

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 13 October 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

Executive
Manager

Minute
Taker

General
Manager

**Mayor
Jean Hay AM
presiding**

Deputy
General
Manager

Deputy
General
Manager

Clr Cathy Griffin

Clr Hugh Burns

Clr Barbara Aird

Clr Alan Le Surf

Clr Candy Bingham

Clr Steve Pickering

Deputy Mayor Clr Adele Heasman

Clr James Griffin

Press

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****Corporate Services Division Report No. 22**

Awarded Tender 1

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.

Notice of Motion Report No. 48

Awarded Tender 2

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 - 13 October 2014
REPORT: Mayoral Minute Report No. 8
SUBJECT: Fit for the Future Local Government Reform - The Government's response to the Sansom Review Report
FILE NO: MC/14/121908

I Move that Council

1. Write to the Minister for Local Government and the Premier to seek their clarifications and undertaking that Council will not lose its Federal or State Grants if it does not wish to participate in voluntary amalgamations as proposed by the *Fit for the Future* Local Government Reform announcement.
2. Determines its position on the *Fit for the Future* proposal at the 27 October 2014 scheduled workshop, and
3. Note that SHOROC will discuss the proposal at its 16 October 2014 Board meeting

Summary

In its response to the recommendations of the Independent Local Government Review Panel (the Sansom Report), the State Government purports to offer up to \$1bil in financial incentives to councils that wish to voluntarily amalgamate to form *Fit for the Future* Councils (FFF).

Background

In 2011, the Government held its Destination 2036 Workshop at Dubbo. This Workshop led to the appointment of the Independent Local Government Review Panel (ILGRP) chaired by Prof Graham Sansom. The Panel subsequently released its first Draft Report in April 2013, and its Final Report six months later.

Upon the release of the Sansom Reports, Professor Dollery prepared advice to Pittwater and Manly Councils. He also undertook a peer review of the SCG Report commissioned by Warringah Council on options for local government reform in our region.

In Prof Dollery's work, he concluded there was 'no evidence' to support the proposal by ILGRP for the amalgamation of Manly, Pittwater and Warringah Councils because:

- A merger will not improve financial sustainability;
- Given the absence of economies of scale, cost reductions will not occur as a consequence of a merger, and
- Given the diverse socio-economic profiles, there is no evidence of a strong joint 'community of interest', which is an essential prerequisite for successful mergers.

In response to the SCG Report commissioned by Warringah Council, Prof. Dollery found that the claims made in the report were not evidence based.

In the ILGRP's final report "Future Directions for NSW LG" it recommended that Sydney Metropolitan Councils be reduced in number from 41 to 18 including the amalgamation of Manly, Warringah and Pittwater Councils into one local government area.

Mayoral Minute Report No. 8 (Cont'd)

The FFF Reform Program is the State Government's response to the 65 recommendations contained in the ILGRP Report, of which, it fully or in principle supports 54, partially supports 4 and rejects 7 of these recommendations.

The Government's Proposal and Implications

In the "Fit for the Future – A Blueprint for the Future of Local Government" documentation released by the OLG last week, a FFF council needs to meet the criteria set down for each of the following headline items:

- Strategic Capacity
- Sound Assets Management
- Service Standards
- Ability to attract and retain staff
- Efficient
- Focussed
- Leaders

Further information on the above criteria will be released by late October 2014 to enable councils to undertake self-assessments. The deadline for those councils wishing to make a FFF submission to the OLG is 30 June 2015.

For its part, the OLG has established relationship contact persons who will support councils through the process, including assistance with financial modelling and scenario planning.

For every newly merged entity, the government will provide \$10.5mil in financial incentives. Additional funding will be provided to a merged entity based on \$3mil for every 50,000 in population greater than 250,000 residents, up to a maximum of \$20.5mil.

FFF councils will be supported by the establishment of Transitional Committees leading up to the September 2016 local government elections.

Finally, the \$600mil component in the \$1bil package announced is projected savings in interest over 10 years by FFF councils should they borrow their funds through a new State Borrowing Authority. This is based on the assumption that the State has lower borrowing costs than councils.

Financial implications

The Government has indicated that while FFF is not mandatory, those councils that form FFF councils will financially benefit from gaining access to cheaper loans, incentive grants, and from the Financial Assistance Grants lost by councils that do not participate. In another word, those councils that choose not to amalgamate may lose their Federal Financial Assistance Grants and LIRS funding.

A Way Forward

I believe local government will support many of the principles in the FFF program to build a stronger local government sector. However, by any measure, Manly and other smaller councils in this State have demonstrated that scale and size is a very poor measure for efficiency, effectiveness, financial strength, prudent management of community programs and assets, and localism in local government.

Mayoral Minute Report No. 8 (Cont'd)

Notwithstanding the lack of evidence to support the size and scale argument as a measure for the unit of local government, the fact is, under FFF, we need to examine this issue with our regional partners.

I have put on the public record my strong belief that Manly and the southern portion of the Warringah area share similar socio economic characteristics and have many of the same community of interests; and, in regard to Mosman, I believe our two communities have more similarities than differences.

Given the financial implications of FFF, I therefore believe that it is necessary for Manly to have a rational conversation with its community as well as the communities of adjoining local government areas about the FFF proposition.

However, given the significance of Manly in the history of Australia, I will defend Manly from any threats of extinguishment.

I MOVE THAT COUNCIL

1. Write to the Minister for Local Government and the Premier to seek their clarifications and undertaking that Council will not lose its Federal or State Grants if it does not wish to participate in voluntary amalgamations as proposed by the *Fit for the Future* Local Government Reform announcement;
2. Determines its position on the *Fit for the Future* proposal at the 27 October 2014 scheduled workshop; and
3. Note that SHOROC will discuss the proposal at its 16 October 2014 Board meeting.

ATTACHMENTS

There are no attachments for this report.

OM13102014MM_1.DOC

***** End of Mayoral Minute Report No. 8 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Corporate Services Division Report No. 18
SUBJECT: Election of Deputy Mayor
FILE NO: MC/14/66227

SUMMARY

Section 231 of the *Local Government Act, 1993* empowers the Council to elect one of its members to act as Deputy Mayor for the Mayoral term or for a shorter term.

A Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of the Mayor.

The election for Deputy Mayor will be held at the Ordinary Meeting of Council on 13 October 2014.

REPORT

The Council is required to conduct an election to fill this position for the forthcoming term.

Term

Section 231(2) of the *Local Government Act, 1993* states that the person may be elected for the Mayoral term or a shorter term.

As Council is aware the current Mayoral term at Manly Council will be for 4 years. However, the practice has been to elect the Deputy Mayor for a one year term only.

Procedure

Clause 394 of the Local Government (General) Regulation 2005 provides that the Deputy Mayor is to be elected in accordance with Schedule 7 of the Regulation. The provisions of the Schedule are summarised as follows:-

1. A nomination for the Office of Deputy Mayor is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is **not valid unless** the nominee has indicated consent to the nomination **in writing**.

There is no prescribed form of "nomination paper". However, for convenience, "nomination papers" have been prepared and **distributed**.

2. If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by:-
 - (a) Preferential Ballot.
 - (b) Ordinary Ballot.
 - (c) Open Voting.

(Note: It has been Manly Council long-standing practice to have Open Voting.)

3. If the method is by Preferential or Ordinary Ballot, it shall be by secret vote.
4. The General Manager (or a person appointed by the General Manager) is the Returning Officer.

Corporate Services Division Report No. 18 (Cont'd)

The primary difference between Ordinary Ballot/Open Voting and Preferential Ballot is:-

- (i) Preferential Ballot - **Only one ballot is taken** and Councillors are to mark their votes by placing the numbers "1", "2", "3" and so on, against the various names so as to indicate the order of their preference for the candidates. Preferences must be shown for all candidates (Clause 9 of Schedule 7).

The formality of a ballot paper under this part is to be determined in accordance with Clause 345 (1) (b) and (c) and (5) of the Local Government (General) Regulation, 2005. In essence, the ballot paper must:-

- (a) Be completed in accordance with the directions for the showing of preferences.
- (b) Be initialled by the Returning Officer or an Electoral Officer.
- (c) Not contain a mark or writing which would enable the voter to be identified.

If a candidate has an absolute majority of first preference votes (i.e. more than one half of the number of formal ballot papers), that candidate is elected.

If not, the candidate with the lowest number of first preference votes is excluded and that candidate's votes transferred to that candidate's second preferences. This procedure continues until a candidate receives an absolute majority.

- (ii) Ordinary Ballot/Open Voting - Separate and continuing ballots/votes are taken to exclude the candidate with the lowest vote.

When there are two candidates remaining, a ballot/vote is taken **to elect** the candidate with the higher number of votes.

Tied Candidates (Choosing by Lot)

If, on any count of votes, the number of votes cast for two candidates are equal and:-

- (a) those candidates are the only candidates in, or remaining in the Election - the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected; or
- (b) those candidates are the ones with the lowest number of votes on the count of the votes - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

If on any count the number of votes cast for three or more candidates are equal and the lowest number of votes on the count of the vote - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Summary of Procedure

A summary of the procedure is as follows:-

- (a) Councillors will be called upon by the Returning Officer to submit their nomination papers (in writing signed by two or more Councillors and with nominees written consent) **before 7pm on Monday, 13 October 2014.**

Corporate Services Division Report No. 18 (Cont'd)

- (b) Nominations received will be read to the Meeting by the Returning Officer and he will ask if any of the candidates so nominated wish to withdraw.
- (c) If there are more candidates than one, an election will be carried out in accordance with the provisions of Schedule 7 of the Local Government (General) Regulation 2005 as outlined above, and Councillors will be requested to resolve whether the election is to proceed by Preferential Ballot, by Ordinary Ballot or by Open Voting.
- (d) (i) If a Preferential or Ordinary ballot is required, ballot papers will be prepared and distributed to Councillors for marking:-
 - Upon completion of marking of the ballot papers by Councillors, the ballot papers will be collected on behalf of the Returning Officer and the votes will be counted.
- When the ballot or ballots, as required pursuant to the provisions of Schedule 7, have been completed and a result obtained, the Returning Officer will announce the result to the meeting.
 - (ii) If the election is by Open Voting, then votes **to exclude candidates (if more than two)** and, where there are two candidates, votes to elect a candidate will be taken by show of hands.

When one candidate has a majority of votes the Returning Officer will declare this Councillor duly elected.

RECOMMENDATION

1. That Council elect a Deputy Mayor for the period to **October 2015**.
2. That Council determine the method of voting for the election of Deputy Mayor for the 2012/2013 term.

ATTACHMENTS

There are no attachments for this report

OM13102014CSD_1.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Corporate Services Division Report No. 19
SUBJECT: Appointment of Chairperson and Deputy Chairperson for Planning and Strategy
FILE NO: MC/14/70282

SUMMARY

The purpose of this report is to appoint the Chairperson and Deputy Chairperson of the Principal Committee of Planning and Strategy for the period to October 2015.

REPORT

The Council has only one Principal Committee; the Planning and Strategy Committee. It meets in Committee-of-the-Whole (membership consists of all councillors) and on a monthly cycle.

Under the *Local Government Act*, the Mayor is ex-officio Chairperson of all committees established by Council.

However it is the practice of Manly Council for the roles of Chair and Deputy Chair of this Principal Committee to be delegated to other Councillors.

RECOMMENDATION

1. That Council determine the voting method authorised in the report regarding the election of the Deputy Mayor report.
2. That Council proceed to elect a Chairperson and a Deputy Chairperson for its Principal Committee of Planning and Strategy for the period to October 2015.

ATTACHMENTS

There are no attachments for this report

OM13102014CSD_2.DOC

***** End of Corporate Services Division Report No. 19 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 43
SUBJECT: Whistler Street Sewage Pumping Station
FILE NO: MC/14/121138

Councillor Cathy Griffin will move:

That Council write to Sydney Water and appropriate NSW Government Ministers requesting:

- A. The removal of the sewage pumping station in Whistler Street;
- B. A detailed report on any future works Sydney Water has planned for the upgrade of this pumping station to address the constant odour emitted from this pumping station; and
- C. Detailed information on contingency plans should this pumping station fail.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_1.DOC

***** End of Notice of Motion Report No. 43 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 44
SUBJECT: Manly Jazz Festival
FILE NO: MC/14/121155

Councillor Candy Bingham will move:

That Manly Council staff be congratulated on the delivery of a first-rate 2014 Jazz Festival event.

BACKGROUND

Over the October long weekend Manly Council staged the 37th Manly Jazz Festival, to rave reviews.

A fresh approach to the offering, including the entertainment mix, venues and innovative ideas, gave the Festival a fresh look, with broad appeal to the wider community of Sydney.

The professional manner in which the staff managed all logistics from the program content, design materials and promotion, waste management and the mix of fun activities and sponsored events, truly gave the Festival a whole new lease of life.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_3.DOC

***** End of Notice of Motion Report No. 44 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 45
SUBJECT: Councillor Information Packs
FILE NO: MC/14/121158

Councillor Candy Bingham will move:

That Councillors have access to the Councillor Information Pack system to enable them to send information to fellow Councillors on matters that are relevant to their duties as a Councillor.

BACKGROUND

As a means of circulating relevant information to Councillors from Council staff and members of the public, Manly Council currently operates a Councillor Information Pack system whereby such materials are delivered each week to Councillor's homes.

Currently, there is no system available to enable a Councillor to send information to other Councillors when email will not suffice, and staff recently stated that the information pack is "not intended for this purpose".

It is therefore recommended that this system be available for Councillors to send information to each other.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_4.DOC

***** End of Notice of Motion Report No. 45 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 46
SUBJECT: Manly Oval Car Park
FILE NO: MC/14/121162

Councillor Candy Bingham will move that:

1. Council abandon all proposals to construct a car park under Manly Oval, and to demolish the Whistler Street car park.
2. The expenditure items related to the Whistler Street Triangle and Manly Oval components of Manly 2015 in the long-term financial plan be deleted.
3. Council properly investigate, with full public disclosure and community consultation, alternative proposals for a viable Village Centre in the Whistler Street triangle, retaining the existing infrastructure.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_5.DOC

***** End of Notice of Motion Report No. 46 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 47
SUBJECT: 2013/2014 Performance of Council's car parks
FILE NO: MC/14/121164

Councillor Candy Bingham will move:

To enable Councillors to track the performance of Council's four public car parks it is recommended that:

The General Manager prepare and make available within the next two weeks an update on the performance of Council's Car parks from the period 1 July 2013 to 30 June 2014, including permanent parkers, in the same format as that provided for the previous year. (Tabled on 2 June, 2014)

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_6.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 49
SUBJECT: Improving Utilization of National Building Carpark
FILE NO: MC/14/121170

Councillor Hugh Burns will move that:

1. Council consider reversing the configuration of the main vehicle entry and exits to make the entry to the car park more inviting and easier for residents and the public to access;
2. The car park vehicle entry be more prominently labelled and branded as a Manly Council Public Car park;
3. The internal pedestrian lift and stairwells be prominently branded and labelled similarly, particularly drawing attention to the lift at the stairwell entrance (e.g. with a plan of access on the door showing lift relative to stairs with a "you are here" pointer);
4. It be determined why access to the main building lifts from the car park is no longer permitted, given the very slow operation of the dedicated car park lift; and
5. A budget be produced for the cost of upgrading the dedicated car park lift to considerably improve its operation speed and identify at whose expense this would be done.
6. That a random survey of council residents be carried out to find out why the National Building car park is less popular, to see if any other identified issues can be addressed to improve its utilisation.

Background

The National Building Car Park with the Whistler Street Car Park are the oldest public car parks in Manly and are both over 40 years old.

The Whistler Street car park is well patronised but the National Building Car park is under-patronised.

Whistler Street is a very public car park - its prominent open design has an obvious visual presence as regards vehicle and pedestrian entry, which aside from its convenient location, makes it inviting and easy to use - even for first time or occasional users.

Conversely the National car park is part of a much larger high rise building, has vehicle access via a curved driveway that is not inviting to use, and has pedestrian access via enclosed stairways and an internal lift that are not obvious means of accessing the car park from outside, unless you had already used them to leave the building.

Currently its utilisation is being artificially boosted by being the nominated carpark for all long term (all day) dedicated parking.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_7.DOC

Notice of Motion Report No. 49 (Cont'd)

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 50
SUBJECT: Upgrading of Electronic display of Car Park Free Spaces
FILE NO: MC/14/121180

Councillor Hugh Burns will move:

1. That an interface or software be added so the figures on the display are streamed to a Council server web page, so anyone with a smart phone can see the display remotely from any location - even before they approach the Manly CBD; and
2. That a similar electronic signs showing the empty spaces at that particular carpark be placed at the entrance/approach to each of the four carparks to assist patrons when parking starts to approach capacity.

Background

This electronic display is located at the intersection of Sydney Road and Whistler Street and provides a useful indication of spare car parking capacity at each of the four council car parks from this approach. However this location does not suit those who arrive from the Eastern Hill or those who arrive by a route that does not pass the location of this display.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_8.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 51
SUBJECT: Forward Planning of Council Public Works
FILE NO: MC/14/121188

Councillor Hugh Burns will move:

That Council prepare a forward Public Works Schedule that outlines:

1. Each project that Council is considering undertaking;
2. The timeframe planned to implement each project (or timeframe for each stage of the project if multi-stage);
3. The funding sources likely to be used for each project;
4. The state of documentation for each project (to ensure projects are kept prepared for grant applications); and
5. The schedule be updated quarterly.

Background

There are a number of major public works projects which Manly Council is proposing to undertake over the remainder of this and following terms of Council. These include projects underway such as the Swim Centre, Sydney Road Plaza, the other street upgrading works connected with Manly 2015, Marine Parade Walkway upgrade, Scenic Walkway improvements, Stuart Street Park upgrade, Precinct nominated proposals and other similar projects.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_9.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Notice of Motion Report No. 52
SUBJECT: Council Report on the Bat Camp at Burnt Bridge Creek
FILE NO: MC/14/121150

Councillor Adele Heasman will move:

That Council staff bring back a report to Council in regards to the bat camp located adjacent to Burnt Bridge Creek.

Background

I have been approached by concerned residents living nearby Burnt Bridge Creek, for Council to assist them by addressing concerns around the large numbers of bats living in the Flame trees in that area.

I understand that staff have done some work to keep the numbers under control - this has involved removing some trees and branches. The concern from neighbours is that as the breeding season has now commenced and as the warmer weather arrives, the odours which come from the large number of bats will worsen.

It appears to be reasonable that Council staff investigate the resident's valid concerns and bring back a report that outlines recommendations to resolve these concerns.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM13102014NM_2.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Item For Brief Mention Report No. 14
SUBJECT: Items For Brief Mention
FILE NO: MC/14/109549

1. Complaints made to the General Manager in the month of September.

Received	Nature of complaint	Outcome
July	Code of conduct	In progress
September	Code of conduct	In progress

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution Précis	Status
132/14	8 Sept	Notice of Motion 41 – Review of Hop, Skip & Jump Community Bus Service	Undertake an audit on the current usage of the service and prepare a report to Council on the outcomes of the feedback and surveys conducted	In progress
116/14	11 Aug	Notice of Motion Report No. 32 - ANZAC Centenary	Manly Council to coordinate an ANZAC Centenary Projects Working Group for community organisations.	First meeting scheduled. Item complete.

3. Tabled Documents

Date	Author	Item
October 2014	Manager Administration Manly Council	Register of Disclosures by Councillors and Designated Persons Return for the 2013/14 Financial Year.
5 Sep 14	The Hon Katrina Hodgkinson MP Minister for Primary Industries Assistant Minister for Tourism and Major Events	Reply to Council's letter re NSW Shark Meshing
10 Sep 14	Steve Orr Acting Chief Executive Office of Local Government	Circular to Councils 14-23 Government response to the Independent Local Government Review Panel and Local Government Acts Taskforce
11 Sep 14	The Hon Warren Truss MP Deputy Prime Minister Minister for Infrastructure and Regional Development	Reply to Council's letter to the Prime Minister regarding the Coalition Government's decision to pause the indexation applied to the Financial Assistance Grant programme for local government.
22 Sep 14	Mike Baird MP State Member for Manly	Regarding letter concerning the new 10/50 vegetation clearing entitlements laws.
25 Sep 14	The Hon Paul Toole MP Minister for Local Government The Hon Brad Hazzard MP Attorney General	14-06 Ministerial Circular Graffiti Action Day 2014

Item For Brief Mention Report No. 14 (Cont'd)

29 Sep 14	The Hon Gladys Berejiklian MP Minister for Transport	Letter regarding Manly fast ferry services.
29 Sep	Rob Rogers AFSM Deputy Commissioner NSW Rural Fire Service	Letter concerning <i>The 10/50 Vegetation Clearing Scheme</i> .
30 Sep	NSW Rural Fire Service	Media Release 10/50 Vegetation Clearing Entitlement Code of Practice amendments
1 Oct	Hugo Harmstorf Chief Executive Officer IPART NSW	Letter regarding Opal Card – Request for IPART to review fare structure
1 Oct	Carolyn McNally Secretary Planning & Environment NSW Government	Letter regarding ongoing discussions between the Dept. of Planning & Environment and Council concerning planning controls for boarding house developments in Manly LGA.
3 Oct	John Robertson MP NSW Labor Leader, NSW Leader of the Opposition Shadow Minister for Western Sydney	Letter regarding Opal Card Fare Structure
3 Oct	Rik Hart General Manager Warringah Council	Letter regarding Hospital Precinct Structure Plan and community information sessions.

RECOMMENDATION

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

ATTACHMENTS

There are no attachments for this report.

OM13102014IBM_1.DOC

***** End of Item For Brief Mention Report No. 14 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Report Of Committees Report No. 30
SUBJECT: Minutes for notation by Council - Special Purpose Advisory Committee without recommendations of a significant nature
FILE NO: MC/14/111615

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

1. Community Garden Advisory Committee – 11 June 2014
2. Surf Club Liaison Working Group – 19 August 2014
3. Manly LEP/DCP Working Group – 27 August 2014
4. Sister Cities Advisory Committee – 27 August 2014
5. Community Garden Advisory Committee – 3 September 2014
6. Community Safety & Place Management Advisory Committee – 11 September 2014
7. Audit & Risk Advisory Committee – 17 September 2014

RECOMMENDATION

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

1. Community Garden Advisory Committee – 11 June 2014
2. Surf Club Liaison Working Group – 19 August 2014
3. Manly LEP/DCP Working Group – 27 August 2014
4. Sister Cities Advisory Committee – 27 August 2014
5. Community Garden Advisory Committee – 3 September 2014
6. Community Safety & Place Management Advisory Committee – 11 September 2014
7. Audit & Risk Advisory Committee – 17 September 2014

ATTACHMENTS

There are no attachments for this report.

OM13102014RC_2.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Report Of Committees Report No. 31
SUBJECT: Minutes for notation by Council - Heritage & Local History Advisory Committee - 3 September 2014

FILE NO: MC/14/110788

This report was dealt with at the Heritage & Local History Advisory Committee meeting of 3 September 2014 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

ITEM 4.5 Items of moveable heritage within the Art Gallery (extract)

The Committee continues to be concerned about the storage and archival spaces available for use by the Art Gallery and Local Studies section of the library.

RECOMMENDATION

That the minutes of the Heritage & Local History Advisory Committee meeting on 3 September 2014 be received and noted:

ITEM 4.5 Items of moveable heritage within the Art Gallery (extract)

The Committee recommends to the General Manager that:

- i) Council, over the next 12 months, prepare a moveable heritage register;
- ii) Council staff provide a plan to investigation options of ongoing suitable storage facilities for documents and artifacts of Heritage significance; and

ATTACHMENTS

There are no attachments for this report.

OM13102014RC_1.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Report Of Committees Report No. 32
SUBJECT: Minutes of notation by Council - Community Environment Advisory Committee - 10 September 2014
FILE NO: MC/14/119512

These reports were dealt with at the Community Environment Advisory Committee meeting of 10 September 2014 and were listed as a Recommendation in those minutes. The item is/these items are hereby submitted to the Ordinary Meeting, together with the minutes for formal notation by Council.

1. ITEM 9 LITTLE PENGUIN REPORT

9a. Penguin Warden Report

The following is a report from the penguin warden on duty on 9 September.

"The two resident penguins swam in together at the wharf at the same time as a surf row-type boat also came ashore. It was going quite fast literally less than a metre away from one of the penguins. The boat people didn't realize that we quickly ran down and told them to lift their oar, which they did and luckily the oar was centimetres higher than one of the penguin's head (she was making screeching noises whilst it was trying to swim away from the boat) so it didn't hit the penguin. We informed the people on the boat (which had MANIX on the side of it) about the penguins and they immediately turned around and paddled away. We think it would be a good idea if Angelika Treichler emailed the Manly Surf Club or the possible source for the boat and tell them about the penguins so this does not happen again because the penguin was so close to getting hit by the boat."

9b. Penguin Recovery Team Actions

At the Penguin Recovery Meeting quite some months ago, OEH staff agreed that OEH would:

- i) release this Penguin Monitoring Report for 2013-14;
- ii) Put out a media release highlighting the good news that the colony had increased from 17 pairs at the time of listing to 70 pairs; and
- iii) advise when they are holding the Information Night for Residents Living in Critical Habitat. Council staff have commented on the comprehensive brochure which OEH has prepared in consultation with them.

2. ITEM 10 SYDNEY WATER ISSUES

d. Odours from Trade Waste Customers

Previous Sydney Water reports indicate that the content of some trade waste customers who are discharging into the NSOOS is responsible for some odour problems. Research by MEC has revealed that there are three Sydney Water trade waste customers who are discharging waste with a high organic content (and thus highly odorous) into the NSOOS in the catchment of Sydney Water Sewage Pumping Station No. 69 in Camellia.

3. ITEM 12 SQUID FISHING IN NORTH (SYDNEY) HARBOUR AQUATIC RESERVE

Councillor Griffin updated the committee on the facilitated workshop conducted by NSW Fisheries to discuss Squid Fishing in North (Sydney) Harbour Aquatic Reserve.

The Aims of the round table meeting were:

1. Identify and explore participants views in relation to the proposal by recreational fishers to allow recreational squid fishing in North Harbour Aquatic Reserve and
2. Discuss potential future management options and conditions under which squid fishing

Report Of Committees Report No. 32 (Cont'd)

may be allowed.

A summary of this round table meeting will be documented in a report to be prepared independently by PlanCom Consulting and provided to the Minister for Primary Industries.

Any changes to fishing rules in North Harbour Aquatic Reserve would be subject to broader community consultation in line with the NSW Government's reforms to the management of the marine estate (www.marine.nsw.gov.au)

The committee discussed the issue and members of the committee who attended the Fisheries workshop and all of the members present at this meeting do not support this proposal.

RECOMMENDATION

That the minutes of the Community Environment Advisory Committee meeting on 10 September 2014 be received and noted:

1. ITEM 9 LITTLE PENGUIN REPORT**9a. Penguin Warden Report**

That Council write to NSW Surf Life Saving, requesting that they advise all clubs and visitors who train in North Harbour, that they should take care, as Little Penguins are returning to their nests two hours before or after dark

9b. Penguin Recovery Team Actions

That Council write to OEH requesting:

- The release of the Monitoring Report and the appropriate media release; and
- When it is proposed to hold the much needed Information Night and the format of the evening, including the brochure.

2. ITEM 10 SYDNEY WATER ISSUES (part)**d. Odours from Trade Waste Customers**

Manly Council should write to the Managing Director of Sydney Water requesting information on the name of the companies involved, what they are discharging and why they are discharging it into the NSOOS, given the contribution they are making to odour problems in Manly and at the North Head Wastewater Treatment Plant

3. ITEM 12 SQUID FISHING IN NORTH (SYDNEY) HARBOUR AQUATIC RESERVE

That Council write a letter to Mike Baird stating that we do not support the removing of restrictions on fishing for squid in the North (Sydney) Harbour Aquatic Reserve and North Harbour area.

ATTACHMENTS

There are no attachments for this report.

OM13102014RC_3.DOC

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

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 34
SUBJECT: Development Applications being processed during October 2014
FILE NO: MC/14/111263

SUMMARY

Development applications being processed during October 2014.

REPORT

The following applications are with the Town Planners for assessment:

DA#	Year	Site	Proposal
372	2005	11 Fairlight Crescent	Section 96 Modification - Part 5
51	2008	114 Frenchs Forest Road	Section 96 Modification - Part 3
54	2008	83 Gurney Crescent	Section 96 Modification - Part 4
358	2008	30 Kitchener Street	Section 96 Modification - Part 2
153	2010	89 Addison Road	Section 96 Modification - Part 3
164	2010	38 Alma Street	Section 96 Modification - Part 2
224	2010	2 Peacock Street	Section 96 Modification - Part 2
385	2010	23 Gurney Crescent	Section 96 Modification - Part 2
126	2011	4 West Street	LEC - Amended Plans - Section 96(8) Modification - Part 2
134	2011	16 Augusta Road	Section 96 Modification - Part 3
142	2011	Wharves and Jetties	Section 96 Modification - Part 2
277	2011	374-378 Sydney Road	Section 96 Modification - Part 5
103	2012	7 Gurney Crescent	Section 96 Modification - Part 2
170	2012	10 Bligh Crescent	Section 96 Modification - Part 3
178	2012	7 Montpelier Place	Section 96 Modification - Part 2
185	2012	37 The Corso	Section 96 Modification - Part 4
267	2012	19 Cutler Road	Section 96 Modification - Part 2
19	2013	61 Gurney Crescent	Section 96 Modification - Part 3
25	2013	114 Griffiths Street	Section 96 Modification - Part 2
105	2013	112 Sydney Road	Section 96 Modification - Part 2
212	2013	7 Harvey Street	Section 96 Modification - Part 2
231	2013	5 Craig Avenue	Section 96 Modification - Part 2
264	2013	24 Stuart Street	Section 96 Modification - Part 2
6	2014	8 Cliff Street	Alterations and additions to an existing semi-detached dwelling including a front extension to the first floor
9	2014	11 & 13 Daintrey Street	Section 82A Review of Determination of refused 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 and a rear two (2) storey addition to the existing dwelling on 13 Daintrey Street - Part 2
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

Environmental Services Division Report No. 34 (Cont'd)

DA#	Year	Site	Proposal
25	2014	10 Seaforth Crescent	Alterations and additions to an existing dwelling including two (2) storey side addition and rear covered balcony with vergola
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
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
56	2014	35 Jamieson Avenue	Alterations and additions to an existing detached dual occupancy including strata redistribution, additions at rear at both levels, new attic level addition, external staircase, new double carport, fence and landscaping
58	2014	24B Bungaloe Avenue	Alterations and additions to an existing dwelling including demolition of existing garage, addition of new storage, laundry, new swimming pool and landscaping
59	2014	243 Pittwater Road	Alterations and additions to the existing building (Harris Farm Markets) including a wash down area with a roof, signage and tree removal
61	2014	63 Seaforth Crescent	Alterations and additions to provide a new inclinator on the eastern side of the property
67	2014	99 Balgowlah Road	Subdivision of the existing lot into two (2) Torrens Title lots, the addition of a ground floor and first floor deck and hardstand area to the existing dwelling on the side
71	2014	39 White Street	Alterations and additions to an existing dwelling including carport, deck and crossover
72	2014	36 Gurney Crescent	Change of use of a secondary dwelling within the existing dwelling house
73	2014	65 Cutler Road	Alterations & Additions to an existing Dwelling including partial demolition with extension at rear on middle level and internal modifications on middle and upper levels
75	2014	Bower Street	Section 96 Modification - Part 2
80	2014	49 Pacific Parade	Torrens Title Subdivision of the existing lot into two (2) lots
82	2014	28 Addison Road	Alterations and additions to an existing Residential Flat Building including partial demolition, construction of a new basement level, ground floor extension, addition of a third level, roofed barbeque area, new deck and new roof extensions – Unit 3
85	2014	110-112 The Corso	Change of use with fitout from Retail shop to Cafe on ground floor, Restaurant/ Bar on Levels 1 and 2, alterations and additions to the existing building to including trafficable awning balcony at level 1, replace existing canopy at level 2 and outdoor seating along South Steyne
87	2014	14 Kangaroo Street	Demolition of existing structures, construction of a part two (2) and three (3) storey dwelling including double carport, spa, landscaping and removal of trees

Environmental Services Division Report No. 34 (Cont'd)

DA#	Year	Site	Proposal
89	2014	30A Beatty Street	Alterations and additions to an existing dwelling including first floor addition, additions of a gym, lift and deck to the rear of the existing garage, internal alterations to the lower ground floor and ground floor levels
91	2014	183 Pittwater Road	Change of use from ancillary dwelling to shop top housing for mixed use development
98	2014	183 Balgowlah Road	Alterations and additions to an existing Residential Flat Building including second floor addition with balcony, new window openings to Unit 1 and internal alterations with extension of the existing study within Unit 1 and 2
99	2014	35 Bower Street	Alterations and additions to an existing dwelling including ground floor extension, first floor extension with new terrace, roofing and cladding
103	2014	4 Linkmead Avenue	Alterations and additions to an existing dwelling house including first floor extension and rear pergola
104	2014	57 Castle Circuit	Construction of a new vergola to the rear level three (3) terrace of an existing dwelling house
107	2014	77 Fairlight Street	Alterations and additions to an existing dual occupancy including first floor extension and rear decks - Unit 2
109	2014	Wharves and Jetties	Alterations and additions to an existing commercial tenancy - Shop 11 - "Max Brenner", including internal fitout, new shopfront to the western and southern sides and signage - Manly Wharf
114	2014	92 Addison Road	Alterations and additions to an existing semi-detached dwelling including modifications to windows
116	2014	7 Margaret Street	Alterations and additions to an existing dwelling including the construction of a tandem garage beneath the front verandah and crossover
117	2014	2 Audrey Street	Alterations and additions to an existing dwelling including demolition of existing carport, construction of new single garage, extension of driveway and new entry to the dwelling
118	2014	37 Lauderdale Avenue	Alterations and additions to an existing dwelling including vergola above existing second floor terrace with privacy screens
120	2014	42 Wood Street	Alterations and additions to an existing dwelling including new raised timber carport, new driveway, crossover, access ramp and gate
121	2014	68 Addison Road	Alterations and additions to an existing Residential Flat Building including pergola to existing roof terrace - Unit 6
123	2014	109 Pittwater Road	Alterations and additions to an existing dwelling house including new first floor addition, internal alterations to existing ground floor, swimming pool and front fence
126	2014	42 Seaforth Crescent	Alterations and additions to an existing dwelling house including decks, swimming pool, access stairs and landscaping
128	2014	7 North Harbour Street	Construction of a sea wall, plunge pool, deck, retaining walls and landscaping
131	2014	197-215 Condamine Street	Use of a portable coffee cart within the Balgowlah Village Shopping Centre

Environmental Services Division Report No. 34 (Cont'd)

DA#	Year	Site	Proposal
132	2014	1 Plant Street	Demolition of an existing dwelling house, construction of a new two (2) storey dwelling house with double garage, new driveway and landscaping
133	2014	34 Ponsonby Parade	Alterations and additions to an existing dwelling house including double garage forward of the building line
134	2014	137 Seaforth Crescent	Alterations and additions to an existing dwelling house including construction of a double garage at street level on the existing hardstand
135	2014	31-33 Sydney	Change of use to a Take away food and drink premises and fitout - Shop 1
136	2014	36 Wakehurst Parkway	Demolition of existing structures, construction of a new two (2) storey dwelling house with double garage, front decks and landscaping
137	2014	139 Woodland Street	Alterations and additions to an existing dwelling house including a two (2) storey rear and side additions, rear covered terrace, front balcony and internal reconfiguration to create a bathroom, front walls and gate
138	2014	151 Pittwater Road	Alterations and additions to an existing Thup Tim Siam Restaurant including conversion of staff area to a kitchen preparation area
139	2014	23 Bareena Drive	Alterations and additions to an existing dwelling house including timber deck and stairs to elevated ground floor and landscaping to western side and to rear
140	2014	225 Balgowlah Road	Alterations and additions to an existing dwelling house including front extension and deck
142	2014	1 Fairlight Crescent	Alterations and additions to an existing dual occupancy including a front fence
143	2014	123 North Steyne	Demolition of existing dwelling, construction of a new three (3) storey dwelling house including a swimming pool and landscaping
144	2014	30 Arthur Street	Alterations and additions to an existing dwelling including a first floor addition, internal reconfiguration and additions to the front on the ground floor
145	2014	24 Lower Beach Street	Alterations and additions to an existing townhouse including a first floor rear balcony addition, new raised rear deck on the ground floor and internal alterations – 5A
146	2014	Fairlight Street	Consolidation of three (3) lots and creation of a two (2) lot Land Subdivision – Sydney Water Land
147	2014	31-33 Sydney Road	Installation of awning to an existing building – Fika Swedish Kitchen - (AKA – 5B Market Lane)
148	2014	4 Laura Street	Alterations and additions to an existing dwelling including new masonry sea wall and retaining walls to replace existing timber logs, new timber stairs, new decks, new decked landings, new walkways and increasing the depth of the existing boatshed
149	2014	The Corso	Construction of a permanent kiosk – on Council land adjacent to 90 The Corso, Manly
150	2014	27 Eurobin Avenue	Construction of an in-ground spa with a lockable lid at the rear of the existing dwelling

Environmental Services Division Report No. 34 (Cont'd)

DA#	Year	Site	Proposal
151	2014	16 Quinton Road	Alterations and additions to an existing duplex including a rear extension with a deck, garage, fence and landscaping - Unit 1
152	2014	71 Seaforth Crescent	Alterations and additions to an existing dwelling including addition of a new timber deck at the rear, widening of the driveway at the front, internal alterations, changes to the windows and doors
153	2014	37 Pittwater Road	Alterations and additions to an existing attached dwelling including a rear extension with a pergola
154	2014	30 Balgowlah Road	Alterations and additions to an existing semi detached dwelling including the demolition of internal walls, new first floor addition and a front fence
155	2014	30 Pacific Parade	Construction of a swimming pool and landscaping
156	2014	6 Ogilvy Road	Demolition of existing dwelling, construction of new three (3) storey dwelling with double garage, swimming pool and landscaping
157	2014	3-5 Pittwater Road	Alterations and alterations to an existing gymnasium including expansion of the gymnasium on the ground floor with a retail area – Anytime Fitness
158	2014	31 Battle Boulevard	Alterations and additions to an existing dwelling including excavation, partial demolition, new cabana, landscaping, internal and external modifications
159	2014	243 Sydney Road	Construction of two (2) storeys above the existing shops to create two (2) shop top dwellings
160	2014	18 Alan Avenue	Construction of a new two (2) storey dwelling with double garage
161	2014	85 Curban Street	Alterations and additions to an existing dwelling including rear addition with deck and relocation of swimming pool
162	2014	47 Frenchs Forest Road	Construction of a detached single storey secondary dwelling to the rear of the existing dwelling
163	2014	65 Eurobin Avenue	Alterations and additions to an existing dual occupancy including demolition of the existing shed and outdoor laundry, extension to the existing ground floor at rear with a pergola, new bike and garden sheds
164	2014	1 Quirk Road	Temporary one (1) day Annual Pioneer Community Markets located in the car park of the Pioneer Club House on Saturday, 25 October 2014
165	2014	39 Lauderdale Avenue	Alterations and additions to an existing Residential Flat Building including enclosure of existing balcony - Unit 3
166	2014	12 Callicoma Road	Alterations and additions to an existing dwelling house including new storey within the existing garage/ undercroft/ laundry
167	2014	7 Audrey Street	Alterations and additions to an existing dwelling house including a first floor addition and rear ground floor extension
168	2014	87 Darley Road	Alterations and additions to an existing semi-detached dwelling house including a first floor addition, internal alterations on the ground floor and landscaping

Environmental Services Division Report No. 34 (Cont'd)

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

124/2014 602 Sydney Rd, SEAFORTH 2092

Alterations and additions to an existing mixed use premises including change of use and conversion of the ground floor level into two (2) residential units

261/2012 111 Pittwater Rd, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing semi-detached dwelling including first floor addition with rear deck and bi-fold doors to living area – involving the addition of two (2) skylights to roof, modification of kitchen window at ground floor level and bedroom window at first floor level – Part 2

29/2014 5 Plant St, BALGOWLAH 2093

Section 96 to modify approved 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 – involving deletion of condition of consent ANS04 in relation to pitched roof element and fireplace flue - Part 2

31/2014 80 West Esp, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing residential flat building including new attic addition and balcony – involving internal modifications – Part 2

169/2014 103 Bower St, MANLY 2095

Alterations and additions to an existing Residential Flat Building including internal modifications, enclosure of courtyard and enlarged window - Unit 1

171/2014 134 Condamine St, BALGOWLAH 2093

Demolition of existing structures and construction of an attached dual occupancy development

172/2014 45 Pacific Pde, MANLY 2095

Alterations and additions to an existing Child Care Centre involving an increase in child numbers from twenty-eight (28) to forty-two (42), change to hours of operation 8:00am to 5:30pm, new pergola and deck

173/2014 129 Bower St, MANLY 2095

Alterations and additions to an existing Residential Flat Building including modification to services and façade

224/2012 16 Jellicoe St, BALGOWLAH HEIGHTS 2093

Section 96 to modify approved Alterations and additions to an existing dwelling including first floor addition, ground floor front addition, rear balcony extension, rear deck and landscaping – involving deletion of privacy screening, retention of existing secondary driveway, boundary fence and retention of side windows – Part 3

174/2014 5 Valley Rd, BALGOWLAH HEIGHTS 2093

Demolition of existing dwelling house and associated structures, construction of two (2) dwelling houses and subdivision of existing lot

Environmental Services Division Report No. 34 (Cont'd)

401/2008 11 Lower Beach St, BALGOWLAH 2093

Section 96 to modify approved Refurbishment of existing shop, retractable canvas awning and under awning sign – involving extending use to rear corridor, extending hours of operation to 7:00am to 8:00pm Monday to Sunday and internal modifications – Part 2

426/2010 3 Oyama Av, MANLY 2095

Section 96 to modify approved Demolition of the existing improvements and construction of a new residential flat building containing three (3) dwellings, parking, swimming pool, landscaping and strata subdivision – involving modification to floor levels, height, stairs, windows and louvers – Part 4

175/2014 4 Adelaide St, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling house including rear addition, extension to rear first floor balcony, removal and addition of first floor side bathroom windows, new stairs to loft, new garage, modification to loft and roof terrace.

176/2014 17 Audrey St, BALGOWLAH 2093

Alterations and additions to an existing dwelling house including front fence, first floor addition, rear ground floor addition and extension of existing deck

257/2011 43-45 Castle Cct, SEAFORTH 2092

Section 96 to modify approved Demolition of existing dwelling and construction of a new two (2) storey dwelling, cabana, front fence and landscaping – involving deletion of the 3rd level, enlargement of the lower level, relocation of the building and additional excavation - Part 2

85/2013 57 Smith St, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing dwelling including changes to the windows, bi-fold doors, raise the heights of the existing deck, planter boxes and front fence – involving modifications to convert front fence to a solid fence - Part 2

177/2014 8 Waratah St, BALGOWLAH 2093

Construction of a carport, new fencing and widening of the existing crossover

178/2014 31 Seaforth Cr, SEAFORTH 2092

Demolition of an existing dwelling, construction of a new four (4) level dwelling house with double garage, swimming pool, landscaping and new driveway

143/2007 21 Seaforth Cr, SEAFORTH 2092

Section 96 to modify approved Alterations and Additions to the rear of the existing dwelling including new cabana, swimming pool and landscaping works – involving deletion of the lift and second car space, additional lower ground floor living area, internal alterations, enlarge the media room, changes to the external finishes, changes to the windows and doors - Part 4

179/2014 90 The Corso, MANLY 2095

Alterations and additions to an existing retail premises including modifications to the facade and new signage – Tommy Bahama

Environmental Services Division Report No. 34 (Cont'd)

180/2014 27 Wood St, MANLY 2095

Alterations and additions to an existing dwelling house including new first floor addition and ground floor alterations level dwelling house with double garage, swimming pool, landscaping and new driveway

181/2014 87 Castle Cct, SEAFORTH 2092

Alterations and additions to an existing dwelling house including the addition of a new lift and lobby

The following applications were presented to the Manly Independent Assessment Panel on 18 September 2014.

DA#		Address	Proposal	Determination by MIAP
684	1999	1-15 Central Avenue	Section 96 Modification - Part 5	Refused
243	2013	197-215 Condamine Street	Section 82A Review of determination of refused Construction and use of a car wash facility located on the entry level of the retail car park – Balgowlah Village Shopping Centre – Part 2	Refused
22	2014	7 Herbert Street	Section 82A Review - Part 2	Approved
48	2014	30 Adelaide Street	Alterations and additions to an existing dwelling including front and rear decks, modified driveway and landscaping	Approved
51	2014	25 Cutler Road	Alterations and additions to an existing dwelling including changes at basement level, at mid level, addition of new deck, new entry and an addition on the northern upper level with a new roof	Approved
55	2014	36 Gordon Street	Alterations and additions to an existing dwelling including additions at basement, ground and first floor level, new double garage, lift, terrace, tree removal and landscaping	Approved
110	2014	19 Hilltop Crescent	Alterations and additions to an existing dwelling including first floor addition, front extension and decks	Approved

RECOMMENDATION

THAT the information be received and noted.

ATTACHMENTS

There are no attachments for this report.

OM13102014ESD_1.DOC

***** End of Environmental Services Division Report No. 34 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 35
SUBJECT: List of LEC Appeals relating to DAs during October 2014
FILE NO: MC/14/111267

SUMMARY

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

REPORT

DA#	L&E Appeal Ref	House #	Address	Date Appeal Lodged	Solicitor Co.	Current Status
ACTIVE						
DA30/2014	Class 1 10753/2014	36-46	Sydney Road	17/9/2014	Pikes	First call over 15 October 2014
DA127/2014	Class 1 10683/2014	92-94	Pittwater Road	29/8/2014	HWL	Section 34 conference 7 November 2014
DA130/2014	Class 1 10653/14	323-325	Sydney Road	21/8/2014	Maddocks	Section 34 conference 5 November 2014
DA5/2014	Class 1 10572/14	4	Rolfe Street	1/8/2014	In-house	Section 34 conference 8 October 2014
DA220/2013	Class 1 10551/2014	9-11	Victoria Pde	29/7/2014	Maddocks	Matter of law to permissibility of use set down for hearing 9 October 2014
Judgement/Awaiting Judgement						
DA20/2014	Class 1 10225/14	6	Fairlight Crescent	14/4/2014	HDO	Appeal upheld, size of roof top terrace reduced and restriction placed on use of roof-top terrace
DA21/2012	Class 1 10289/14	46	White Street	5/5/2014	Pikes	Appeal upheld, applicant to submit revised plans in accordance with judgement
DA262/2013	Class 1 10533/14	62-64	Pittwater Road	23/7/2014	In-house	Appeal withdrawn

RECOMMENDATION

THAT the information be received and noted.

Environmental Services Division Report No. 35 (Cont'd)

ATTACHMENTS

There are no attachments for this report.

OM13102014ESD_2.DOC

***** End of Environmental Services Division Report No. 35 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 36
SUBJECT: Report on Planning Proposal to rezone land associated with Manly Hospital and Dalwood Children's Home
FILE NO: MC/14/113850

SUMMARY

This report details a Planning Proposal to rezone land associated with Manly Hospital and Dalwood Children's Home. The land is currently a 'Deferred Matter' in the Manly Local Environmental Plan (MLEP) 2013. The Planning Proposal is to rezone the land to E2 Environmental Conservation and SP2 Health Services Facility, as exhibited in the Draft Manly LEP 2011.

REPORT

BACKGROUND

The land at Manly Hospital and Dalwood Children's Home are deferred matters under the Manly LEP 2013. The sites were deferred from the MLEP 2013 as NSW Health (the landowner) did not concur with the exhibited development standards in the Draft Manly LEP 2011, which was exhibited from 30th April to 29th June 2012.

As a result of the sites being listed as "Deferred Matters" in MLEP 2013, the zoning and other associated development standards of the MLEP 1988 still apply to the land.

Council has been in regular contact with NSW Health & Infrastructure, since the publication of the MLEP 2013 (5th April 2013), and also had meetings with representatives of NSW Health & Infrastructure and Department of Planning & Environment to try and resolve the "deferred matter" status of the sites.

Council finally received a letter from the Northern Sydney Local Health District dated 21st August 2014. The letter confirms that Northern Sydney Local Health District has no objection to the draft zoning of the land as part LEP Zone E2 Environmental Conservation and part SP2 Health Services Facility.

The Chief Executive's written confirmation allows Council to proceed with a Planning Proposal to remove the deferred status of the land associated with Manly Hospital and Dalwood Children's Home. The Planning Proposal is to apply the exhibited Draft MLEP 2011 standards to the site.

PLANNING PROPOSAL – LAND USE ZONING

The Planning Proposal, in accordance with the Draft Manly LEP 2011, is to rezone the land associated with Manly Hospital and Dalwood Children's Home as *E2 Environmental Conservation* and *SP2 Health Services Facility*.

The environmental zoning of the land was the result of Council's *Natural Assets Study* (July 2011, prepared by Ecological Australia) to ascertain the environmental zonings in the Draft MLEP 2011. This gave Council the evidence base needed to identify land of environmental value within Manly LGA.

Zones *E2 Environmental Conservation* and *SP2 Health Services Facility* and the land uses permitted and prohibited in those zones are prescribed in the MLEP 2013 as follows:

Environmental Services Division Report No. 36 (Cont'd)**Zone E2 Environmental Conservation****1 Objectives of zone**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Nil

3 Permitted with consent

Eco-tourist facilities; Environmental protection works; Flood mitigation works; Roads; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone SP2 Infrastructure**1 Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To minimise loss of views to, from and within heritage items and minimising intrusion on the heritage landscape and visual curtilage of heritage items.

2 Permitted without consent

Nil

3 Permitted with consent

Roads; The purpose shown on the [Land Zoning Map](#), including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

The LEP naming convention for Manly Hospital and Dalwood Children's Home is *SP2 Health Services Facility*. This stipulates only a *Health Services Facility* and related ancillary development may be allowed on the subject sites.

In the MLEP 2013, a *Health Services Facility* is defined as follows:

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- a medical centre,
- community health service facilities,
- health consulting rooms,
- patient transport facilities, including helipads and ambulance facilities,
- hospital.

MAPPING OF ZONES AND OTHER DEVELOPMENT STANDARDS

The maps below identify the current zoning (MLEP 2013) and exhibited zoning (Draft MLEP 2011) of the land associated with Manly Hospital and Dalwood Children's Home. The Planning Proposal is to place the exhibited development standards of the Draft MLEP 2011 for the sites into the MLEP 2013 maps.

Environmental Services Division Report No. 36 (Cont'd)

Within the sites that are a deferred matter:

- Yellow denotes LEP Zone SP2 Health Services Facility.
- Orange denotes LEP Zone E2 Environmental Conservation.

Outside the sites that are a deferred matter:

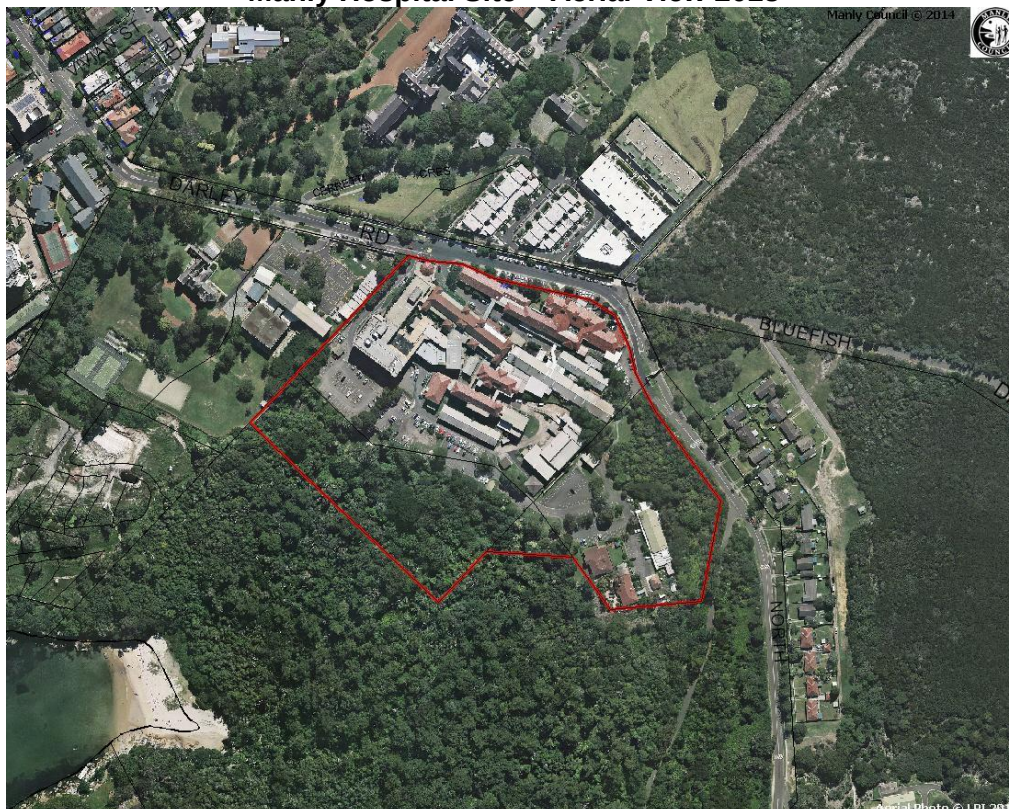
- Dark pink denotes LEP Zone R2 Low Density Residential
- Green denotes LEP Zone RE1 Public Recreation
- Other yellows and oranges denotes other special use zones (e.g. educational establishments) and other environmentally valued areas.

The Planning Proposal will also include amending the following:

- LEP Heritage Maps (HER) to incorporate identification of heritage items on the sites, and
- LEP Acid Sulfate Soil maps (CL1) to identify the class of acid sulfate soils applicable to the Dalwood Children's Home site only.
- LEP Terrestrial Biodiversity Maps (CL2) to identify biodiversity areas on the sites.
- LEP Foreshore Scenic Protection Area Maps (FSP) to identify foreshore scenic protection areas on the sites
- LEP Key Sites Map (KYS) to identify the need for a DCP for the Manly Hospital site only.

No Height of Building (HOB), Floor Space Ratio (FSR), or Minimum Lot Size (LSZ) development standards relate to the land. This is consistent with similar MLEP 2013 zoned land across Manly LGA and the Draft MLEP 2011.

Manly Hospital Site – Aerial View 2013

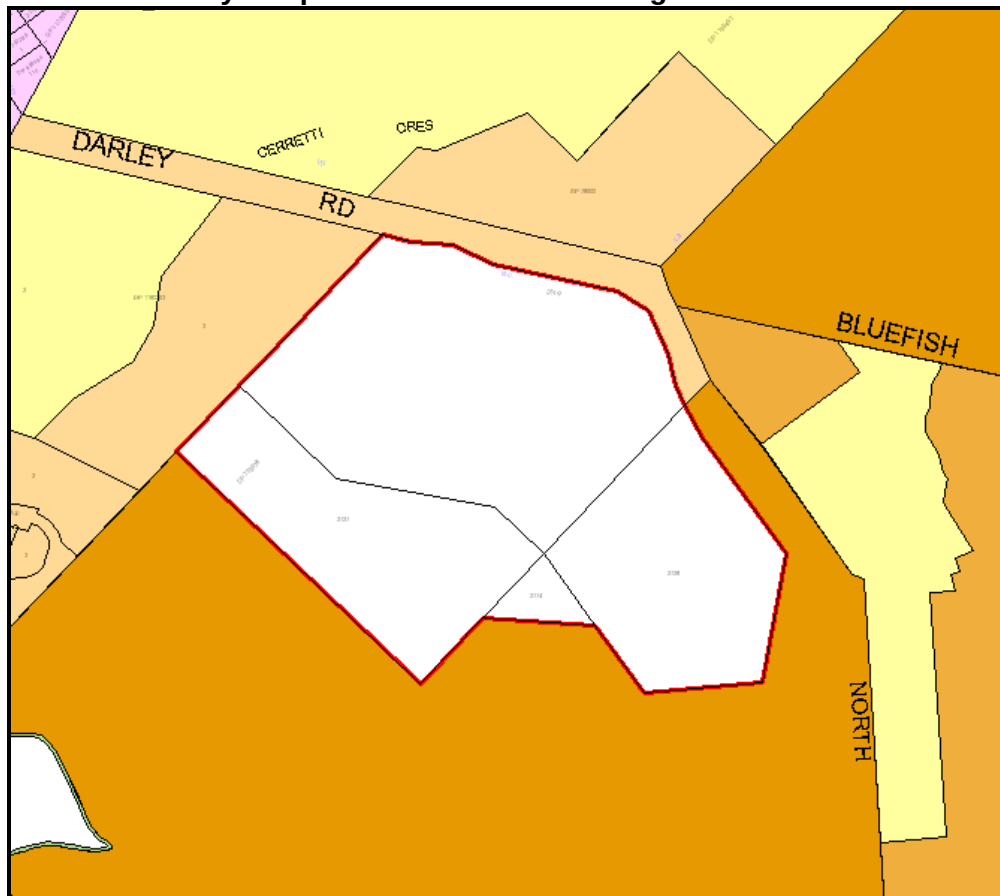


Environmental Services Division Report No. 36 (Cont'd)

Dalwood Children's Home Site – Aerial View 2013

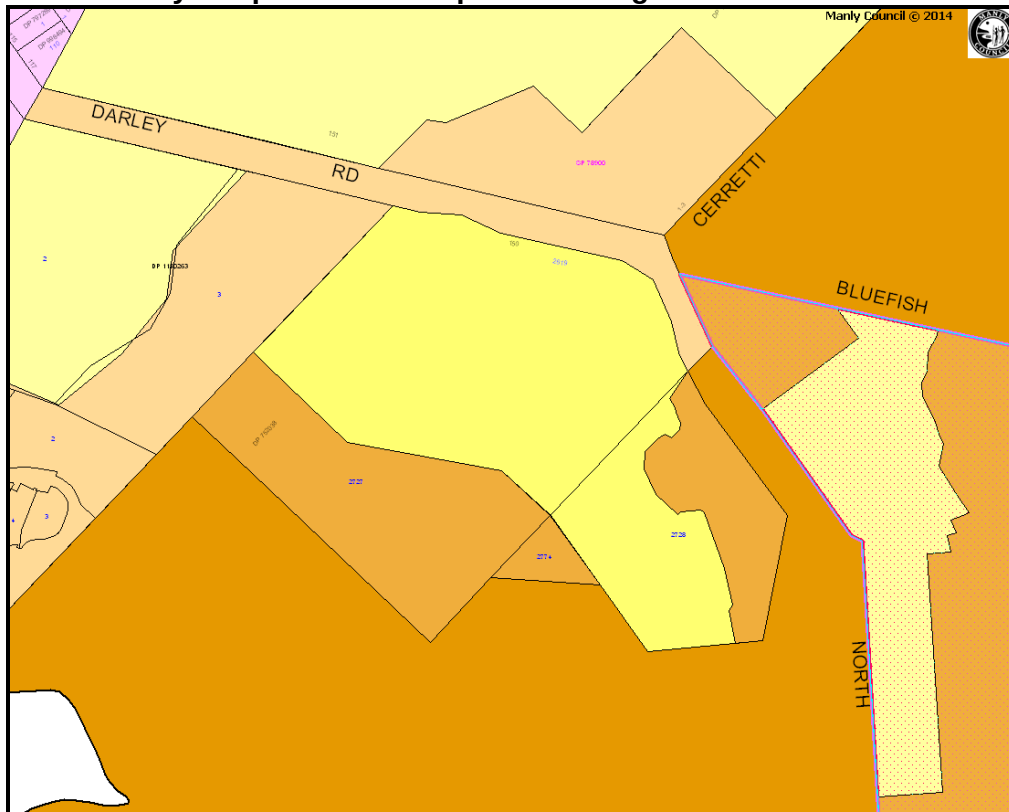


Manly Hospital Site – Current Zoning in MLEP 2013

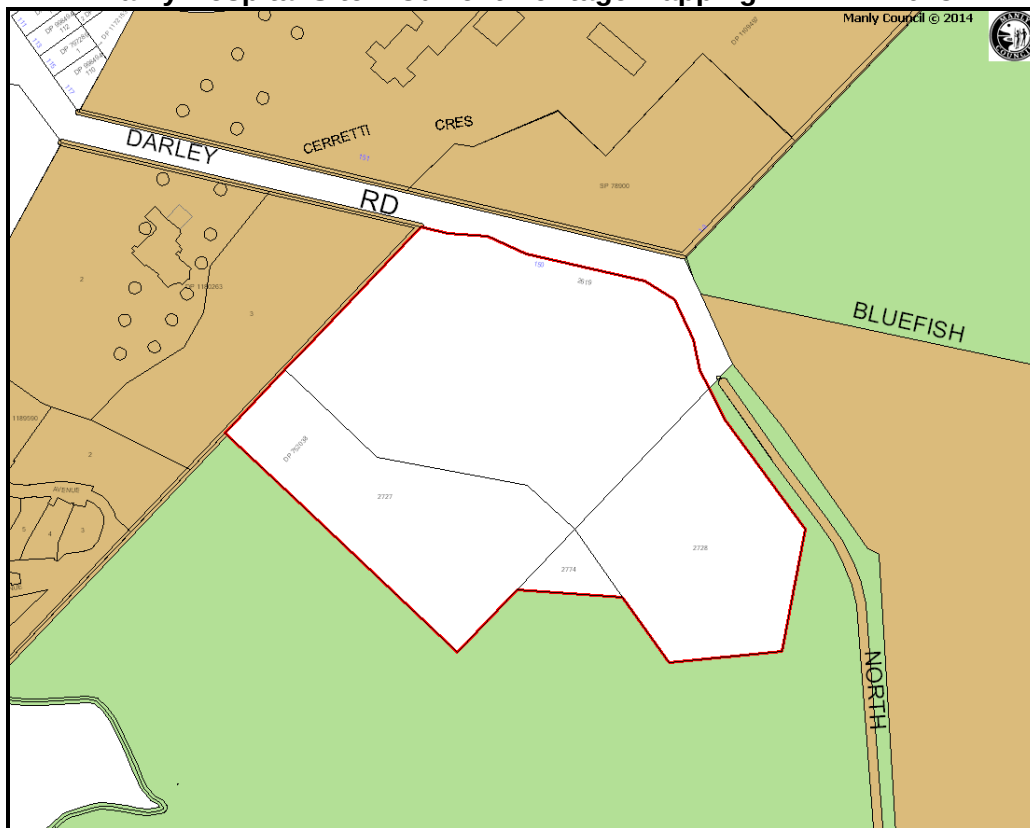


Environmental Services Division Report No. 36 (Cont'd)

Manly Hospital Site – Proposed Zoning in Draft MLEP 2011

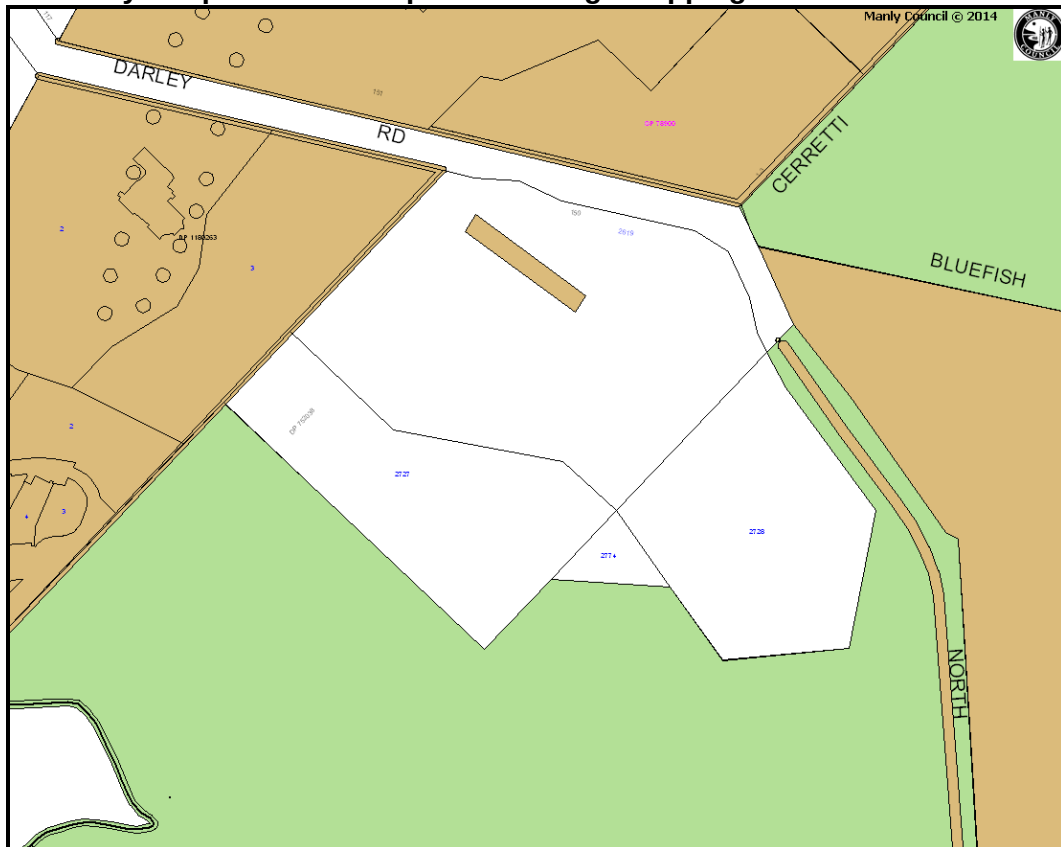


Manly Hospital Site – Current Heritage Mapping in MLEP 2013

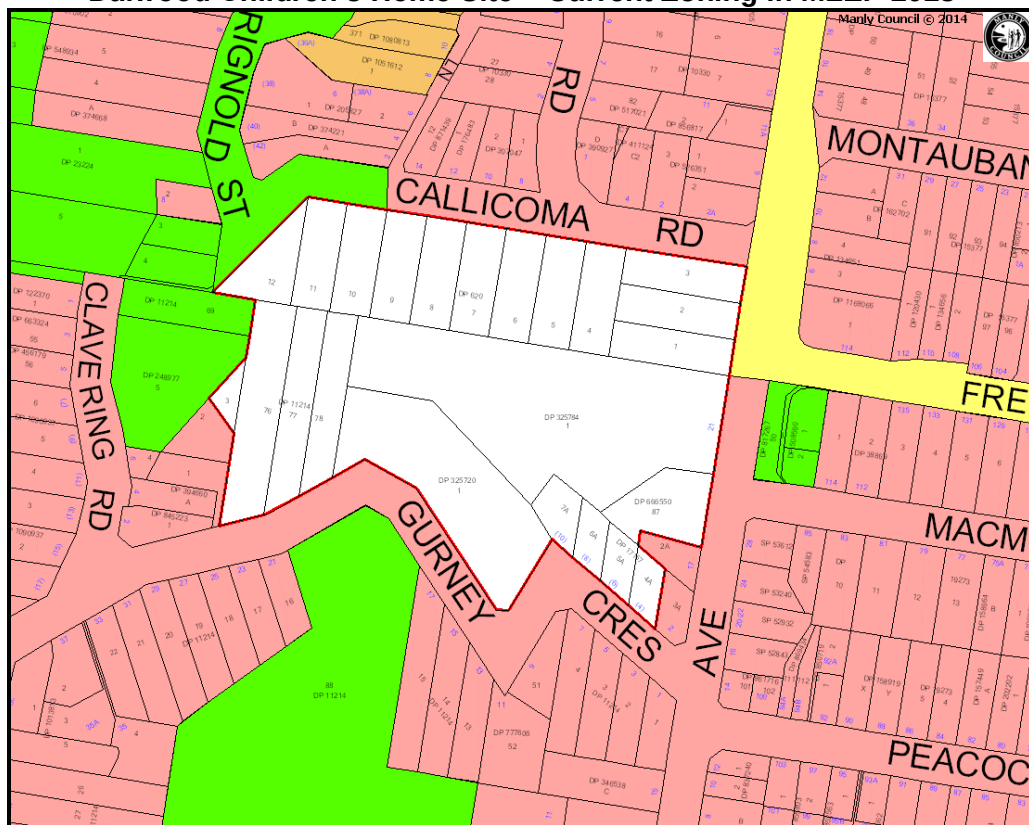


Environmental Services Division Report No. 36 (Cont'd)

Manly Hospital Site – Proposed Heritage Mapping in Draft MLEP 2011

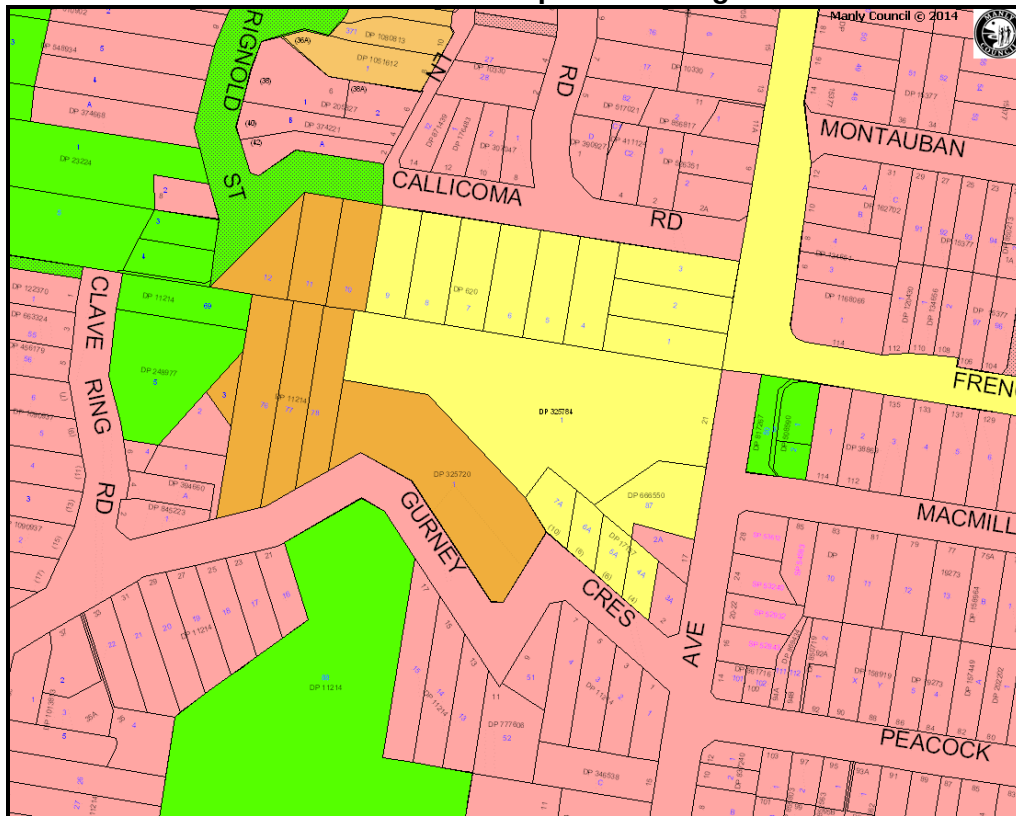


Dalwood Children's Home Site – Current Zoning in MLEP 2013

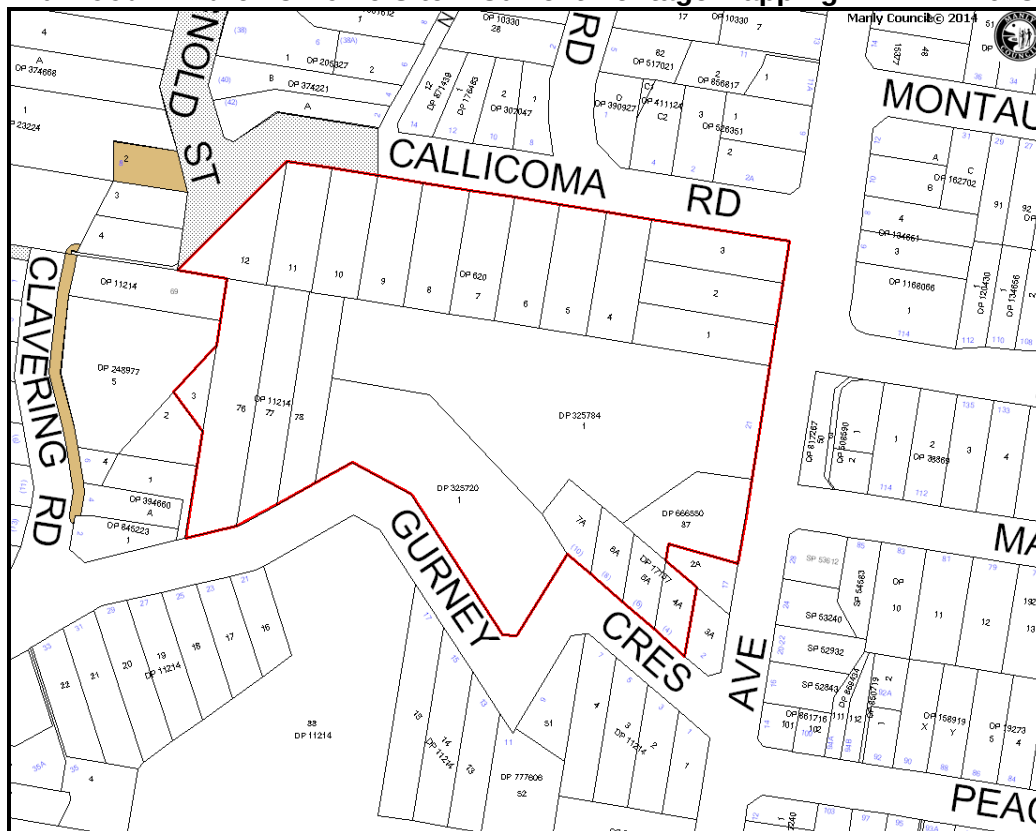


Environmental Services Division Report No. 36 (Cont'd)

Dalwood Children's Home Site – Proposed Zoning in Draft MLEP 2011

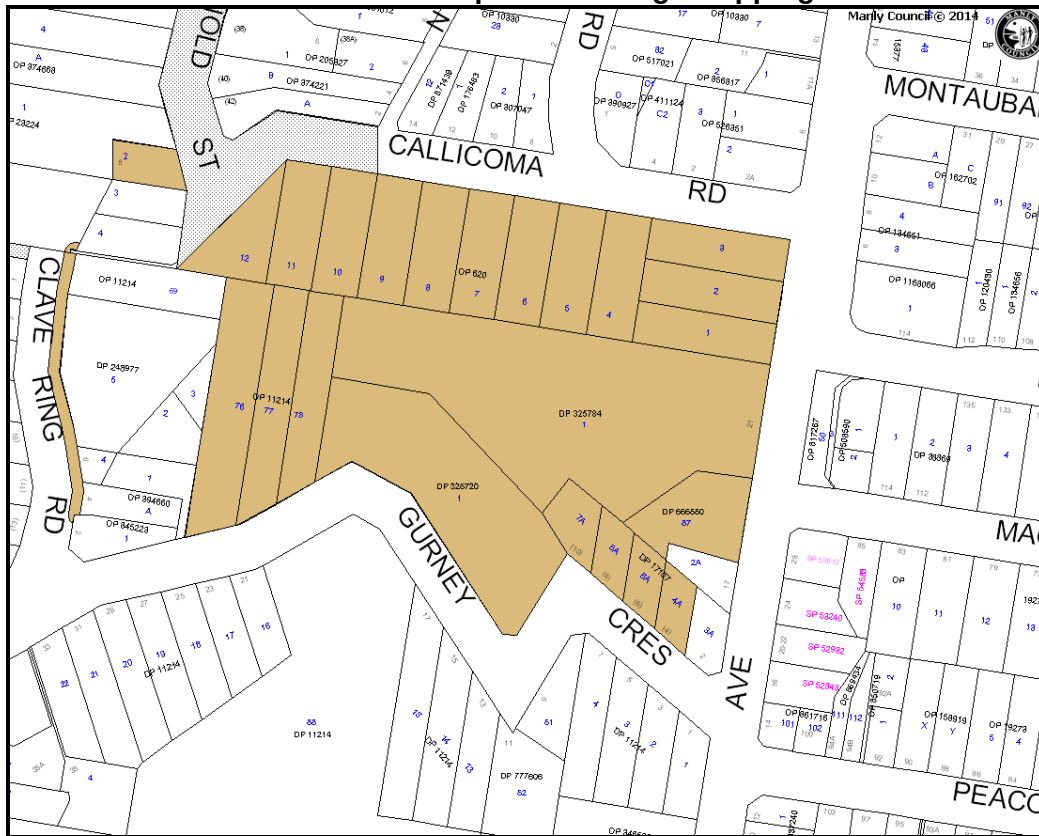


Dalwood Children's Home Site – Current Heritage Mapping in MLEP 2013

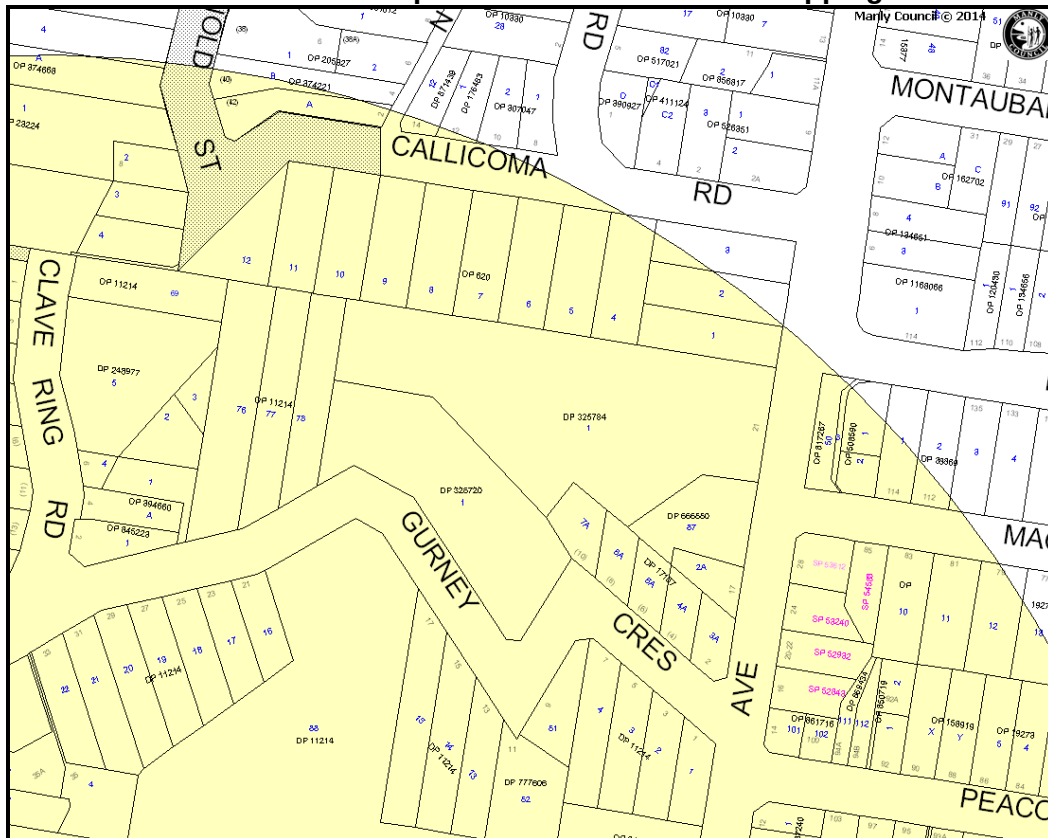


Environmental Services Division Report No. 36 (Cont'd)

Dalwood Children's Home Site – Proposed Heritage Mapping in Draft MLEP 2011



Dalwood Children's Home Site – Proposed Acid Sulfate Soils Mapping in Draft MLEP 2011



Environmental Services Division Report No. 36 (Cont'd)

Manly Hospital Site – No Acid Sulfate Soils affect the Manly Hospital Site in the Draft MLEP 2011.

Conclusion

The reason the land associated with Manly Hospital and Dalwood Children's Home is a deferred matter has now been resolved. The Planning Proposal has been prepared to remove the deferred status of the land and apply the exhibited development standards of the Draft MLEP 2011.

If Council resolves to support the Planning Proposal, the Proposal will be submitted to the Department of Planning and Environment requesting a Gateway Determination be made and Ministerial delegation to amend the MLEP 2013.

RECOMMENDATION

That Council

1. Adopt the Planning Proposal to amend the Manly LEP 2013 in applying the exhibited Draft Manly LEP 2011 development standards for the land associated with Manly Hospital and Dalwood Children's Home contained in the report.
2. Submit the Planning Proposal to the Department of Planning and Environment's LEP Gateway Determination Panel for determination and making of the Amending Manly LEP 2013 under delegation.

ATTACHMENTS

AT-1	Confirmation letter from NSW Health Chief Executive regarding the Rezoning of land associated with Manly Hospital and Dalwood Children's Home.	1 Page
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OM13102014ESD_4.DOC

***** End of Environmental Services Division Report No. 36 *****

ATTACHMENT 1

Environmental Services Division Report No. 36.DOC - Report on Planning Proposal to rezone land associated with Manly Hospital and Dalwood Children's Home

Confirmation letter from NSW Health Chief Executive regarding the Rezoning of land associated with Manly Hospital and Dalwood Children's Home.



Health
Northern Sydney
Local Health District

File: 14/ 736
Our Ref: NSHN/14/14995
Doc No: NSHN/14/15001

Mr Nayeem Islam
Manager, Land Use Planning
Manly Council
PO Box 82
MANLY NSW 1655

Dear Mr Islam

RE: Rezoning of land associated with Manly Hospital and Dalwood Children's Home

We write in response to Manly Council's desire to rezone the two remaining sites from the Comprehensive Manly Local Environmental Plan 2013 and are currently controlled by the repealed Local Environmental Plan 1998.

The ecological values of the two sites at Manly Hospital would be consistent with the land being zoned as E2 Environmental Protection.

The ecological values of the Dalwood Home site are similarly considered to be consistent with this zoning.

On this basis, Northern Sydney Local Health District has no objection to the proposed rezoning.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Vicki Taylor'.

Adj. Assoc. Professor Vicki Taylor
Chief Executive

Date: 21.08.2014

Northern Sydney Local Health District is located on the traditional lands of the Eora Nation

All correspondence to be emailed or sent to:
NSLHD-Mail@health.nsw.gov.au

PO Box 4007
Royal North Shore Hospital LPO
St Leonards NSW 2065
Tel (02) 9462 9955 Fax (02) 9463 1029

Northern Sydney Local Health District
ABN 63 834 171 987

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 37
SUBJECT: Report on minor planning amendment to correct Royal Far West site mapping
FILE NO: MC/14/120183

SUMMARY

This report details two minor mapping errors found at the Royal Far West site. The errors were discussed with the Department of Planning and Environment (the Department) who advised that the errors can be corrected under Section 73A of the *Environmental Planning and Assessment Act 1979*. No public exhibition or planning proposal is needed for the correction, however a resolution of Council is required to approach the Department of Planning and Environment to correct the errors.

REPORT

BACKGROUND

Council at its Ordinary Meeting on 11th August 2014, resolved to proceed with Amendment 3 to the Manly LEP 2013. This was to remove the deferred status of the Royal Far West site and apply the Draft Manly LEP 2011 land zoning and development standards to the site.

Manly LEP 2013 Amendment 3 was published on the NSW Legislation website on Friday 12th September 2014. Then Amendment 3 maps were not available to view on the website until Thursday 18th September, when two minor mapping errors were discovered.

Council officers' approached the Department to correct the self-evident minor mapping errors, but were instructed to submit a Section 73A application and seek a resolution from Council to correct the errors.

Section 73A of the *Environmental Planning and Assessment Act 1979* states as follows:

73A Expedited amendments of environmental planning instruments

- (1) *An amending environmental planning instrument may be made under this Part without compliance with the provisions of this Part relating to the conditions precedent to the making of the instrument if the instrument, if made, would amend or repeal a provision of a principal instrument in order to do any one or more of the following:*
 - (a) *correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error,*
 - (b) *address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature,*
 - (c) *deal with matters that the Minister considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land.*
- (2) *A reference in this section to an amendment of an instrument includes a reference to the amendment or replacement of a map adopted by an instrument.*

A Section 73A submission does not require the submission of a planning proposal, or for Council to seek delegation, or hold a public exhibition.

Environmental Services Division Report No. 37 (Cont'd)**MINOR ERRORS****Land Application Map**

The Manly LEP Land Application Map still shows the Royal Far West site as a 'Deferred Matter' via a red outline around the site.

The site is no longer a 'Deferred Matter' as per Amendment 3 of the Manly LEP 2013. All other maps of the LEP (Land Zoning, Height of Building, etc) have been amended to remove the 'Deferred Matter' status, and have been published showing development standards for the site.

Correcting the minor error by removing the red outline will resolve the discrepancy between this map and all other maps, ensuring consistency with the objective of Manly LEP Amendment 3.

Figure 1 - Map showing 'DM' and red outline still being applied to the LAP map.

**Heritage Map**

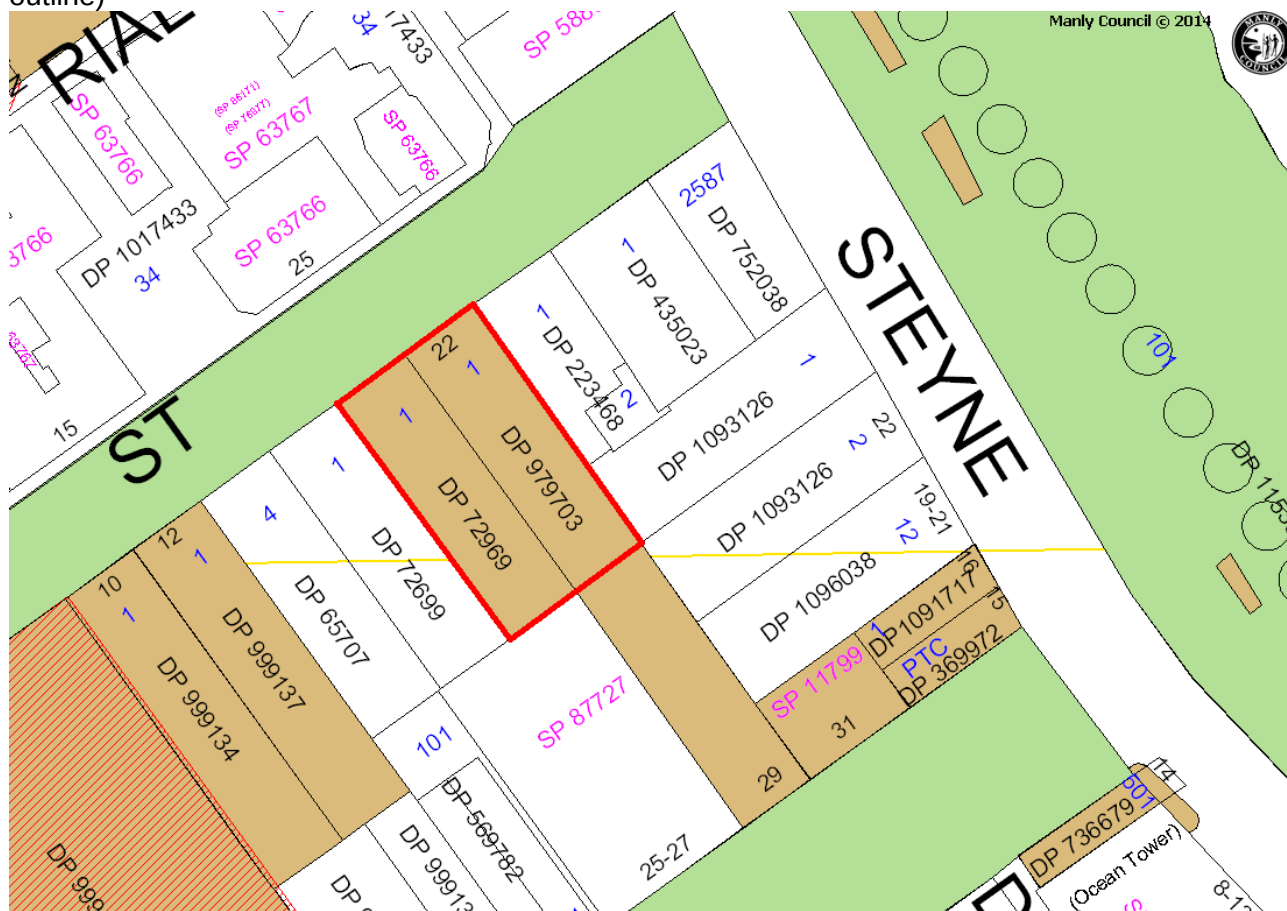
The Manly LEP Heritage Map does not highlight '22 Wentworth Street – The Drummond House Far West Home' as a heritage item.

Part 1 'Heritage Items' of Schedule 5 of the Manly LEP 2013 lists the site as a heritage item.

Correcting the minor error by highlighting and labelling the Drummond House site will resolve the discrepancy between the map and the written instrument, ensuring the correct mapping of a heritage item.

Environmental Services Division Report No. 37 (Cont'd)

Figure 2 – The correct mapping of 'Drummond House' on the LEP Heritage Map (shown by red outline)



Conclusion

The mapping errors are considered minor under Section 73A of the Environmental Planning and Assessment Act 1979. The resolution of these minor mapping errors will eliminate obvious discrepancies in the Manly LEP 2013.

Under Section 73A, no planning proposal or public exhibition is needed to correct the errors.

If Council resolve to correct the errors under Section 73A, Council officers will launch a Section 73A submission to the Department of Planning and Environment to enable the maps to be corrected.

RECOMMENDATION

That Council

1. Request the Minister of Planning to make the plan under Section 70 and Section 73A of the *Environmental Planning and Assessment Act 1979* to resolve the minor mapping errors:
 - i) Remove the 'Deferred Matter' from the Manly LEP Land Application Map, resolving the discrepancy between the LAP map and all other maps, being consistent with the objective of Manly LEP Amendment 3
 - ii) Highlight and Label '22 Wentworth Street – the Drummond House Far West Home' on Manly LEP Heritage Maps, ensuring the correct mapping of a heritage item.

ATTACHMENTS

There are no attachments for this report.

OM13102014ESD_5.DOC

***** End of Environmental Services Division Report No. 37 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 38
SUBJECT: Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections
FILE NO: MC/14/120188

SUMMARY

This report identifies a series of minor map labelling errors on Council's Heritage maps, which is used to help identify heritage items in the MLEP 2013. The labelling errors do not affect the status of heritage listed buildings in Manly. Correcting the errors will enable the public and landowners to more easily identify the correct description of a listed item using the maps. This report proposes to amend the MLEP 2013 in regards to the minor mapping errors to the Heritage maps.

REPORT

Background

Council's Land Use Planning Group have from time to time since the commencement of Manly LEP 2013 identified a variety of minor errors in the listing and mapping Heritage Items in the LEP, some of which are already being amended as part of LEP Amendment 3. To ensure accuracy for all other Heritage Items in the LEP, a comprehensive qualitative review has been undertaken in relation to how all Heritage Items are mapped, notated and labelled on LEP Maps and how they are listed and described in LEP Schedule 5.

The Results of the Qualitative Review of LEP Heritage Maps and Schedule 5 are the subject of this report and detailed in the Attachment. This report follows the considerations and recommendations of the LEP DCP Working Group supporting the preparation of a Planning Proposal to amend the LEP in accordance with the recommendation of this Review.

Results of the Qualitative Review of LEP Heritage Maps and Schedule

Detailed results of the Qualitative Review of LEP Heritage Maps and Schedule are attached to this report. In relation to the review of LEP Heritage Maps the types of minor errors identified are generally as follows:

- The majority of corrections that are identified relate to the wrong labelling of items on the Maps. For example, Fisher Bay Reserve labelled as "i58" when the correct label should read 'i272' on LEP Heritage Map Sheet HER_002.
- Unclear labelling, particularly where the position of the label obscures the mapping of the actual item.
- Heritage Items that are listed in the LEP Schedule and mapped but are not identified with a label. For example, the reserved Tram Track at The Spit is listed and mapped but needs to be annotated as "i280" on LEP Heritage Map Sheet HER_002.

In relation to the review of LEP Heritage Listings at Schedule 5 the types of minor errors identified are typically in relation to the details of the property description for the land on which the items are situated such a missing lot, an incorrect Plan reference or lack of property description altogether.

RECOMMENDATION

THAT Council request the Department of Planning and Environment to progress minor corrections to Manly LEP Heritage Maps and Schedule 5 including a request that the Minister delegate the making of the plan to the General Manager.

ATTACHMENTS

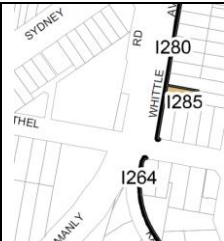
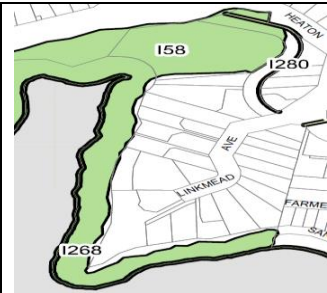
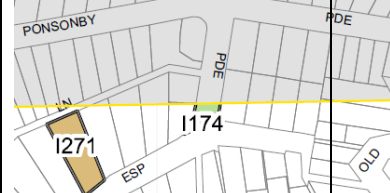
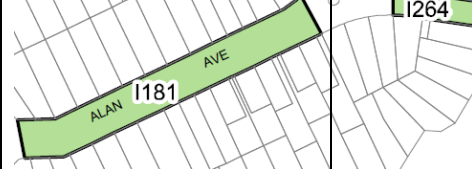
AT- 1 Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5 11 Pages
OM13102014ESD_6.DOC

***** End of Environmental Services Division Report No. 38 *****

ATTACHMENT 1

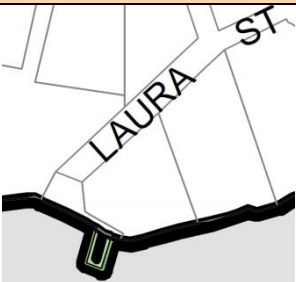
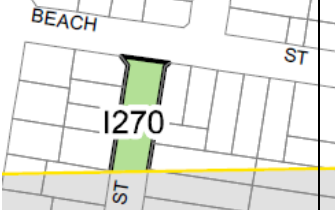
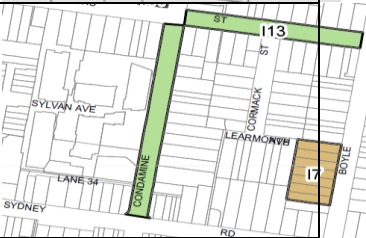
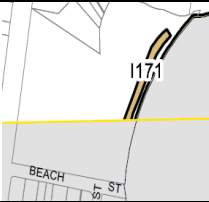
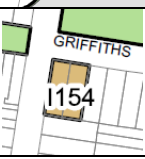
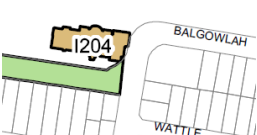
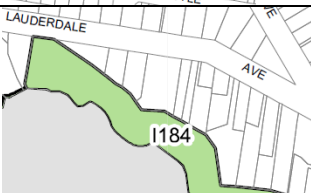
Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Schedule of LEP Amendments Draft Planning Proposal for Minor Heritage Amendments

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
Heritage Map – Sheet HER_001					
1.1	I280 – tram tracks	Incorrectly labelled item	Kanangra Crescent	Replace “I264” with “I280”	
Heritage Map – Sheet HER_002					
2.1	I272 – Fisher Bay Reserve	Incorrectly labelled item	Fisher Bay Reserve	Replace “I58” with “I272”	
2.2	I272– Fisher Bay Reserve	Incorrectly labelled item	Fisher Bay Reserve	Replace “I268” with “I272”	As above
2.3	I280 - Reserved track for trams	Item not labelled	The Spit	Insert “I280”	
2.4	I275 – Street Trees	Incorrectly labelled item	Panorama Pde	Replace “I174” with “I275”	
2.5	I264– Street Trees	Incorrectly labelled item	Alan Avenue	Replace “I181” with “I264”	

ATTACHMENT 1

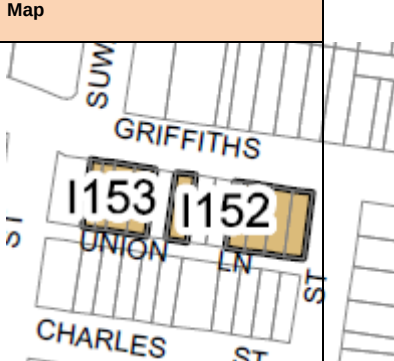
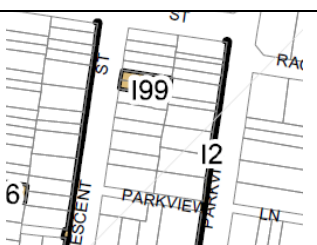
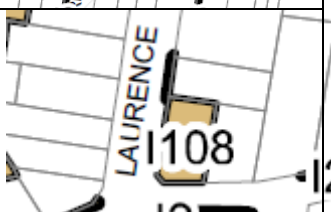
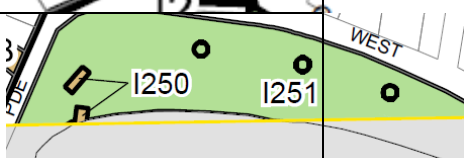
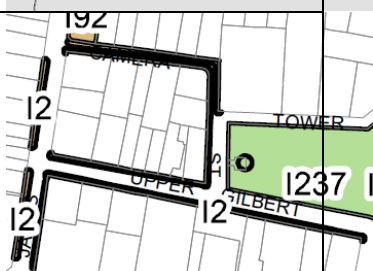
Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
2.6	I276 – Port Jackson fig tree	Item not labelled	Pine Point off Laura Street	Insert “I276”	
Heritage Map – Sheet HER_003					
3.1	I22– Street Trees	Incorrectly labelled item	Seaview Street	Replace “I270” with “I22”	
3.2	I8– Street Trees	Item not labelled	Condamine Street	Insert “I8”	
3.3	I2 – All Stone Kerbs	Incorrectly labelled item	North Harbour Reserve	Replace “I171” with “I2”	
3.4	I17 - House	Incorrectly labelled item	13 King Street	Replace “I21” with “I17”	
3.5	I14 - Electricity Substation	Incorrectly labelled item	Griffiths Street	Replace “I154” with “I14”	
3.6	I46 - Club House	Incorrectly labelled item	Manly Golf Club	Replace “I204” with “I46”	
3.7	I49 – Park and Pool	Incorrectly labelled item	Esplanade Park	Replace “I184” with “I49”	

ATTACHMENT 1

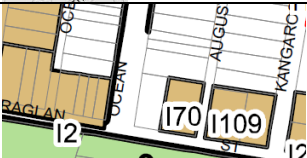
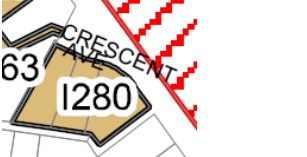
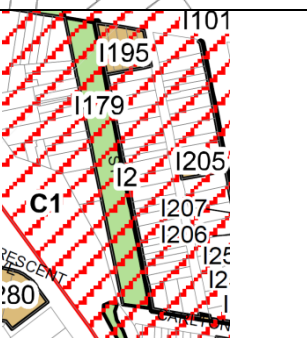
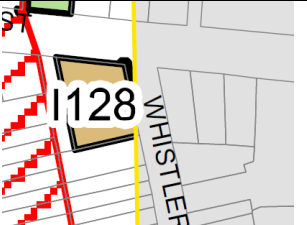
Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections

Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
3.8	I55 – Group of 4 houses	Incorrectly labelled item	1,3,5 & 11 Griffiths St	Replace “I152” with “I55”	
3.9	I56 – stone terrace and adjoining house	Incorrectly labelled item	15, 17 & 19 Griffiths St	Replace “I153” with “I56”	See above
3.10	I58 – Cemetery and Vegetation	Incorrectly mapped as just a ‘landscape’ item	Manly Cemetery	Amend shading to reflect item as both a general and landscape item	
3.11	I59 - Trees	Trees locations not mapped	Manly West School	Replace overall shading with individual mapping of trees	See above
3.12	I47 – Semi Detached Dwellings	Incorrectly labelled item	16-18 The Crescent	Replace “I99” with “I47”	
3.13	I116 – Residential Flat Building	Incorrectly labelled item	32 The Crescent	Replace “I108” with “I116”	
3.14	I250 - Amenities Block	Incorrectly labelled item	Manly Cove	Notation for “I250” to refer to amenities building only	
3.15	I2- Stone Kerbs	Item not labelled	Camera Street	Insert notation for I2	

ATTACHMENT 1

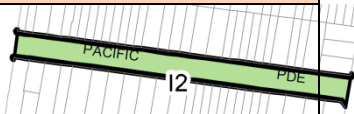
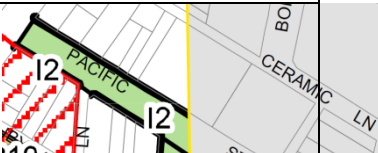
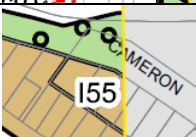
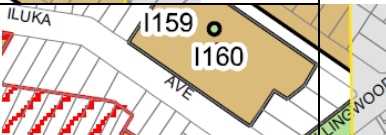
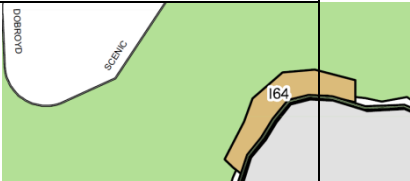
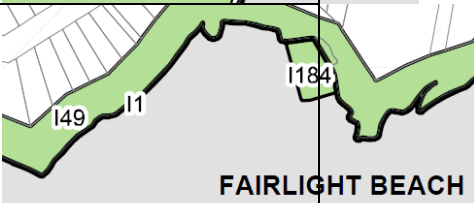
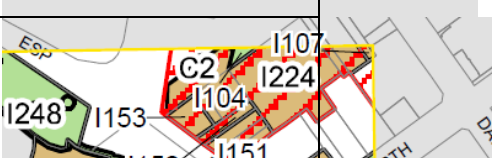
Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
3.16	I61 – Group of dwellings	Item not labelled	Margaret Street	Insert notation for I61	
3.17	I218 – St Andrews Presbyterian Church	Incorrectly labelled item	56 Raglan Street	Replace “I70” with “I218”	
3.18	I217 – St Andrews Hall and Manse	Incorrectly labelled item	54 Raglan Street	Replace “I109” with “I217”	See above
3.19	I165 – Kangaroo Sculpture	Notation duplicated	Kangaroo Reserve Park	Remove duplication of notation	
3.20	I163 – Group of Houses	Incorrectly labelled item	Crescent Avenue	Replace “I280” with “I163”	
3.21	I223 – Street Trees	Incorrectly labelled item	Smith Street	Replace “I179” with “I223”	
3.22	I2 – stone Kerb	Item not labelled		Insert notation for I2	See above
3.23	I101 - Collins Beach	Incorrect notation		Omit notation I101	
3.24	I194 - House	Incorrectly labelled item	7 Pine Street	Replace “I128” with “I194”	
3.25	I2– stone Kerb	Incorrect notation	Whistler Street	Amend notation to identify western side kerb in Whistler St	See above

ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections

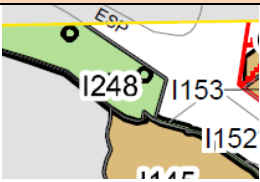
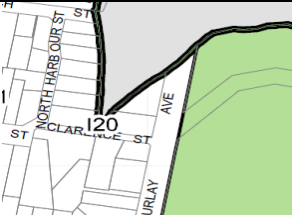
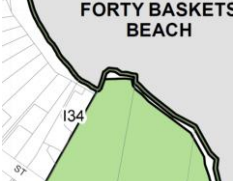
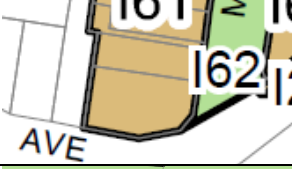
Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
3.26	I191 – Street trees	Item not labelled	Pacific Parade	Insert notation for I191	
3.27	I2– stone Kerb	Item not fully labelled	Pacific Parade	Insert notation for I2 both sides of street	See above
3.28	I192 – Street trees	Item not labelled	Pacific Street	Insert notation for I192	
3.29	I55 – Group of RFBs	Incorrectly labelled item	1,2,3,4,5&6 Cameron Avenue	Replace “I55” with “I93”	
3.30	I160 – 2 Fig Trees	Item partly obscured	School	Reposition notation to show location of both trees	
3.31	I154 – Group of RFBs	Incorrectly labelled item	Eurobin Avenue	Replace “I242” with “I154”	
Heritage Map - Sheet HER_004					
4.1	I37 – Crater Huts	Incorrectly labelled item	Sydney Harbour National Park	Replace “I64” with “I37”	
4.2	I49 – Esplanade Park and Fairlight Pool	Incorrectly labelled item	Fairlight Reserve	Replace “I184” with “I49”	
4.3	I106 – Commercial Buildings	Incorrectly labelled item	The Corso	Replace “I224” with “I106”	
4.4	I69 – house	Incorrectly labelled item	44 Addison Road	Replace “I11” with “I69”	

ATTACHMENT 1

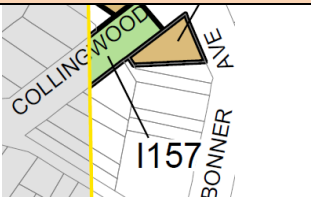
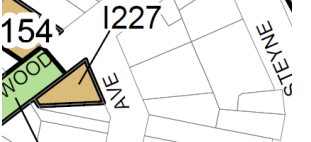
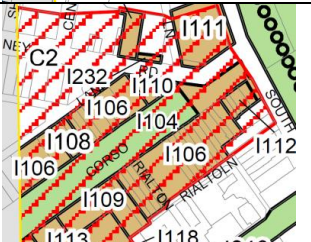
Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections

Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
4.5	I248 – Governor Phillip Memorial	Labelling obscures item and mapping of item not distinguished from landscape items	West Esplanade	Reposition labelling and amend mapping to distinguish from listed trees nearby	
4.6	I250 – Amenities Block	Item not located on Sheet 4 (see sheet 3)	West Esplanade	Omit reference to "I250" on LEP Sheet HER_004	
4.7	I251 – Park	Full extent of item not labelled	Manly – Fairlight Foreshores	Insert additional reference "I251" at eastern end of the mapped item	
4.8	I20 - waterfall	Mapping of item obscured by labelling	Balgowlah	Reposition labelling to reveal mapping of item	
4.9	I39 - trees	Mapping of item obscured by labelling	Forty Baskets Reserve	Reposition labelling to reveal complete mapping of item (total of 6 trees)	
4.10	I34 – east facing stone façade of original cottage	Mapping of item obscured by labelling	Forty Baskets	Reposition labelling to reveal mapping of item	
4.11	I61 – Group of dwellings	Mapping of item includes land not listed	Margaret Street	Remove shading from 1 Margaret St SP29	
4.12	I36 - Fortifications	Labels of item unclear	North Head	Redraft labels for item in relation to pointing lines	
Heritage Map - Sheet HER_005					

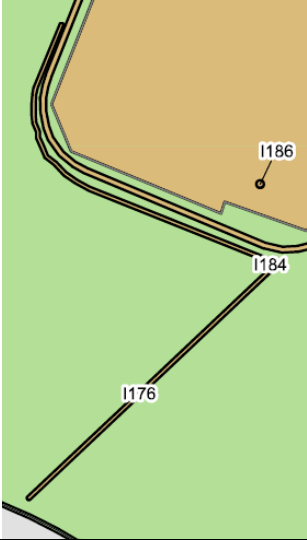
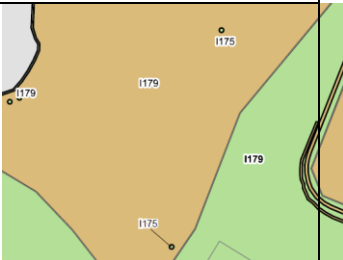
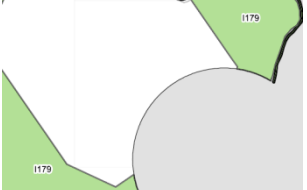
ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
5.1	I100 – Street trees	Incorrectly labelled item	Collingwood Street	Replace “I157” with “I100”	
5.2	I99 – house	Incorrectly labelled item	44 Collingwood Street	Replace “I227” with “I99”	
5.3	I174 – Beach Reserve	Labelling of item unclear	North Steyne	Omit “I174” on street side of the Queenscliff Surf Club	
5.4	I254 – St Mary’s Church	Incorrectly labelled item	Whistler Street	Replace “I31” with “I254”	
5.5	I255 – Substation	Incorrectly labelled item	34A-36 Whistler Street	Replace “I259” with “I255”	
5.6	I106 – group of commercial buildings	Mapping wrongly identifies street as within item	The Corso	Omit shading from parts of The Corso and Darley Road reserves	
See above - SW end of The Corso					
Heritage Map - Sheet HER_006					
6.1	I174 – Beach Reserve	Incorrectly labelled item	North and South Steyne	Replace “I29” with “I174”	
6.2	I168 – Ocean Foreshore	Item not labelled	Ocean Foreshore	Insert label “I168” for Foreshore	See Above
6.3	I224 – Beach Shelters	Mapping of item obscured by labelling	North and South Steyne	Reposition labelling to reveal mapping of item	

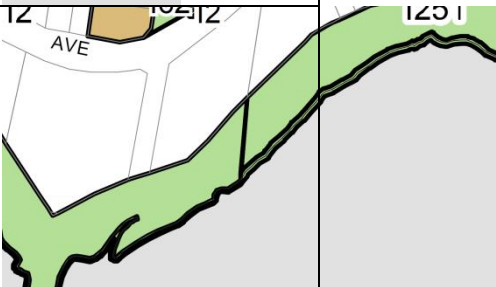
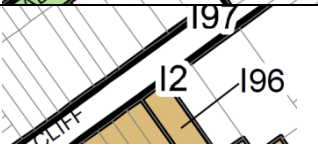
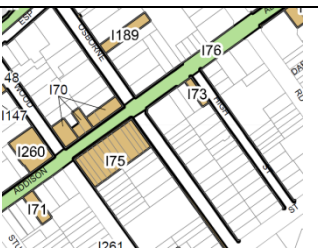
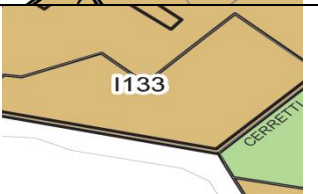
ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
6.4	I222 - The Kiosk & I91 - Trees	Mapping of items obscured by labelling	Fairy Bower	Reposition labelling to reveal mapping of items	
6.5	I176 - Obelisk	Mapping of items obscured by labelling	North Head	Reposition labelling to reveal mapping of items	
6.6	I182 – Stone Walls	Incorrectly labelled item	North Head	Replace “I184” with “I182”	See above
6.7	I175 – North Head	Labelling is unclear as to extent to the item mapped	North Head	Delete pointing arrow to a specific point in this item	
6.8	I179 – Quarantine Station and Reserve and I175 – North Head	Labelling is unclear as to extent to the item mapped	North Head	Replace annotations “I179” with “I175”	
6.9	I230 – Public Reserve and Trees	Incorrectly labelled item	Spring Beach	Replace “I133” with “I230”	
6.10	I229 – Group of Houses	Incorrectly labelled item	87 – 97 Stuart Street	Replace “I133” with “I230”	See above
6.11	IA1 – Manly Gas Works	Archaeological item not labelled	Manly Point	Insert “IA1”	See above

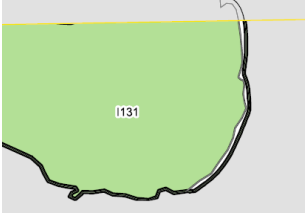
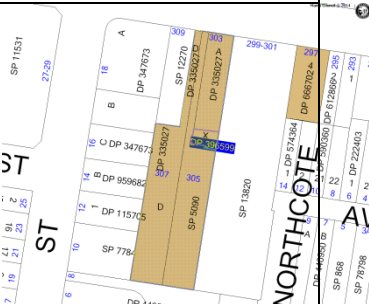
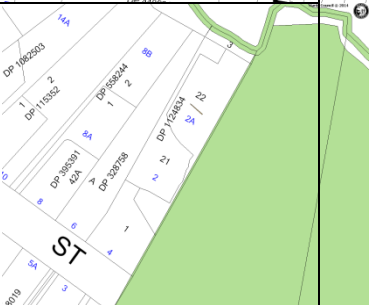
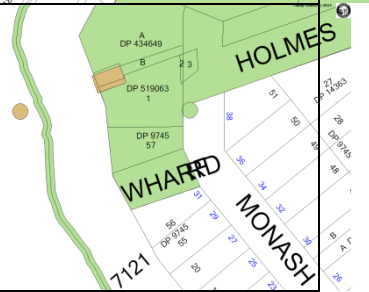
ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
6.12	I228 - House	Incorrectly labelled item	Stuart Street	Replace "I83" with "I228"	
6.13	I1 – Foreshore	Inconsistent mapping of the item i.e. use of both double line and single lining	Foreshore	Redraft item with consistent mapping	
6.14	I70 & I75 – groups of buildings	Incorrectly labelled item	Addison Road	Amend labelling to accurately distinguish between items I70 and I75	
6.15	I97 – Port Jackson fig tree	Labelling is unclear as to extent to the item mapped	Cliff Street	Reposition labelling to reveal mapping of items	
6.16	I2 – Stone Kerb	Item not labelled	North Side of Cliff Street and all kerbs in the vicinity of Addison Rd, East Esplanade, High St, Osborne Rd & Wood St	Insert labels	
6.17	I132 – St Particks Estate	Incorrectly labelled item	North Head	Replace "I58" with "I132"	
6.18	I132 – St Particks Estate	Incorrectly labelled item	North Head	Replace "I133" with "I132"	

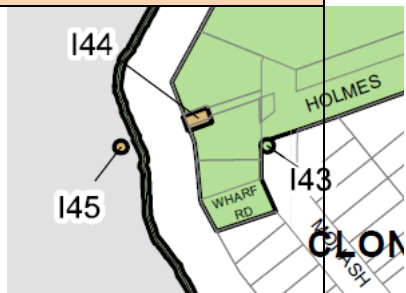
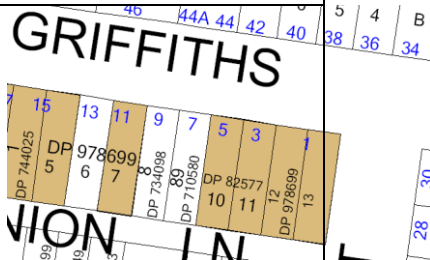
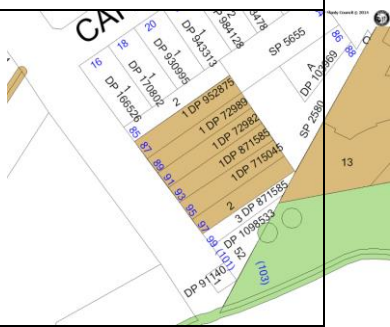
ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
Heritage Map – Sheet HER_007					
7.1	I175 – Sydney Harbour National Park	Incorrectly labelled item	National Park	Replace “I131” with “I175”	
HERITAGE LISTINGS under LEP Schedule 5					
8.1	I24 – Group of Houses	Land missing in Property Description		Insert “Lot X DP 396599” into the listings’ Property Description	
8.2	I34 – Eastern facing stone façade of original cottage	No Property Description	Beatty Street	Insert “Lot 22 DP 1124834” into the listings’ Property Description	
8.3	I44(Middle Harbour Submarine Syphon) & I45(Middle Harbour Syphon)	Incorrectly labelled item	Clontarf	Amend (swap) labels for these 2 items	

ATTACHMENT 1

Environmental Services Division Report No. 38.DOC - Proposal to Amend Manly Local Environmental Plan 2013 in relation to minor Heritage Corrections Matrix Summary of Amendments to LEP Heritage Maps and Schedule 5

Amendment Reference #	Heritage Item Reference	Issue	Location	Recommendation	Map
8.4	See above				
8.5	I61 – Group of dwellings	Land missing in Property Description	Margaret Street	Insert “Lot 1 DP 965733”	No map
8.6	I55 – Group of 4 Houses	Incorrect Property Description	1,3,5 & 11 Griffiths Street	Amend Property Description to correct DP Plan number for Lot 11 (3 Griffiths Str.)	
8.7	I75 – Group of Dwellings	Land at 86A missing from Address	86A,86,88, 90,92,94,96 ,98,100,102 ,104&106 Addison Road	Describe land as “86A,86,88, 90,92,94,96,98 100,102,104& 106 Addison Road”	No Map
8.8	I85 – Group of Dwellings	Incorrect Property Description	1-25 Birkley Road	Replace reference to “Lot 16” to “Lot 6 DP2428”	No Map
8.9	I229 – Group of Houses	Land missing from Property Description	87 – 97 Stuart Street	Insert 89 Stuart Street Lot 1 DP 72989	
8.10	Item ‘I247’ – ‘Manly Village School’	No Property Description	Manly Village School’	Insert Lot 1 DP999133	No Map
8.11	I252 – Residential Flat Building	Unclear address and Property Descriptions (4 West Promenade is a separate item)	3,5,6,7&8 West Promenade	Amend address to “3,5,6,7&8 West Promenade” & Lot B to refer to “Lot B SP8888” instead of “Lot B 322790”	No Map

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 39
SUBJECT: Proposal to Amend Manly Development Control Plan 2013 in relation to land in LEP Zone B1 Neighbourhood Centre
FILE NO: MC/14/120196

SUMMARY

This report recommends amendments be made to Manly Development Control Plan (DCP) 2013 in relation to land in LEP Zone B1 Neighbourhood Centre. Council may resolve to approve and exhibit the proposed amendments which are then to be followed by a further report to Council dealing with any submissions received and recommending Council's final adoption of an amended DCP.

REPORT

BACKGROUND

This Review commenced following receipt of submissions in relation to certain Neighbourhood Centres since the drafting of the new LEP Zone B1 Neighbourhood Centre in Manly LEP 2013. Council's LEP DCP Working Group received Staff reports in relation to this review of certain Manly DCP guidelines and raised a range of issues and considerations that have been drafted and agreed through the drafting process.

Manly LEP 2013 introduced a total of 22 Neighbourhood Centres being land previously under Zone No 2 – Business Zone in Manly LEP1988 and also incorporating some other long established and approved local businesses previously in the residential zone. This new LEP Zone B1 Neighbourhood Centres now provides appropriate zoning for a range of small scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

Each of these Neighbourhood Centres has been reviewed and reported to the LEP DCP Working Group including locality details, relevant development standards, control guidelines and zoning history. A range of issues have been considered in this review with additional guidelines drafted accordingly with particular regard to setbacks, landscaping, density, vehicular access, noise, odour, hours of operation, liquor licences, waste collection and local character. Particular regard is given to the relationship with surrounding residential neighbourhoods and boundaries adjoining residential zoned land.

Details of Proposed Amendment

Setbacks and Landscaping:

The proposed DCP amendments give more particular regard to the relationship with surrounding residential neighbourhoods and boundaries adjoining residential zoned land with new setback and landscaping controls seeking to minimise impacts on residential amenity. The proposed amendment requires rear boundary setbacks adjoining residential zoned land of at least 8m setback, with the setback requirement increasing at upper levels to conform to appropriate building envelopes.

The draft landscape guidelines require at least 20sqm of Private Open Space for each dwelling having a minimum dimension of 3m and designed to receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. Where side and rear boundaries adjoin land zoned Residential, provision is made for the retention/establishment of a landscape buffer providing for both the maintenance and growth of mature trees. The provisions of communal open space for development in the Neighbourhood Centres Zone are also to consider guidelines contained in the Residential Flat Design Code referenced in the DCP.

Environmental Services Division Report No. 39 (Cont'd)*Density:*

The application of Residential Density provisions to redevelopment in the Neighbourhood Centres Zone is also reviewed. In this regard it is recommended that Council may consider exceptions to the DCP Density Provisions in relation to major redevelopments where the development conforms to a site amalgamation parcel to be identified in certain Centres to be drafted at Schedule 2 - Townscape Principles in the DCP.

Vehicular access:

Opportunities to provide and/or revitalise rear lane access are also incorporated in this DCP Amendment. Schedule 2 of the DCP is to recognize existing rear/service lanes to remain in any redevelopment as well as opportunities for rear/service land access in any future redevelopment.

Noise/Vibration and Odour/Fume impacts:

New paragraphs in relation to the Neighbourhood Centres are proposed which reference a range of amenity considerations including views, overshadowing, overlooking /privacy; but also give further particular consideration to noise /vibration and odour/fume impacts. In this regard, the draft DCP also states that Council may require a report to be prepared by a Noise and/or Vibration Consultant that would assess likely impacts and may include noise and vibration mitigation strategies and measures. Odour/Fume impacts are now proposed at paragraph 3.4.4 of the DCP.

Hours of operation:

Proposed DCP amendments give further considerations to the determination of appropriate hours of operation for proposed development in Neighbourhood Business zone. Particular regard will be given to potential impacts of the development on neighbourhood amenity under paragraph 3.4 of the DCP including visual and acoustical privacy as well as odours and security.

Liquor licences:

The issue of licensed premises in Neighbourhood Centre Zones is addressed in the draft DCP. While clubs and small bars are prohibited in the Neighbourhood Centre Zones, further guidelines are provided in relation to packaged liquor premises and Council's involvement as a community stakeholder in the licensing process under the Liquor Act 2007. In particular the draft DCP lists a range of concerns Council may have with such developments subject to Community Impact Statements.

Waste collection:

New paragraphs in relation to the Neighbourhood Centres are proposed which reference guidelines for Waste Management including requirements for waste and recycling storage areas and the submission of Waste Management Plans for development to ensure that garbage storage areas are adequately designed, particularly for mixed use development with multiple garbage services.

Local character:

New paragraphs in relation to the Neighbourhood Centres are proposed to reference a number of paragraphs in the DCP requiring consideration of local character for neighbourhoods comprising small-scale retail, business and community uses in Centres as well as the surrounding residential neighbourhoods served by Centres.

Other Minor Miscellaneous Matters:

These matters include updating the citations to the DCP, updating notes including reference to the 2014-2015 fees and charges; formatting and corrections to Figure 28.

CONCLUSION

The proposed amendment to the DCP as described in this report and detailed in Attachment 1 are now recommended for Council's approval to exhibit.

Environmental Services Division Report No. 39 (Cont'd)**RECOMMENDATION**

THAT Council:

1. Council resolve to amend Manly DCP 2013 in relation to land zoned B1 Neighbourhood Centres.
2. Council exhibit this proposed amendment to the DCP for a period of twenty-eight (28) days.

ATTACHMENTS

AT-1	Proposed Amendment to Manly DCP 2013	29 Pages	Circulated in Attachments document
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OM13102014ESD_7.DOC

***** End of Environmental Services Division Report No. 39 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Environmental Services Division Report No. 40
SUBJECT: Too Good to Waste
FILE NO: MC/14/120774

SUMMARY

The purpose of this report is to seek Council's endorsement for the regional waste strategy *Too Good to Waste*.

REPORT

The NSW Government encourages councils to collaboratively develop regional waste avoidance and resource recovery strategies.

Development of the regional strategy *Too Good to Waste* was funded by a *Waste Less Recycle More Initiative* grant and identifies specific programs and infrastructure projects that can qualify for competitive funding grants.

The strategy sets a regional target of increasing the recycling rate for household waste to 70% by 2021, and has six key areas of focus: sustainable infrastructure solutions, maximising resource recovery, producing less waste, increasing recycling, making the disposal of problem wastes easier, and keeping public spaces clean.

The Strategy has two key planks:

1. Planning the infrastructure solutions to make the best use of the resources from materials currently going to landfill. This includes the planned Kimbriki Resource Recovery Project and the collection of food waste through the Common Waste Collection System.
2. Establishing the right environment and giving the community the necessary tools and capability to do their part to take personal responsibility to produce less waste, increase recycling, deal with problem wastes and reduce littering and illegal dumping.

Councilors were briefed at their meeting of 14 July 2014 by representatives from SHOROC. Council's Waste Committee was briefed on 10 September 2014.

The draft strategy has undergone four weeks of community consultation. The outcomes from the community consultation (attached) have resulted in improvements to the actions within the strategy.

The tools used to promote the strategy have raised the community's awareness of the regional waste management system and the pivotal role that community plays in resource recovery.

The strategy has been endorsed by the Kimbriki Sub-committee of Councilors and community representatives and the council General Managers Advisory Committee (GMAC).

Financial Implications

Funding of actions in the Strategy align with council funding priorities or are grant dependent.

Strategy implementation will also maximise funding opportunities under the *Waste Less, Recycle More* initiative that includes contestable grant programs for new and upgraded infrastructure, community recycling centres for household problem wastes, business recycling, market development, and programs to tackle illegal dumping and litter.

The NSW Government's non contestable Local Government *Better Waste Recycling Fund* will also provide funding for strategy initiatives.

Environmental Services Division Report No. 40 (Cont'd)**Implementation**

The strategy will be implemented over the next three years with the assistance of each of the Councils. The SHOROC Regional Waste Coordinator is working with the Regional Waste Working Group of Waste Mangers to develop implementation plans for actions. Grant applications are also being prepared for funding rounds of the *Waste Less, Recycle More* initiative.

RECOMMENDATION

It is recommended that:

Council endorse *Too Good to Waste* as the Regional Waste Avoidance and Resource Recovery Strategy for the SHOROC region 2014 -2021.

ATTACHMENTS

AT-1	Too Good to Waste Consultation Report 12 September 2014	21 Pages	Circulated in Attachments document
AT-2	SHOROC - Too Good to Waste Final Strategy 19 September 2014	12 Pages	Circulated in Attachments document

OM13102014ESD_8.DOC

***** End of Environmental Services Division Report No. 40 *****

TO: Ordinary Meeting - 13 October 2014
REPORT: Corporate Services Division Report No. 20
SUBJECT: Report on Council Investments as at 30 September 2014
FILE NO: MC/14/111268

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 **September 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 reports 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 \$42,263,903 comprising a Commonwealth Bank Balance of \$1,100,498 and Investment Holdings of \$41,163,405 directly managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 3.51% (*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 3.58%.

Movements in Investments for the Month of September 2014

Corporate Services Division Report No. 20 (Cont'd)**Investments Made**

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

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Bank of Queensland	Term Deposit	\$1,000,000	\$1,000,000
CBA	Term Deposit	\$1,000,000	\$1,000,000
ME Bank	Term Deposit	\$500,000	\$500,000
Bankwest	Term Deposit	\$1,000,000	\$1,000,000

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 30 September 2014 be received and noted.

ATTACHMENTS

AT- 1 Investments Report 4 Pages

OM13102014CSD_5.DOC

***** End of Corporate Services Division Report No. 20 *****

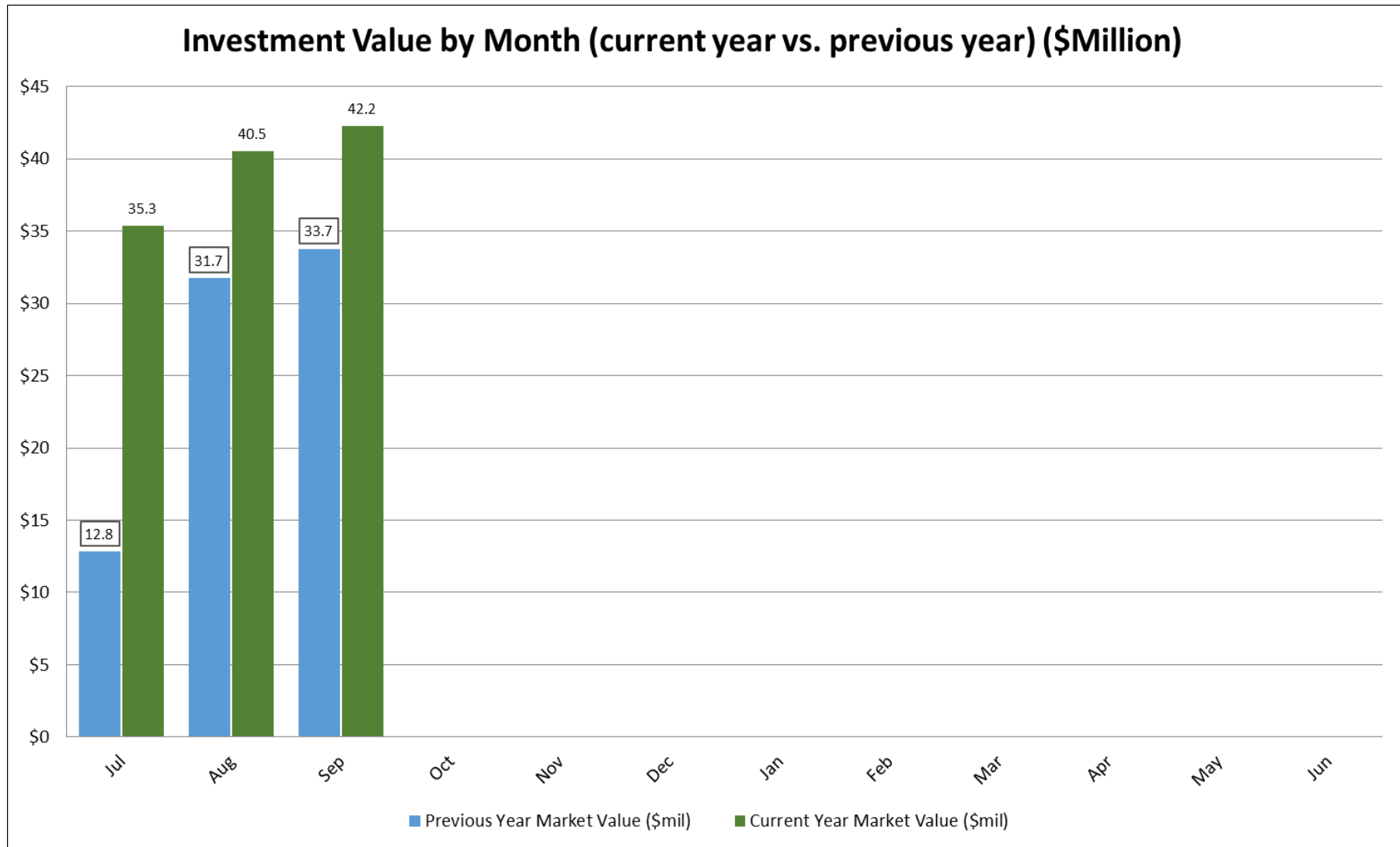
ATTACHMENT 1

Corporate Services Division Report No. 20.DOC - Report on Council Investments as at 30 September 2014 Investments Report

MANLY COUNCIL INVESTMENT PORTFOLIO as at 30 September 2014										
	Form of Investment	Investment \$	Market Value \$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Interest Rate	Interest YTD	Interest Sep 2014
<u>Directly Managed Funds</u>										
Trading Account										
CBA	Cash Trading Account	1,100,498	1,100,498	2.60%	AA-			2.45% ⁽²⁾	8,293	3,000
Others										
CBA	At Call	3,078,441	3,078,441	7.28%	AA-	At Call	At Call	2.60%	18,137	7,976
AMP	At Call	3,587,345	3,587,345	8.49%	A+	At Call	At Call	3.15%	17,650	9,288
Macquarie Bank	At Call	39,580	39,580 ⁽³⁾	0.09%	A	At Call	At Call	2.50%	15	-
RaboDirect	TD	719,877	719,877	1.70%	AA-	07/07/2014	07/07/2015	3.65%	6,119	2,160
RaboDirect	TD	238,162	238,162	0.56%	AA-	06/08/2014	06/08/2015	3.50%	1,256	685
AMP	TD	1,000,000	1,000,000	2.37%	A+	25/08/2014	25/05/2015	3.50%	3,452	2,877
AMP	TD	1,000,000	1,000,000	2.37%	A+	20/08/2014	16/02/2015	3.50%	3,932	2,877
Bank of Queensland	TD	1,000,000	1,000,000	2.37%	A-	18/08/2014	16/02/2015	3.50%	4,123	2,877
Bank of Queensland	TD	1,000,000	1,000,000	2.37%	A-	18/08/2014	16/02/2015	3.50%	4,123	2,877
Bank of Queensland	TD	1,000,000	1,000,000	2.37%	A-	20/05/2014	20/05/2015	3.66%	9,225	3,008
Bank of Queensland	TD	1,000,000	1,000,000	2.37%	A-	01/09/2014	04/03/2015	3.50%	2,781	2,781
Bankwest	TD	1,000,000	1,000,000	2.37%	AA-	11/09/2014	10/12/2014	3.35%	1,744	1,744
Bendigo and Adelaide Bank	TD	1,000,000	1,000,000	2.37%	A-	12/06/2014	09/12/2014	3.50%	8,822	2,877
CBA	TD	1,000,000	1,000,000	2.37%	AA-	01/09/2014	02/03/2015	3.55%	2,821	2,821
CBA	TD	1,000,000	1,000,000	2.37%	AA-	03/09/2014	04/03/2015	3.53%	2,611	2,611
CBA	TD	1,000,000	1,000,000	2.37%	AA-	30/05/2014	29/11/2014	3.58%	9,024	2,942
CBA	TD	1,000,000	1,000,000	2.37%	AA-	28/08/2014	26/02/2015	3.52%	3,182	2,893
ING Direct	TD	1,000,000	1,000,000	2.37%	A-	20/05/2014	17/11/2014	3.52%	8,872	2,893
ING Direct	TD	1,000,000	1,000,000	2.37%	A-	18/08/2014	16/02/2015	3.56%	4,194	2,926
ING Direct	TD	1,000,000	1,000,000	2.37%	A-	03/06/2014	01/12/2014	3.61%	9,099	2,967
ING Direct	TD	1,000,000	1,000,000	2.37%	A-	03/06/2014	01/12/2014	3.61%	9,099	2,967
Macquarie Bank	TD	1,000,000	1,000,000	2.37%	A	26/08/2014	22/02/2015	3.45%	3,308	2,836
ME Bank	TD	1,000,000	1,000,000	2.37%	A2	26/08/2014	24/11/2014	3.35%	3,212	2,753
ME Bank	TD	1,000,000	1,000,000	2.37%	A2	03/06/2014	04/03/2015	3.67%	9,250	3,016
National Bank	TD	1,000,000	1,000,000	2.37%	AA-	26/08/2014	23/02/2015	3.60%	3,452	2,959
National Bank	TD	1,000,000	1,000,000	2.37%	AA-	26/08/2014	23/02/2015	3.60%	3,452	2,959
National Bank	TD	1,000,000	1,000,000	2.37%	AA-	26/05/2014	25/02/2015	3.62%	9,124	2,975
National Bank	TD	1,000,000	1,000,000	2.37%	AA-	30/05/2014	01/12/2014	3.60%	9,074	2,959
Rural Bank	TD	1,000,000	1,000,000	2.37%	A-	03/06/2014	01/12/2014	3.60%	9,074	2,959
Suncorp Bank	TD	1,000,000	1,000,000	2.37%	A+	27/05/2014	24/11/2014	3.55%	8,948	2,918
Westpac	TD	1,000,000	1,000,000	2.37%	AA-	07/07/2014	07/01/2015	3.77%	8,779	3,099
Westpac	TD	1,000,000	1,000,000	2.37%	AA-	07/07/2014	07/01/2015	3.77%	8,779	3,099
Westpac	TD	1,000,000	1,000,000	2.37%	AA-	07/07/2014	07/04/2015	3.69%	8,593	3,033
Westpac	TD	1,000,000	1,000,000	2.37%	AA-	07/07/2014	07/04/2015	3.69%	8,593	3,033
Westpac	TD	1,000,000	1,000,000	2.37%	AA-	07/07/2014	07/04/2015	3.69%	8,593	3,033
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.37%	A2	28/03/2014	30/03/2015	3.81%	9,603	3,132
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.37%	A2	27/05/2014	25/11/2014	3.60%	9,074	2,959
Wide Bay Australia Ltd	TD	1,000,000	1,000,000	2.37%	A2	01/04/2014	01/04/2015	3.70%	9,326	3,041
Emu Note - Dresdner Bank AG	Struct'd Note	500,000	483,900 ⁽³⁾	1.18%	A	25/10/2005	30/10/2015	0.00%	-	-
Total		41,163,405	41,147,305	97.40%						
Total Directly Managed Funds		42,263,903	42,247,803	100.00%						
Retired Investments									74,007	1,333
TOTAL PORTFOLIO		42,263,903	42,247,803	100%				3.51%	342,818	120,140
BENCHMARK⁽¹⁾								2.66%		
Notes:										
¹ Benchmark is 90 day BBSW as at 30 September 2014										
² CBA Trading account not included in the monthly portfolio return calculation										
³ Market Value as at 31 August 2014										

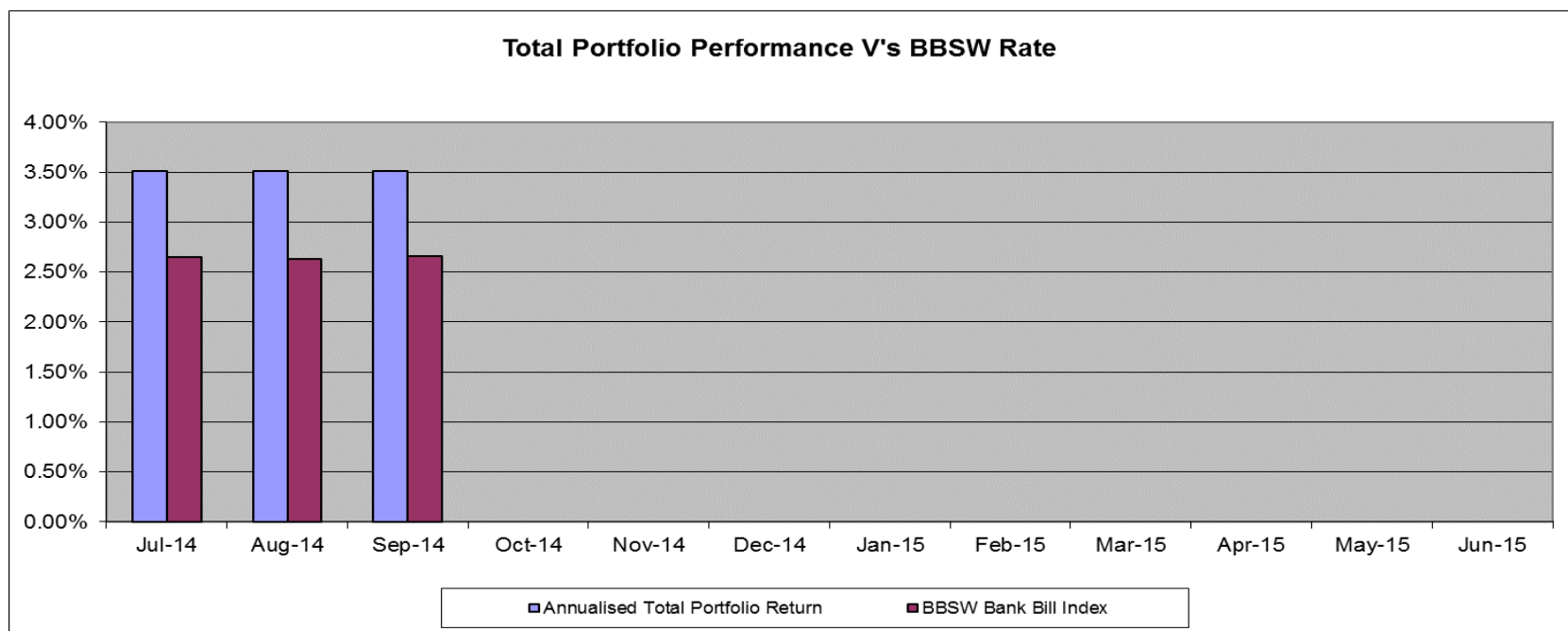
ATTACHMENT 1

Corporate Services Division Report No. 20.DOC - Report on Council Investments as at 30 September 2014 Investments Report

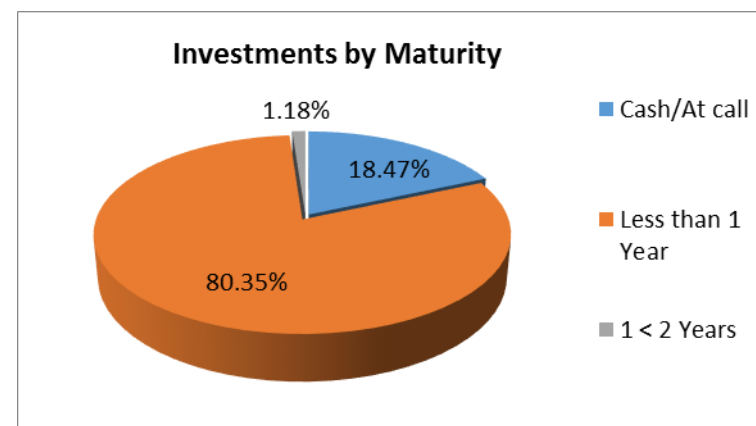


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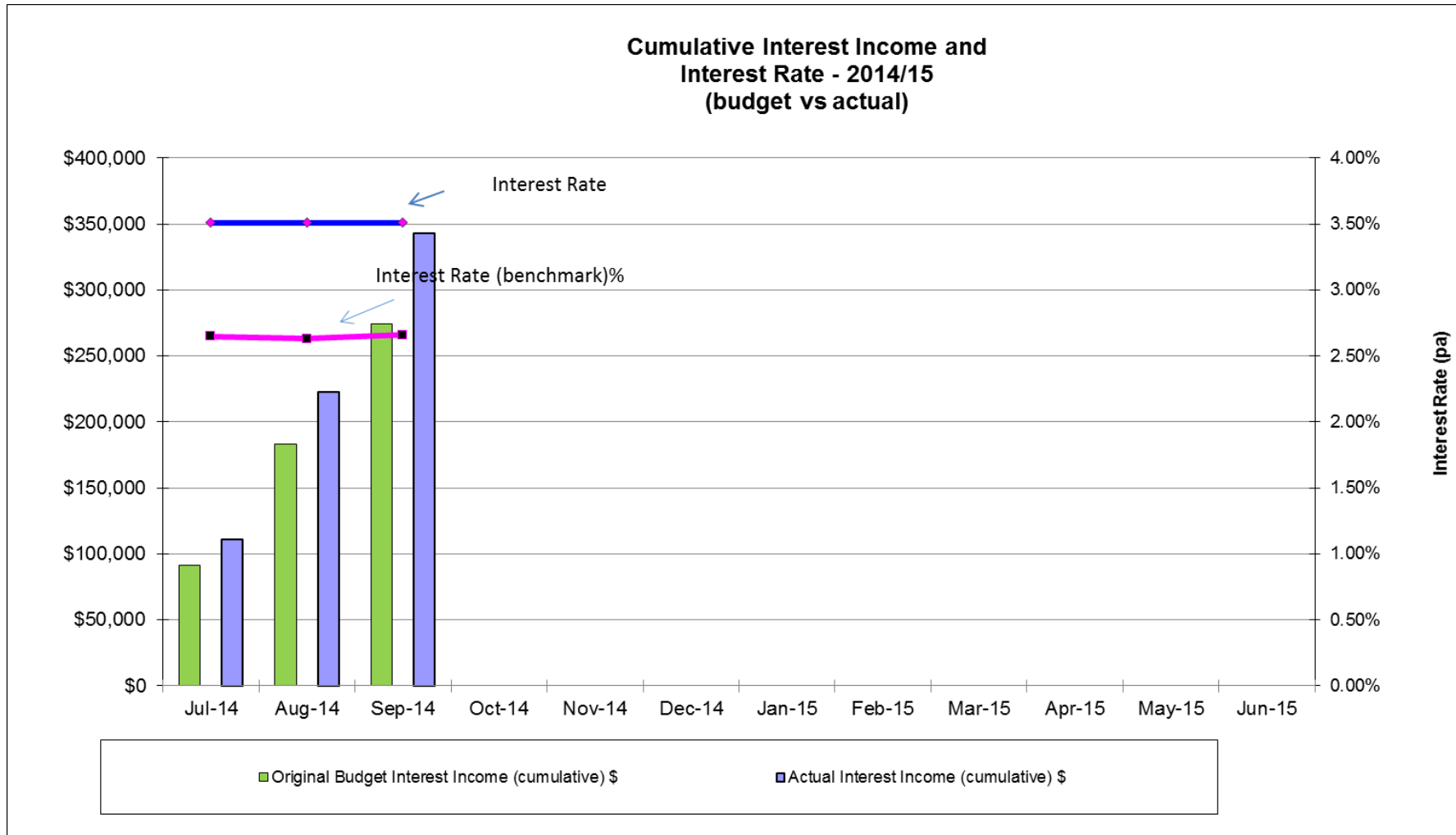


Summary by Credit Rating		No.
AA-	45.28%	18
A+	15.59%	4
A-	23.66%	10
A	3.64%	3
A2	11.83%	5
	100.00%	40



ATTACHMENT 1

Corporate Services Division Report No. 20.DOC - Report on Council Investments as at 30 September 2014 Investments Report



TO: Ordinary Meeting - 13 October 2014
REPORT: Corporate Services Division Report No. 21
SUBJECT: Financial Statements for the Year Ended 30 June 2014 – Audit Statements
FILE NO: MC/14/119172

SUMMARY

Council's Annual Financial Statements for the year ended 30 June 2014 are ready for referral to audit. An Audit Statement pursuant to Section 413(2)(c) of the Local Government Act 1993 is required in respect of the accounts from Council and Management in relation to the accuracy of the accounts. It is recommended Council sign the statement and refer the accounts for audit.

REPORT

Council's Annual Financial Statements for the year ended 30 June 2014 have been prepared and are ready to proceed for Audit.

The general purpose financial reports, special purpose financial reports and special schedules are required to be completed and ready for audit by 31 October following the financial year end.

In accordance with Section 413(2)(c) of the Local Government Act, Council is required to include with the General Purpose Financial Statements a "Statement by Councillors and Management" signed under resolution of Council, by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer, which will allow Council's Auditor to complete the audit. A similar "Statement by Councillors and Management" is also required for the Special Purpose Financial Statements.

Following completion of the Audit, the Annual Financial Statements will then be presented to Council in November, with the Auditors Report.

The draft Financial Statements will be tabled at the Council meeting.

RECOMMENDATION

That:

1. In respect to Council's General Purpose Financial Statements the following statement be provided for signature by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer:-

GENERAL PURPOSE FINANCIAL STATEMENT FOR THE YEAR ENDED 30 JUNE 2014

Statement by Councillors and Management made pursuant to section 413 (2)(c) of the Local Government Act 1993 (as amended).

The General Purpose Financial Statements for the year ended 30 June 2014, have been prepared in accordance with:-

- The Local Government Act 1993 (as amended) and the Regulations made there under;
- The Australian Accounting Standards and professional pronouncements;
- The Local Government Code of Accounting Practice and Financial Reporting;

To the best of Council's knowledge and belief, these Statements:

Corporate Services Division Report No. 21 (Cont'd)

- Presents fairly the Council's operating result and financial position for the year; and
- Are in accordance with Council's accounting and other records.

We are not aware of any matter that would render these Statements for the twelve months ending 30 June 2014, false or misleading in any way.

2. In respect to Council's Special Purpose Financial Statements, the following statement be provided for signature by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer:-

SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting.

The Special Purpose Annual Financial Statements for the year ended 30 June 2014, have been prepared in accordance with:-

- The Local Government Code of Accounting Practice and Financial Reporting; the
- NSW Government Policy Statement "*Application of National Competition Policy to Local Government*"; and
- Department of Local Government guidelines "*Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality*".

To the best of Council's knowledge and belief, these Statements:

- Present fairly Council's operating result and financial position for each of Council's declared Business Activities for the year; and
- Are in accordance with Council's accounting and other records.

We are not aware of any matter that would render the Council's Statements for the twelve months ending 30 June 2014, false or misleading in any way.

3. Council's Annual Financial Statements for the year ended 30 June 2014 be referred for audit by Council's Auditors.

ATTACHMENTS

There are no attachments for this report

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***** End of Corporate Services Division Report No. 21 ***** .