

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 7 April 2014

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

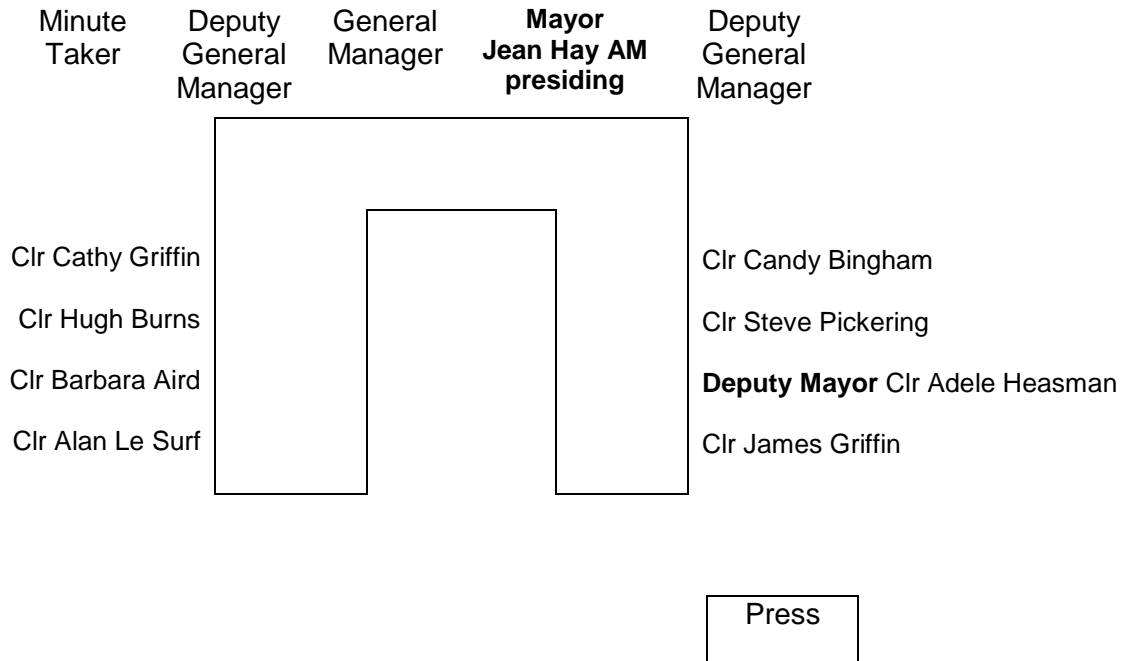
Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes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

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

www.manly.nsw.gov.au



Seating Arrangements for Meetings



Public
Addresses

Public Gallery

Chairperson: The Mayor, Clr Jean Hay AM
Deputy Chairperson: Clr Adele Heasman

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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. 3

Contract SHOROC T15/13 for Supply and Delivery of Ready Mixed Concrete

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 - 7 April 2014
REPORT: Notice of Motion Report No. 10
SUBJECT: Report on Crown Lands Legislation White Paper
FILE NO: MC/14/38033

Councillor Cathy Griffin will move that:

Manly Council prepares a report to Council on the implications for Manly LGA of the recommendations on White Paper on Crown Lands Legislation.

Manly Council prepares a submission on the White Paper on Crown Lands Legislation for submission by 20th June 2014 to the Department of Trade and Infrastructure.

The White Paper on Crown Lands Legislation be referred to SHOROC for discussion and a regional response.

Background

The NSW Government recently undertook a comprehensive review of all legislation that regulates Crown land. The Government plans to develop consolidated, streamlined legislation to underpin the management of Crown land in the future.

The White Paper contains proposals to develop one new piece of legislation that will replace eight existing Acts, streamline existing provisions, simplify the management of Crown reserves and reduce red tape.

The Crown Estate includes:

- Crown roads, most beaches, estuaries and waterways
- land used for recreational areas including ovals, tennis courts, golf courses, bowling greens and walking tracks
- land used for community and cultural facilities including community halls, showgrounds, racecourses, cemeteries
- tourism facilities such as caravan parks
- commercial ventures including marinas, kiosks, restaurants and aged care facilities
- land used for grazing, agriculture and travelling stock.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

AT- 1 Crown Lands Legislation White Paper 46 Pages Circulated in Attachments document

OM07042014NM_4.DOC

***** End of Notice of Motion Report No. 10 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Notice of Motion Report No. 11
SUBJECT: Notice of motions for inclusion in the ALGA Conference
FILE NO: MC/14/38046

Councillor Cathy Griffin will move :

Manly Council requests the following times are included in the motions for discussion at the upcoming ALGA Conference

1. That this National Assembly call upon the Federal Government to implement recommendations detailed in the House of Representatives committee report "Managing our Coastal Zone in a Changing Climate: the Time to Act is Now".
2. That this National Assembly call upon the Federal Government to establish a consistent and coordinated approach to natural hazards management and climate change adaptation in the Australian coastal zone.
3. That this National Assembly call upon the Federal Government for a significant increase in funding for local government and community coastal programs and initiatives that must be undertaken to assist councils and communities preserve threatened coastal assets and values.
4. That this National Assembly call upon the Federal Government to establish an effective, integrated National Coastal Information System that provides publically accessible information at the right scale for regional and local decision making via a consistent national application.
5. That this National Assembly call upon the Federal Government to implement policies and programs that ensure the maintenance of public ownership of and public access to and along the coastal zone.
6. That this National Assembly call upon the Federal and State Governments to develop and implement an intergovernmental National Marine Management Strategy.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM07042014NM_5.DOC

***** End of Notice of Motion Report No. 11 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Notice of Motion Report No. 12
SUBJECT: Support for the call for an Inquiry into the EPA
FILE NO: MC/14/37921

Councillor Cathy Griffin will move:

Manly Council write to the Premier and the Local Member for Manly supporting the call for an inquiry in the EPA. A copy of the recent Ombudsman report into complaints regarding the NH STP be forwarded to the Premier and Local Member

Background

The finding of the recent Ombudsman report was that the Director General herself intervened at the behest of Dr Schott, CEO of Sydney Water complaining that the investigation was excessive.

It was noted that the senior and experienced investigation team and staff disputed that view.

The Ombudsman noted that there appeared to be an over emphasis on maintaining good relationships with Sydney Water, and that there were issues about transparency of investigations concerning Government owned entities.

There were no good guidelines in place.

The Ombudsman also noted concerns about the lack of documentation around the decision not to order a mandatory environmental audit and instead rely upon the voluntary audit (page 22).

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 12 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Notice of Motion Report No. 13
SUBJECT: Amendments to Code of Meeting Practice
FILE NO: MC/14/38020

Councillor Candy Bingham will move that:

1. In relation to a Notice of Motion submitted for the Agenda:

Clause 6.9 (2) of Council's *Code of Meeting Practice* be amended to read as follows:

"The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council"

2. In relation to Matters of Urgency:

Clause 6.6 (3) of Council's *Code of Meeting Practice* be amended to read as follows:

"Despite subclause (1) above, business may be transacted at a meeting of Council when due notice of the business has not been given to Councillors. However, this can only happen if:

(a) a motion is passed to have the business transacted at the meeting; and

(b) after such a motion has been passed, the business proposed to be brought forward is ruled by the chairperson to be of great urgency.

Such a motion can be moved without notice."

Background

Part 1 – Relating to Inclusion of Motions on the Agenda

In both wording and effect, Clause 6.9 (2) of Council's current *Meeting Code* varies materially from the provisions of Clause 240(2) of *the Regulation*, and may encourage the formation of opinions and the carrying out of actions on the part of the general manager that exceed the power available under *the Regulation*, and the *Meeting Code* should therefore be amended to reflect exactly the words of *the Regulation*.

The *Local Government (General) Regulation* No. 240 (2):

- Requires the general manager not to include any in the agenda any business which, in his or her opinion, is unlawful.
- Requires the general manager to report any such omission to the next council meeting.
- Does not permit the formation of any other opinion, or the carrying out of any other action, on the part of the general manager, in relation to the business that may be included in an agenda for a meeting.

Manly Council's *Meeting Code* Clause 6.9 (2):

- Allows the general manager discretion to exclude from the business paper any notice of motion which, in his or her opinion, is out of order.

Notice of Motion Report No. 13 (Cont'd)

- Does not require the general manager to report any such omission to the next council meeting.
- Does permit the formation of opinions, and the carrying out of action, on the part of the general manager, in matters other than whether or not the proposed business is unlawful.

Where there is any difference in what is said or required, The Act, Regulation and Model Code must be followed.

Part 2 – Relating to Matters of Urgency.

Note 2.4 of the Office of Local Government's *Meetings Practice Note No 16* dated August 2009, includes, in relation to what business can be discussed at council meetings:

*“Business ruled by the chairperson to be of great urgency (cl.241(3) of the Regulation) **but only after a motion is passed to allow this particular business to be dealt with.** This motion can be moved without notice.”* (Emphasis added)

Regulation 241(3) makes it quite clear that the correct procedure in relation to business without notice (Matters of Urgency) involves two discrete steps:

- 1) Firstly, a motion to transact the business without notice is moved and seconded, the mover speaks to the motion, and the motion is put to the meeting. Under Regulation 254, the names of the mover and seconder of the motion, and whether it is passed or lost, must be recorded in the minutes.
- 2) Secondly, if the urgency motion is carried the chairperson rules on whether or not the matter is one of great urgency.

The fact that the chairperson is not entitled to rule on the urgency of the matter until after a urgency motion is carried by Council is confirmed at p13 of the *Practice Note*.

Obviously if the urgency motion is not carried by Council then there is no need for the chairperson to make any ruling on urgency.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM07042014NM_3.DOC

***** End of Notice of Motion Report No. 13 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Notice of Motion Report No. 14
SUBJECT: Revisit DA Prepared for Upgrade of Manly Library
FILE NO: MC/14/38485

Councillor Candy Bingham will move:

Some eight years ago Manly Council commissioned architects to prepare a development application to add one and half storeys to the existing Manly Library building to accommodate the Manly Environment Centre (MEC).

I move that:

1. The General Manager make the Development Application and all supporting plans, reports and information available to Councillors;
2. That a briefing session be arranged for Councillors

Background

The Manly Library building, which was opened in 1995, was designed by award-winning architect Feiko Bouman with the view to adding two additional storeys in the future.

Options to redevelop the building have been proposed by Council, these should be further examined.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM07042014NM_6.DOC

***** End of Notice of Motion Report No. 14 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Notice of Motion Report No. 15
SUBJECT: NSW Public Library Funding
FILE NO: MC/14/37981

Councillor Adele Heasman will move, that Manly Council:

1. Provide support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries by:
 - a. Making representation to our State Member, Mike Baird, in relation to the need for additional funding from the NSW State Government for the provision of public library services;
 - b. Writing to the Hon. George Souris, Minister for the Arts, calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries;
 - c. Approving the distribution of NSW Public Library Associations campaign information in Council libraries;

Background

The NSW public library funding situation is an historic issue and the funding level has now reached a crisis point. The key issues are:

- The NSW Public Library Funding Strategy is not indexed to population growth or the consumer price index (CPI).
- This means that:
 - Funds have been taken from the Library Development Grant pool over a number of years to meet the increased per capita subsidy costs (and the per-capita component of the Disability and Geographic Adjustment fund) as the NSW population increases each year. If the government had not provided an “additional” \$2m to maintain the Country Public Libraries fund contribution in 2013-14, there would be no funding left for Library Development Grants; and
 - If the current funding situation is not addressed urgently, NSW councils will suffer a reduction in their Disability and Geographic Adjustment payments to meet the increase in legislated per-capita subsidy costs for additional NSW population.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

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***** End of Notice of Motion Report No. 15 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Item For Brief Mention Report No. 5
SUBJECT: Items For Brief Mention
FILE NO: MC/14/30582

1. Complaints made to the General Manager:

Received	Nature of complaint	Status
August	Code of Conduct	Being assessed

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
10/14	10 Feb	Clock to be Replaced on Manly Surf Pavilion (Clr Burns)	That Councillor Burns consult with the General Manager of the Manly Surf Club regarding their plans for installing a new clock on the facade of the building.	Matter with Councillor for follow-up.
219/13	9 Dec	NoM No. 77	Additional Seating and Bike and Clothes Racks	Concept sketches to Public Domains Committee April. Costings and project being progressed.

3. Tabled Documents

Date	Author	Subject
19 Mar 14	Mike Baird MP State Member for Manly	Acknowledgement of Council's letter re North Head Waste Water Treatment Plant odours
28 Mar 14	Carl Malmberg Director, Office of Strategic Lands Planning & Infrastructure NSW Government	Sydney Region Development Fund Levies for Financial Year 2014-15
28 Mar 14	Steve Robb Commercial Services Manager NSW Electoral Commission	Report into the 2012 local government elections http://www.parliament.nsw.gov.au/Prod/Parlament/committee.nsf/0/3310CB62E97A9793CA257CA8000DF143?open&refnavid=CO3_1

RECOMMENDATION

- That the reports 1, 2 and 3 listed above be received and noted.

ATTACHMENTS

There are no attachments for this report.

OM07042014IBM_1.DOC

***** End of Item For Brief Mention Report No. 5 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Report Of Committees Report No. 12
SUBJECT: Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature.
FILE NO: MC/14/34331

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

1. Sports Facilities Advisory Committee – 7 February 2014
2. Human Services Social Planning Advisory Committee – 25 February 2014
3. Sister Cities Advisory Committee – 26 February 2014
4. Heritage & Local History Advisory Committee – 5 March 2014
5. Harbour Foreshores & Coastline Management Advisory Committee – 11 March 2014
6. Community Environment Advisory Committee – 12 March 2014
7. Meals on Wheels Advisory Committee – 12 March 2014

RECOMMENDATION

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

1. Sports Facilities Advisory Committee – 7 February 2014
2. Human Services Social Planning Advisory Committee – 25 February 2014
3. Sister Cities Advisory Committee – 26 February 2014
4. Heritage & Local History Advisory Committee – 5 March 2014
5. Harbour Foreshores & Coastline Management Advisory Committee – 11 March 2014
6. Community Environment Advisory Committee – 12 March 2014
7. Meals on Wheels Advisory Committee – 12 March 2014

ATTACHMENTS

There are no attachments for this report.

OM07042014RC_2.DOC

***** End of Report Of Committees Report No. 12 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Report Of Committees Report No. 13
SUBJECT: Minutes for notation by Council - Waste Advisory Committee - 19 February 2014
FILE NO: MC/14/33489

This report was dealt with at the Waste Advisory Committee meeting of 19 February 2014 and was listed as a Recommendation in those minutes. This item is hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

ITEM 4 Container Deposit Legislation

The Committee does not support Keep Australia Beautiful (KAB) while they fail to support and actively campaign against container deposit legislation (CDL).

RECOMMENDATION

That the minutes of the Waste Advisory Committee meeting on 19 February 2014 be received and noted:

ITEM 4 Container Deposit Legislation

The Committee recommended to the General Manager that:

1. The Committee does not support Keep Australia Beautiful while they fail to support and actively campaign against container deposit legislation (CDL).
2. Council formally write to Keep Australia Beautiful with copy circulated to the Boomerang Society, Two Hands Project and to Mike Baird stating that Council has long advocated for container deposit legislation and it is good to be acknowledged for the litter management award from KAB, however accepting the award compromises Council's position with regard to CDL and therefore the Committee recommend the award be returned to KAB; and
3. The Committee recommends Council withdraw KAB membership.

ATTACHMENTS

There are no attachments for this report.

OM07042014RC_1.DOC

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

TO: Ordinary Meeting - 7 April 2014
REPORT: Report Of Committees Report No. 14
SUBJECT: Minutes for notation by Council - Community Safety & Place Management
Advisory Committee - 13 March 2014
FILE NO: MC/14/37324

This report was dealt with at the Community Safety & Place Management Advisory Committee meeting of 13 March 2014 and were listed as a Recommendation in those minutes. This item is hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

1. ITEM 5 Rangers Report

Homelessness – Staff at Council, including the Rangers, continue to work closely with the Manly Community Centre (MCC&S) who has a homeless Outreach worker able to engage with homeless people. Concerns about homelessness are addressed in a homelessness Protocol development by a Homelessness Working party of the Community Safety and Place Management Advisory Committee. It is suggested that to further address the issue, that the Protocol be developed into a Council Policy for inclusion into the council Policy Register.

RECOMMENDATION

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 13 March 2014 be received and noted:

1. ITEM 5 Rangers Report

That the committee recommends to the General Manager that the Manly Council Homeless Protocol be included in the Council Policy Register.

ATTACHMENTS

There are no attachments for this report.

OM07042014RC_3.DOC

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

TO: Ordinary Meeting - 7 April 2014
REPORT: Environmental Services Division Report No. 9
SUBJECT: Development Applications being worked on in April
FILE NO: MC/14/27542

SUMMARY

Development Applications being processed during April 2014

REPORT

The following applications are with the Town Planners for assessment

185	2001	Wharves and Jetties	Section 96 Modification (change to basement carpark)
489	2004	32 Cutler Road	Section 96 Modification - Part 4
372	2005	11 Fairlight Crescent	Section 96 Modification - Part 5
473	2006	87-95 Balgowlah Road	Section 96 Modification - Part 2
197	2007	55 Frenchs Forest Road	Section 96 Modification - Part 3
510	2007	185 Pittwater Road	Section 96 Modification - Part 2
14	2010	1 Barrabooka Street	Section 96 Modification - Part 4
216	2010	13 North Harbour Street	Section 96 Modification - Part 3
367	2010	46 Victoria Parade	Section 96 Modification - Part 3
304	2011	6 Fairlight Crescent	Section 96 Modification - Part 3
331	2011	20 East Esplanade	Section 96 Modification - Part 3
337	2011	2A Gilbert Street	Section 96 Modification - Part 3
40	2012	11 Bruce Street	Section 96 Modification - Part 3
57	2012	16 George Street	Section 96 Modification - Part 2
103	2012	7 Gurney Crescent	Section 96 Modification - Part 2
170	2012	10 Bligh Crescent	Section 96 Modification - Part 2
178	2012	7 Montpelier Place	Section 96 Modification - Part 2
183	2012	Sandy Bay Road	AMENDED PLANS - NOW - Removal of forty-one (41) swing moorings (eighteen {18} swing moorings retained), demolition of existing twenty-one (21) vessel birth marina, construction of a new marina containing sixty-four (64) vessel births, entry way, platform, above ground fuel tanks, relocation of existing public swing moorings and alterations and additions to the existing boatshed – Clontarf Marina
213	2012	2 Rolfe Street	Section 96 Modification - Part 2
236	2012	5 Margaret Street	Section 96 Modification - Part 2
244	2012	2-8 Darley Road	Section 96 Modification - Part 4
273	2012	16' Skiff Club	Section 96 Modification - Part 2
50	2013	121 North Steyne	AMENDED PLANS - Demolition of existing structures, construction of a four (4) storey dwelling including double garage, rear terrace, rear balcony, first floor pool and landscaping
99	2013	65 Curban Street	Alterations and additions
105	2013	112 Sydney Road	Section 96 Modification - Part 2

Environmental Services Division Report No. 9 (Cont'd)

155	2013	106 Darley Road	Five (5) lot Strata Subdivision of approved Townhouse and Sixteen Lot Strata Subdivision of approved Apartments
179	2013	5 Bower Street	Demolition of structure, construction of a three (3) storey dwelling including garage, front terrace, balcony, rear patio, driveway and landscaping
203	2013	3 Ogilvy Road	Alterations and additions to an existing dwelling including first floor addition, rear extension with deck, garage extension, swimming pool and front fence with gates
210	2013	4 Belgrave Street	Operation of a 'Pedicab' business within the Manly area
213	2013	37 Roseberry Street	Section 96 Modification
217	2013	30A Castle Circuit	Construction of a two (2) storey dwelling with double garage, terraces, swimming pool, driveway and landscaping
218	2013	7 Frenchs Forest Road	Conversion of an existing garage to a secondary dwelling, removal of the driveway layout, construction of new double hardstand parking space and new driveway and tree removal
220	2013	9 Victoria Parade	Demolition of existing structures and construction of a Mixed use development comprising of a six (6) storey building containing one (retail) premises on the ground floor, twenty-nine (29) apartments, basement car park with twentyeight (28) spaces and Strata Subdivision
229	2013	2 College Street	Alterations and additions to an existing dwelling including partial demolition at the rear, rear addition to the lower ground floor, drive thru double garage, side deck and conversion of the detached garage to a secondary dwelling
233	2013	Wharves and Jetties	Outdoor seating for Hugo's Restaurant to the existing public wharf along the south-western-side area including three (3) umbrellas, thirty-six (36) seats, alterations to the stairs and enclosure of area
240	2013	24 Seaforth Crescent	Alterations and additions to an existing dwelling including rear ground floor terrace with pergola, side balconies with roof, privacy screens and doors to the first floor, internal alterations, front and rear stairs
241	2013	31 Golf Parade	Demolition of existing structure, construction of a new two (2) storey semi-detached dwelling including detached rear single garage with studio above, driveway and crossover
244	2013	102A Seaforth Crescent	Alterations and additions to an existing dwelling including enlarge first floor deck and new double carport
245	2013	58 North Steyne	Alterations and additions to the existing Manly Pacific Hotel including front and side additions with roof bar and shade structure
246	2013	31 Barrabooka Street	Alterations and additions to an existing dwelling including deck and addition over the existing courtyard
248	2013	106B Darley Road	Construction of a swimming pool and landscaping on proposed Lot 8 in the Spring Cove Development

Environmental Services Division Report No. 9 (Cont'd)

255	2013	76 Condamine Street	Alterations and additions to an existing dwelling including rear addition to lower ground floor level with terrace, ground floor side and rear addition with decks, new upper floor level with elevated double carport, new crossover and landscaping
256	2013	6 Radio Avenue	Demolition of existing dwelling, construction of new two (2) storey dwelling with attached garage, new driveway, crossover and landscaping
257	2013	159 Seaforth Crescent	Construction of an elevated timber deck with privacy screen and relocation of stairs
258	2013	14 Condamine Street	Alterations and additions to an existing dwelling including second floor addition, double carport and landscaping
259	2013	22 Central Avenue	Alterations and additions to an existing building to create an additional dwelling (caretakers flat) with balcony
262	2013	62 Pittwater Road	Demolition of existing building, construction of an eighteen (18) unit RFB including twenty (20) basement car spaces
264	2013	24 Stuart Street	Conversion of RFB to two (2) semi detached dwellings including rear additions, attic conversions, side and rear decks, single car parking spaces, driveways, crossover and Torren Title Subdivision into two (2) lots.
265	2013	Wharves and Jetties	Extension of the existing Aldi Store into an adjoining retail tenancy with internal alterations - shops 24 and 24A Manly Wharf
266	2013	17 Fromelles Avenue	Demolition and construction of a new two (2) storey dwelling, front and rear decks, driveway and landscaping
1	2014	57 Gordon Street	Alterations and additions to an existing dwelling including a ground and first floor additions, extension of rear balconies, shade structures, side stairs with path and new boundary fence
2	2014	81 Castle Circuit	Alterations and additions to an existing dwelling including ground floor front addition, first floor front and rear addition, rear deck with pergola and front patio
5	2014	4 Rolfe Street	Alterations and additions to an existing semi detached dwelling with alterations to the ground floor including changes to facade, side addition and rear deck, rear first floor addition with a front dormer window, one (1) hardstand space in front setback, driveway crossover, landscaping, new front and rear fences
6	2014	8 Cliff Street	Alterations and additions to an existing semi-detached dwelling including a front extension to the first floor
7	2014	34 Upper Beach Street	Alterations and additions to an existing dwelling including a rear addition to the lower ground floor and ground floor, rear deck extension with roof and stairs
8	2014	58 Alexander Street	Construction of a rear vergola

Environmental Services Division Report No. 9 (Cont'd)

9	2014	13 Daintrey Street	Subdivision of two (2) existing lots into three (3) lots, demolition of the existing dwelling on 11 Daintrey Street with the construction of two (2) x two (2) storey semi-detached dwellings, a rear two (2) storey addition to the existing dwelling and construction of a secondary dwelling above the existing garage on 13 Daintrey Street
10	2014	63 Collingwood Street	Alterations and additions to an existing dwelling including partial rear demolition, construction of a rear two (2) storey addition, internal alterations to the ground floor, addition of a shed and landscaping
11	2014	34 Kempridge Avenue	Alterations to an existing deck and addition to a side and rear boundary fence
12	2014	17 Bower Street	Demolition of existing dwelling, construction of a two (2) storey dwelling including garage, terrace, front balcony, swimming pool within the front setback, landscaping and retaining wall to the boundary
13	2014	46 Lewis Street	Alterations and additions to an existing dwelling rear addition to the lower ground floor and second floor, rear courtyards, rear deck, driveway and double carport
14	2014	447-449 Sydney Road	Alterations and additions to an existing mixed use building including conversion of a commercial premises to a residential unit, privacy screen and changes to stairs
15	2014	7 Bareena Drive	Alterations and additions to an existing dwelling including first floor deck extension
17	2014	2 East Esplanade	Alterations and additions to an existing Residential Flat Building including the demolition of existing and construction of new external access stairs and landings
18	2014	16 Cove Avenue	Alterations and additions to an existing Residential Flat Building including the demolition of existing and construction of new external access stairs and landings
19	2014	18 Raglan Street	Demolition of existing structures, construction of a three (3) storey mixed use development containing the re-construction of the funeral parlour/ chapel on ground floor level, and five (5) new residential apartments above with a rooftop terrace and eleven (11) car parking spaces
21	2014	47 Castle Circuit	Alterations and additions to an existing dwelling including demolition of existing carport, construction of a double carport, new upper floor addition with decks, extension of the lower ground floor and ground floor, lift, new driveway and crossover
22	2014	7 Herbert Street	Alterations and additions to an existing dwelling including ground floor addition, new upper floor addition and roof deck
23	2014	67 Bungaloe Avenue	Alterations and additions to an existing dwelling including the of the existing garage, new garage doors, extension of the existing driveway, new retaining walls, new pedestrian path with entry stairs, tree removal and landscaping

Environmental Services Division Report No. 9 (Cont'd)

24	2014	14 Jackson Street	Alterations and additions to an existing dwelling including rear basement and ground floor addition, new front fence with gate, swimming pool, deck and double garage
25	2014	10 Seaforth Crescent	Alterations and additions to an existing dwelling including two (2) storey side addition and rear covered balcony with vergola
26	2014	35 Darley Road	Alterations and additions to an existing Residential Flat Building including a third level with bathroom, bedroom and roof terrace
27	2014	4 Gordon Street	Alterations and additions to an existing dwelling including rear pergola and sliding doors
28	2014	9A Nield Avenue	Two (2) lot Strata Subdivision of existing semi-detached dwellings
29	2014	5 Plant Street	Demolition of existing, construction of a new two (2) storey dwelling including basement car parking, front terrace, rear deck, pavilion, landscaping, front and rear balconies
30	2014	36 Sydney Road	Demolition of existing buildings, construction of a five (5) storey Mixed Use Development with commercial and retail premises on the ground floor and part of level one (1), boarding rooms on levels one (1) to level four (4) and a two (2) level basement car park
31	2014	80 West Esplanade	Alterations and additions to an existing Residential Flat Building including new attic addition and balcony - Unit 7
32	2014	39 Peronne Avenue	Alterations and additions to an existing dwelling including second floor addition, rear terrace, deck, elevated swimming pool, landscaping, ground floor and lower ground floor extensions

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

206/2013 91 Gurney Crescent, SEAFORTH
Demolition of the existing boatshed and construction of a new building

3/2014 18A Whistler Street, MANLY
Change of use to Coffee Shop and internal alterations to existing tattoo parlour - Shop 4

18/2007 11 Scales Parade, BALGOWLAH HEIGHTS
Section 96 to modify approved Alterations and additions to an existing dwelling house including a rear ground floor addition, new detached garage, laundry and in-ground swimming pool – involving deletion of the swimming pool, relocation of the stairs, change of use for the pump room and modification to the roof line – Part 2

21/2014 Castel Circuit, SEAFORTH
Alterations and additions to an existing dwelling including demolition of existing carport, construction of a double carport, new upper floor addition with decks, extension of the lower ground floor and ground floor, lift, new driveway and crossover

117/2011 28 Arthur Street, FAIRLIGHT
Section 96 to modify approved Alterations and additions to an existing dwelling including single carport, swimming pool, entry and landscaping – involving modification to layout, extension of deck, addition of a pergola, modification to the carport, replace the swimming pool with a spa, reduce size of the balcony and deletion of condition ANS01 in relation to plant screen along

Environmental Services Division Report No. 9 (Cont'd)

western setback – Part 2

33/2014 85 Cutler Road, CLONTARF
Demolition and replacement of a section of an existing front and side fence to the dwelling

34/2014 34 Addison Road, MANLY
New glass balustrade and aluminium privacy screen to an existing terrace on the attic level on the front of the existing Residential Flat Building - Unit 1

183/2013 36 Beatty Street, BALGOWLAH HEIGHTS
Section 96 to modify approved Removal of the existing retaining walls, steps and terrace and construction of new retaining walls with glass balustrades, new timber deck with spa, new steps, new boundary fences, tree removal and landscaping – involving changes to levels, increase the gate width and change in external finishes – Part 2

35/2014 4 Judith Street, SEAFORTH
Demolition of existing dwelling, construction of a new two (2) storey dwelling with a double garage and landscaping

36/2014 1 The Corso, MANLY
New outdoor seating area to Mint How's Salad Bar - Shop 1

37/2014 72 Raglan Street, MANLY
Alterations and additions to the ground floor and first floor of the existing duplex building including rebuilding of the entry steps and amendments to the Strata Subdivision Plan

531/2003 35 Hill Street, FAIRLIGHT
Section 96 to modify approved Addition of second storey and installation of swimming pool – involving deletion of the works to the dwelling – Part 3

38/2014 12 Ernest Street, BALGOWLAH
Alterations and additions to an existing dwelling including new carport, boundary fencing, widening of the existing driveway, ground floor rear addition, new access stairs, new privacy screens, new roof to ground floor terrace, new balustrades to ground and first floors terraces

415/2010 43 The Crescent, MANLY
Section 96 to modify approved Strata Subdivision of existing Residential Flat Building – involving the modification to condition ANS02 in relation to amending the Affordable Housing contribution – Part 2

291/2012 25 Curban Street, BALGOWLAH HEIGHTS
Section 96 to modify approved Demolition of existing two (2) storey dwelling and construction of two (2) storey dwelling including attached double garage, rear alfresco, deck and spa pool and driveway – involving removal of an existing tree on the northern boundary – Part 2

39/2014 19 Sydney Road, MANLY
Change of use to a Cafe, fitout, alterations to the facade and signage - Shop 1

60/2013 40 Pine Street, MANLY
Section 82A Review of Determination of refused Construction of a two (2) storey dwelling including side balcony, courtyard, retaining walls, tree removal, landscaping, front and rear decks

40/2014 53-57 Pittwater Road, MANLY
Enclosure of the existing ground floor terraces to extend tenancy's 1 and 2

265/2012 16 Rosedale Avenue, FAIRLIGHT

Environmental Services Division Report No. 9 (Cont'd)

Section 96 to modify approved Alterations and additions to an existing dwelling including garage extension, stairs, front terrace, walkway, installation of sliding plantation shutters on all sides of the rear terrace – involving elevated viewing deck, replace plantation shutters with weatherboard, internal fire place, barbeque with sink to first floor outdoor area and modification to condition ANS02 in relation to enclosing outdoor area – Part 2

41/2014 46 East Esplanade, MANLY

Alterations and additions to existing building including a new security gate and amendment to change approved store room into a shower room

42/2014 32 Peacock Street, SEAFORTH

Demolition of existing dwelling, construction of a new three (3) storey dwelling with new swimming pool, driveway and landscaping

164/2012 1 Allenby Lane, CLONTARF

Section 96 to modify approved Alterations and additions to an existing dwelling including a side ground floor addition, addition to the first floor, front terrace, new roof and rear courtyard – involving modification to the terrace, entry, windows, drying area, pool fence and a new pergola – Part 2

44/2014 30 The Corso, MANLY

Changes to the existing facade, shop fit out and signage – The Hotdog Man

159/2013 13 Ashburner Street, MANLY

Section 82A Review of Determination of refused Alterations and additions to an existing dwelling including a first floor addition at the rear – Part 2

The following applications were presented to the Manly Independent Assessment Panel on 20 March 2014.

DA#		Address	Proposal	Determination by MIAP
56	2012	102-104 North Steyne	Section 96 Modification	Approved
44	2013	27 Fairlight Street	Demolition and new 3 storey mult dwelling development including 2 units, 2 double garages, front courtyard and rear decks	Approved
212	2013	7 Harvey Street	Construction of a new two (2) storey dwelling including double garage with storage area, rear decks, first floor balconies, swimming pool and spa within the front setback, alfresco area, new driveway, new crossover and landscaping	Approved
219	2013	402 Sydney Road	Partial demolition of existing building, construction of an attached three (3) storey building to the rear for the purposes of a Boarding House including ten (10) rooms, common room, balconies, courtyards and common outdoor area	Refused
236	2013	8 Smith Street	Alterations and additions to an existing row house dwelling including a first floor addition, internal alterations to the ground floor, new windows and a rear awning	Approved
260	2013	16 Moore Street	Alterations and additions to an existing dwelling including new balcony, rear first floor extension and new rear glass doors	Approved

Environmental Services Division Report No. 9 (Cont'd)

261	2013	Balgowlah Road	Demolition of existing 25 metre pool and construction of a new water polo swimming pool, retaining wall, screening, landscaping, spectator seating for Swim Centre (DA0177/2013) - Andrew Boy Charlton Swim Centre	Approved
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RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

OM07042014ESD_1.DOC

***** End of Environmental Services Division Report No. 9 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Environmental Services Division Report No. 10
SUBJECT: List of LEC Appeals Relating to Development Applications during April 2014
FILE NO: MC/14/27543

SUMMARY

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

REPORT

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Current Status
ACTIVE						
DA 294/2012	Class1 10127/14	31	Fairlight Crescent	5/3/2014	HWL	First Mention 8 April 2014
DA 60/2013	Class 1 10102/14	40	Pine Street	26/2/2014	Maddocks	Adjourned to 1 April 2014
DA 280/2012	Class 1 10916/13	17 & 19	Central Avenue	26/11/13	Marsdens	Hearing 3-4 June 2014
DA 337/2011	Class 1 10946/13	<u>2A</u> 3	Gilbert Street Eustace Street	6/12/13	Marsdens	Section 34 conference adjourned to allow for amended plans
DA 96/2013	Class 1 10982/13	1	Beatrice Street	23/12/13	Marsdens	Listed for mention 1 April 2014
DA 126/2011	Class 1 10800/13	4	West Street	16/10/13	Maddocks	Matter to be set down for arbitration in late May 2014
DA 50/2013	Class 1 10633/13	121	North Steyne	16/8/13	Pikes	Awaiting judgement
Judgement						
DA 297/2012	Class 1 10540/13	102	Bower Street	16/7/13	Pikes	Appeal upheld; bulk of building reduced, some loss of views mitigated by design changes and increased and improved landscaping for bandicoots.

RECOMMENDATION

THAT the information be noted.

ATTACHMENTS

There are no attachments for this report.

OM07042014ESD_2***** End of Environmental Services Division Report No. 10 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Human Services And Facilities Division Report No. 2
SUBJECT: Meet Your Street
FILE NO: MC/14/38916

SUMMARY

Meet Your Street is an initiative of Manly Council's Neighbourhood Renewal Program by way of Council resolution in 2005. The program aims to improve the quality of life for Manly residents by developing closer relationships with neighbours.

In 2013/14, the demand for Meet Your Street has exceeded allocated budget, but due to demand for the program the budget has been adjusted accordingly and it has been limited to one approval per street to ensure the community need was met fairly in relation to this invaluable program.

Year to date there has been 18 applications approved for Meet Your Street and the cost to provide the program is approximately \$900 per event. Council has received two complaints year to date from residents, re the approval of street closure for the Meet Your Street program in their neighbourhood.

REPORT

To ensure fairness and equity, Meet Your Street can be approved for one street per year to enable approximately up to 20 street parties per year for the community. The peak demand for the program is the weeks leading up to Christmas, and as it is a first in first approved process, an 8 week application notice is recommended.

Meet Your Street applications on public holidays or in school holidays are not approved, due to escalating costs associated with these periods/days. The intention of Meet Your Street is specifically for neighbours and friends to have an opportunity to close their street for a street party that engages neighbours to meet each other and to share social time.

Applications are submitted to Council's traffic committee for approval and it is a requirement that qualified traffic controllers are engaged as part of the Traffic Control Plan in relation to street closures.

Conclusion

The intent of the Meet Your Street program has continued in accordance with the Neighbourhood Renewal program that was launched in 2005.

As with all services or programs a suitable budget allocation is required to ensure that community need is met in accordance with fiscal responsibility. Further, the public policy framework on the Meet Your Street program should be reviewed to cater for the diverse needs in the community.

RECOMMENDATION

That:

1. The report be received and noted; and
2. The Meet Your Street program be referred to the next Councillors and Senior Staff Strategic Planning Workshop.

Human Services And Facilities Division Report No. 2 (Cont'd)

ATTACHMENTS

There are no attachments for this report.

OM07042014HSFU_3.DOC

***** End of Human Services And Facilities Division Report No. 2 *****

TO: Ordinary Meeting - 7 April 2014
REPORT: Corporate Services Division Report No. 8
SUBJECT: Report on Council Investments as at 31 March 2014
FILE NO: MC/14/36229

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 **March 2014**.

Legislative & Policy Implications

Manly Council Investment Policy
 Section 625 Local Government Act 1993
 Clause 212 Local Government (General) Regulation 2005
 DLG Circular 11-01 – Ministerial Investment Order dated 12 January 2011
 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.

Investment Performance

The Investment Report shows that Council has total Investments of \$33,854,549 comprising a Commonwealth Bank Balance of \$997,582 and Investment Holdings of \$32,856,967 directly managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 3.72% (*Council Benchmark =2.66% - benchmark is 90 day average BBSW*)

The investment with Emu Note (Dresdner Bank) is not paying interest coupons and initiating capital guarantee mechanisms to protect the investment.

The average rate of return for investments paying interest is 3.85%.

Movements in Investments for the Month of March 2014

Investments Made

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Bank of Queensland	Term Deposit	\$1,000,000
Commonwealth Bank	Term Deposit	\$1,000,000

Corporate Services Division Report No. 8 (Cont'd)

ME Bank	Term Deposit	\$500,000
Wide Bay Australia Ltd	Term Deposit	\$1,000,000

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Wide Bay Australia Ltd	Term Deposit	\$1,000,000	\$1,000,000

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 31 March 2014 be received and noted.

ATTACHMENTS

AT- 1 Investment Report 4 Pages

OM07042014CSD_3.DOC

***** End of Corporate Services Division Report No. 8 *****

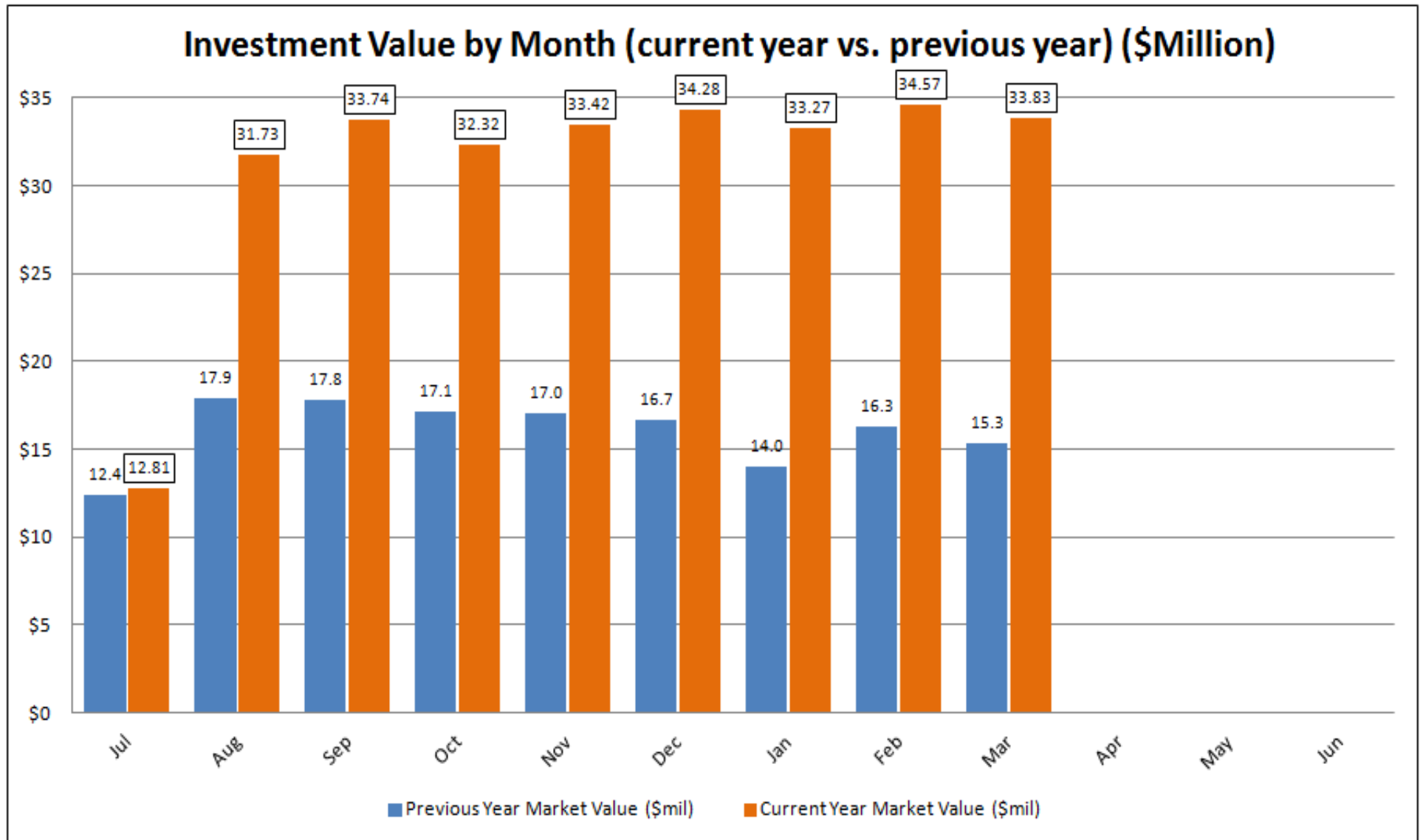
ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 31 March 2014 Investment Report

MANLY COUNCIL INVESTMENT PORTFOLIO as at 31 March 2014										
	Form of Investment	Investment \$	Market Value \$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Interest Rate	Interest	
									YTD	Mar 2014
Directly Managed Funds										
Trading Account										
CBA	Cash Trading Account	997,582	997,582	2.95%	AA-			0.55% ^{(2)&(3)}	21,648	2,057
Others										
CBA	At Call	2,046,907	2,046,907	6.05%	AA-	At Call	At Call	2.50%	63,554	7,675
AMP	At Call	1,321,703	1,321,703	3.90%	A+	At Call	At Call	3.35%	52,699	3,761
Macquarie Bank	At Call	242	242 ⁽⁴⁾	0.00%	A	At Call	At Call	2.50%	5	1
RaboDirect	TD	719,877	719,877	2.13%	AA-	07/01/2014	07/07/2014	3.70%	6,057	2,262
RaboDirect	TD	268,238	268,238	0.79%	AA-	03/02/2014	05/08/2014	3.70%	1,523	843
AMP	TD	1,000,000	1,000,000	2.95%	A+	23/08/2013	25/08/2014	3.80%	22,904	3,227
AMP	TD	1,000,000	1,000,000	2.95%	A+	12/12/2013	12/06/2014	3.90%	11,647	3,312
AMP	TD	1,000,000	1,000,000	2.95%	A+	12/12/2013	12/06/2014	3.90%	11,647	3,312
Bank of Queensland	TD	1,000,000	1,000,000	2.95%	A-	19/02/2014	18/08/2014	3.68%	4,033	3,125
Bank of Queensland	TD	1,000,000	1,000,000	2.95%	A-	19/02/2014	18/08/2014	3.68%	4,033	3,125
Bank of Queensland	TD	1,000,000	1,000,000	2.95%	A-	23/08/2013	20/05/2014	3.90%	23,507	3,312
Bank of Queensland	TD	1,000,000	1,000,000	2.95%	A-	03/03/2014	01/09/2014	3.68%	2,823	2,823
Bendigo and Adelaide Bank	TD	1,000,000	1,000,000	2.95%	A-	12/12/2013	12/06/2014	3.80%	11,348	3,227
CBA	TD	1,000,000	1,000,000	2.95%	AA-	03/03/2014	01/09/2014	3.56%	2,731	2,731
ING Direct	TD	1,000,000	1,000,000	2.95%	A-	23/08/2013	20/05/2014	3.95%	23,808	3,355
ING Direct	TD	1,000,000	1,000,000	2.95%	A-	19/02/2014	18/08/2014	3.80%	4,164	3,227
ING Direct	TD	1,000,000	1,000,000	2.95%	A-	02/12/2013	03/06/2014	3.80%	12,389	3,227
ING Direct	TD	1,000,000	1,000,000	2.95%	A-	03/12/2013	03/06/2014	3.80%	12,285	3,227
Macquarie Bank	TD	1,000,000	1,000,000	2.95%	A	23/08/2013	26/08/2014	3.90%	23,507	3,312
ME Bank	TD	1,000,000	1,000,000	2.95%	A2	27/02/2014	26/08/2014	3.63%	3,182	3,083
ME Bank	TD	1,000,000	1,000,000	2.95%	A2	19/02/2014	18/08/2014	3.63%	3,978	3,083
ME Bank	TD	1,000,000	1,000,000	2.95%	A2	02/12/2013	03/06/2014	3.83%	12,487	3,253
ME Bank	TD	500,000	500,000	1.48%	A2	03/03/2014	01/09/2014	3.63%	1,392	1,392
National Bank	TD	1,000,000	1,000,000	2.95%	AA-	26/08/2013	26/08/2014	3.92%	23,305	3,329
National Bank	TD	1,000,000	1,000,000	2.95%	AA-	26/08/2013	26/08/2014	3.92%	23,305	3,329
National Bank	TD	1,000,000	1,000,000	2.95%	AA-	26/08/2013	26/05/2014	3.87%	23,008	3,287
National Bank	TD	1,000,000	1,000,000	2.95%	AA-	30/08/2013	30/05/2014	3.85%	22,467	3,270
People's Choice Credit Union	TD	1,000,000	1,000,000	2.95%	A2	14/01/2014	14/04/2014	3.69%	7,683	3,134
People's Choice Credit Union	TD	500,000	500,000	1.48%	A2	14/01/2014	14/04/2014	3.69%	3,842	1,567
Rural Bank	TD	1,000,000	1,000,000	2.95%	A-	03/12/2013	03/06/2014	3.65%	11,800	3,100
Suncorp Bank	TD	1,000,000	1,000,000	2.95%	A+	26/02/2014	27/05/2014	3.40%	3,074	2,888
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.95%	A2	28/03/2014	30/03/2015	3.81%	313	313
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.95%	A2	30/08/2013	27/05/2014	3.75%	21,884	3,185
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.95%	A2	02/12/2013	01/04/2014	3.70%	12,063	3,142
Emu Note - Dresdner Bank AG	Struct'd Note	500,000	476,550 ⁽⁴⁾	1.48%	A	25/10/2005	30/10/2015	0.00%	-	-
	Total	32,856,967	32,833,517	97.05%						
Total Directly Managed Funds		33,854,549	33,831,099	100.00%						
Retired Investments									308,033	2,877
TOTAL PORTFOLIO		33,854,549	33,831,099	100%				3.72%	798,126	105,377
BENCHMARK⁽¹⁾									2.66%	
Notes:										
1 Benchmark is 90 day BBSW as at 31 March 2014										
2 Balances less than \$250,000 earn 0.15%, \$250,000 to \$499,999 earn 0.50%, greater \$500,000 earn 1%										
3 CBA Trading account not included in the monthly portfolio return calculation										
4 Market Value as at 28 February 2014										

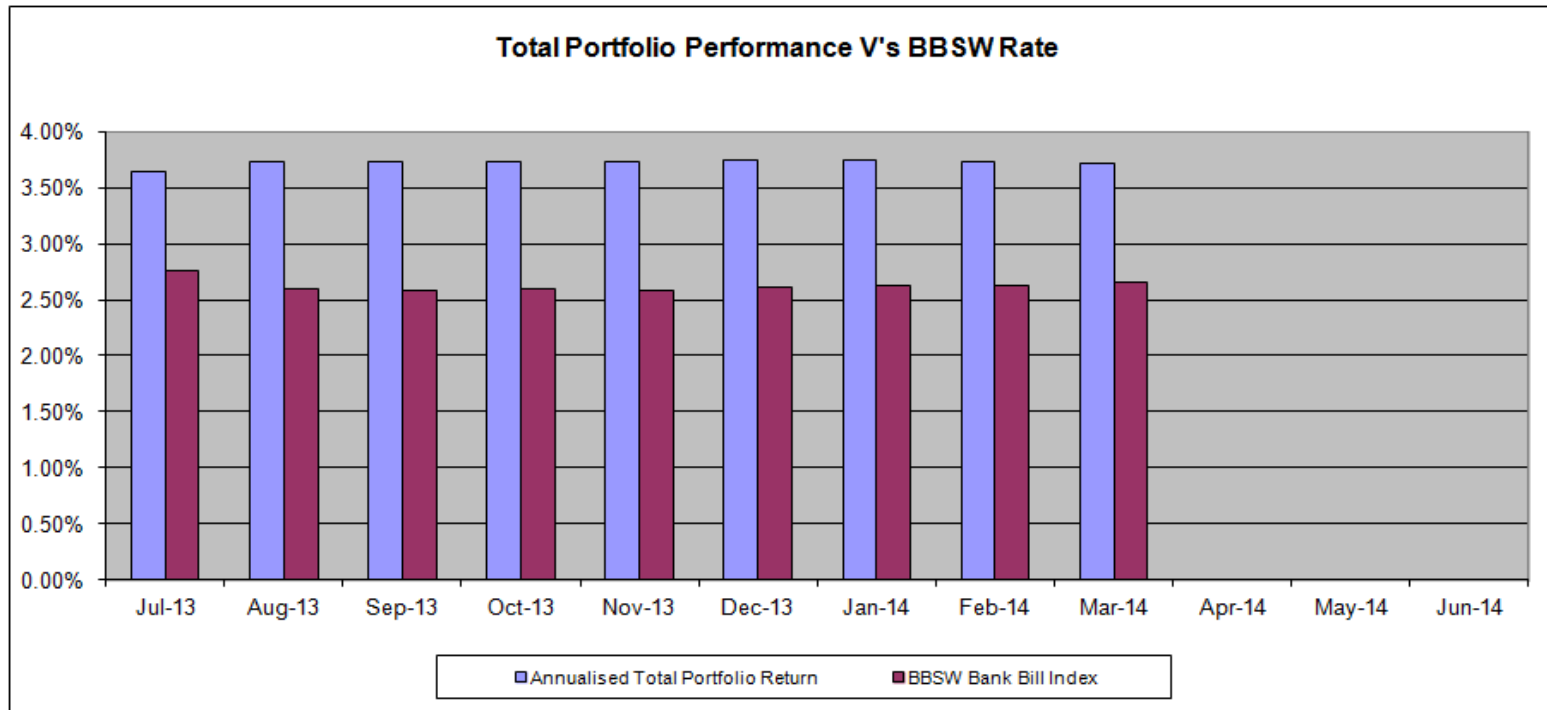
ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 31 March 2014
Investment Report

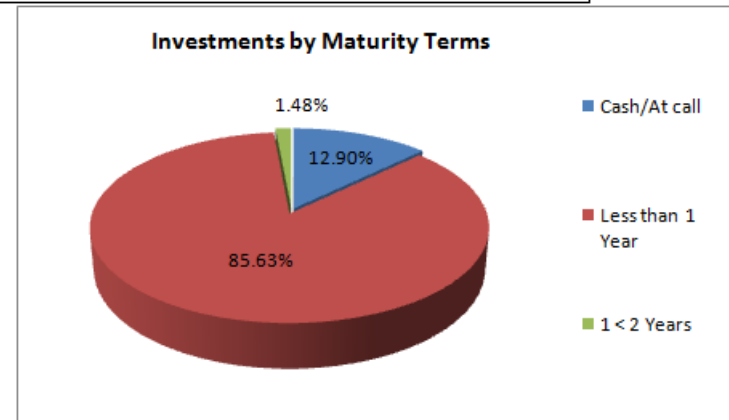


ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 31 March 2014 Investment Report



Summary by Credit Rating		No.
AA-	26.68%	9
A+	15.72%	5
A-	29.54%	10
A	4.43%	3
A2	23.63%	9
	100.00%	36



ATTACHMENT 1

**Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 31 March 2014
Investment Report**

