

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 12 August 2013

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

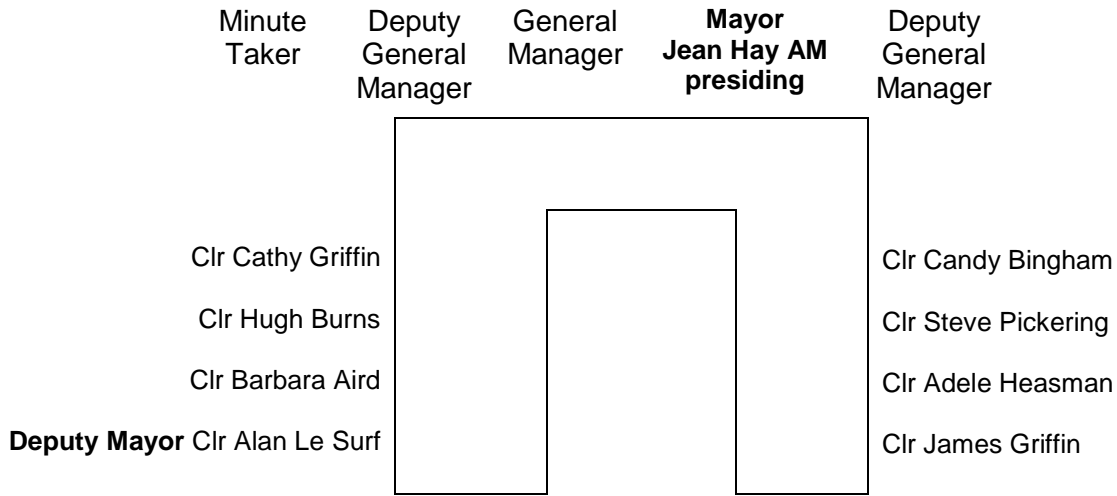
Persons in the gallery are advised that the proceedings of the meeting are being taped for the purpose of ensuring the accuracy of the Minutes. However, under the Local Government Act 1993, no other tape recording is permitted without the authority of the Council or Committee. Tape recording includes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

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

www.manly.nsw.gov.au



Seating Arrangements for Meetings



Public
Addresses

Public Gallery

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

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QUESTIONS WITHOUT NOTICE

MATTERS OF URGENCY

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

CLOSED SESSION

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

TO: Ordinary Meeting - 12 August 2013
REPORT: Mayoral Minute Report No. 9
SUBJECT: Local Infrastructure Renewal Scheme – Round 2
FILE NO: MC/13/95466

The Hon Mr Don Page, Minister for Local Government, and Mr Woodward, the Chief Executive of the Division of Local Government announced on Tuesday 6 August that Manly was successful in its application under Round 2 of the Local Government Infrastructure Renewal Scheme (LIRS) for the \$5 million Manly Oval Stormwater Detention Infrastructure Project to flood proof Pittwater Road at Raglan Street. A large component of this project is part of the Manly2015 Masterplan.

LIRS Round 2 offers successful Councils a 3% interest subsidy for approved projects. And Manly's project is among 49 successful projects totalling \$287million announced by the Minister.

The Minister's announcement recognises the strength of Council's business case as well as the soundness and sustainability of Council's Long Term Financial Plan.

In the Minister's announcement, he advised that our application was assessed by an assessment panel in accordance with the funding criteria set out in the Local Government Infrastructure Renewal Scheme (LIRS) Guidelines with input from technical specialists who provided the panel with detailed technical analysis of each project. The Minister further advised that the assessment process was overseen by an independent probity advisor whose role was to ensure the assessment of applications occurred in a fair and transparent manner.

Following the assessment panel recommendations, Treasury Corporation (TCorp) undertook a financial assessment of each Council.

The recommendations of the assessment panel were approved by the Chief Executive of the Division of Local Government, Department of Premier and Cabinet.

In the Minister's announcement, he reinforced the Government's commitment to invest in vital local infrastructure.

I Move that:

1. Council thank The Hon Mr Don Page, Minister for Local Government, for approving Council's LIRS Round 2 funding for the Manly Oval Stormwater Detention Infrastructure Project, and accepts the 3% interest subsidy for the project.
2. Council authorise the General Manager to execute LIRS Round 2 document to secure the interest subsidy offered to Council, and
3. Staff be congratulated for Council's competitive success in receiving approval for the LIRS Round 2 project.

ATTACHMENTS

There are no attachments for this report.

OM12082013MM_1.DOC

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

TO: Ordinary Meeting - 12 August 2013
REPORT: Mayoral Minute Report No. 10
SUBJECT: Stuart Street, Little Manly – Dinghy Storage Area
FILE NO: MC/13/95678

The General Manager advised me that he is making careful and considered progress on my December 2012 Mayoral Minute on 34, 36 and 38 Stuart Street, Little Manly.

As Council is aware, the General Manager is authorised by the Council to do all things necessary to implement the December 2012 Resolution of the Council.

The General Manager has previously advised the Council that he, through the office of General Counsel, has instructed external lawyers to ensure the intent of my Mayoral Minute to retain the dinghy storage facility on 34 by legally entrenching this use by appropriate restrictions on the Title of the land to guarantee its continuing use for dinghy storage is secured for the future.

While the restrictions will secure the existing dinghy storage on 34, in the assessment of the General Manager, he is of the view that the retention in Council's ownership of the existing area used for dinghy storage will not materially impact on the expected revenue from the sale of the whole of 34 with the restrictions as to use in place.

Accordingly, the General Manager advised me that he intends to create a separate foreshore parcel lot that generally covers the existing dinghy storage area on 34, up to the beach line, for the retention by Council for public use.

The General Manager also advised me that he is currently assessing the merits of retaining the foreshore portion of No 36 to complement that proposed for 34.

The General Manager advised me that he intends to seek the views of the Public Domains Committee on his proposal.

My Mayoral Minute of December 2012 made the retention of the dinghy storage area for public use a mandatory requirement, and given that the proposal by the General Manager to retain the area for dinghy storage is consistent with the principles of my Mayoral Minute and that he is already authorised to do all things necessary to implement the Resolution of the Council.

I therefore Move that:

The Council acknowledge and endorse the proposal by the General Manager.

ATTACHMENTS

There are no attachments for this report.

OM12082013MM_2.DOC

***** End of Mayoral Minute Report No. 10 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 47
SUBJECT: Dinghy Storage
FILE NO: MC/13/92059

Councillor Adele Heasman will move:

The General Manager to bring back a report to the full Council to the September Ordinary Meeting, setting out the background and reasons for the increase in fees for dinghy storage in Manly Council's dinghy storage areas.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_1.DOC

***** End of Notice of Motion Report No. 47 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 48
SUBJECT: Review of 2012/2013 Capital Works Program
FILE NO: MC/13/93755

Councillor Candy Bingham will move:

That:

1. The General Manager provide Councillors with a full written report on the Capital Works Program undertaken during the financial year 2012/2013.

This should specify what projects were undertaken; which, if any, were postponed; and the actual cost compared to the amount budgeted. The report should also provide a general progress report on items uncompleted, delayed or deleted.

Background:

As part of the Community Strategic Plan process, Council authorised an extensive Capital Works program for the 2012/2013 financial year totalling \$13,780,647.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

AT-	Copy of Manly Council - Community Strategic Plan Adopted 4th June 2012.	1
1	Page 79 - Major Capital Works for 2012-2016	Page

OM12082013NM_2.DOC

***** End of Notice of Motion Report No. 48 *****

ATTACHMENT 1

**Notice of Motion Report No. 48.DOC - Review of 2012/2013 Capital Works Program
Copy of Manly Council - Community Strategic Plan Adopted 4th June 2012. Page 79 - Major
Capital Works for 2012-2016**

Major Capital Works for 2012-2016 include:

2012-2013

Property acquisitions	6,030,000			
Town Hall / Civic Offices - renewal works	100,000	102,000	104,000	106,100
Manly Yacht Club - firestairs	20,000			
Manly Oval Grandstand - lighting fixtures	10,000			
Roundhouse & Harbourview LDC -solar panels	20,000			
Early Childhood Centre Balgowlah - office setup	50,000			
Ivanhoe Park Preschool - playground seating	6,000			
Art Gallery - extensions feasibility	20,000			
Art Gallery - collections	34,000	34,700	35,400	36,100
Visitor Information Centre - internal upgrade	20,000			
Public Amenities - various new/renewal	100,000	200,000	200,000	200,000
IT Systems - infrastructure & software	450,000	439,000	418,200	426,600
IT Systems - asset management software	95,000			
IT Systems - infrastructure fibre optic cabling	80,000			
Civic Centre - furniture & equipment	20,000	20,400	20,800	21,200
Regulatory compliance - infrastructure & software	170,000			
Library books and periodicals	263,800	269,100	274,500	279,900
Library fixtures & equipment	37,000	37,200	37,400	37,600
Library special projects facilities	29,500	30,100	30,700	31,300
Playgrounds - equipment/ park furniture new & renewal	85,000	86,700	88,400	90,200
LM Graham Reserve - Master Plan Yr1 of 3	410,000			
Tania Park - Masterplan works	161,000			
Community Park Stuart St - feasibility/ stage 1	30,000			
Sporting Fields - upgrades & amenities	7,000	7,100	7,200	7,300
Manly Cemetery - conservation & improvements	35,000	30,000	30,000	30,000
Manly Swim Centre - co-generation plant	100,000			
Manly Aquatic Centre - feasibility reports	150,000			
Harbour Pools - shark net replacement	50,000			
Public drinking fountains - new/renewal	35,000			
Manly Wharf fountain - renewal	15,000			
Balgowlah Heights Shopping Centre - new works	60,000			
Tramway Loop - feasibility study	30,000			
Bicycle Facilities	50,000	51,000	52,000	53,000
Pedestrian Access Facilities (PAMPs)	20,000	20,400	20,800	21,200
Road Pavement - various new/renewal	547,995	559,000	570,200	581,600
Civil Works Infrastructure - new/renewals	1,037,500	1,765,100	1,775,300	1,785,806
Traffic Facilities / LATMs - new/renewal	67,000	120,000	120,000	120,000
Kerb & Gutter/ Pram Ramps - various	40,000	40,800	41,600	42,400
Footpath Construction - new/renewal	240,000	244,800	249,700	254,700
Federation Point boardwalk - renewal	130,000			
Manly Scenic Walkway - new/renewal works	75,000	30,000	30,000	30,000
Manly Scenic Walkway - zig-zag path	45,000			
Heavy plant replacement program	1,630,000	1,662,600	1,695,800	1,729,700
Light plant & fleet replacement	460,000	469,200	478,600	488,200
Depot - minor plant/equipment	15,000	15,300	15,600	15,900
Car Parking Stations - equipment upgrade/renewal	70,000			
Pacific Waves Car Park - plant renewals	25,000			
Drainage Construction - various new/renewalWorks	185,000	188,700	192,500	196,400
Stormwater Management - various new/renewal	294,852	377,200	384,700	392,400
Clontarf Reserve - stormwater diversion	75,000			
Parking Meters - Little Manly	50,000			

\$13,789,647

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 49
SUBJECT: Clarification of Proposed Traffic & Street Closure plans for Manly2015
FILE NO: MC/13/93761

Councillor Candy Bingham will move:

That the General Manager arrange:

1. An updated proposal regarding the future of the 400 on-street car spaces originally destined to be removed from the Manly CBD, as part of the Manly 2015 proposal. This should include the number of on-street car spaces likely to be lost with the revised Plan and from where.
2. That the revised Traffic Plan be submitted immediately to Roads & Maritime Service (RMS) for assessment and comment. This should include proposed changes to Sydney Road with the entrance/exit to the proposed Oval Car Park and roundabout at the Eustace Street intersection; the proposed extended closure of Sydney Road from Belgrave Street to the existing plaza, and the creation of Central Avenue as a dead-end street.
3. A report clarifying the proposed closure of Sydney Road from Belgrave Street to the existing Sydney Road Plaza, and how access will be provided via Whistler Street.

Background

As the process in relation to the 2015 Plan develops, there are still a number of unanswered questions in relation to traffic movements and the possible impact proposed road closures and major changes to the Sydney Road intersection at Eustace Street will have on the traffic flow in Manly's CBD and surrounding suburbs.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_3.DOC

***** End of Notice of Motion Report No. 49 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 50
SUBJECT: New 3G/ 4G Telecommunication Towers (including infrastructure upgrades) within the Balgowlah Heights Precinct, and wider Manly area
FILE NO: MC/13/94729

Councillor Barbara Aird will move:

In view of the expected intention for Telstra to lodge a DA to install a 30m tall steel telecommunications tower for expanded voice and data mobile phone coverage at either of the two alternative Telstra sites (Balgowlah Heights Bowling Club or Nolan Reserve), that:

1. The Council provide the residents with independent expert information on the latest risk to human health information for homes within 0-50m, 50-100, 100-200m, and 200-300m radius of any proposed tower. The views of the residents, Telstra, and an independent consultant having knowledge of the 'Precautionary Principle' specific to school zones and hazardous workplace facilities such as fire fighting stations should be invited to present.
2. Council expand the Sustainability Educational Program to include information and film nights designed to inform residents and schools on the most recent information of the potential for Significant Risk of Harm to Human Health associated with low, medium, and high impact telecommunication towers sited within residential and school zones.
3. Council purchase a 'hand-held' Electromagnetic Emissions (EME) measurement meter calibrated to ISO-17025 international standards by a third party certification organisation to verify that existing telecommunication antennas and towers are operating within the claimed radiation performance guidelines. Council is requested to make available the hand-held meter to the various precinct committees via a loan system to enable the measurement of EME's from the front of relevant homes within 0-50m, 50-100, 100-200m, and 200-300m radius of all existing telecommunication antennas and towers, including publishing the street based results in the Manly Daily to inform all residents.
4. Lobby the federal government to review the 1997 ARPANSA regulations for the safe EME exposure for the public and directives for applying the 'Precautionary Principle' as a matter of urgency.
5. Erect warning signs in Council managed parks and fields where a telecommunications antenna or tower are within 0-50m, 50-100m, 100-200m, and 200-300m radius.
6. Provide the latest information on the Potential for Significant Risk of Harm from telecommunication antennas and towers emanating EME through residential and school zones on the Council website, including actions individuals and groups can take to reduce their undesired exposure.

BACKGROUND

The major telecommunication corporations are currently expanding their roll-out of 3G/ 4G mobile phone coverage to secure competitive advantage. This is resulting in residential streets, some with school zones, being thrust upon with a surprise development application to erect low impact, medium impact, or high impact antennas or steel towers.

The balance between mobile phone coverage/ service and health & residential amenity is unfairly biased in favour of the Telco's influence to proceed unheeded across the nation.

Notice of Motion Report No. 50 (Cont'd)

In New Street Balgowlah Heights, and now Bareena Drive Balgowlah Heights, residents of Liberal, Labor, Independent, and Green voting persuasion are uniting to face this unfair threat. Residents are looking towards Council and bipartisan support from Councillors to provide facts and unbiased information, and to ensure telecommunication providers in Manly comply with their ARPANSA guideline obligations.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_4.DOC

***** End of Notice of Motion Report No. 50 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 51
SUBJECT: Repairs to Little Manly Gasworks Park
FILE NO: MC/13/94737

Councillor Hugh Burns will move:

That Council

1. conduct a detailed review and condition appraisal of Council maintained assets within this park; and
2. carry out all necessary remedial works determined by the review.

Background

A recent walk around this park at night revealed numerous non-functioning lights and poor condition of various items of furniture. It is understood that Council manages this park on behalf of the State Government - Department of Planning and Infrastructure.

For information, matters to be attended to would include, but not be limited to, the non functional lighting (widespread), trees covering solar panels, need to repaint furniture near BBQs and replacement of table near BBQ on western side.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_5.DOC

***** End of Notice of Motion Report No. 51 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 52
SUBJECT: Amalgamation
FILE NO: MC/13/94744

Councillor Cathy Griffin will move that:

Manly Council

1. Identify key stakeholders (up to 500) who engage with Council's services and survey them on matters including:
 - a) Their understanding of Manly Council's current structure and capacity to deliver services (including Childcare, Waste collection, Lifeguarding, Ranger, Swim centre etc) for local residents
 - b) Their expectations and understanding of how a bigger Council through the amalgamation would better deliver these services.
 - c) Whether or not the Manly Council, the Local Government Minister or the State Government should determine council rates.
2. That Council report to Council on the outcome of this consultation on or before 31 October 2013.

Background

Importantly, this kind of engagement speaks to people who understand and often value, Council's role. It is also a chance to get some feedback on the real issue facing local government; financial independence and sustainability.

It would be essential to send with the survey some information to assist stakeholders understand the issue. This should include some brief messaging on the pros and cons such as:

- Arguments advanced for amalgamation
- Arguments advanced against amalgamation
- Bigger councils provide for economies of scale and get better value for ratepayers.
- Smaller more flexible and locally responsible councils have small administration offices and a focus on delivering services like libraries, rubbish removal and roads. Most ratepayers know from their experience that bigger banks, bigger companies and bigger governments do not necessarily provide more efficient or responsive service.
- The NSW Business Chamber has been seeking larger more uniform councils across NSW so that they can have more efficient interactions with council and less difficulty doing business from one council to another.
- Smaller councils respond primarily to the interests of their residents and are not there to become more efficient customers of outsourced services provided by corporate Australia.

Notice of Motion Report No. 52 (Cont'd)

- Fewer councils means fewer politicians and less politicking at a local level Fewer councils will mean far less engagement with local councillors and the increased size of local councils will mean only professional, fully resourced, politicians will be able to successfully run for council. It will put more, not less, politics into local councils.

A good example of a council consulting with stakeholders comes from Holroyd Council. This resource can be found at <http://www.holroyd.nsw.gov.au/your-say/your-say/surveys-feedback/amalgamation-what-it-means-for-you/>

Further more detailed arguments on the issue of amalgamations can be found in the Greens NSW submissions found here: <http://davidshoebridge.org.au/wp-content/uploads/2013/07/130628-Greens-NSW-Submission-Future-Directions-for-NSW-Local-Government.pdf>

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_6.DOC

***** End of Notice of Motion Report No. 52 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 53
SUBJECT: Planting of Norfolk Island Pine
FILE NO: MC/13/94747

Councillor Cathy Griffin will move that:

Manly Council immediately plant a large Norfolk Island pine near 19 Addison Rd to replace the large fig that was removed approximately 6 months ago.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_7.DOC

***** End of Notice of Motion Report No. 53 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Notice of Motion Report No. 54
SUBJECT: Iconic Norfolk Island Pines Management Plan 2013
FILE NO: MC/13/94752

Councillor Cathy Griffin will move:

Manly Council update and implement the actions in the updated Norfolk Island Pine Management Plan by December 2013. The following should be completed immediately as a matter of urgency.

1. Replace or reinstate the existing and missing identification number plates on the Norfolk Island Pines on the Ocean beachfront.
 - a. Separately identify and register/number the Norfolk Island, Cook Island and other Pines in the plan.
 - b. Include all the Norfolk Island and other pine trees in the CBD (including Darley Rd, Ashburner St, Victoria Pde, and Wentworth Ave) and East and West Esplanades in this Management Plan.
2. Inspect, record and determine maintenance work required to upgrade, improve, repair, fertilise, water, and protect the Norfolk and Cook Island Pine trees in the plan and complete actions by December 2014. Document ongoing care and maintenance requirements in a work schedule for the next five years and beyond.
3. Distribute the updated plan and list of actions and projected work plan/schedule to the Little Manly & Corso Precincts.

Background

A report on the Norfolk Island Pines was brought to Council and it was resolved to refer this report to the Public Domain Committee for further discussion and refinement. The Public Domain Committee considered this report and suggested further research by a subgroup of the committee. That subgroup of the Public Domain committee completed an inspection of the Norfolk Island Pines along the Ocean beachfront, East Esplanade and Darley Rd and made the above recommendations.

Council has recently trimmed all the Norfolk Island Pines on the Ocean beachfront, however further work is required to guarantee the longevity of these Iconic trees.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM12082013NM_8.DOC

***** End of Notice of Motion Report No. 54 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Item For Brief Mention Report No. 10
SUBJECT: Items For Brief Mention
FILE NO: MC/13/71539

1. Complaints made to the General Manager

In the month of August , the General Manager finalised the following complaints:

Received	Nature of complaint	Status
April	Code of Conduct	Finalised.
May	Code of Conduct	Finalised.

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
203/12	10 Dec	Mayoral Minute Report No. 12	Stuart Street Manly Properties	Public Notice is complete. LEP Amendment being considered.
208/12	10 Dec	NoM No. 46	Master Plan for the Ivanhoe Botanic Gardens area.	Draft plan will be completed over the next month.
204/12	10 Dec	NoM No. 47	Free Wi Fi Access in Manly CBD	System to be installed within 4 weeks.
202/12	10 Dec	NoM No. 11	Manly Pathway of Olympians	Implementation plan is being prepared for East Esplanade. Project planning for installation commenced.
05/13	11 Feb	NoM No. 5	Feasibility report on reinstating a mural at Lagoon Park	Completion due end of August.
40/13	8 April	NoM No. 13	Street Furniture upgrade Program	The maintenance regime has commenced and works are to be finalised by end of August.
64/13	13 May	NoM No. 21	Proposed changes to Manly Council's collection of recycling and vegetation	Referred to the Waste Committee 6/8/13.
67/13	13 May	NoM No. 26	Commonwealth's Industry Innovation Precincts Program	Local businesses contacted have not been responsive. Funding program is now closed and no further funding rounds have been announced.
81/13	3 June	NoM No. 34	Proposed \$15 million indoor facility and redevelopment of Manly Swim Centre	Information on the swim centre as resolved has been posted on Council's website. Complete.
79/13	3 June	NoM No. 28	Plan to Protect our Street Trees	Report on valuation method for trees is being prepared. All other parts of this resolution are complete.

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

110/13	15 July	NoM No. 39	Craig Avenue Dinghy Storage Area	Letters sent to dinghy owners. Legal advice is being obtained.
121/13	15 July	NoM No. 40	Increase capacity at the Manly Swim Centre	New swim centre is being designed and will retain the existing outdoor 50 metre and 25 metre pools, as part of the scheme.
123/13	15 July	NoM No. 36	Yellow road edge lines in areas of No stopping and No parking	Report going to the Traffic Committee.
125/13	15 July	NoM No. 35	Progress Report on Seaforth TAFE site	Report being prepared.

3. Tabled Documents

	Date	Author	Subject
1	July 2013	Local Government NSW	Councillor Professional Development Program July to December 2013 Calendar
2	15 July 2013	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 13-32 Calendar of compliance and reporting requirements 2013/14
3	31 July 2013	Ben Taylor SHOROC Executive	Northern Beaches Health Service Redevelopment – Information Package
4	31 July 2013	Jin Soo Kim Consul-General of the Consulate-General of the Republic of Korea in Sydney	Letter advising Consul-General is concluding his post in Australia.
5	1 August 2013	Gladys Berejiklian MP Minister for Transport NSW Government	Reply to Council's letter regarding public transport fares and services.
6	8 August 2013	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 13-37 Council responsibilities under the Carers (Recognition) Act 2010

RECOMMENDATION

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

ATTACHMENTS

There are no attachments for this report.

OM120813IBM_1.DOC

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

TO: Ordinary Meeting - 12 August 2013
REPORT: Report Of Committees Report No. 25
SUBJECT: Minutes for adoption by Council - Special Purpose Advisory Committee without recommendations of a significant nature.
FILE NO: MC/13/88900

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

- i) Economic Development & Advisory Committee – 27 June 2013
- ii) Community Environment Advisory Committee - 10 July 2013

RECOMMENDATION

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

- i) Economic Development & Advisory Committee – 27 June 2013
- ii) Community Environment Advisory Committee - 10 July 2013

ATTACHMENTS

There are no attachments for this report.

OM12082013RC_1.DOC

***** End of Report Of Committees Report No. 25 *****

TO: Ordinary Meeting - 12 August 2013
REPORT: Environmental Services Division Report No. 24
SUBJECT: Development Control Plan 2013 Amendment 2 - Boarding Houses
FILE NO: MC/13/91787

SUMMARY

This report recommends amendments be made to Manly Development Control Plan (DCP) 2013 providing further guidance in the development of Boarding Houses / Affordable Accommodation.

REPORT

At its Ordinary Meeting dated 15 July 2013 Council resolved:

To:

- 1. Urgently amend their Development Control Plan (DCP) to include appropriate Development Standards for all Affordable Housing / Boarding House Development Applications. The controls should include but not be limited to car parking requirements, Bulk, Streetscape, FSR and Architectural Design.*
- 2. Write to Manly's local MP, the Hon Mike Baird noting our concerns and requesting the State Government to review the affordable housing SEPP. (Note: actioned separately)*

In the Notice of Motion for Council's Resolution it was noted that in the past year Manly Council has received 5 similar development applications that fall under the "Affordable Living" (low cost rental) development banner. All these developments will assist those moderate to low income workers to afford to live and work in the Manly Local Government Area.

The resolution recognises Manly Council's need for a DCP that sets out controls for applicants to ensure that the amenity of the surrounding neighbourhood is not compromised by the presence of these developments. The issues that most concern the community are the lack of carparking in relation to the number of residents on the site together with the bulk, height, setback and design of the residence. Council recognises the need for planning guidelines in relation to Boarding Houses. Boarding Houses contribute to the provision of affordable housing for many people in the community.

Introduction

This report makes recommendations in response to Councils Resolution 108/13 in relation to certain DCP Amendments. Currently, the Manly Development Control Plan (DCP) 2013 provides guidelines for the lodgement of a management plan to accompany DA's for Boarding Houses. The proposed amendments seek to provide further guidelines particularly in relation to the provision of appropriate facilities for lodgers including communal open space and kitchen/ bathroom facilities. The management of Boarding Houses for the safety and well being of occupants as well as the amenity of neighbours is also addressed.

Proposed Amendments

Size of Rooms:

While State Environmental Planning Policy (Affordable Rental Housing) 2009 (the 'SEPP') prescribes minimum room size, Council may consider that where additional facilities are proposed in rooms, the size of the room should take into account the space required for these facilities such as en suites (2.1sqm); kitchenettes (2sqm); laundries (1.1sqm); and shower (0.8sqm within en suite). In this regard the additional area requirements, as well as other draft controls are consistent with other local DCPs including City of Sydney Council and are also drafted in consultation with

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

Council's Health Officers' experience in the assessment and inspection of Boarding Houses in Manly.

Communal Living Rooms:

It is considered that the SEPP requirement for 'adequate' communal living rooms may be further detailed to ensure an acceptable level of amenity. In this regard additional requirements are proposed to ensure that communal rooms be close to lodgers rooms. While the SEPP requires a minimum 20sqm of private open space it is proposed that Manly DCP requires that in addition to outdoor private open space, that communal living rooms provide at least 12.5sqm or 1.25sqm per resident; 2 hours sunlight access; and a requirement that this compliance communal space be located on each level (multi storey only) and that these areas have minimal impact on bedrooms and adjoining properties being located away from side boundaries.

Communal Kitchen, Bathroom and Laundry Facilities:

It is considered that the SEPP requirement for 'adequate' facilities may be further detailed to ensure an acceptable level of amenity. The minimum communal area requirements are based on the number of persons/rooms that do not have these facilities within individual rooms. It is recommended that communal kitchens are to include double sink for every 12 persons and a stove top cooker for every 6 persons; adequate fridge and freezer space as well as lockable drawer or cupboard storage space. Bathrooms are to include wash basins and provide 1 toilet for every 10 persons being accessible 24 hours a day. Laundries are to provide a washing machine for every 12 persons and at least 1 large laundry tub.

Other matters:

- Reference to State Environmental Planning Policy (Affordable Rental Housing) 2009'.
- Rooms are to provide wardrobe/ personal storage space (1.5sqm).
- Requirements for acoustic report where considered necessary and referencing existing Manly' DCP provisions for the management of noise nuisance. (see Manly DCP paragraph 3.4 Amenity).
- Requirement that Council will consider whether the design of a development proposal is compatible with the character of the local area and minimises adverse impacts on adjoining properties and the vicinity.
- Additional objectives to ensure safety and wellbeing of the occupants and assist in monitoring the operations of boarding houses.
- On-site Parking Requirements consistent with the SEPP and bike parking requirements.

CONCLUSION

The proposed amendment to the DCP is now recommended as reported.

RECOMMENDATION

That:

1. Council resolve to amend Manly DCP 2013; and
2. Council exhibit this proposed amendment for a period of twenty-eight (28) days.

ATTACHMENTS

AT- 1 DCP 2013 - Boarding Houses - List of Amendments 5 Pages Circulated Separately

OM12082013ESD_4.DOC

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

TO: Ordinary Meeting - 12 August 2013
REPORT: Corporate Services Division Report No. 17
SUBJECT: Report on Council Investments as at 31 July 2013
FILE NO: MC/13/93577

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 **July 2013**.

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 \$12,848,986 comprising a Commonwealth Bank Balance of \$1,167,226 and Investment Holdings of \$11,681,760 directly managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 3.64% (*Council Benchmark =2.76% - benchmark is 90 day average BBSW*)

The following investments are not paying interest coupons and initiating capital guarantee mechanisms to protect the investment. These include Emu Note (Dresdner Bank) and ANZ Climate Change Trust.

The average rate of return for investments paying interest is 4.13%.

Corporate Services Division Report No. 17 (Cont'd)**Movements in Investments for the Month of July 2013****Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
RaboDirect	Term Deposit	\$719,877

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
RaboDirect	Term Deposit	\$719,877	\$719,877
Rural Bank	Term Deposit	\$1,000,000	\$1,000,000

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 30 July 2013 be received and noted.

ATTACHMENTS

AT- 1 Investment Report 4 Pages

OM12082013CSD_1.DOC

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

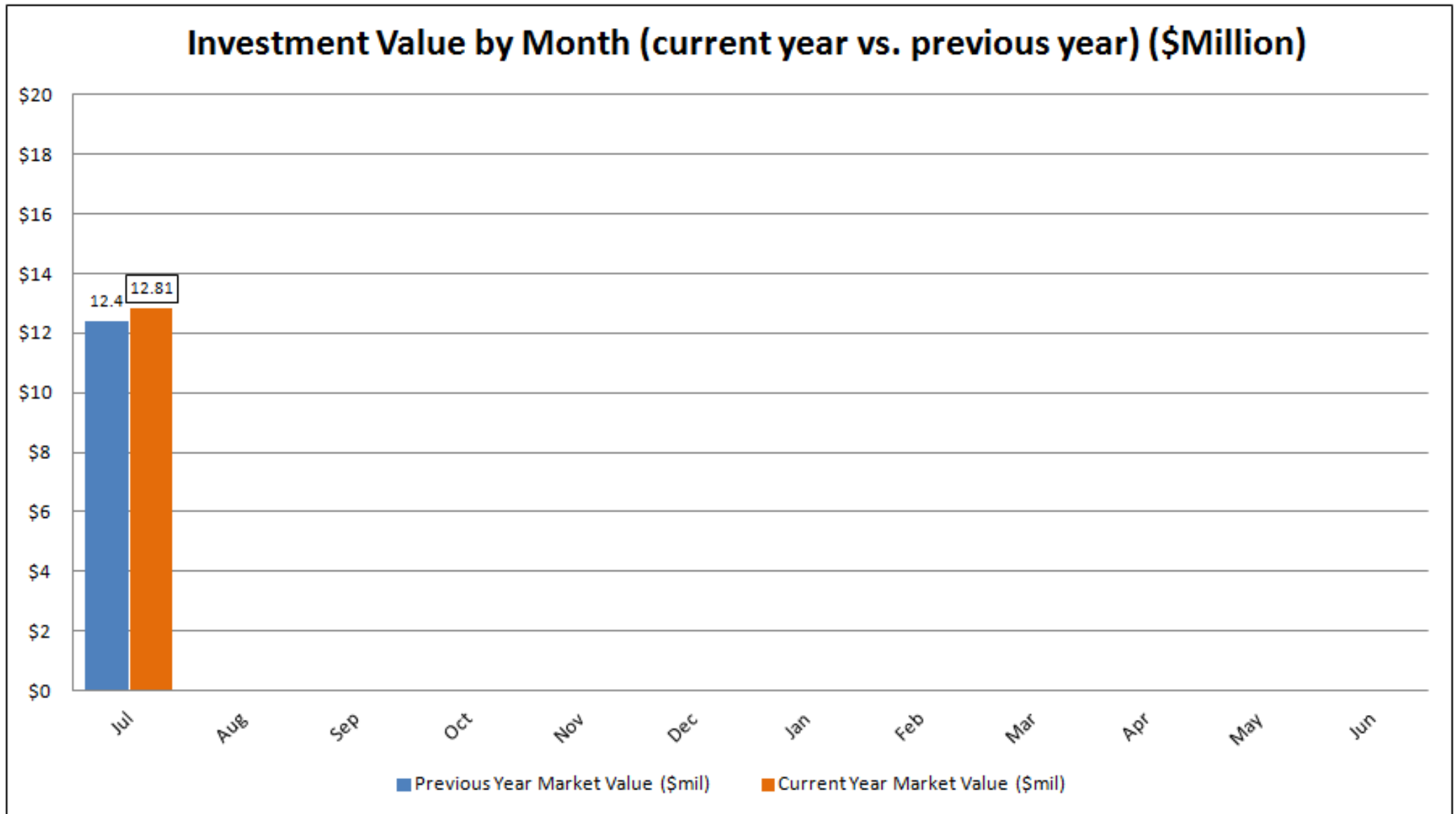
ATTACHMENT 1

Corporate Services Division Report No. 17.DOC - Report on Council Investments as at 31 July 2013 Investment Report

MANLY COUNCIL INVESTMENT PORTFOLIO as at 31 July 2013											
	Form of Investment	Investment \$	Market Value \$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Interest Rate	Interest		
									YTD	Jul 2013	
Directly Managed Funds											
Trading Account											
	CBA Trading Account	Cash	1,167,226	1,167,226	9.08%	AA-	.	0.72% ^{(2)&(3)}	2,146	2,146	
Others											
	CBA @ call	At Call	1,841,028	1,841,028	14.33%	AA-	At Call	At Call	3.05%	2,657	2,657
	AMP @ call	At Call	272,764	272,764	2.12%	A	At Call	At Call	3.60%	6,061	6,061
	Macquarie @ call	At Call	238	238 ⁽⁴⁾	0.00%	A	At Call	At Call	2.75%	-	-
	RaboDirect	TD	719,877	719,877	5.60%	AA-	04/07/2013	07/01/2014	4.25%	2,263	2,263
	Wide Bay Australia	TD	347,853	347,853	2.71%	A2	03/04/2013	01/08/2013	4.25%	1,256	1,256
	Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	7.78%	A2	27/02/2013	27/02/2014	4.33%	3,678	3,678
	Bank of QLD	TD	500,000	500,000	3.89%	A2	04/03/2013	01/08/2013	4.33%	1,839	1,839
	ING Direct	TD	1,000,000	1,000,000	7.78%	A1	04/03/2013	02/09/2013	4.35%	3,695	3,695
	ING Direct	TD	1,000,000	1,000,000	7.78%	A1	19/03/2013	16/09/2013	4.42%	3,754	3,754
	Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	7.78%	A2	03/06/2013	02/09/2013	4.28%	3,635	3,635
	Rural Bank	TD	1,000,000	1,000,000	7.78%	A2	03/06/2013	03/12/2013	4.25%	3,610	3,610
	Rural Bank	TD	1,000,000	1,000,000	7.78%	A2	12/06/2013	10/09/2013	4.15%	3,525	3,525
	Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	7.78%	A2	26/06/2013	24/09/2013	4.23%	3,593	3,593
	Emu Note - Dresdner Bank AG	Struct'd Note	500,000	465,050 ⁽⁴⁾	3.89%	A	25/10/2005	30/10/2015	0.00%	-	-
	ANZ Climate Change Trust	Struct'd Note	500,000	491,685 ⁽⁴⁾	3.89%	AA-	18/01/2008	18/01/2014	0.00%	-	-
	Total		11,681,760	11,638,495	90.92%						
Total Directly Managed Funds			12,848,986	12,805,721	100.00%						
Retired Investments									1,670	1,670	
TOTAL PORTFOLIO			12,848,986	12,805,721	100%			3.64%	43,381	43,381	
BENCHMARK⁽¹⁾								2.76%			
Notes:											
1 Benchmark is 90 day BBSW as at 30 June 2013											
2 Balances less than \$250,000 earn 0.15%, \$250,000 to \$499,999 earn 0.75%, greater \$500,000 earn 1.25%											
3 CBA Trading account not included in the monthly portfolio return calculation											
4 Market Value as at 30 June 2013											

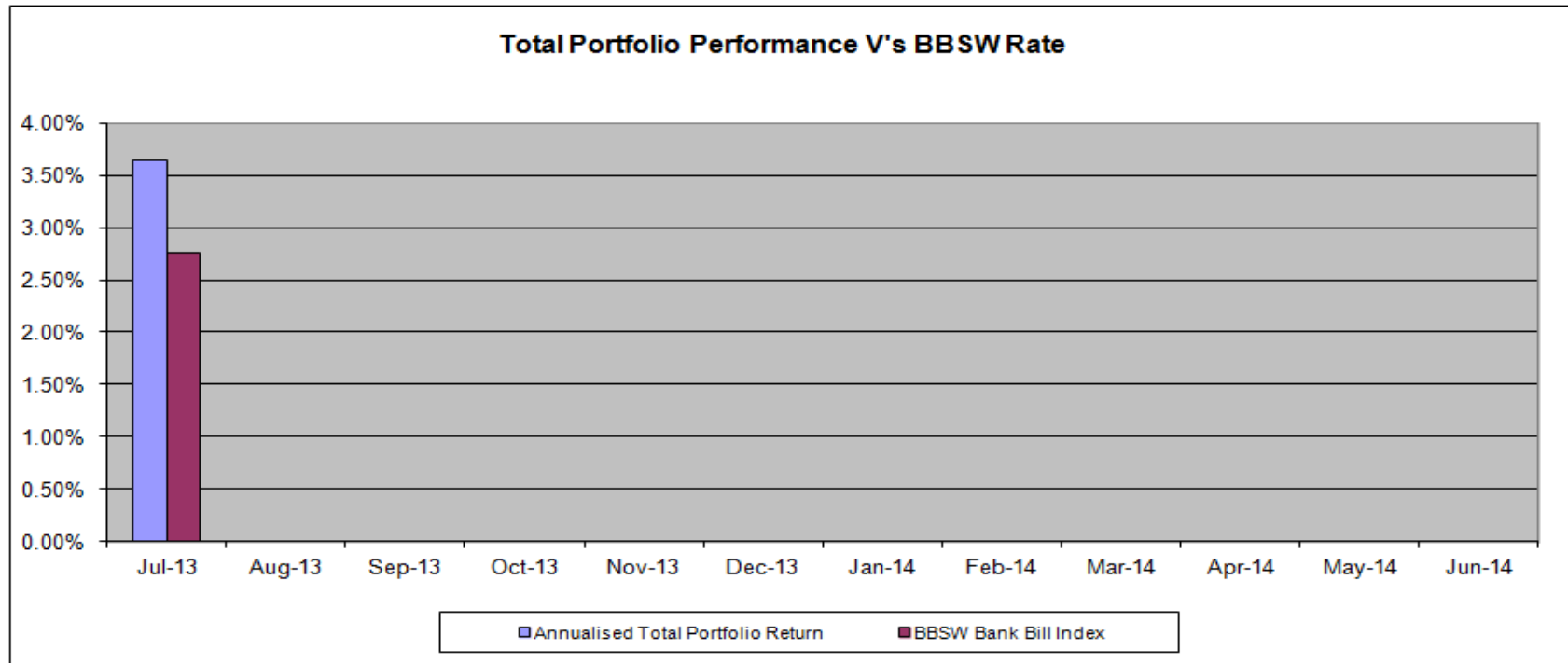
ATTACHMENT 1

Corporate Services Division Report No. 17.DOC - Report on Council Investments as at 31 July 2013
Investment Report

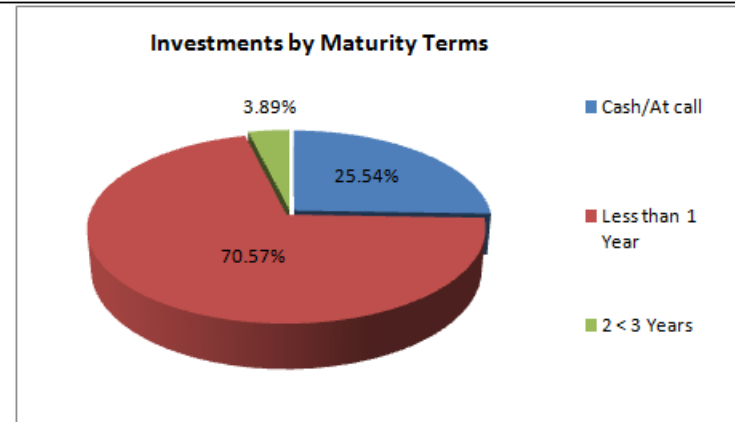


ATTACHMENT 1

Corporate Services Division Report No. 17.DOC - Report on Council Investments as at 31 July 2013
Investment Report



Summary by Credit Rating		No.
AA-	32.91%	4
A1	15.57%	2
A	6.02%	3
A2	45.51%	7
	100.00%	16



ATTACHMENT 1

**Corporate Services Division Report No. 17.DOC - Report on Council Investments as at 31 July 2013
Investment Report**

**Cumulative Interest Income and
Interest Rate - 2013/14
(budget vs actual)**

