



Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 10 May 2010

All minutes are subject to confirmation at a subsequent meeting.

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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 10 May 2010. The meeting commenced at 7:45:00 PM.

PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM, who presided
Councillor B Aird
Councillor H Burns
Councillor L Elder
Councillor C Griffin
Councillor A Heasman
Councillor A Le Surf
Councillor Dr P Macdonald
Councillor R Morrison
Councillor D Murphy (Deputy Mayor)
Councillor M Norek
Councillor C Whitting

ALSO PRESENT

Stephen Clements, Deputy General Manager, Executive Manager, Environmental Services
Ross Fleming, Acting Deputy General Manager, Divisional Manager, Corporate Services
Lynne Jess, Minute Taker

OPENING PRAYER

The Opening Prayer was presented by Rev Clifton McDonnell, All Saints' Anglican Church, Balgowlah.

APOLOGIES

Nil

DECLARATIONS OF PECUNIARY / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
The Mayor, Councillor Hay, AM	Notice of Rescission Report No. 3	Lives in 57 Lauderdale Avenue and has strip of land from her residence which runs to the Scenic Walkway and runs beside 55 Lauderdale Avenue.

CONFIRMATION OF MINUTES

MOTION (Elder / LeSurf)

That copies of the Minutes of the Ordinary Meeting held on Monday, 19 April 2010, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

65/10 RESOLVED: (Elder / LeSurf)

That copies of the Minutes of the Ordinary Meeting held on Monday, 19 April 2010, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

CONFIRMATION OF MINUTES (Extraordinary Meeting)**MOTION (Burns / Whitting)**

That copies of the Minutes of the Extraordinary Meeting of Council held on Tuesday, 04 May 2010, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

66/10 RESOLVED: (Burns / Whitting)

That copies of the Minutes of the Extraordinary Meeting of Council held on Tuesday, 04 May 2010, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Richard Hewitt	Combined Precinct Resolution.
Richard Wallace	Continuing problems for The Corso residents with regard to alcohol fueled problems on The Corso.
Tim Fiddes	Council to support a petition to have pubs on The Corso close at 2.30am and cease serving alcohol at 2am.

MAYORAL MINUTES

Mayoral Minute Report No. 4

Mayors for Peace**Background**

In September 2009 a federal parliamentary inquiry resulted in unanimous cross-party support for Australia to play a leading role in ridding the world of nuclear weapons. A report issued by the Joint Standing committee on Treaties (JSCOT) following its examination of nuclear disarmament and non-proliferation treaties made the unanimous recommendations.

I Move that:

Council write to the Prime Minister, the Hon. Kevin Rudd, requesting the Federal Government to

adopt recommendations 8, 9 and 21 of the Joint Standing Committee on Treaties in relation to nuclear weapons, which was supported by all political parties. The recommendations follow:

Recommendation 8: The Committee recommends that the Australian Government make clear in international forum its support for the adoption of a Nuclear Weapons Convention.

Recommendation 9: The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.

Recommendation 21: The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.

MOTION (Hay)

The Mayor, Councillor Hay moved that:

Council write to the Prime Minister, the Hon. Kevin Rudd, requesting the Federal Government to adopt recommendations 8, 9 and 21 of the Joint Standing Committee on Treaties in relation to nuclear weapons, which was supported by all political parties. The recommendations follow:

Recommendation 8: The Committee recommends that the Australian Government make clear in international forum its support for the adoption of a Nuclear Weapons Convention.

Recommendation 9: The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.

Recommendation 21: The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.

67/10 RESOLVED: (Hay)

That Council write to the Prime Minister, the Hon. Kevin Rudd, requesting the Federal Government to adopt recommendations 8, 9 and 21 of the Joint Standing Committee on Treaties in relation to nuclear weapons, which was supported by all political parties. The recommendations follow:

Recommendation 8: The Committee recommends that the Australian Government make clear in international forum its support for the adoption of a Nuclear Weapons Convention.

Recommendation 9: The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.

Recommendation 21: The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

NOTICES OF MOTION

Notice of Motion Report No. 18

Manly Lagoon Motion Restoration Update**Councillor Whitting will move:**

That staff provide a report on

- rehabilitation outcomes achieved to date
- any delays encountered, and
- anticipated completion dates for works which have already been funded by a DECCW grant, towards restoration of Manly Lagoon.

Background

In 2008 Council successfully obtained a substantial grant (approximately \$700,000) to undertake a suite of restorative actions at 5 locations throughout Manly Lagoon. The timeline for that program requires completion of all funded actions by not later than December 2011.

Restoration of the Lagoon to a standard where primary contact is again safe will be a long and complex process. The area has suffered a century or more of degradation from activities within the catchment and these cannot be reversed quickly. However, the DECCW funding provides opportunities for very substantial progress.

The works planned cannot easily be completed in a short period, they inevitably need some staging. It is important that we maximise the success of the program by maintaining progress and that Councillors are kept informed of that progress to assist in managing community expectations. A report on progress against the funding actions and their outcome milestones is a necessary part.

PUBLIC ADDRESSES

The following person addressed the meeting in relation to this item:

In support of the Recommendation: Mark Roberts

MOTION (Whitting / Griffin)

That in regards to the Restoration of Manly Lagoon staff provide a report on:

- rehabilitation outcomes achieved to date
- any delays encountered, and
- anticipated completion dates for works which have already been funded by a DECCW grant, towards restoration of Manly Lagoon.

68/10 RESOLVED: (Whitting / Griffin)

That in regards to the Restoration of Manly Lagoon staff provide a report on:

- rehabilitation outcomes achieved to date
- any delays encountered, and
- anticipated completion dates for works which have already been funded by a DECCW grant, towards restoration of Manly Lagoon.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Notice of Motion Report No. 19

Bans the use of Trans Fatty Acids from all Council Operations

Councillor Whitting will move:

That Manly Council bans the use of Trans Fatty Acids from all Council Operations.

1. That Manly Council recognises that heart disease is one of the leading causes of death and disability in Australia and is the cause of one in six deaths in Australia each year and unfortunately is expected to affect one in four Australians by 2051.
2. That Manly Council commits to reducing the risk factors associated with Trans Fatty Acids by banning the use of all synthetic Trans Fatty Acid Foods from all council operations and service outlets.
3. A report be prepared by council with suggested measures to raise public awareness of the risks of Trans Fatty Acids and other cholesterol raising saturated fats, so as to reduce their use in all food preparation and food production.

PUBLIC ADDRESSES

The following person addressed the meeting in relation to this item:

In support of the Recommendation: Barbara Eden – Senior Manager – food supply from
Heart Foundation

MOTION (Whitting / Griffin)

That Manly Council encourages the reduction in the use of Trans Fatty Acids from all Council Operations.

1. That Manly Council recognises that heart disease is one of the leading causes of death and disability in Australia and is the cause of one in six deaths in Australia each year and unfortunately is expected to affect one in four Australians by 2051.
2. That Manly Council commits to reducing the risk factors associated with Trans Fatty Acids by encouraging the reduction in the use of all synthetic Trans Fatty Acid Foods from all council operations and service outlets.
3. That a Policy be prepared by Council utilising the proforma prepared by the Heart Foundation with suggested measures to raise public awareness of the risks of Trans Fatty Acids and other cholesterol raising saturated fats, so as to reduce their use in all food preparation and food production.
4. That the Council work in conjunction with the Heart Foundation to develop a communication campaign to Council's food outlets and to the community.

69/10 RESOLVED: (Whitting / Griffin)

That Manly Council encourages the reduction in the use of Trans Fatty Acids from all Council Operations.

1. That Manly Council recognises that heart disease is one of the leading causes of death and disability in Australia and is the cause of one in six deaths in Australia each year and unfortunately is expected to affect one in four Australians by 2051.
2. That Manly Council commits to reducing the risk factors associated with Trans Fatty Acids by

encouraging the reduction in the use of all synthetic Trans Fatty Acid Foods from all council operations and service outlets.

3. That a Policy be prepared by Council utilising the proforma prepared by the Heart Foundation with suggested measures to raise public awareness of the risks of Trans Fatty Acids and other cholesterol raising saturated fats, so as to reduce their use in all food preparation and food production.
4. That the Council work in conjunction with the Heart Foundation to develop a communication campaign to Council's food outlets and to the community.

For the Resolution: Councillors Elder, Heasman, Whitting, Griffin, Aird, Burns and Macdonald

Against the Resolution: Councillors Hay, Murphy, LeSurf, Morrison and Norek

SUSPENSION OF STANDING ORDERS (Elder / Whitting)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion 22 - Accurate Mapping of Seagrass Beds in North harbour and Notice of Motion 23 – No New Coal Fired Power Stations in NSW.

70/10RESOLVED: (Elder / Whitting)

That Standing Orders be suspended to allow for consideration of items of public interest i.e. Notice of Motion 22 - Accurate Mapping of Seagrass Beds in North harbour and Notice of Motion 23 – No New Coal Fired Power Stations in NSW.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Notice of Motion Report No. 22

Accurate Mapping of Seagrass Beds in North Harbour

Councillor Griffin will move:

That Manly Council review The North Harbour Coastline Management Study Chapter 8, Ecological Environment in particular Figure 8.1.1a by mapping the seagrass beds in the study area to confirm the accuracy and location of all the seagrass beds.

This figure and accompanying text depicts the seagrass beds in the Manly Coastline Management Study. However it is not considered to accurately map the extent of the seagrass beds in the study area which is stated to be only 2.79 ha.

PUBLIC ADDRESSES

The following person addressed the meeting in relation to this item:

In support of the Recommendation: David Thomas

MOTION (Griffin / Elder)

That Manly Council review The North Harbour Coastline Management Study Chapter 8, Ecological Environment in particular Figure 8.1.1a by mapping the seagrass beds in the study area to confirm the accuracy and location of all the seagrass beds.

This figure and accompanying text depicts the seagrass beds in the Manly Coastline Management Study. However it is not considered to accurately map the extent of the seagrass beds in the study area which is stated to be only 2.79 ha.

71/10 RESOLVED: (Griffin / Elder)

That Manly Council review The North Harbour Coastline Management Study Chapter 8, Ecological Environment in particular Figure 8.1.1a by mapping the seagrass beds in the study area to confirm the accuracy and location of all the seagrass beds.

This figure and accompanying text depicts the seagrass beds in the Manly Coastline Management Study. However it is not considered to accurately map the extent of the seagrass beds in the study area which is stated to be only 2.79 ha.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Notice of Motion Report No. 23

No New Coal Fired Power Stations in NSW**Councillor Griffin will move:**

That Council:

1. Adopts a position of opposing all new coal-fired power stations in NSW on the grounds that it is incompatible with mitigating dangerous climate change.
2. Writes to the Member for Manly, the Premier, the Minister for Planning, and Minister for Environment, stating this position and asking that they reject the new coal-fired power stations and invest in energy efficiency measures and renewable power sources instead.
3. Promotes this position on the Council website and in the Council column in the Manly Daily.
4. Makes a submission to the environmental assessment processes of these two projects.

Council notes:

Two new coal-fired or gas power stations are planned for NSW at Bayswater in the Hunter Valley and Mt Piper at Lithgow and currently have an environmental assessment with the Department of Planning.

Burning coal releases a lot of carbon dioxide and is a major cause of climate change.

The new coal-fired power stations planned will produce 23 million tonnes of carbon dioxide every year. This is an increase of 34% of NSW stationary energy emissions.

The gas powered option 12.9 million tonnes of carbon dioxide each year. This is an increase of 19% of NSW stationary energy emissions.

MOTION (Griffin / Aird)

That Council:

1. Adopts a position of opposing all new coal-fired power stations in NSW on the grounds that it is incompatible with mitigating dangerous climate change.
2. Write to the Member for Manly, the Premier, the Minister for Planning, and Minister for Environment and the Shadow Ministers stating this position and asking that they reject the new coal-fired power stations and invest in energy efficiency measures and renewable power sources instead.
3. Promote this position on the Council website and in the Council column in the Manly Daily.
4. Make a submission to the environmental assessment processes of any new proposed project.

72/10 (This number was intentionally not used)

For the Motion: Councillors Elder, Heasman, Griffin, Aird, Burns and Macdonald

Against the Motion: Councillors Hay, Whitting, Murphy, LeSurf, Morrison and Norek

With voting being equal the Mayor exercised her casting vote against the Motion and declared it **LOST**.

NOTICES OF RESCISSION

Notice of Rescission Report No. 3

Manly Scenic Walkway - West Bolingbroke Parade Cul-de-sac - Completion of the "Missing Link" and the Issue of Private Vehicle Access

The Mayor, Councillor Hay declared an interest in this item, and vacated the Chair and left the Chamber.

The Deputy Mayor, Councillor Murphy assumed the Chair.

Councillor Norek, Councillor Morrison, and Councillor Whitting moved:

"That the Council's decision of 19 February 2007 being Item in respect of General Managers Division Report No. 3 Manly Scenic Walkway - West of Bolingbroke Parade Cul-de-sac - Completion of the "Missing Link" and the Issue of Private Vehicle Access - Further Report be and is hereby rescinded."

The Chair advised Council that legal advice has been received which advises that as the actions referred to and otherwise the subject of the 19 February 2007 Resolution have been substantively completed, the Motion to rescind this Resolution submitted by three Councillors is invalid and ruled out of order.

PROCEDURAL MOTION (Norek / Morrison)

That Mr Steve Blick be permitted to address Council on the Notice of Rescission.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

PUBLIC ADDRESSES

The following person addressed the meeting in relation to this item:

In support of the Rescission Motion: Steve Blick

Councillor Norek moved a Motion of Dissent in the Chair's ruling that the Rescission Motion was invalid in accordance with legal advice.

MOTION OF DISSENT (Norek / Macdonald)

That Council dissent from the ruling of the Chairperson that the Rescission Motion was invalid in accordance with legal advice received.

73/10 RESOLVED (Norek / Macdonald)

That Council dissent from the ruling of the Chairperson that the Rescission Motion was invalid in accordance with Legal Advice received.

For the Resolution: Councillors Elder, Whitting, Morrison, Norek, Burns and Macdonald
Against the Resolution: Councillors Heasman, Murphy, LeSurf, Griffin and Aird

The Mayor, Councillor Hay was not in the Chamber for the voting.

The Motion of Dissent was CARRIED

Councillor Norek then indicated that he accepted the legal advice that the Rescission Motion was invalid and attempted to have the item heard as a Notice of Motion.

The Deputy General Manager advised Councillor Norek that he could not move the item as a Notice of Motion and that the passing of the Motion of Dissent meant that the item must be heard as per the previous resolution as a Rescission Motion.

RESCISSION MOTION (Norek / Macdonald)

"That the Council's decision of 19 February 2007 being Item in respect of General Managers Division Report No. 3 Manly Scenic Walkway - West of Bolingbroke Parade Cul-de-sac - Completion of the "Missing Link" and the Issue of Private Vehicle Access - Further Report be and is hereby rescinded."

For the Resolution: Councillors Elder, Morrison, Norek and Macdonald
Against the Resolution: Councillors Heasman, Whitting, Murphy, LeSurf, Griffin, Aird and Burns

The Mayor, Councillor Hay was not in the room at the time of voting.

The Rescission Motion was declared LOST.

The Mayor, Councillor Hay returned to the Chamber.

At 11.10pm Councillor Murphy vacated the Chair and The Mayor, Councillor Hay resumed the Chair.

RESUMPTION OF STANDING ORDERS (LeSurf / Aird)

That Standing Orders be resumed.

74/10 RESOLVED: (LeSurf / Aird)

That Standing Orders be resumed.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Morrison, Norek, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Notice of Motion Report No. 20

First Aid Training For Council Staff

Councillor Burns will move:

That:

1. To offer voluntary training to all Council outdoor and interested office staff to ideally give all outdoor staff the knowledge and confidence about what to do should a member of the public collapse in Manly, so as to be able save their life. This training would including placement with a volunteer group on a few weekend days for further practical training beyond a basic course such as "senior first aid".
2. The availability and placement of defibrillation equipment around Manly is reviewed to ensure a machine can be available for use to all CBD and reserve public areas within 3 minutes (by foot). As required additional equipment and housing locations may be required to achieve this.

Background

At major public and sporting events where there are large numbers of the public in attendance there are usually volunteer first aid officers in attendance. One well known organisation is the St John Ambulance, a self funded charity.

It has been found by this organisation that having well trained First Aiders quickly available, together with appropriate defibrillation equipment vastly increases the survival rate from heart attacks and other causes leading to cardiac arrest. The survival rate at major venues manned by them is quoted by St John to be 71% as opposed to 5% in the community. The resuscitation success depends on prompt action with typically a time limit of 10 minutes, even when performing Cardio-Pulmonary Resuscitation (CPR).

Two Councillors saw an incident where an elderly gentleman collapsed onto the road at the Beach end of The Corso on Thursday afternoon around 5:00pm. Two rangers and surf club members were in attendance. The ambulance appeared to take over 10 minutes to arrive. CPR was applied.

Portable defibrillation equipment was not used. However it is believed the patent died.

Given the high level of visitors to Manly as a major Tourist Centre, to increase the survival rates it would assist to train more members of our community in basic First Aid techniques and have defibrillation equipment available quickly to all the major public areas. The optimum need for the equipment is within 3 minutes. Council have many staff out in the public areas of Manly during the day. These include Lifeguards (already trained), Rangers and cleaning and maintenance staff.

MOTION (Burns / Heasman)

That Council:

1. Offer voluntary training to all Council outdoor and interested office staff to ideally give all outdoor staff the knowledge and confidence about what to do should a member of the public collapse in Manly, so as to be able save their life. This training would including placement with a volunteer group on a few weekend days for further practical training beyond a basic course such as "senior first aid".
2. Review the availability and placement of defibrillation equipment around Manly to ensure a machine can be available for use to all CBD and reserve public areas within 3 minutes (by foot). As required additional equipment and housing locations may be required to achieve this.

75/10 RESOLVED: (Burns / Heasman)

That Council:

1. Offer voluntary training to all Council outdoor and interested office staff to ideally give all outdoor staff the knowledge and confidence about what to do should a member of the public collapse in Manly, so as to be able save their life. This training would including placement with a volunteer group on a few weekend days for further practical training beyond a basic course such as "senior first aid".
2. Review the availability and placement of defibrillation equipment around Manly to ensure a machine can be available for use to all CBD and reserve public areas within 3 minutes (by foot). As required additional equipment and housing locations may be required to achieve this.

For the Resolution: Councillors Hay, Heasman, Whitting, Murphy, LeSurf, Morrison, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Elder were not in the Chamber at the time of voting.

Notice of Motion Report No. 21

Maintenance of Council Infrastructure on West Esplanade and North Steyne

Councillor Burns will move:

That repairs and remediation are carried out on the Art Gallery rear exterior, West Promenade beach stairs and the North Steyne toilet block exterior.

That a review of the inspection and remediation activities being carried out in Council public areas

is carried out to assess adequacy, with a report brought back to Council and an annual certification process introduced.

Background

There is presently a need for repairs to a number of beachside council buildings and public space structures on West Esplanade and the Ocean Beach to improve the standard of presentation.

The Art Gallery external painting and soffit repairs to the rear of the building are still yet to be completed and further spot remediation of the front now appears required.

The painted steel hand railings on a number of the stairs going down from the West Esplanade reserve to the harbour beach are heavily corroded at the bases and need to be replaced with new stainless steel railings.

The corroding exposed roof beams of the restaurant over the toilet block that Council leases out on North Steyne and the whole exterior of this building appears to need attention and repainting.

Other than the actual works, such as those identified above, it appears there is also need review the regular program of inspection and remediation being carried out in Council's public areas to better detect and ensure Council's buildings and structure assets are maintained to a high standard of presentation, commensurate with the number of visitors these areas enjoy.

Council needs to review its building and structure inspection and repair regimes to ensure high standards of presentation are maintained, with a report brought back to Council on the proposed changes and a requirement that a responsible member of staff certify the building and public space assets have been properly inspected and maintained within the preceding 12 months, as part of each annual report.

MOTION (Burns / LeSurf)

1. That repairs and remediation are carried out on the Art Gallery rear exterior, West Promenade beach stairs and the North Steyne toilet block exterior.
2. That a review of the inspection and remediation activities being carried out in Council public areas is carried out to assess adequacy, with a report brought back to Council and an annual certification process introduced.

76/10RESOLVED: (Burns / LeSurf)

1. That repairs and remediation are carried out on the Art Gallery rear exterior, West Promenade beach stairs and the North Steyne toilet block exterior.
2. That a review of the inspection and remediation activities being carried out in Council public areas is carried out to assess adequacy, with a report brought back to Council and an annual certification process introduced.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Morrison were not in the Chamber when the voting took place.

REPORTS OF COMMITTEES

Report Of Committees Report No. 19

Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature.

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

Minutes of Meetings for adoption without recommendations of a substantial nature.

- i) Manly Lagoon Catchment Coordinating Committee – 11 March 2010

MOTION (Heasman / Burns)

That **Minutes of the following Special Purpose Committee Meetings be adopted:**

- i) Manly Lagoon Catchment Coordinating Committee – 11 March 2010

77/10 **RESOLVED: (Heasman / Burns)**

That **Minutes of the following Special Purpose Committee Meetings be adopted:**

- i) Manly Lagoon Catchment Coordinating Committee – 11 March 2010

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil

Councillors Norek and Morrison were not in the Chamber when the voting took place.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 13

Report on Council Investments as at 31 March 2010

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.

MOTION (Burns / LeSurf)

That: the statement of Bank Balances and Investment Holdings as at 31 March, 2010 be received and noted.

78/10 **RESOLVED: (Burns / LeSurf)**

That: the statement of Bank Balances and Investment Holdings as at 31 March, 2010 be received and noted.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Morrison were not in the Chamber when the voting took place.

Corporate Services Division Report No. 14

March Quarterly Budget Review

SUMMARY

Council's income and expenditure for the quarter 1 January 2009 to 31 March 2010 has been reviewed, together with a projection of Council's Budget as at 30 June 2010, and a Statement of Variations which have occurred is submitted.

After adoption of the recommended adjustments the result for the quarter is a deficit of \$91,000 and a forecast deficit at 30 June 2010 of \$546,817.

MOTION (Heasman /LeSurf)

THAT the 2009/2010 Adopted Budget be varied in terms of this Report.

79/10 **RESOLVED: (Heasman/ LeSurf)**

THAT the 2009/2010 Adopted Budget be varied in terms of this Report.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin,
Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Morrison were not in the Chamber when the voting took place.

Corporate Services Division Report No. 15

Goods and Services Tax (GST) - Council Compliance Requirements

SUMMARY

Confirmation of Council's compliance with its GST requirements for 2010.

MOTION (Macdonald / Elder)

That:

1. The advices be received;
2. The Goods and Services Tax (GST) Compliance Certificate for the period 1 May 2009 to 30 April 2010 be signed by the Mayor, the Deputy Mayor (or one other Councillor), the General Manager and the Responsible Accounting Officer.

80/10 **RESOLVED: (Macdonald / Elder)**

That:

1. The advices be received;

2. The Goods and Services Tax (GST) Compliance Certificate for the period 1 May 2009 to 30 April 2010 be signed by the Mayor, the Deputy Mayor (or one other Councillor), the General Manager and the Responsible Accounting Officer.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Morrison were not in the Chamber when the voting took place

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 12

Quarterly Update Report on the Management Plan 2009-2012 for the period 1st January to 31st March 2010

SUMMARY

This report provides a review of the achievements towards meeting the outcomes set by Council as described in the Management Plan 2009 – 2012 for the period 1 January 2010 to 31 March 2010, in accordance with the requirements of the *Local Government Act, 1993*.

MOTION (Burns / LeSurf)

It is recommended that the report on the third quarterly review of the Management Plan 2009-2012 for the period ending 31 March 2010 be received and noted.

81/10 RESOLVED: (Burns / LeSurf)

It is recommended that the report on the third quarterly review of the Management Plan 2009-2012 for the period ending 31 March 2010 be received and noted.

For the Resolution: Councillors Hay, Elder, Heasman, Whitting, Murphy, LeSurf, Griffin, Aird, Burns and Macdonald

Against the Resolution: Nil.

Councillors Norek and Morrison were not in the Chamber when the voting took place.

QUESTIONS WITHOUT NOTICE**QWN40/10 Councillor Burns** - Reduction of Carbon Emission

Where are we up to with our carbon emission reductions?

At the request of the Mayor, the Deputy General Manager advised that information on Council's energy consumption has been input by Council Staff over the last 3-4 months and hope to report back to the appropriate committee on our existing energy use. Council can expect a report back to June.

QWN41/10 Councillor Burns - Beach Signage

There was a report in the Manly Daily concerning the small signs. Why are small signs being used in preference to fixed signs?

At the request of the Mayor, the Deputy General Manager advised that he would take it on notice.

QWN42/10 Councillor Aird - Sandbags at South Steyne

Can we have an update on the fencing and sandbags still in place on South Steyne?

At the request of the Mayor, the Deputy General Manager advised that the information had been passed onto the Divisional Manager, Civic and Urban Services on the previous Friday after a request from the Mayor to arrange removal of the fencing.

QWN43/10 Councillor Aird - Refillable Water Bottles

What is the situation with the refillable water bottles?

At the request of the Mayor, the Deputy General Manager advised that Council had received delivery 5,000 bottles to be provided to the Waste Committee on Friday.

QWN44/10 Councillor Griffin - Fence Removal at Federation Point

When can we urgently repair the fences near the Pavilion at Federation Point as the penguins are returning?

At the request of the Mayor, the Deputy General Manager advised he would take this on notice.

QWN45/10 Councillor Murphy - Update on Water Seepage from Gutter in Sydney Road

Can the Acting General Manager give an update/progress of the gutters outside the town houses at the shops on Sydney Road, Fairlight?

At the request of the Mayor, the Deputy General Manager advised he would take this on notice.

QWN46/10 Councillor Whitting - Rubbish Bins - Queenscliff

Can the Acting General Manager investigate placing rubbish bins near the new Council Life Guard Area (Queenscliff end)?

At the request of the Mayor, the Deputy General Manager advised that he would take this on notice.

QWN47/10 Councillor Whitting - Alcohol Free Zones

Could the Council investigate using another method other than the Manly Daily to inform people of establishing Alcohol Free Zones?

At the request of the Mayor, the Deputy General Manager advised we currently sign post the area and advertise in the Manly Daily. We do not write to residents at this time, it could be notified through the Precincts.

QWN48/10 Councillor Murphy - Outstanding Debt

Could the Deputy General Manager advise what is the status regarding an outstanding debt due to Council, the subject of a recent confidential report?

The Acting Deputy General Manager – People Place & Infrastructure advised that whilst the debtor has been paying off the debt, he is not making the full payments in accordance with the agreement and is generally over a month behind in payments. The situation is being closely monitored.

CLOSE

The meeting closed at 11.48pm

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 21 June 2010.

MAYOR

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