,050,000	1,863,437	21.19%					
Retired Investments									
TOTAL PORTFOLIO		14,396,591	13,027,637	100.00%				5.11%	\$ 708,524 \$ 61,896
BENCHMARK								5.00%	
Notes: 1 Benchmark is 90 day Average BBSW 2 CDO - Collateralised Debt Obligation 3 Balances less than \$250,000 earn 3%, \$250,000 to \$499,999 earn 3.25%, \$500,000 to \$750,000 earn 3.5% & greater \$750,000 earn 3.75% 4 CBA Trading & A/I Call account not included in the monthly portfolio return calculation 5 Valuation as at 31 December 2010 In 2008 Council's Portfolio was written down from Face Value to its Market Value by \$2.2million. Since then there has been partial recovery of some write downs and overall there has been no further deterioration in Council's Portfolio Market Value									

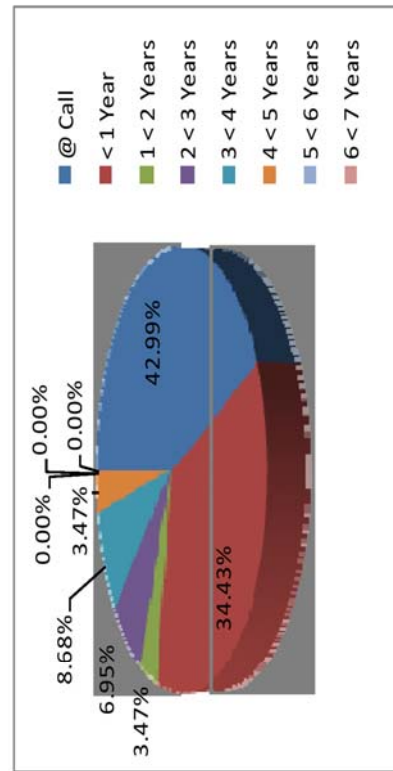
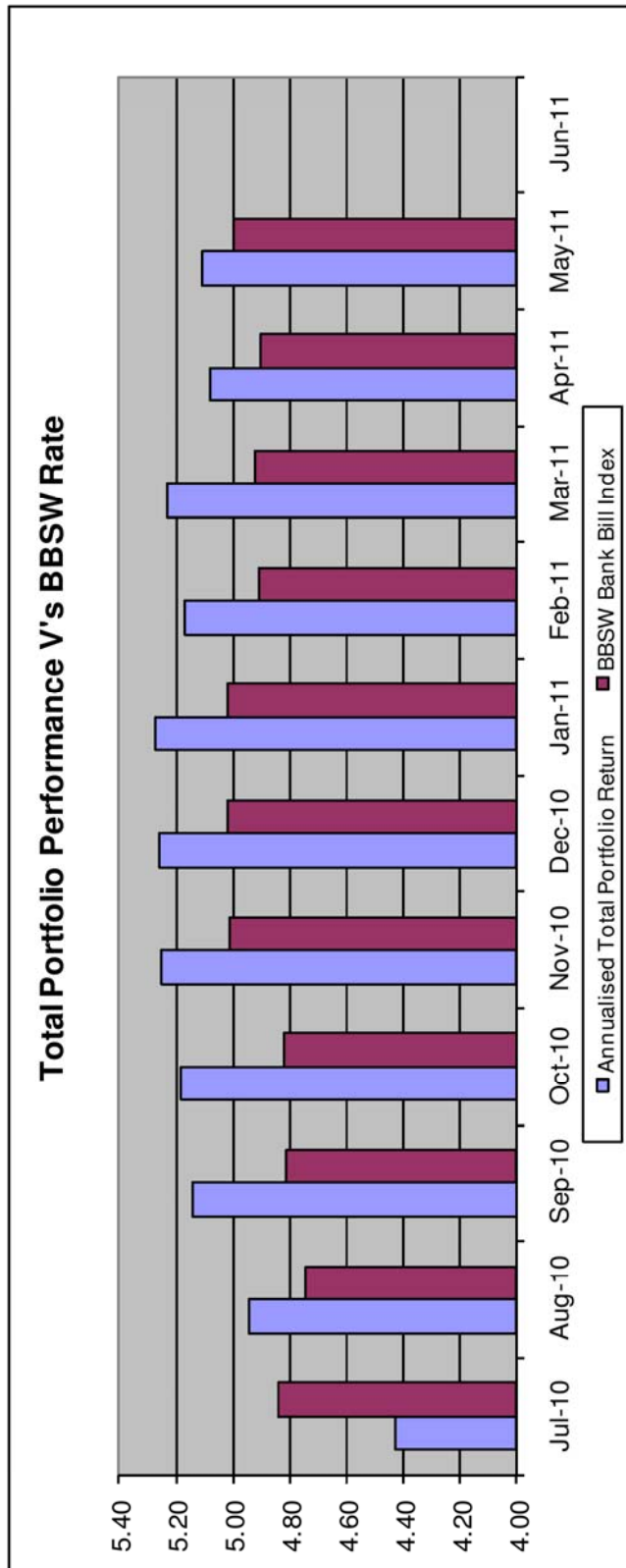
ATTACHMENT 1

Corporate Services Division Report No. 24 - Report on Council Investments as at 31 May 2011 Investment Report May 2011



ATTACHMENT 1

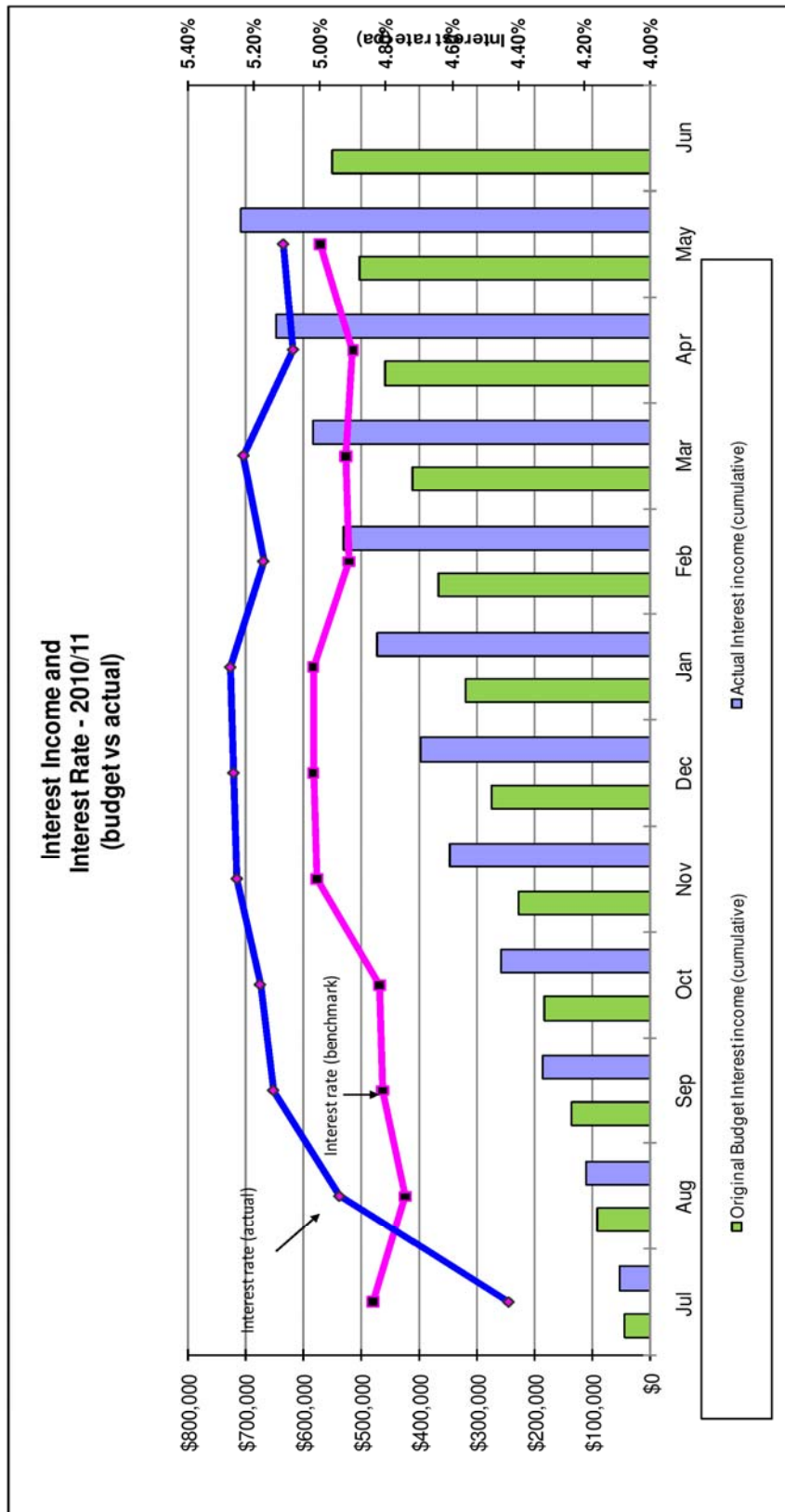
Corporate Services Division Report No. 24 - Report on Council Investments as at 31 May 2011 Investment Report May 2011



Summary by Credit Rating		No.
AAA	3.47%	2
AA	10.42%	3
A	31.85%	2
AA-	14.62%	2
BBB+	8.47%	2
BB	2.08%	1
B+	3.47%	1
B-	3.47%	1
CC	3.47%	1
CCC-	5.21%	2
Credit Union	13.45%	4
	100.00%	21

ATTACHMENT 1

Corporate Services Division Report No. 24 - Report on Council Investments as at 31 May 2011 Investment Report May 2011



TO: Ordinary Meeting - 18 July 2011
REPORT: Corporate Services Division Report No. 25
SUBJECT: Local Government Association of New South Wales - Annual Conference 2011
FILE NO:

SUMMARY

1. Advice from the Local Government Association of New South Wales has been received regarding the arrangements for the Association's Annual Conference to be held from 23-26 October 2011 and hosted by Shoalhaven City Council at Nowra.
2. The purpose of this report is to seek nominations for delegates and observers to attend the Conference, and to call for Motions to be submitted on behalf of Council to the Conference.

REPORT

The 2011 Annual Conference of the Local Government Association of New South Wales will be held in Nowra from 23-26 October 2011.

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. Accommodation has been tentatively booked for seven (7) people at The Best Western Balan Village Motel in Bomaderry.

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

Submissions of Motions

Councillors are invited to submit motions, which seek to extend, enhance or replace the Associations current position on policies. Motions will be classified into three categories prior to the Conference as follows:

Category 1

- Matter concerning the good governance of the Conference or the Association.

Category 2

- Matters not covered by existing policy and matters involving change of policy.

Category 3

- Those matters that are reaffirmations of existing policy or issues of a specific local nature.

When drafting motions Council should ensure that motions:

- MUST NOT attempt to enforce one council's position on other councils, and
- MUST NOT cause detriment to one council over another, and

Corporate Services Division Report No. 25 (Cont'd)

All motions submitted **must** be adopted by Council before submission to the Association and must be received at the Association by 5pm on Friday, 5 August 2011.

RECOMMENDATION

1. That Council be represented at the Local Government Association of New South Wales 2011 Annual Conference in Nowra from 23-26 October 2011 and that Council meet the registration, accommodation and associated costs for each attendee.
2. That Council determine the three (3) Councillor delegates and two (2) observers to attend the Conference.
3. That Council note that motions to be submitted to the conference must be received by the Local Government Association of New South Wales by Friday, 5 August, 2011.
4. That motions to be submitted to the Conference are to be received by the General Manager by Tuesday, 26 July, 2011 for inclusion in the agenda for consideration at the Planning & Strategy Committee meeting on 1 August 2011.

ATTACHMENTS

There are no attachments for this report

OM180711CSD_3

***** End of Corporate Services Division Report No. 25 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Planning And Strategy Division Report No. 14
SUBJECT: Manly Local Heritage Assistance Fund - Allocation of Grants - 2011-2012
FILE NO:

SUMMARY

Three (3) applications have been received for the Annual Local Heritage Assistance Grants Scheme 2011/12, for conservation projects on heritage listed properties. The applications have merit and positive heritage conservation outcomes. It is recommended that Council approve the applications for funding of the heritage conservation projects which meet the criteria for funding.

REPORT

Background

Since 1995, Council has conducted an Annual Local Heritage Assistance Grants Scheme. The Scheme provides funding to the owners of properties listed as heritage items under Schedule 4 of the Manly Local Environmental Plan 1988 for conservation projects.

The grant for any individual project generally ranges in value from \$250. to \$2,000. The fund has a yearly Council budget of \$15,000. The NSW Heritage Office for the past two years has provided grant funding on a dollar for dollar basis towards Councils small grants scheme. The maximum amount available to each application is determined on a merit basis and available funds are matched dollar for dollar by the applicant.

Heritage Fund 2011/12

Council sought submissions from owner's of heritage listed properties for funding in April 2011, with three (3) applications received.

The criteria for funding include:

- The property is a listed heritage item.
- The project will promote and encourage heritage conservation works.
- Works generally involve:
 - o Replacement of significant built elements;
 - o Preparation of an authentic colour scheme;
 - o Conserve or reinstate original elements;
 - o Development consent (if required) must be obtained prior to commencement of work.

The table below provides a summary and assessment of the submissions received.

Property	Proposal	Amount Sought	Total Cost	Heritage Item	Heritage Comments
47 Kangaroo Street, Manly	Removal of weathered sandstone bull nose coping on verandah edge and replacement with matching sandstone edge.	\$2000.	\$10000.	Yes	Reinstatement of original elements is supported.
14 Palmerston Place, Seaforth	Repair the window lintels and plasterwork on the front exterior walls.	\$2000.	\$9000.	Yes	Conservation of windows & plasterwork will conserve the item.

Planning And Strategy Division Report No. 14 (Cont'd)

9 &11 Denison Street, Manly	Repair timber beading and barge molding on front gables. Demolish and rebuild current brick front fence.	\$300.	\$900.	No	Repair of the timber gables is appropriate. Rebuilding non- original front fence does not meet criteria.
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The works above do not require formal DA consent as they are for maintenance, repairs, replacement and/or conservation work. With regard to No. 9 &11 Dennison Street, the property is not listed as a heritage item on Manly LEP, 1988; but is within the Pittwater Road Conservation Area. As it is a requirement of the funding criteria that properties are listed as an item, this proposal does not qualify and Council has consistently applied this criteria. The applicant will be advised accordingly.

Conclusion

A total of \$4 000.00 is to be funded through the Manly Council Local Heritage Assistance Fund Scheme. The two (2) proposals which meet the funding criteria for listed heritage items are considered to be worthy projects with merit and the works are considered appropriate in heritage conservation terms. The conservation works proposed and their positive impacts on the significance of the listed place are considered worthy of receiving the funding sought and is recommended.

RECOMMENDATION

1. That subject to public notice under Section 356(2) of the Local Government Act, the allocated grant funds is awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been given as required under resolution 1 above.

ATTACHMENTS

There are no attachments for this report.

OM180711PSD_2

***** End of Planning And Strategy Division Report No. 14 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Environmental Services Division Report No. 17
SUBJECT: Development Applications being processed during July 2011.
FILE NO:

SUMMARY

Development Applications being processed during July 2011.

REPORT

The following applications are with the Town Planners for assessment.

523	2004	108 Seaforth Crescent	Section 96 Modification
166	2006	8 Herbert Street	Section 96 Modification
466	2006	42 Beatty Street	Sections 96 modification
201	2007	20 Sandy Bay Road	Section 96 Modification
220	2007	14 Camera Street	Section 96 Modification
421	2007	Manly Golf Club - Kenneth Road	Section 96 Modification
156	2008	6 Koobilya Street	Section 96 Modification
162	2008	19 Amiens Road	Section 96 Modification
184	2008	63 Kangaroo Street	Section 96 Modification
261	2008	38 Stuart Street	Section 96 Modification
384	2008	110-112 Bower Street	Section 96 Modification
398	2008	55 Pittwater Road	Section 96 Modification
463	2008	75 The Corso	Section 96 Modification
19	2009	80 Addison Road	Section 96 Modification
391	2009	8 Cormack Street	Sections 96 modification
399	2009	2 Parkveiw Road	Section 96 modification
67	2010	31 Seaforth Crescent	Demolition of existing, new 4 level dwelling
107	2010	17 Roseberry Street	Section 96 Modification
120	2010	5 Bentley Street	Section 96 Modification

Environmental Services Division Report No. 17 (Cont'd)

122	2010	Manly Yacht Club	82A refused security fencing
153	2010	89 Addison Road	Section 96 Modification
195	2010	14 Richmond Road	Section 96 Modification
235	2010	40 Alma Street	Alterations and Additions
243	2010	5 Marine Parade	Section 96 Modification
254	2010	6 Montauban Avenue	Section 96 Modification
311	2010	69 Castle Circuit	Section 96 Modification
337	2010	1 Griffiths Street	Alterations and additions
360	2010	46 Malvern Avenue	Alterations and additions
374	2010	3 Tutus Street	Demolition and new 3 storey dwelling
381	2010	49 Seaforth Crescent	Alterations and additions
403	2010	5 Lewis Street	Section 96 Modification
407	2010	8 Thornton Street	Alterations and additions
7	2011	18 Smith Street	Alterations and additions
9	2011	13 Lister Avenue	Alterations and additions
12	2011	47 Golf parade	Alterations and additions
23	2011	6 Fairlight Crescent	Alterations and additions
38	2011	19 Macmillan Street	Alterations and additions
46	2011	44 Griffiths Street	Boundary adjustment
49	2011	73 Ellery Parade	Land subdivision of One (1) lot into two (2) lots
51	2011	33 Gordon Street	Demolition and new 2 storey dwelling
57	2011	9 Mossgiel Street	Alterations and additions
63	2011	48 Golf Parade	Demolition and new 2 x 2 dwelling
64	2011	23 Beatrice Stree	Demolition of existing and construction of RFB containing 18 units
65	2011	58 North Steyne	Change of use to Gymnasium
72	2011	16 Birkley road	Alterations and additions

Environmental Services Division Report No. 17 (Cont'd)

73	2011	113 Condamine Street	Alterations and additions to RFB
76	2011	10 Avoca Crescent	Alterations and additions
83	2011	91 West Street	Alterations and additions
84	2011	25 Acacia Road	New 2 storey dwelling
85	2011	23 Kempbridge Avenue	Alterations and additions
86	2011	17 Kareema Street	Alterations and additions
87	2011	2 Belgrave Street	Redevelopment of Manly Police Station
88	2011	112 Sydney Road	4 lot strata subdivision
89	2011	5A Raglan Street	Change of Use to refreshment room
91	2011	75 The Corso	Internal fitout of exiting beer garden & pergola
94	2011	3A Dalwood Avenue	Alterations and additions
99	2011	25 Kitchener Street	Torrens Title subdivision
100	2011	22 Roseberry Street	Demolition of existing, erection of 2 storey bulky goods warehouse
101	2011	6 Wanganella Street	Alterations and additions
103	2011	13 Manly Road	Alterations and additions
105	2011	423 Sydney Road	Alterations and additions
106	2011	23 Fromelles Avenue	Demolition of existing, new 2 storey dwelling & double garage
107	2011	67 Stuart Street	Alterations and additions
108	2011	17 Addison Road	Alterations and additions
110	2011	38 The Corso	Change of Use to refreshment room
112	2011	46 Hilltop Crescent	Demolition of existing new 2 storey dwelling
113	2011	32 New Street	Alterations and additions
114	2011	12 Alexander Street	Partial demolition, shed and garage
116	2011	Market Lane	Extension of Farmers Market
117	2011	28 Arthur Street	Alterations and additions
118	2011	75 The Corso	Awning along North Steyne, creation of door

Environmental Services Division Report No. 17 (Cont'd)

119	2011	12 Kirkwood Street	Alterations and additions
120	2011	89 Birkley Road	Alterations and additions
121	2011	17 Tutus Street	Demolition of existing, new 2 level dwelling
122	2011	41 Smith Street	Alterations and additions
123	2011	5 Scales Parade	Alterations and additions
124	2011	73 Wanganella Street	Demolition of existing, torrens title into 2 lots
126	2011	4 West Street	RFB containing 8 units
127	2011	9 Cutler Road	Alterations and additions
129	2011	11 William Street	Alterations and additions
131	2011	52B Woodland Street	Alterations and additions
132	2011	19 West Street	Alterations and additions
133	2011	387 Sydney Road	Strata Subdivision into 11 lots of existing RFB
134	2011	16 Augusta Road	Alterations and additions
135	2011	29 Waterview Street	Alterations and additions
136	2011	25 Acacia Road	Alterations and additions including pool
137	2011	23 Lower Beach Street	Alterations and additions to RFB
138	2011	69 Pittwater Road	Demolition of existing, new two separate dwellings
139	2011	210 Pittwater Road	Change of use - homewares shop & fitout
140	2011	50 Bungalow Avenue	Alterations and additions
141	2011	9-15 Central Avenue	Change of use - hair dressing salon, fitout and signage
144	2011	34-38 Victoria Parade	Alterations and additions
145	2011	3 Peacock Street	Alterations and additions
146	2011	4 Nolan Place	Alterations and additions
147	2011	16B New Street	Two (2) lot strata subdivision

Environmental Services Division Report No. 17 (Cont'd)

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

291/2007 85 New Street, CLONTARF 2093
Section 96 to modify approved Alterations and additions to dwelling including double garage to replace existing carport

157/2008 30 Ocean Road, MANLY 2095
Section 96 to modify approved Demolition of the existing dwelling and Construction of a three (3) double garage at the rear level dwelling house, swimming pool and

142/2011 Wharves and Jetties, MANLY 2095
Construction of a first floor addition to the existing Manly Wharf structure including four (4) restaurant tenancies with plant rooms and changes to the ground floor including two (2) new retail tenancies

143/2011 3 King Avenue, BALGOWLAH 2093
Demolition of the existing dwelling and garage, construction of two(2) storey dwelling including four (4) car garage and terraces

148/2011 77 Wood Street, MANLY 2095
Alterations and additions to an existing Residential Flat Building including a rear extension to the existing third level with a balcony, second floor terrace extension

149/2011 23 Bolingbroke Parade, FAIRLIGHT 2094
Demolition of existing and construction of a single level dwelling including terrace, sunroom, single carport and landscaping

405/2010 10 Montauban Avenue, SEAFORTH 2092
Section 96 to modify approved Alterations and additions to an existing dwelling including first floor extension

150/2011 225 Pittwater Road, MANLY 2095
Partial demolition to rear, alterations and additions to an existing dwelling including rear extension, front brick fence and gate

151/2011 44 Osborne Road, MANLY 2095
Alterations and additions to an existing dwelling including first floor addition at front, extend existing garage, new porch, internal alterations, rear extension, new roof, new windows, extend rear deck, privacy screens, front and side fences

47/2011 8 Fromelles Avenue, SEAFORTH 2092
Section 96 to modify approved Alterations and additions to an existing dwelling including double carport and deck

152/2011 387 Sydney Road, BALGOWLAH 2093
Change of use to a Cafe and Delicatessen (Refreshment Room) and fitout

153/2011 545 Sydney Road, SEAFORTH 2092
Change of use to a Chiropractic practice including fitout, signage and with an automatic teller machine (ATM) located in the shop frontage

154/2011 23 Arthur Street, FAIRLIGHT 2094
Alterations and additions to an existing dwelling including first floor addition, internal alterations, double garage, driveway, patio, retaining wall and access stairs

Environmental Services Division Report No. 17 (Cont'd)

155/2011 50 Seaview Street, BALGOWLAH 2093
Demolition of existing dwelling and structures and construction of a two (2) x two (2) storey semi-detached dwellings with Torrens Title Subdivision

157/2011 13 Wanganella Street, BALGOWLAH 2093
Alterations and additions to an existing dwelling including first floor extension and internal alterations

156/2011 33 Amiens Road, CLONTARF 2093
Alterations and additions to an existing dwelling including internal alterations, replace an existing pergola, new pergola on northern boundary, barbeque area, external shower and stormwater pit

158/2011 61 Woodland Street, BALGOWLAH 2093
Alterations and additions to an existing dwelling including new entry portico with balcony, double garage with rooftop garden, internal alterations and new French doors

334/2010 6 David Place, SEAFORTH 2092
Section 96 to modify approved new in-ground swimming pool, spa, timber deck, retractable awning, two (2) rainwater tanks and landscaping

159/2011 28A Alexander Street, MANLY 2095
Construction of two (2) x two (2) storey semi-detached dwellings with double garages, swimming pools and Torrens Title Subdivision

22/06/2011
160/2011 82 Griffiths Street, FAIRLIGHT 2094
Alterations and additions to an existing dwelling including rear and side ground floor extension, first floor addition and internal alterations

161/2011 468 Sydney Road, BALGOWLAH 2093
Demolition of existing dwelling, construction of a Residential Flat Building containing two (2) dwellings, alterations and additions to existing commercial building including removal of basement storage and internal alterations to first floor, landscaping and Strata Subdivision into three (3) lots

163/2011 38-40 Balgowlah Road, FAIRLIGHT 2094
Erection of two (2) advertising (banner) signs to boundary fence

19/2011 4 Allenby Street, CLONTARF 2093
Section 96 to modify approved Alterations and additions to an existing dwelling including side and front addition to ground and first floor, bi-fold doors to rear and a double carport within the front setback

164/2011 5 Vista Avenue, BALGOWLAH HEIGHTS 2093
Demolition of existing retaining wall, construction of new raised garden bed, swimming pool and landscaping

129/2010 70 Seaview Street, BALGOWLAH 2093
Section 96 to modify approved Alterations and additions to an existing semi-detached dwelling including first floor addition, decks and carport

Environmental Services Division Report No. 17 (Cont'd)

- 162/2011 18 Kareema Street, BALGOWLAH 2093
Demolition of the existing dwelling and outbuilding, construction of a new two (2) storey dwelling with double garage and front fence
- 165/2011 545 Sydney Road, SEAFORTH 2092
Installation of ATM to shopfront, new security lighting and under awning sign
- 166/2011 24 Curban Street, BALGOWLAH HEIGHTS 2093
Construction of new carport and driveway crossing, new retaining walls, side access path, stairs and ramp
- 167/2011 102 Condamine Street, BALGOWLAH 2093
Alterations and additions to existing dwelling including rear addition, front access ramp, internal alterations, rear timber deck with sail-shade and landscaping
- 169/2011 18 Lombard Street, BALGOWLAH 2093
Demolition of existing dwelling, construction of two (2) x two (2) storey semi-detached dwellings, rear decks, swimming pools and associated landscaping, and subdivision into two (2) lots
- 281/2009 5G Castle Circuit, SEAFORTH 2092
Section 96 to modify approved Construction of a new two (2) storey dwelling, attached garage and driveway
- 14/2010 1 Barrabooka Street, CLONTARF 2093
Section 96 to modify approved Alterations and additions to the existing dwelling including double carport and extensions
- 168/2011 4 Fisher Street, BALGOWLAH HEIGHTS 2093
Swimming
Pool
- 170/2011 67 Curban Street, BALGOWLAH HEIGHTS 2093
Alterations and additions to an existing dwelling including upper ground floor extension, new windows, part conversion of lower ground garage into family flat, front and rear deck extension, swimming pool and landscaping
- 401/2010 35 Arthur Street, FAIRLIGHT 2094
Alterations & Additions to Dwelling
- 171/2011 72 Fairlight Street, FAIRLIGHT 2094
Alterations and additions to existing duplex including front addition, rear balconies, swimming pool and landscaping
- 172/2011 46 Osborne Road, MANLY 2095
Alterations & Additions to Dwelling
- 173/2011 16 Cliff Street, MANLY 2095
Alterations & Additions to Dwelling
- 174/2011 6 Malvern Avenue, MANLY 2095
Alterations & Additions to Dwelling

Environmental Services Division Report No. 17 (Cont'd)

175/2011 53-57 Pittwater Road, MANLY 2095
Shop Fitout

Decisions from the Manly Independent Assessment Panel 16 June, 2011.

DA#	Site	Proposal	Decision
216/10	13 North Harbour, Balgowlah	82A Review of Determination. Alterations and additions, garage extension, front fence and decks	Approved
332/10	15A Linkmead Avenue, Clontarf	Demolition of existing structures and new three (3) level dwelling with multi car basement garage, decks, swimming pool and landscaping	Deferred Commencement Approval
162/10	27 Daintrey Street, Fairlight	Alterations and additions to an existing dwelling including new first floor addition, upper ground floor and lower ground floor extension and new rear decks	Approved
424/10	34 Wanganella Street, Balgowlah	Swimming pool, decks, timber amphitheatre and landscaping	Approved
376/10	17 Cove Avenue, Manly	Alterations and additions to existing Manly Waters Private Hospital including front and rear extension, indoor swimming pool, central roof terrace and signage	Approved
426/10	3 Oyama Avenue, Manly	Demolition of the existing improvements, and construction of a new RFB containing 3 units, parking, swimming pool, landscaping and strata subdivision.	Approved

The following development applications are being forwarded to the Manly Independent Assessment Panel to be held Thursday 18 August, 2011.

DA#	Site	Proposal
122/10	Manly Yacht Club East Esplanade, Manly	Erection of security fencing and gates to existing jetty and deck
407/10	8 Thornton Street, Fairlight	Alterations and additions including first floor addition.
70/11	10 Oyama Avenue, Manly	Alterations and additions, rear and front addition and first floor extension
107/10	17-31 Roseberry Street, Balgowlah	Section 96 Modification Woolworths – deletion of sliplane

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

OM180711ESD_2

Environmental Services Division Report No. 17 (Cont'd)

***** End of Environmental Services Division Report No. 17 *****

TO: Ordinary Meeting - 18 July 2011

REPORT: Environmental Services Division Report No. 18

SUBJECT: A List of Current Legal Appeals Relating to Development Applications During July 2011.

FILE NO:

SUMMARY

A list of current legal appeals relating to Development Applications during July 2011.

REPORT

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Current Status
13/10	Class 1 10584/10	46-48	North Steyne	27/07/10	HWL	Hearing 29&30/08/11
149/08	Class 1 10014/11	2	West Promenade	11/01/11	Pikes	Consent Orders 27/06/11
393/10	Class 1 10060/11	13	Barrabooka St	24/01/11	Pikes	Judgment reserved
259/10	Class 1 10244/11	11	Pine Street	21/03/11	Pikes	Judgment reserved
358/08	Class 1 10268/2011	30	Kitchener Street	29/03/11	Pikes	Hearing 22&23/08/11
148/10	Class 1 10443/11	22	Jackson Street	30/05/11	Pikes	S34AA Conference 12&15/08/11

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

OM180711ESD_3

***** End of Environmental Services Division Report No. 18 *****

TO: Ordinary Meeting - 18 July 2011
REPORT: Civic and Urban Services Division Report No. 7
SUBJECT: Draft Tree Management Policy and Draft Tree Management Strategy
FILE NO:

SUMMARY

This report recommends that Council gives public notice of its intention to adopt the draft Tree Management Policy and draft Tree Management Strategy.

REPORT

On the 13th December 2010 Council unanimously resolved [231/10]:

1. *That Manly Council develop and publish a Tree Policy to ensure the enhancement, preservation, conservation and increase the number of trees in the Manly LGA. Such a policy would recognise the value of trees in the Manly LGA and guide Council staff, residents, developers and other authorities in the management of trees as an asset in Manly.*
2. *That Council establish a working group to assist in the drafting of a Tree Policy.*

In February 2011 a Working Group was established to assist with the drafting of the policy; the Working Group met over February to May 2011 to develop and draft the policy document.

Given the need to be comprehensive in regard to the management of trees, this process has been broken down into two parts.

- A. A **policy** document (Attachment 1) that will be the umbrella for a suite of documents under the name *Manly Council Tree Management Strategy – Trees for a sustainable Manly*, which outlines Council's policy on Tree Management.
- B. A **strategy** document (Attachment 2) that will guide staff residents, developers, and other authorities in the management of trees, and will:
 - Tie any existing tree related policy documents together.
 - Establish Manly's commitment to the future strategic direction for tree protection, management, planting and maintenance for its streets, parks in the Local Government area (LGA).
 - Address issues related to the park and street tree management and maintenance faced by Manly Council.
 - Provide a rationale for decision making to ensure consistency in the management of park and street trees in the Manly Council LGA.
 - Ensure a strategy that will improve our current 'tree environment' and pass on an improved heritage of trees to the future.
 - Provide direction to support the commitment to tree protection, management, planting and maintenance for trees in parks and on streets in the Manly LGA.

The two documents will go on public exhibition for a period of 28 days as part of Council's consultation process, in order to gain public feedback on the documents.

Civic and Urban Services Division Report No. 7 (Cont'd)**RECOMMENDATION**

THAT:

1. The draft Tree Management Policy and draft Tree Management Strategy be endorsed.
2. The draft Tree Management Policy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.

ATTACHMENTS

AT- 1 Tree Management Policy 7 Pages

AT- 2 Draft Tree Management Strategy 58 Pages Circulated Separately

OM180711CSU_2

***** End of Civic and Urban Services Division Report No. 7 *****

Civic and Urban Services Division Report No. 7 - Draft Tree Management Policy and Draft Tree Management Strategy
Tree Management Policy



Title: TREE MANAGEMENT POLICY

Policy No:

Keywords: Tree Management, Tree Removal, Root Damage, Ringbarking, Trees Maintenance

Responsible Officer: Divisional Manager – Civic and Urban Services

1.0 Purpose and Authority of This Policy

The Tree Management Policy will be the umbrella for a suite of related documents located under the *Manly Council Tree Management Strategy – Trees for a sustainable Manly*

a) Authority

This policy has been authorised by the General Manager and Council and is available to the all Councils officials, general public, Developers. It has been developed in consultation with staff and has been exhibited and consulted through the community and Precincts. Ownership of the policy rests with the Manager of Parks and Reserves, and Compliance Sections of Council. Who are responsible for administering the Councils Tree Preservation Order or similar instrument under the state legislation requirements.

This policy directs actions required in respect of trees within the manly LGA, within private and public land, and Directs actions from the Tree Management Strategy, to be implemented as process.

2.0 Principles

- To tie any existing tree related policy documents together into a directional strategy
- Establishes Manly's commitment to and the future strategic direction for tree protection, management, planting and maintenance for its streets, parks in the Local Government area (LGA)
- Address issues related to the park and street tree management and maintenance faced by Manly Council.
- Provide a rationale for decision making to ensure consistency in the management of park and street trees in the Manly Council LGA.
- A strategy to ensure that we can improve our current 'tree environment' and pass on an improved heritage of trees to the future.
- provide direction to support the commitment to tree protection, management, planting and maintenance for trees in parks and on streets in the Manly LGA.

The Strategy documents included in this process are:

- Sepp19- bushland in Urban Areas
- Tree Management Policy
- Tree Preservation Order
- Street Tree Master Plan (to be further developed)
- Significant Tree Register (to be further developed)
- Norfolk Island Pine Management Plan (to be ratified by Council)
- Trees Lopping for Electricity Transmission Lines
- Trees Lopping for Views
- Trees removal of "Ficus" Varieties
- Trees Ringbarking, Poisoning, Root Damage
- Nature strip Garden policy
- Manly LEP Preservation of trees or vegetation clause 59 replaces Tree Preservation order.
- DCP provision
- Tree and Vegetation listed as items of Environmental heritage, includes:

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- Street Trees
- Vegetation within Parks & Reserves (exotic & endemic) and individual trees.
- Species listed under the Threatened species Conservation ACT.
- Species listed under the Noxious Weeds ACT
- Endangered Ecological Communities/ Eastern Suburbs Banksia Scrub/ Littoral Rainforest/ Duffys Forest

This Policy and the associated "Tree Management Strategy" aim to balance the needs of our trees and our community.

3.0 Specific Aims of Policy:

- optimizing the capacity of our urban forest to provide both present and future residents with environmental, economic, and social benefits
- achieving a balance between minimising risks and liabilities to the community whilst delivering a sustainable urban tree cover
- achieving target canopy cover, stocking levels and projected life spans for the city's trees, including replacing removed trees and planning for deteriorating and ageing street and park trees
- achieving efficient, cost-effective, and sustainable management of the city's trees by coordinating efforts across Council and others programs
- minimizing the way that trees interfere with existing above and below ground services, signage, street lighting, public and private structures
- encourage space for street tree planting through design coordination between Council divisions/business units and utility organisations
- minimise impacts on existing trees by providing clear approval processes and ensuring coordination across Council's planning guidelines and improvement programs, and between Council and others in infrastructure development and management
- uphold Council's duty of care, and commitment to public safety, including a 'good neighbor' approach to managing trees adjacent to private property
- engage the community, provide open and accountable decision making and encourage stewardship and partnership
- support sustainable development and management practices.

4.0 Scope

Council will use the following guidelines to ensure that trees are planted, protected, maintained and ultimately removed or replaced in a way that is sustainable, economically sound and socially acceptable.

5.0 Retaining Trees

Keeping established trees, particularly in areas undergoing a change in land use, is the most cost-effective way to sustain. Conditions related to Development applications will be used to ensure that, where appropriate, established trees are protected through all stages of a proposed development. (e.g insertion of the 'Protection of trees on development sites' - AS 4970-2009)

6.0 Tree Planting

Planting new trees is important in enhancing and renewing urban tree cover. Council is directly involved in planting trees as well as requiring tree planting by others.

Tree species should be selected according to the:

- purpose of the planting
- available space
- conditions of the site (including consideration of climate change effects).
- related infrastructure

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While endemic tree species are the most appropriate for restoring habitat, some non-native species or exotics (*excluding pest plants*) such as the Norfolk Pines are part of the landscape character and botanic history of the Manly ocean beach front, esplanades, streets and parks.

The planting of street trees should:

- promote tree lined boulevards along arterial roads and major entry roads, including feature tree species iconic to landscape of Manly.
- contribute to local streetscape quality, storm water management and a target of 50% footpath shade cover.
- be guided by existing canopy cover density, urban 'hot-spots', and resident requests
- favor whole-street plantings or blocks within streets in preference to individual plantings (this is more efficient for establishment and ongoing maintenance)
- favor clear trunked, small to medium shade tree species in residential streets to minimise nuisance
- encourage high quality vistas
- encourage community participation in street tree planting programs to promote ongoing stewardship
- Take into account and build on the historical and heritage plantings in individual streets and suburbs
- conserve historically significant tree plantings and designs
- promote shade and amenity at picnic areas, pathways, spectator areas, playgrounds and carpark
- offer opportunities for education and showcasing colorful tree species throughout the seasons
- use the placement and grouping of trees to minimize maintenance and risk exposure
- enhance and protect habitats and waterways
- encourage community participation in park planting programs to promote ongoing stewardship.

7.0 Bushland Foreshore and Broad Scale Areas

Tree planting in bushland and broad scale areas should:

- add to biodiversity by revegetating degraded land
- assist the natural regeneration of desired species within significant conservation areas
- favor endemic species to provide safe corridors for fauna and flora
- improve biodiversity value of remnant vegetation by suppressing weeds species
- contribute to the conservation of Manly's unique biodiversity and waterway health
- contribute to a native vegetation cover target
- no tree pruning or removal of trees in bushland except for structural integrity or safety reason.
- No pruning of trees in foreshore protection zones

8.0 Removal or Pruning of trees in Bushland

Removal or Pruning of trees in bushland for any purpose other than the following is prohibited

- Dangerous trees
- Dead Trees
- Noxious weeds
- Exempt or undesirable trees

9.0 Bushland and habitat Corridors

Bushland corridors are an important to our natural areas; these linkages can be by way of natural existing corridors or via streets or private open space where owner's agreement can be obtained. Council will endeavor to continue to create these corridors through it street tree planting programs. Also seeking private agreement to enhance corridor linkages throughout the LGA.

10.0 Tree Replacement

Council is committed to replacing trees removed in general, when a tree is removed according to the above guidelines, or where the removal of the tree requires a permit it should be replaced.

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11.0 Good Neighbour Approach

Council will adopt a 'good-neighbor' approach to managing trees near property boundaries by undertaking tree maintenance works that address genuine nuisance to the adjacent property owner. Where possible significant trees nearing the end of life expectancy will have succession planting carried out to allow for establishment of new tree prior to any removal.

12.0 Dead Trees

Dead trees on public land will not be notified for removal but carried out during the course of the cyclic works program unless dangerous in which case they will be removed immediately.

13.0 Costs of Trees in the Urban Environment

Trees are major community assets, considerable sums of public money are invested in their establishment and management, usually through local government or other public funding.

A high priority for Council is to identify the mitigation of damage caused by trees to infrastructure and services. A maximum cost will be outlined in order to keep a tree that is creating infrastructure issues or related claims for damage. Where conflict occurs between trees and infrastructure the cost of damages to either the tree or infrastructure will be considered carefully by Council. Action will be taken to remove trees causing damage to infrastructure only after careful consideration.

14.0 Tree Selection Criteria

As most trees in the streets and parks of Manly LGA will occupy their planting sites for 50 to 200 years a careful considered selection of site and tree species is vital. Manly's streets are on average 70% planted with established trees which will influence the choice of future new trees to be planted within the Council area. Tree's which are performing well will continue to be used with the Council region where appropriate. Tree's which perform poorly or are particularly damaging to pavements, kerbs, gutters or underground services will look to be replaced using the opportunity to introduce additional tree species or cultivars.

There are a range of issues that Council will consider when selecting the type of trees to plant across the council LGA, these are:

- Climate
- Geology and Soils
- Topography
- Tolerance to Paving
- Wildlife Habitat
- Native versus Exotic Tree Selection
- Drought Tolerance
- Tolerance of Pests and Diseases
- Tolerance of atmospheric pollution
- Functional Criteria
- Performance Record
- Provision of Shade to Pavement and Road
- Safety/Visibility
- Availability at Advanced Size
- Acceptable Leaf & Fruit Fall Characteristics
- Low Risk of Becoming Environmental Weed
- Not Prone to Major Limb Shear
- Long Lived
- Capacity to Lift Pavements & Kerbing

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- Low Maintenance
- Solar Access
- Relationship with Distinctive Landscape Characters
- Ultimate Size of Tree Canopy
- Historic / Cultural Associations
- Form of Tree Canopy
- Deciduous versus evergreen
- Corridor potential and value
- Overhead power lines
- Narrow Footpaths
- Related Issues with the Tree Species
- Consistency and visual uniformity for each street
- Reinforce major features & gateways
- Reinforce major features in Manly
- Reinforce the Harbour Edge
- Enhance Key Cultural and Commercial Areas

15.0 Tree Maintenance and Removals

Tree Maintenance

Council recognizes that trees are an important asset with measurable monetary values. Understanding this monetary value helps Council to make decisions about the cost-effectiveness of proactive rather than reactive maintenance activities, including the following:

Inspection

- Council will routinely carry out visual inspections of large trees in high visitation areas of parks (e.g. paths, playgrounds, carparks, playing fields and areas adjacent to private property boundaries)
- Council will prioritize visual inspections of street trees during annual maintenance programs
- Council will carry out additional visual and technical inspections in response to community concerns or suspicion of a tree's health or safety.
- Sculpting or pruning a tree helps to maintain its appropriate form and function.
- Where appropriate, Council will prune young trees to encourage strong and functional tree growth patterns, and periodically prune branches to address structural weaknesses and prevent foliage from obstructing street signs, traffic, street lighting, powerlines, rooflines, and pedestrians
- All sculpting and pruning will be done by trained and qualified staff.
- Removal of any tree is considered an action of last resort. The intention is maintain or increase the tree canopy of the whole of the LGA. Therefore removal of a tree must be followed by replacement planting.

Tree Removal

Trees will only be removed after careful consideration of a number of factors:

- risk to public safety
- significance and value
- life expectancy and condition (health and structure)
- ongoing maintenance costs
- risk to public safety
- Nuisance level and weed status.

Removing a valued, healthy, structurally sound, functional, low nuisance tree would be considered the last resort.

The consideration to remove a tree may be in response to a customer request or routine inspections and maintenance. The decision will be made by a qualified Council officer or contracted arborist (in accordance with *Tree Removal and Replacement Procedures* and accepted best practice).

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Tree Preservation Orders

The Tree Preservation Order 2001 (TPO) or replacement instrument will be the main tool to regulate and assess applications to prune or remove trees in Manly Council LGA.

Trees will also be given adequate protection from construction activities and other activities such as major events that are likely to have an adverse effect on their health and appearance. Australian standard AS 4970/2009.

Significant Trees in Private or Public Land

Existing trees will all be listed in 'The Significant Tree Register' and there are already policies agreed by council (Ordinary meeting 15th August 2005 Res 337/05) and incorporated in the Planning and Development, LEP, DCP and Policies.

The Significant Tree Register is used to record all significant trees or tree stands that should be preserved, including their form and character. Generally, permission will be given under the Tree Preservation Order for remedial maintenance works only.

In determining development applications Council will give priority to the preservation of significant trees. A development must aim to maximise the preservation of significant trees or tree stands and the application must include strategies for the maintenance of their long term health.

The heritage values for trees listed or groups of trees will be encapsulated on a Statement of Significance (heritage inventory) which involves interpretation and analysis of comparative points of importance (e.g. values including rarity, biodiversity, individual and/or group, landmark, representative and integrity, research, and social, cultural and spiritual associations). The criteria relate to both cultural and natural significance of an item and place. The heritage values of a significant tree or group of trees are almost always multi-layered.

Manly Council will facilitate the protection of public and private trees through the Tree Preservation Order 2001. A Schedule of Exempt Species identifies Undesirable and nuisance species, which are not included under Council's Tree Preservation Order (TPO). Furthermore, trees declared as noxious species under the *Noxious Weeds Act 1993* are also excluded from the TPO.

Scheduling of significant trees under the provisions of Council's Local Environmental Plan (LEP) establishes clear recognition of heritage values and facilitates improved protection, particularly with respect to development. For this reason, **all** scheduled trees (including individuals and groups) in the Register of Significant Trees will be listed as heritage items (trees) in Council's comprehensive Local Environmental Plan (LEP). Of particular importance is the scheduling of trees assessed as significant at the LGA and/or REGIONAL level (i.e. excluding LOCAL level listings).

Council will not give permission for removal of trees / pruning of trees for:

Falling leaves, twigs, fruit, and flowers are considered normal expected tree behaviour and are not valid reasons for removal under this Policy. Similarly, it is Council's policy that no individual exclusively owns a view. Therefore, Council will not give consent to remove a street tree's canopy for view enhancement. Pruning will only be considered where more than 75% of the available view has been obscured and photographic evidence can be supplied by the long term owner (This is not zoomed Real Estate state photos) Proof must be supplied to Council in the application process.

If possible significant trees that are nearing their natural life span will be identified in a timely way and a succession plan developed while consulting with the community if possible.

ATTACHMENT 1

Civic and Urban Services Division Report No. 7 - Draft Tree Management Policy and Draft Tree Management Strategy Tree Management Policy

Trees lopping for Electricity transmission lines. (T80)

That the lopping of naturally grown (occurring) trees be carried out by Energy Australia except where special circumstances indicate that these trees would be better handled by the Council in respect of which the Energy Australia have accepted a charge from Manly Council.

In respect of ornamental and decorative trees they be handled by the Council at no cost to the Energy Australia

(January, 1965)
(Confirmed 20.10.97)

Tree removal Ficus Varieties. (T100)

That Council agrees to the removal of trees in Council areas where it can be proved that the trees are causing structural issues to infrastructure, buildings or services or are dangerous or a public risk. That they be replaced with a more suitable type of advanced tree.

That the maximum amount of cost related to tree claims be set at \$10,000 before removal is considered.

(11.6.68)
(Confirmed 20.10.97)

That the General Manager or such officer delegated by the General Manager be authorised to remove and replace with suitable type trees, any Ficus Hilli or Poplar Trees that are found to be interfering with underground pipelines or infrastructure.

(12.1.71)
(Confirmed 20.10.97)

Trees ring barking, poisoning, Root damage (T110)

Council will pay (at its sole discretion) up to \$1,000 as a reward for information leading to a successful prosecution of a person or persons who wilfully damage significant trees in Manly. For the purposes of this policy, significant tree means:-

- A tree protected under the Council's Tree Preservation policy.
- A tree which makes a significant contribution to the environment in relation to urban amenity, privacy, aesthetics, heritage, significance, or character of a place or locality.

16.0 Revision Schedule

Minute No	Date of Issue	Action	Author	Checked by
		Draft Policy prepared	Manager Parks & Reserves	Divisional Manager Urban Services

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