

# Manly Council

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## Minutes

## Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 20 November 2006**

*Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:  
[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)*



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The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 20 November 2006. The meeting commenced at 7:55 PM.

## PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided  
Deputy Mayor, Councillor B Pedersen  
Councillor B Aird  
Councillor P Daley  
Councillor J Evans  
Councillor J Hay, AM  
Councillor A Heasman  
Councillor J Lambert, AM  
Councillor R Morrison (arrived 8.00pm)  
Councillor D Murphy  
Councillor M Norek

## ALSO PRESENT

Henry T Wong, General Manager  
Jim Hunter, Executive Director, Major Projects  
Ross Fleming, Chief Financial Officer  
Elayne Becker, Minute Taker  
Norm Ma Chut, Auditors, Spencer Steer  
Manuel Schulet, Auditors, Spencer Steer

## OPENING PRAYER

The Opening Prayer was presented by Grant Kingston-Kerr.

## APOLOGIES

Apologies were tendered on behalf of Councillor S Cant, for non-attendance.

## MOTION (Macdonald / Pedersen)

That the apology received from Councillor S Cant, be accepted and leave be granted.

## 120/06 RESOLVED (Macdonald / Pedersen)

That the apology received from Councillor S Cant, be accepted and leave be granted.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

## DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Aird	Planning & Strategy Division Report No. 59	Lives in one of the subject streets

Councillor Daley	Human Services & Facilities Report No.5	Possible conflict of interest with Steyne Hotel and Salvation Army matters
Councillor Murphy	General Managers Division Report No.37	Lives in one of the subject streets

## CONFIRMATION OF MINUTES

### MOTION (Pedersen / Lambert)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 16 October 2006, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

### 121/06 RESOLVED (Pedersen / Lambert)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 16 October 2006, having been furnished to each member of the Council, such Minutes be taken as read and confirmed as a true record of proceedings of such meeting.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

## PUBLIC FORUM

NAME	SUBJECT/PUBLIC SPEAKERS
Mr Evelyn Shervington	Issue of possibly sharing footpaths with bicycles on the footpath behind the Art Gallery and The Esplanade
Ms Sue Humphreys	Expressed concerns regarding Council processes having regard to the Code of Conduct, FOI Act & Local Government Act

*Councillor Morrison entered the Chamber at 8.00pm*

### SUSPENSION OF STANDING ORDERS (Macdonald / Pedersen)

That Standing Orders be suspended to allow consideration of items of public interest, being Corporate Services Division Report No.28, Financial Statements for the year ended 30 June 2006, Notice of Motion Report No.24, Hop, Skip and Jump Bus Service, Notice of Rescission Report No.3 for Report No.54 East West Cycleway Link and Corporate Services Division Report No.32, Road Reserve Leases/Consents, Corporate Planning & Strategy Division Report No.59, Traffic Management Issues and Notice of Motion Report No.21 Councillors' DA Voting Records.

### 122/06 RESOLVED (Macdonald / Pedersen)

That Standing Orders be suspended to allow consideration of items of public interest, being Corporate Services Division Report No.28, Financial Statements for the year ended 30 June 2006, Notice of Motion Report No.24, Hop, Skip and Jump Bus Service, Notice of Rescission Report No.3 for Report No.54 East West Cycleway Link and Corporate Services Division Report No.32, Road Reserve Leases/Consents, Corporate Planning & Strategy Division Report No.59, Traffic Management Issues and Notice of Motion Report No.21 Councillors' DA Voting Records.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek  
**Against the Resolution:** Nil.

Corporate Services Division Report No. 28

### **Financial Statements for the Year Ended 30 June 2006**

#### **SUMMARY**

The Local Government Act, 1993, requires a Council to present its Audited Financial Reports for the financial year ended 30 June 2006, together with the Auditor's Report, at a meeting of Council within 5 weeks of receipt of the Auditor's Report.

#### **MOTION (Pedersen / Evans)**

1. That the Annual Financial Report for the Year ended 30 June 2006 together with the Auditors Report be noted;
2. That Council's Auditors, Spencer Steer Chartered Accountants, be thanked for their attendance.

#### **123/06 RESOLVED (Pedersen / Evans)**

1. That the Annual Financial Report for the Year ended 30 June 2006 together with the Auditors Report be noted;
2. That Council's Auditors, Spencer Steer Chartered Accountants, be thanked for their attendance.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek  
**Against the Resolution:** Nil.

### **MAYORAL MINUTES**

Mayoral Minute Report No. 15

#### **Global Warming: Local Solutions - Time for Action**

#### **PUBLIC ADDRESSES**

The following person addressed Council in relation to this matter:

In Favour: Sarah Weate

#### **MOTION (Macdonald / Lambert)**

1. That Council establish a "**Climate Change Working Group**" to identify likely impacts of climate change and to provide advice on prevention and mitigation strategies including but not limited to:
  - i. discouraging car dependency,
  - ii. increasing opportunities for "active transport and cycling",
  - iii. facilitating home audits to decrease energy and water use and
  - iv. reviewing our building and development controls in anticipation of sea level rise,
  - v. and reviewing our stormwater networks and their design capacity.

2. That the Working Group consist of the following members:
  - Mayor and 2 other Councillors
  - 2 Community Representatives of the Environment Committee
  - 2 Scientific Representatives of the Scientific Advisory Panel
  - 2 Community Representatives of the Ocean Beach Coastline Management Committee
  - 2 Community Representatives of the Sustainability Strategy Management Committee
  - 1 representative from the Bicycle Committee
  - Relevant members of Council staff as nominated by the General Manager.

124/06 **RESOLVED (Macdonald / Lambert)**

1. That Council establish a “**Climate Change Working Group**” to identify likely impacts of climate change and to provide advice on prevention and mitigation strategies including but not limited to:
  - i. discouraging car dependency,
  - ii. increasing opportunities for “active transport and cycling”,
  - iii. facilitating home audits to decrease energy and water use and
  - iv. reviewing our building and development controls in anticipation of sea level rise
  - v. and reviewing our stormwater networks and their design capacity.
2. That the Working Group consist of the following members:
  - Mayor and 2 other Councillors
  - 2 Community Representatives of the Environment Committee
  - 2 Scientific Representatives of the Scientific Advisory Panel
  - 2 Community Representatives of the Ocean Beach Coastline Management Committee
  - 2 Community Representatives of the Sustainability Strategy Management Committee
  - 1 representative from the Bicycle Committee
  - Relevant members of Council staff as nominated by the General Manager

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Evans  
**Against the Resolution:** Councillors Morrison and Norek

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## NOTICES OF MOTION

Notice of Motion Report No. 21

### **Councillors' Development Application Voting Records**

Councillor Norek moved:

1. Manly Council adopt a policy that, if the elected Council overturns a decision by the Planning Department in respect of a Development Application, the names of those Councillors voting to overturn such decision be collated in one central record within Council, this record to be made available to and accessible by the Community, via the Council website and or other means;
2. That the record be referred quarterly to the Local Government Department.

**PUBLIC ADDRESSES**

The following person addressed Council in relation to this matter:

In Favour: Jo Gillies

**MOTION (Norek / Hay)**

That Council:

1. Adopt a policy that, if the elected Council overturns a decision by the Planning Department in respect of a Development Application, the names of those Councillors voting to overturn such decision be collated in one central record within Council, this record to be made available to and accessible by the Community, via the Council website and/or other means;
2. That the record be referred quarterly to the Local Government Department.

**AMENDMENT (Pedersen / Evans)**

That:

The Notice of Motion be referred to the consultants assessing the Development Application process for comment.

**For the Amendment:** Councillors Pedersen, Aird, Evans and Murphy,

**Against the Amendment:** Councillors Macdonald, Hay, Heasman, Lambert, Daley, Morrison, and Norek

The Amendment was declared **LOST**.

**MOTION (Norek / Hay)**

That Council:

1. Adopt a policy that, if the elected Council overturns a decision by the Planning Department in respect of a Development Application, the names of those Councillors voting to overturn such decision be collated in one central record within Council, this record to be made available to and accessible by the Community, via the Council website and/or other means;
2. That the record be referred quarterly to the Local Government Department.

**For the Motion:** Councillor Norek

**Against the Motion:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Morrison, Pedersen, Aird and Evans

The Motion was declared **LOST**.

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Notice of Motion Report No. 24

**Hop, Skip and Jump Bus Costs**

Councillor Norek moved:

That:

1. Stockland Ltd be called upon to confirm its sponsorship for the full cost of operation of the Hop Skip Jump Bus service.
2. Manly Council suspend the Hop Skip and Jump service, which is currently being funded by Manly ratepayers, until the promised funds are received from Stockland Ltd.

**PUBLIC ADDRESSES**

The following person addressed Council in relation to this matter:

In Favour: Charles Wynne

**MOTION (Norek / Murphy)**

That:

1. Stockland Ltd be called upon to confirm its sponsorship for the full cost of operation of the Hop Skip Jump Bus service.
2. Manly Council suspend the Hop Skip and Jump service, which is currently being funded by Manly ratepayers, until the promised funds are received from Stockland Ltd.

**For the Motion:** Councillors Murphy and Norek

**Against the Motion:** Councillors Macdonald, Hay, Heasman, Lambert, Daley, Morrison, Pedersen, Aird and Evans

The Motion was declared **LOST**

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**NOTICES OF RESCISSION**

Notice of Rescission Report No. 3

**Notice of Rescission for Report No. 54. East West Cycleway Link - Report on Community Consultation**

Councillor Pedersen, Councillor Aird, and Mayor Clr Macdonald moved:

“That the Council’s decision of 16 October 2006 being Item 54 in respect of East West Cycleway Link – Report on Community Consultation be and is hereby rescinded.”

The resolution passed on 16 October 2006 was in the terms of:

That Council:

1. Approve the implementation of Option 3B from the ‘*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*’ report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:

- a) there be a detailed plan available for public discussion
  - b) this detailed plan and an overview be letterboxed and dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.
  - c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. That a dismount area be provided on the existing six metre wide footpath between the Art Gallery and Manly Ferry Wharf and the four metre wide footpath between Manly Ferry Wharf and Victoria Parade.
  4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's resolution.

### PUBLIC ADDRESSES

The following person addressed Council in relation to this matter:

In Favour: Kier Drinnan

### MOTION (Pedersen / Aird)

"That the Council's decision of 16 October 2006 being Item 54 in respect of East West Cycleway Link – Report on Community Consultation be and is hereby rescinded."

125/06 **RESOLVED (Pedersen / Aird)**

"That the Council's decision of 16 October 2006 being Item 54 in respect of East West Cycleway Link – Report on Community Consultation be and is hereby rescinded."

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Councillor Morrison

The Rescission Motion was declared **CARRIED**

### MOTION (Pedersen / Lambert)

That Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:
  - a) there be a detailed plan available for public discussion

- b) this detailed plan and an overview be letterboxed and dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.
  - c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. Given that East & West Esplanades provide a critical link between the recently constructed Beach – Harbour bike path via Victoria Parade and the foreshadowed East-West link, including a commuter link to Manly Wharf, it is proposed that:
- Approval of a dedicated 2 metre line marked bike path to be provided along the West Esplanade pathway
  - and a dedicated 2 metre line marked bike path to be provided along the East Esplanade pathway to Wood Street.
  - This would also include a link to Victoria Parade and a 10kms per hour limit
  - That the area at the Wharf Forecourt be the dismount area.
4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's decision.
5. That safety issues on the footpath between Federation Point and the Art Gallery be addressed for people in wheelchairs or otherwise of limited mobility.

#### **AMENDMENT (Aird / Heasman)**

That Council:

1. Approve the implementation of Option 3B from the '*Cycle Path Options for East-West Cycleway – Manly to Balgowlah*' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Given that East & West Esplanades provide a critical link between the recently constructed Beach – Harbour bike path via Victoria Parade and the foreshadowed East-West link, including a commuter link to Manly Wharf, it is proposed that Council call a public meeting to decide whether the public desire a shared pathway from the Art Gallery to Wood Street.
3. Write to the parties who made submissions, thanking them for their comments and informing them of Council's decision.
4. All precincts including the Safety and Access Committee to be consulted on point 2. In the meantime the current conditions relating to family cycling be maintained.
5. That safety issues on the footpath on Commonwealth Parade regarding wheelchairs be addressed.

**For the Amendment:** Councillors Hay, Heasman, Aird and Norek

**Against the Amendment:** Councillors Macdonald, Lambert, Murphy, Daley, Morrison, Pedersen, and Evans

The Amendment was declared **LOST**

126/06 RESOLVED (Pedersen / Lambert)

That Council:

1. Approve the implementation of Option 3B from the 'Cycle Path Options for East-West Cycleway – Manly to Balgowlah' report (Feb 2006), and after further consultation as outlined in (2) below, commence implementation to the fullest extent possible within allocated budget and/or Sharing Sydney Harbour Access Program grant funding.
2. Ensure that before the path is constructed:
  - a) there be a detailed plan available for public discussion
  - b) this detailed plan and an overview be letterbox dropped to all households on the south side of Lauderdale Avenue in the area of the proposed path and those in The Crescent.
  - c) repairs be made to the path on the north side of Lauderdale Ave so that there is an alternative for older people and others who are less mobile
  - d) a planned public education process on safety issues be undertaken.
  - e) On completion of these consultations a further report be brought back to Council for final determination.
3. Given that East & West Esplanades provide a critical link between the recently constructed Beach – Harbour bike path via Victoria Parade and the foreshadowed East-West link, including a commuter link to Manly Wharf, it is proposed that:
  - a. Approval of a dedicated 2 metre line marked bike path to be provided along the West Esplanade pathway
  - b. and a dedicated 2 metre line marked bike path to be provided along the East Esplanade pathway to Wood Street.
  - c. This would also include a link to Victoria Parade and a 10kms per hour limit
  - d. That the area at the Wharf Forecourt be the dismount area.
4. Write to the parties who made submissions, thanking them for their comments and informing them of Council's decision.
5. That safety issues on the footpath between Federation Point and the Art Gallery be addressed for people in wheelchairs or otherwise of limited mobility.

**For the Resolution:** Councillors Macdonald, Lambert, Murphy, Daley, Morrison, Pedersen and Evans

**Against the Resolution:** Councillors Hay, Heasman, Aird and Norek

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Corporate Services Division Report No. 32

**Road Reserve Leases/Consents - Policies and Formula for Determination of Annual Rental of use of Council's Road Reserves**

**SUMMARY**

Council received a request from a resident of Bligh Crescent, Seaforth, for a review of the formula used by Council in determining the annual rental/occupation payment for the use of Council Road Reserves. This matter was considered at the Ordinary Meeting held 24 July 2006, wherein it was resolved that the Item be deferred pending a further report to consider other scenarios.

This Report considers several options for determining the annual rental for Road Reserve Consents and makes recommendations.

## PUBLIC ADDRESSES

The following person addressed Council in relation to this matter:

In Favour: George Citer

## MOTION (Morrison / Murphy)

1. Council adopt in principal the proposal to change the basis of charging for Road Reserve Consents to a Precinct Valuation;
2. This Precinct Valuation be based on the average value per square metre of the land valuations for all residential rated assessments within each Precinct;
3. The Precinct Valuation be based on the July 2005 base date valuations as provided by the Valuer General;
4. Council adopt the following valuations to apply to each Precinct for 2006/2007:

Precinct	Area	Total LV	Precinct Valuation
Balgowlah	306,186	421,954,316	\$1,378.10
Balgowlah Heights	886,054	1,285,937,305	\$1,451.31
Clontarf	446,315	741,295,000	\$1,660.92
Fairlight	508,278	906,080,900	\$1,782.65
Fairy Bower	167,878	526,560,816	\$3,136.57
Ivanhoe Park	445,863	864,303,050	\$1,938.49
Little Manly	257,866	738,885,200	\$2,865.38
North Harbour	354,706	512,136,277	\$1,443.83
Ocean Beach	237,013	718,546,462	\$3,031.68
Seaforth	1,174,243	1,302,287,085	\$1,109.04
Seaforth North	432,420	379,269,750	\$877.09
The Corso	133,564	245,200,319	\$1,835.83

5. The formula for calculating the road reserve leases/consents charges adopted by Council on 20 July 1993, be amended as follows:

Council shall charge a fee for the Road Reserve Consent in accordance with the following formula:

$$(PV \times A \times L) + GST$$

Where:

PV = Precinct Valuation (average valuation per square metre for each Precinct determined as follows):

$$\frac{\text{Valuation of all residential rated property within the Precinct}}{\text{Total land area of all residential rated property within the Precinct}}$$

A = area of road reserve consent

L = land use according to the following table:

GST = Goods and Services Tax

Land Use:Exclusive Use

Car Parking - (Carports/Slab/Garage) 1.0% (Base CPI)

Gardens/Landscape (Fenced or Unfenced) 1.0% (Base CPI)

Access Use Only

Elevated Driveways /Stairs /Structures) 0.5% (Base CPI)

Minimum Charge \$327.00 pa

6. The annual payment shall be varied on each anniversary of the commencement of consent as set out follows;
- (a) The percentage by which the Precinct Valuation shall be increased on each anniversary of the commencement of the Consent be the same percentage as the percentage increase in the Valuer General's valuation of the Precinct(s) where a general revaluation has occurred for the area;
  - (b) In the event that there is no variation in the Valuer General's valuation for the area, then the percentage by which the payment shall increase on that anniversary be the same percentage as the Consumer Price Index (all groups) Sydney current as at the review date has increased over and above the Consumer price Index figure current on the previous review date of the commencement of the Consent whichever last occurred.
7. Council give notice of the changes to Council's Policy in regard to the charges for Road Reserve Consents in accordance with the Local Government Act, 1993.

**AMENDMENT (Lambert / Pedersen)**

That:

The existing method be retained but that Council make strenuous efforts to ensure that all areas on the Valuer General's database are correct and accurately supplied to Council.

**For the Resolution:** Councillors Lambert and Pedersen**Against the Resolution:** Councillors Macdonald, Hay, Heasman, Murphy, Daley, Morrison, Aird, Evans and NorekThe Amendment was declared **LOST****127/06 RESOLVED (Morrison / Murphy)**

That:

1. Council adopt in principal the proposal to change the basis of charging for Road Reserve Consents to a Precinct Valuation;
2. This Precinct Valuation be based on the average value per square metre of the land valuations for all residential rated assessments within each Precinct;
3. The Precinct Valuation be based on the July 2005 base date valuations as provided by the Valuer General;
4. Council adopt the following valuations to apply to each Precinct for 2006/2007:

Precinct	Area	Total LV	Precinct Valuation
Balgowlah	306,186	421,954,316	\$1,378.10
Balgowlah Heights	886,054	1,285,937,305	\$1,451.31
Clontarf	446,315	741,295,000	\$1,660.92
Fairlight	508,278	906,080,900	\$1,782.65
Fairy Bower	167,878	526,560,816	\$3,136.57
Ivanhoe Park	445,863	864,303,050	\$1,938.49
Little Manly	257,866	738,885,200	\$2,865.38
North Harbour	354,706	512,136,277	\$1,443.83
Ocean Beach	237,013	718,546,462	\$3,031.68
Seaforth	1,174,243	1,302,287,085	\$1,109.04
Seaforth North	432,420	379,269,750	\$877.09
The Corso	133,564	245,200,319	\$1,835.83

5. The formula for calculating the road reserve leases/consents charges adopted by Council on 20 July 1993, be amended as follows:

Council shall charge a fee for the Road Reserve Consent in accordance with the following formula:

$$(PV \times A \times L) + GST$$

Where:

PV = Precinct Valuation (average valuation per square metre for each Precinct determined as follows):

$$\frac{\text{Valuation of all residential rated property within the Precinct}}{\text{Total land area of all residential rated property within the Precinct}}$$

A = area of road reserve consent

L = land use according to the following table:

GST = Goods and Services Tax

#### Land Use:

##### Exclusive Use

Car Parking - (Carports/Slab/Garage) 1.0% (Base CPI)

Gardens/Landscape (Fenced or Unfenced) 1.0% (Base CPI)

##### Access Use Only

Elevated Driveways /Stairs /Structures) 0.5% (Base CPI)

Minimum Charge \$327.00 pa

6. The annual payment shall be varied on each anniversary of the commencement of consent as set out follows;
- The percentage by which the Precinct Valuation shall be increased on each anniversary of the commencement of the Consent be the same percentage as the percentage increase in the Valuer General's valuation of the Precinct(s) where a general revaluation has occurred for the area;
  - In the event that there is no variation in the Valuer General's valuation for the area, then the percentage by which the payment shall increase on that anniversary be the same percentage as the Consumer Price Index (all groups) Sydney current as at the review date has increased over and above the Consumer price Index figure current

on the previous review date of the commencement of the Consent whichever last occurred.

7. Council give notice of the changes to Council's Policy in regard to the charges for Road Reserve Consents in accordance with the Local Government Act, 1993.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Murphy, Daley, Morrison, Pedersen, Aird and Norek

**Against the Resolution:** Councillors Lambert and Evans

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*Councillor Morrison retired from the Chamber at 11.29pm*

Corporate Planning and Strategy Division Report No. 59

**Traffic Management issues for area bounded by Balgowlah Rd, Pittwater Rd, Pine St and Pacific Pde Manly**

**SUMMARY**

The following report is in response to a number of questions raised at the Planning and Strategy Meeting of Council held on 14 August 2006 regarding Traffic Management Issues for the area bounded by Balgowlah Rd, Pine St and Pacific Pde being the General Managers Division Report No. 20.

**PUBLIC ADDRESSES**

The following person addressed Council in relation to this matter:

Against: Michael Gordon

**MOTION (Heasman / Hay)**

That:

1. No additional traffic management measures be implemented at this stage, based on the existing level of traffic management currently in the area bounded by Balgowlah Road, Pacific Parade, Pine Street and Pittwater Road, including the recently implemented "Shared Zone" in Rolfe St;
2. A follow-up community consultation survey of residents that have vehicular access onto Rolfe St be carried out in three months time to determine the effectiveness of the "Shared Zone".
3. The matter should be referred to the Traffic Committee and community consultation undertaken.
4. The matter of the residents petition regarding road closures be urgently referred to the Traffic Committee.

**128/06 RESOLVED (Heasman / Hay)**

That:

1. No additional traffic management measures be implemented at this stage, based on the existing level of traffic management currently in the area bounded by Balgowlah Road, Pacific Parade, Pine Street and Pittwater Road, including the recently implemented "Shared Zone" in Rolfe St;
2. A follow-up community consultation survey of residents that have vehicular access onto



- Rolfe St be carried out in three months time to determine the effectiveness of the "Shared Zone".
3. The matter should be referred to the Traffic Committee and community consultation undertaken.
  4. The matter of the residents petition regarding road closures be urgently referred to the Traffic Committee.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil

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**RESUMPTION OF STANDING ORDERS (Macdonald / Pedersen)**

That Council **resume** Standing Orders.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Morrison, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

Notice of Motion Report No. 20

**Rainwater Tanks**

Councillor Lambert moved:

1. That having regard to the provisions of SEPP4 (Exempt and Complying development) Manly Council, at the earliest opportunity, adopt as policy support for the installation of rainwater tanks
  - i. Installed above ground level or not requiring excavation exceeding 1 metre
  - ii. Not exceeding a storage capacity of 10,000 litres
  - iii. Having a maximum height above ground level of 2.4 metres
  - iv. Being located at least 450mm from any property boundary
  - v. Not being visible from any street alignment and being located behind the front building alignment
  - vi. Having overflow connected to the existing or an adequate stormwater drainage system
  - vii. Ensuring that noise generated by a pump does not exceed 5dBA above ambient noise levels measured at the boundary of the property, and
  - viii. With openings to the tank being adequately screened to prevent access by mosquitoes
2. That Council actively promote to the community this approach to rainwater tanks.
3. That Council make representations to the Department of Planning to, as a matter of some urgency, revise the SEPP4 conditions to make them less onerous, thus encouraging the installation of rainwater tanks for non-potable uses.
4. That Council liaise with Warringah and Pittwater Councils, with a view to initiating a joint bulk purchase and supply of tanks to residents at reduced prices, modelled on the recent Parramatta Council initiative.
5. That Council's new DCP for the Residential Zone, 2006 contain reference to the opportunities for Exempt Development status for rainwater tanks installed in a manner consistent with these provisions.

**MOTION (Lambert / Macdonald)**

That:

1. Having regard to the provisions of SEPP4 (Exempt and Complying development) Manly Council, at the earliest opportunity, adopt as policy support for the installation of rainwater tanks
  - i. Installed above ground level or not requiring excavation exceeding 1 metre
  - ii. Not exceeding a storage capacity of 10,000 litres
  - iii. Having a maximum height above ground level of 2.4 metres
  - iv. Being located at least 450mm from any property boundary
  - v. Not being visible from any street alignment and being located behind the front building alignment
  - vi. Having overflow connected to the existing or an adequate stormwater drainage system
  - vii. Ensuring that noise generated by a pump does not exceed 5dBA above ambient noise levels measured at the boundary of the property, and
  - viii. With openings to the tank being adequately screened to prevent access by mosquitoes
2. Council actively promote to the community this approach to rainwater tanks.
3. Council make representations to the Department of Planning to, as a matter of some urgency, revise the SEPP4 conditions to make them less onerous, thus encouraging the installation of rainwater tanks for non-potable uses.
4. Council liaise with Warringah and Pittwater Councils, with a view to initiating a joint bulk purchase and supply of tanks to residents at reduced prices, modelled on the recent Parramatta Council initiative and that Council explore opportunities for innovative funding options.
5. Council's new DCP for the Residential Zone, 2006 contain reference to the opportunities for Exempt Development status for rainwater tanks installed in a manner consistent with these provisions.

**129/06 RESOLVED (Lambert / Macdonald)**

That:

1. Having regard to the provisions of SEPP4 (Exempt and Complying development) Manly Council, at the earliest opportunity, adopt as policy support for the installation of rainwater tanks
  - i. Installed above ground level or not requiring excavation exceeding 1 metre
  - ii. Not exceeding a storage capacity of 10,000 litres
  - iii. Having a maximum height above ground level of 2.4 metres
  - iv. Being located at least 450mm from any property boundary
  - v. Not being visible from any street alignment and being located behind the front building alignment
  - vi. Having overflow connected to the existing or an adequate stormwater drainage system
  - vii. Ensuring that noise generated by a pump does not exceed 5dBA above ambient noise levels measured at the boundary of the property, and
  - viii. With openings to the tank being adequately screened to prevent access by mosquitoes
2. Council actively promote to the community this approach to rainwater tanks.
3. Council make representations to the Department of Planning to, as a matter of some urgency, revise the SEPP4 conditions to make them less onerous, thus encouraging the installation of rainwater tanks for non-potable uses.

4. Council liaise with Warringah and Pittwater Councils, with a view to initiating a joint bulk purchase and supply of tanks to residents at reduced prices, modelled on the recent Parramatta Council initiative and that Council explore opportunities for innovative funding options.
5. Council's new DCP for the Residential Zone, 2006 contain reference to the opportunities for Exempt Development status for rainwater tanks installed in a manner consistent with these provisions.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird, Evans and Norek

**Against the Resolution:** Nil.

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*Councillor Evans retired from the Chamber at 11.53pm*

Notice of Motion Report No. 22

**DA Approval for Letterboxes**

Councillor Murphy moved:

That Manly Council introduce standard conditions of approval for DA's by adding the following standard clause:

A letter box must be fitted to the property that is capable of taking A4 envelopes. A separate tube, receptacle or shelf for the Manly Daily must also be fitted. For multiple dwellings there must be one letterbox and tube, receptacle (or sufficient shelf space) per dwelling. The property must also display it's street number so that it is clearly visible from the street to both motorists and pedestrians. All this must happen prior to issue of the occupation certificate.

**MOTION (Murphy / Heasman )**

That Manly Council introduce standard conditions of approval for DA's by adding the following standard clause:

A letter box must be fitted to the property that is capable of taking A4 envelopes. A separate tube, receptacle or shelf for the Manly Daily must also be fitted. For multiple dwellings there must be one letterbox and tube, receptacle (or sufficient shelf space) per dwelling. The property must also display it's street number so that it is clearly visible from the street to both motorists and pedestrians. All this must happen prior to issue of the occupation certificate.

**130/06 RESOLVED (Murphy / Heasman)**

That Manly Council introduce standard conditions of approval for DA's by adding the following standard clause:

A letter box must be fitted to the property that is capable of taking A4 envelopes. A separate tube, receptacle or shelf for the Manly Daily must also be fitted. For multiple dwellings there must be one letterbox and tube, receptacle (or sufficient shelf space) per dwelling. The property must also display it's street number so that it is clearly visible from the street to both motorists and pedestrians. All this must happen prior to issue of the occupation certificate.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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Notice of Motion Report No. 23

**Cancer Council Community Partnerships**

Councillor Heasman moved:

1. That Manly Council acknowledges the high level of physical and emotional suffering premature death and financial burden caused by cancer in this community by becoming a CANCER COUNCIL COMMUNITY PARTNER. In doing this, we undertake to help lower the impact of this insidious disease in our community by:-
  - learning about and adopting new policies that will help reduce the incidence of cancer in our area.
  - supporting Cancer Council advocacy campaigns that will benefit the people of our community.
  - using our communication channels, venues and networks to help deliver Cancer Council information and education.
  - allowing free use of Council venues and other resources for support group meetings, education programs and other activities that benefit cancer patients and their families in our area.
  - supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.
2. That Manly Council nominate staff members as the dedicated Relationship Managers for this community partnership.

**MOTION (Heasman / Aird)**

1. That Manly Council acknowledges the high level of physical and emotional suffering premature death and financial burden caused by cancer in this community by becoming a CANCER COUNCIL COMMUNITY PARTNER. In doing this, we undertake to help lower the impact of this insidious disease in our community by:-
  - learning about and adopting new policies that will help reduce the incidence of cancer in our area.
  - supporting Cancer Council advocacy campaigns that will benefit the people of our community.
  - using our communication channels, venues and networks to help deliver Cancer Council information and education.
  - allowing free use of Council venues and other resources for support group meetings, education programs and other activities that benefit cancer patients and their families in our area.
  - supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.
2. That Manly Council nominate staff members as the dedicated Relationship Managers for this community partnership.

**131/06 RESOLVED (Heasman / Aird)**

1. That Manly Council acknowledges the high level of physical and emotional suffering premature death and financial burden caused by cancer in this community by becoming a CANCER COUNCIL COMMUNITY PARTNER. In doing this, we undertake to help lower the impact of this insidious disease in our community by:-

- learning about and adopting new policies that will help reduce the incidence of cancer in our area.
  - supporting Cancer Council advocacy campaigns that will benefit the people of our community.
  - using our communication channels, venues and networks to help deliver Cancer Council information and education.
  - allowing free use of Council venues and other resources for support group meetings, education programs and other activities that benefit cancer patients and their families in our area.
  - supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.
2. That Manly Council nominate staff members as the dedicated Relationship Managers for this community partnership.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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## ITEMS FOR BRIEF MENTION

### Item For Brief Mention Report No. 12

#### 1. Reports:

##### a) **Government responses regarding Alcohol Problems in Society**

At the Ordinary meeting of 21 August 2006, Council resolved as follows:

That Manly Council calls on the Federal Government (including the Treasurer, Peter Costello, the Minister for Health, Tony Abbott and shadow ministers) to seriously consider:

- a) the issue of alcohol taxation, particularly differential taxation (i.e. a regime of taxes that rise with alcohol content) as a strong part of it's mix of policies on dealing with alcohol problems in society;
- b) the inclusion of warning labels regarding alcohol consumption on all alcoholic beverages;
- c) the banning of all alcohol advertisements and sponsorship which target youth demographics.

Responses from The Office of the Prime Minister; The Hon Tony Abbott MP, Minister for Health and Ageing; and the Office of the Hon Peter Dutton MP, Minister for Revenue and Assistant Treasurer have been received and are available for viewing at Attachment 1.

##### b) **Local Government Policy Platform – March 2007 State Election**

The Local Government and Shires Association of NSW has released it's 2007 State Election Policy Platform (Attachment 2). The Platform points political parties and those seeking election to the NSW Parliament in March 2007 to the key issues affecting Local Government.

The major issues are outlined in the introduction to the platform and include:

- the need for an Inter-Governmental Agreement (IGA);
- the abandonment or relocation of rate pegging; and
- the repealing of the recent changes that enable State Government to take on Council's planning powers without justification.

The policy Platform was launched in October 2006 and Councils assistance from time to time in applying pressure on the State Government and other political parties to respond, is crucial.

## 2. Minutes Of Meetings:

- i. ACCESS COMMITTEE MINUTES OF MEETING HELD ON 19 OCTOBER 2006
- ii. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 19 OCTOBER 2006
- iii. MANLY ARTS FESTIVAL COMMITTEE MEETING HELD ON 11 OCTOBER 2006.
- iv. MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 16 OCTOBER 2006
- v. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 13 SEPTEMBER 2006
- vi. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 11 OCTOBER 2006
- vii. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETING HELD ON 8 NOVEMBER 2006
- viii. THE MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 11 OCTOBER 2006
- ix. MANLY VISITOR AND COMMUNITY BOARD COMMITTEE NOTES OF MEETING HELD ON 26 OCTOBER 2006

## MOTION (Daley / Pedersen)

- 1a) That Council note the responses received from The Office of the Prime Minister, The Hon Tony Abbott MP and the Office of the Hon Peter Dutton MP in relation to Council's resolution of 21 August 2006 regarding alcohol problems in society.
- 1b) That Council receive and note the Local Government Policy Platform – March 2007 State Election.
2. That the recommendations of **Minutes of Meetings, as listed in item 2, being 2 (i) to (ix),** as listed above, be **adopted**.

## AMENDMENT (Aird / Pedersen)

- 1a) That Council note, *with disappointment*, the responses received from The Office of the Prime Minister, The Hon Tony Abbott MP and the Office of the Hon Peter Dutton MP in relation to Council's resolution of 21 August 2006 regarding alcohol problems in society.
- 1b) That Council receive and note the Local Government Policy Platform – March 2007 State Election.

2. That the recommendations of **Minutes of Meetings, as listed in item 2**, being **2 (i) to (ix)**, as listed above, be **adopted**.

**For the Amendment:** Councillors Macdonald, Heasman, Lambert, Daley, Pedersen and Aird  
**Against the Amendment:** Councillors Hay, Norek, Murphy

The Amendment was declared **CARRIED**

132/06 **RESOLVED (Aird / Pedersen)**

- 1a) That Council note, *with disappointment*, the responses received from The Office of the Prime Minister, The Hon Tony Abbott MP and the Office of the Hon Peter Dutton MP in relation to Council's resolution of 21 August 2006 regarding alcohol problems in society.
- 1b) That Council receive and note the Local Government Policy Platform – March 2007 State Election.
2. That the recommendations of **Minutes of Meetings, as listed in item 2**, being **2 (i) to (ix)**, as listed above, be **adopted**.

**For the Resolution:** Councillors Macdonald, Heasman, Lambert, Daley, Pedersen and Aird  
**Against the Resolution:** Councillors Hay, Norek, and Murphy

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*Councillor Murphy having previously declared an interest left the Chamber.*

## **GENERAL MANAGERS DIVISION**

General Managers Division Report No. 37

### **Ivanhoe Park Precinct - Permit Parking Scheme - Extension**

#### **SUMMARY**

On 20 March 2006 Council resolved to implement the Ivanhoe Park Permit Parking Scheme. The Scheme commenced operation in June 2006.

As part of the March resolution, Council requested that residents of the northern end of Birkley Road, Quinton Road and Kangaroo Street be surveyed to ascertain their views on the extension of the permit area to the north to include their properties. The majority of survey respondents and the Precinct support an extension of the Ivanhoe Park Permit Parking Area to incorporate the northern end of Birkley Road, Quinton Road and Kangaroo Street.

#### **MOTION (Aird / Hay)**

That:

1. Council as soon as practicable, implement an extension of the existing Ivanhoe Park Permit Parking Scheme in the following streets:
  - both sides of Birkley Road north of Quinton Lane;
  - both sides of Quinton Road north of Quinton Lane;
  - both sides of Kangaroo Street north of number 39 Kangaroo Street.
2. Notice be given to each property in the extended area.
3. Each property located in the area of the scheme be entitled to a maximum of three (3)

permits, with the cost being: free for the first permit, twenty dollars (\$20) for the second permit, and forty dollars (\$40) for the third Permit and with permit holders being four dollars (\$4) each.

4. That the General Manager may on a "merits of the case" basis, authorise the issuing of additional permits in excess of the maximum entitlement. The cost of permits in excess of the maximum permitted in the Scheme shall of one hundred (\$100) each, plus the cost of permit holders.
5. Unless currently restricted, all currently unrestricted kerbside parking spaces be sign posted for "2P, 8AM to 6PM everyday". Signage be installed as appropriate along each of the streets to indicate the restrictions of the scheme.
6. The implementation of this scheme supersedes all previous and existing Residents Parking Schemes operating in the area covered by the new Ivanhoe Park Permit Parking Scheme.
7. Further, that Council conduct a survey of all rateable properties in William Street, Thornton Street, Parkview Road and Crescent Street with a view to extending the existing Ivanhoe Park Permit Parking Scheme to incorporate their streets and a report be provided to Council on the results of the survey.

133/06 **RESOLVED (Aird / Hay)**

That:

1. Council as soon as practicable, implement an extension of the existing Ivanhoe Park Permit Parking Scheme in the following streets:
  - both sides of Birkley Road north of Quinton Lane;
  - both sides of Quinton Road north of Quinton Lane;
  - both sides of Kangaroo Street north of number 39 Kangaroo Street.
2. Notice be given to each property in the extended area.
3. Each property located in the area of the scheme be entitled to a maximum of three (3) permits, with the cost being: free for the first permit, twenty dollars (\$20) for the second permit, and forty dollars (\$40) for the third Permit and with permit holders being four dollars (\$4) each.
4. That the General Manager may on a "merits of the case" basis, authorise the issuing of additional permits in excess of the maximum entitlement. The cost of permits in excess of the maximum permitted in the Scheme shall of one hundred (\$100) each, plus the cost of permit holders.
5. Unless currently restricted, all currently unrestricted kerbside parking spaces be sign posted for "2P, 8AM to 6PM everyday". Signage be installed as appropriate along each of the streets to indicate the restrictions of the scheme.
6. The implementation of this scheme supersedes all previous and existing Residents Parking Schemes operating in the area covered by the new Ivanhoe Park Permit Parking Scheme.
7. Further, that Council conduct a survey of all rateable properties in William Street, Thornton Street, Parkview Road and Crescent Street with a view to extending the existing Ivanhoe Park Permit Parking Scheme to incorporate their streets and a report be provided to Council on the results of the survey.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.



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*Councillor Murphy re-entered the Chamber.*

## **CORPORATE SERVICES DIVISION**

Corporate Services Division Report No. 29

### **Schedule of Meetings - 1 January to 31 December 2007**

#### **SUMMARY**

A schedule of proposed dates for Council and Principal Committees meetings from 1 January 2007 to 31 December 2007 is submitted to Council for adoption.

#### **MOTION (Murphy / Pedersen)**

That the Schedule of Meetings for the period 1 January 2007 to 31 December 2007 as presented be adopted with the addition of:

1. 29 January 2007, 30 April, 30 July and 29 October being additional dates for Workshop/Strategic Meetings,
2. April 2007 meeting dates changed as follows: 10 April 2007 Tuesday 7.30pm No meeting, 16 April 2007 Monday Planning & Strategy Meeting and 23 April 2007 Monday 7.30pm Ordinary Meeting.

#### **134/06 RESOLVED (Murphy / Pedersen)**

That the Schedule of Meetings for the period 1 January 2007 to 31 December 2007 as presented be adopted with the addition of:

1. 29 January 2007, 30 April, 30 July and 29 October being additional dates for Workshop/Strategic Meetings,
2. April 2007 meeting dates changed as follows: 10 April 2007 Tuesday 7.30pm No meeting, 16 April 2007 Monday Planning & Strategy Meeting and 23 April 2007 Monday 7.30pm Ordinary Meeting.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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Corporate Services Division Report No. 31

### **Financial Review for the Period Ending 30 September 2006**

#### **SUMMARY**

Council's Income and Expenditure for the quarter 1 July 2006 to 30 September 2006 has been reviewed, together with a projection of Council's Budget as at 30 June 2007, and a Statement of Variations which have occurred is submitted.

After adoption of the recommended adjustments the result for the quarter and the forecast deficit at 30 June 2007 will be \$151,924.

**MOTION (Heasman / Daley)**

That the 2006/2007 Adopted Budget be varied in terms of this Report.

**135/06 RESOLVED (Heasman / Daley)**

That the 2006/2007 Adopted Budget be varied in terms of this Report.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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Corporate Services Division Report No. 30

**Accounts - Report on Council Investments as at 31 October, 2006****SUMMARY**

Latest accounting statements for the period to 31 October, 2006

1. Statement showing General Fund Bank account balance as at 31 October, 2006.
2. Cash investments as at 31 October, 2006.

**MOTION (Daley / Lambert)**

1. That the statement of General Fund Bank Account balance as at 31 October, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 31 October, 2006 be received and noted.

**136/06 RESOLVED (Daley / Lambert)**

1. That the statement of General Fund Bank Account balance as at 31 October, 2006 be received and noted.
2. That the certification by the Chief Financial Officer be noted.
3. That details of Council's cash investments as at 31 October, 2006 be received and noted.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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Corporate Services Division Report No. 24

**Policy for the Payment of Expenses and Provision of Facilities for Mayor and Councillors  
SUMMARY**

Council's Policy for the Payment of Expenses and Provision of Facilities was adopted by Council on 16 August 2004. Following amendments to Section 252 and 253 of the Local Government Act 1993, Council is now required to review its Policy annually, as well as forwarding a copy of the Policy to the Department by 30 November each year.

For the financial year 2006/2007, councils must submit a policy that complies with the guidelines by 28 February 2007.

**MOTION (Lambert / Murphy)**

That Council:

1. Receive and note the report;
2. Undertake a review of the current *Policy on Payment of Expenses and Provision of Facilities to Mayor and Councillors – 16 August 2004*; with a particular focus on reimbursement of mobile phone expenses.
3. Following the review a further report be brought back for the adoption of the Policy;
4. Forward a copy of the adopted *Policy on Payment of Expenses and Provision of Facilities to Mayor and Councillors* to the Department of Local Government.

137/06 **RESOLVED (Lambert / Murphy)**

That Council:

1. Receive and note the report;
2. Undertake a review of the current *Policy on Payment of Expenses and Provision of Facilities to Mayor and Councillors – 16 August 2004*; with a particular focus on reimbursement of mobile phone expenses.
3. Following the review a further report be brought back for the adoption of the Policy;
4. Forward a copy of the adopted *Policy on Payment of Expenses and Provision of Facilities to Mayor and Councillors* to the Department of Local Government.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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**HUMAN SERVICES AND FACILITIES DIVISION**

Human Services And Facilities Division Report No. 5

**Late Night Transport Strategy for Manly 2006 to 2007****SUMMARY**

Manly Council Community Safety Committee, the Manly Liquor Licensing Accord and Manly Police have agreed "in principle" to the Late Night Transport Strategy for Manly in 2006 – 2007 for a period of 12 months.

The Late Night Transport Strategy for Manly 2006 is planned to commence on Friday, 1<sup>st</sup> December 2006.

The Manly Community Safety Committee considered the Late Night Transport Strategy 2006 draft report at their meeting on 16<sup>th</sup> November 2006 and adopted the strategy with a recommendation regarding the fee structure.

That Council adopt the Late Night Transport Strategy for Manly in 2006 – 2007 for a period of 12 months.

**MOTION (Daley / Pedersen)**

That:

Council adopt the Late Night Transport Strategy for Manly 2006 – 2007 for implementation.

**AMENDMENT (Norek)**

That:

- a) Council adopt the Late Night Transport Strategy for Manly 2006 – 2007 for implementation.
- b) Council request the Taxi industry to address Taxi operating hours in the Manly area regarding taxi change over times.

Due to lack of seconder the Amendment **LAPSED**

**138/06 RESOLVED (Daley / Pedersen)**

That:

Council adopt the Late Night Transport Strategy for Manly 2006 – 2007 for implementation.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

**PROCEDURAL MOTION (Daley /Macdonald)**

That:

As part of the Late Night Transport Strategy for Manly, Council make representations to the Police to enforce the Alcohol free zone which was raised previously in a Notice of Motion two years ago.

139/06 **RESOLVED** (Daley / Macdonald)

That:

As part of the Late Night Transport Strategy for Manly, Council make representations to the Police to enforce the Alcohol free zone which was raised previously in a Notice of Motion two years ago.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

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## QUESTIONS WITHOUT NOTICE

**QWN Councillor Hay** - Dangerous Activity at Jump Rock

A resident wants Council to do something about the dangerous activity taking place at Jump Rock. People are ignoring the sign regarding the dangers of jumping.

*At the request of the Mayor, the General Manager advised that Council staff will progress the matter and bring back a range of options for Councillors to consider.*

**QWN Councillor Heasman** - Update All Committees List

Could the Manly Council website and all the Committees Lists be updated as soon as possible in particular Manly Neighbourhood Renewal Programme and the Manly/Mosman/North Sydney Bushfire Management Committee of which I am Chair.

*At the request of the Mayor, the General Manager advised that this will be carried out.*

**QWN Councillor Lambert** - Accurate Reporting of Councillors' Committee Memberships

a) What process is used to ensure that Councillors' Committee membership is accurately recorded in the Annual Report to the Community.

b) In preparing the 2006-2007 Report, can Councillors please be given an opportunity to ensure the accuracy of a draft prior to finalisation of this report?

*At the request of the Mayor, the General Manager advised that the relevant staff who have responsibility for the Committees will address the issue.*

**QWN Councillor Lambert** - Input from Precinct Community Forums to the 2007-2008 Council Budget

Can the General Manager please advise of the process to be undertaken to facilitate input from Precinct Community forums to the 2007-2008 Council Budget and on what timeline.

*At the request of the Mayor, the General Manager advised that the model used in the last few years has proved effective. The next budgetary cycle will commence shortly and the Precinct Community Forums will be contacted.*

**QWN Councillor Murphy - Outdoor Seating**

If a restaurant increases its seating capacity by say double, does a Development Application need to be submitted.

*At the request of the Mayor, the General Manager advised that this depended upon the original DA approval.*

**QWN Councillor Murphy - Development Application for changes to a shop**

If a shop changes its façade or streetscape do they have to submit a Development Application.

*At the request of the Mayor, the General Manager advised that if this was a renovation then no, but if it is about changing the façade then a DA would be required.*

**QWN Councillor Murphy - Balloons on the Corso**

Are balloons banned on the Corso.

*At the request of the Mayor, the General Manager advised that balloons were banned on the Corso.*

**QWN Councillor Norek - Section 94 Contributions in Castle Circuit**

Why do the Section 94 contributions for Castle Circuit vary from resident to resident, when each parcel of land is equal in size of development.

*At the request of the Mayor, the General Manager advised that this matter would be taken on notice.*

**QWN Councillor Norek - Beach Pit Tender**

Does the tender accepted by Council for the Beach Pit allow a clause that Manly Council if it decided to terminate the lease in the first six months could do so without notice or penalty.

*At the request of the Mayor, the General Manager advised that the matter would be taken on notice.*

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**MATTERS OF URGENCY**

Nil.

**CONFIDENTIAL COMMITTEE OF THE WHOLE**

General Managers Division Report No. 38

**Update - Kimbriki Recycling and Waste Disposal Centre**

*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.*

The Chairperson asked if any members of the public gallery objected to the matter being heard in "Closed Session".

It is noted that no representations were received from the Public Gallery.

**RESOLVED: (Pedersen / Daley)**

That the meeting move into Closed Session to consider General Managers Division Report No. 38, Kimbriki Recycling and Waste Disposal Centre.

**OPEN COUNCIL RESUMED**

Upon resuming into Open Council, the General Manager advised the meeting of the decisions made in Closed Session.

**General Managers Division Report No.38  
Kimbriki Recycling and Waste Disposal Centre****RESOLVED (Pedersen / Daley)**

That Council proceed as resolved in Closed Session of Council.

**For the Resolution:** Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Pedersen, Aird and Norek

**Against the Resolution:** Nil.

\*\*\*\*\*

**CLOSE**

The meeting closed at 12.59am

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 18 December 2006.

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**MAYOR**

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