

Manly Council

Minutes

Ordinary Meeting

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 21 August 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



TABLE OF CONTENTS

Item	Page No.
PRESENT	3
APOLOGIES.....	3
DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST.....	3
CONFIRMATION OF MINUTES.....	4
PUBLIC FORUM	4
NOTICE OF MOTION	5
Notice of Motion Report No. 15 Public meeting regarding widening of Spit Bridge	5
MAYORAL MINUTES.....	6
Mayoral Minute Report No. 14 Outdoor smoking areas in pubs and clubs and the need for Council to adopt a clear policy	6
NOTICES OF MOTION.....	8
Notice of Motion Report No. 10 Government Policies on Dealing with Alcohol Problems in Society	8
Notice of Motion Report No. 12 Amendment of Council's Purchasing and Procurement Policy to include a Service Provider Environmental Questionnaire	10
Notice of Motion Report No. 16 Long term protection for Cape York Peninsula.....	14
ITEMS FOR BRIEF MENTION	15
Item For Brief Mention Report No. 9 Items For Brief Mention	15
CORPORATE SERVICES DIVISION.....	16
Corporate Services Division Report No. 21 Accounts - Report on Council Investments as at 30 June, 2006 and 31 July, 2006.....	16
Corporate Services Division Report No. 22 Independent Inquiry into the Financial Sustainability of NSW Local Government - Final Report.....	16
QUESTIONS WITHOUT NOTICE	17
Notice of Motion Report No. 10 Government Policies on Dealing with Alcohol Problems in Society.....	18
MATTERS OF URGENCY.....	19

The Ordinary Meeting was held in the Council Chambers, Town Hall, Manly, on Monday 21 August 2006. The meeting commenced at 7:41 PM.

PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided
Deputy Mayor, Councillor B Aird
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM
Councillor A Heasman
Councillor J Lambert, AM
Councillor R Morrison (arrived at 7:43pm)
Councillor D Murphy
Councillor B Pedersen

ALSO PRESENT

Henry T Wong, General Manager
Jim Hunter, Executive Director, Major Projects
Ross Fleming, Chief Financial Officer
Rachael Levey, Minute Taker
Elayne Becker, Minute Taker

OPENING PRAYER

The Opening Prayer was presented by Minister Mike Frost.

APOLOGIES

Apologies were tendered on behalf of Councillor Norek and Councillor Cant, for non-attendance / lateness.

MOTION (Lambert / Daley)

That the apologies received from Councillor Norek and Councillor Cant for non-attendance be accepted and leave be granted.

78/06 RESOLVED: (Lambert / Daley)

That the apologies received from Councillor Norek and Councillor Cant for non-attendance be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Morrison	NOM No. 15	Owns a property near the boundary of Spit Bridge

CONFIRMATION OF MINUTES**MOTION (Aird / Heasman)**

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 24 July 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 with the exception of the Notice of Motion Report No. 13, Late Night Music in the Corso. The Amendment moved by Councillor Pedersen and seconded by Councillor Aird, should be changed to read as follows:

“That the Rockdale Deputy Mayor Bill Saravanovski be invited to address the **Community Safety Committee.**”

79/06 RESOLVED: (Aird / Heasman)

That copies of the Minutes of the Ordinary Meeting of Council held on Monday 24 July 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 with the exception of the Notice of Motion Report No. 13, Late Night Music in the Corso. The Amendment moved by Councillor Pedersen and seconded by Councillor Aird, should be changed to read as follows:

“That the Rockdale Deputy Mayor Bill Saravanovski be invited to address the **Community Safety Committee.**”

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

Against the Resolution: Nil.

PUBLIC FORUM

Nil.

SUSPENSION OF STANDING ORDERS (Macdonald / Aird)

That Council suspend Standing Orders for consideration of items of public interest, being Notice of Motion Report No. 15, Public meeting regarding widening of Spit Bridge; and Mayoral Minute Report No 14, Outdoor smoking areas in pubs and clubs and the need for Council to adopt a clear policy.

80/06 RESOLVED: (Macdonald / Aird)

That Council suspend Standing Orders for consideration of items of public interest, being Notice of Motion Report No. 15, Public meeting regarding widening of Spit Bridge; and Mayoral Minute Report No 14, Outdoor smoking areas in pubs and clubs and the need for Council to adopt a clear policy.

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

Against the Resolution: Nil.

Having previously declared an interest, Councillor Morrison left the Chamber at 7:47pm.

Notice of Motion Report No. 15

Public meeting regarding widening of Spit Bridge

PUBLIC ADDRESSES

The following person addressed Council in relation to this matter:

In favour: Mr William McPhee

Councillor Daley moved:

“That Manly Council call a public meeting as soon as possible to enable the local community to receive a complete update from the RTA regarding the two lane widening of the Spit Bridge.”

Background

With the RTA about to call tenders and with work about to commence in the next six months it is necessary for the local community to receive the following information from the RTA:

1. Dates of the tender process and proposed date of the actual commencement of work.
2. Estimated time of construction work.
3. Information regarding any expected delays to traffic and information regarding time frames ie actual bridge closures.
4. Information regarding any engineering and construction issues of which the community needs to be aware.
5. Expected traffic impact on the streets of Seaforth and in particular streets in the vicinity of the bridge, eg Battle Blvd.
6. Impact on nearby local residence regarding noise and road and traffic changes.
7. Impact on local environment and scenic walkway by construction vehicles and storage of materials in nearby area.
8. Impact on bike and pedestrian traffic.
9. Latest estimate on increased traffic flows.
10. A complete up-date regarding projected costs.

MOTION (Daley / Heasman)

That Manly Council call on the RTA to conduct a community information forum, consisting of community members and other interested groups, as soon as possible to enable the local community to receive a complete update from the RTA regarding the two lane widening of the Spit Bridge. The issues to be addressed should include:

1. Dates of the tender process and proposed date of the actual commencement of work.
2. Estimated time of construction work.
3. Information regarding any expected delays to traffic and information regarding time frames ie actual bridge closures.
4. Information regarding any engineering and construction issues of which the community needs to be aware.
5. Expected traffic impact on the streets of Seaforth and in particular streets in the vicinity of the bridge, eg Battle Blvd.
6. Impact on nearby local residence regarding noise and road and traffic changes.
7. Impact on local environment and scenic walkway by construction vehicles and storage of materials in nearby area.
8. Impact on bike and pedestrian traffic.
9. Latest estimate on increased traffic flows.
10. A complete up-date regarding projected costs.

81/06 **RESOLVED:** (Daley / Heasman)

That Manly Council call on the RTA to conduct a community information forum, consisting of community members and other interested groups, as soon as possible to enable the local community to receive a complete update from the RTA regarding the two lane widening of the Spit Bridge. The issues to be addressed should include:

1. Dates of the tender process and proposed date of the actual commencement of work.
2. Estimated time of construction work.
3. Information regarding any expected delays to traffic and information regarding time frames ie actual bridge closures.
4. Information regarding any engineering and construction issues of which the community needs to be aware.
5. Expected traffic impact on the streets of Seaforth and in particular streets in the vicinity of the bridge, eg Battle Blvd.
6. Impact on nearby local residence regarding noise and road and traffic changes.
7. Impact on local environment and scenic walkway by construction vehicles and storage of materials in nearby area.
8. Impact on bike and pedestrian traffic.
9. Latest estimate on increased traffic flows.
10. A complete up-date regarding projected costs.

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

Against the Resolution: Nil.

Councillor Morrison returned to the Chamber at 8:09pm.

MAYORAL MINUTES

Mayoral Minute Report No. 14 (Late Report)

Outdoor smoking areas in pubs and clubs and the need for Council to adopt a clear policy

The Mayor Clr Macdonald moved:

That Council defer all DAs for Outdoor Smoking Areas in pubs and clubs and request that the applicant seek legal advice which would demonstrate if and how the proposed smoking area would comply with all the legal obligations applicable including but not limited to:

1. Regulation prohibiting smoke drift from the smoking area
2. Occupation, Health and Safety regulations protecting staff working in smoking areas from SHS
3. Commonwealth and NSW discrimination law relating to both employment and access of persons suffering from disabilities adversely affected by secondhand tobacco smoke

Introduction

As from July 2007 smoking will be prohibited from all indoor areas of pubs and clubs in the State. The only smoking areas will be in so-called "outdoor" areas which need only be open 25% to the outdoors.

An increase in the number of DAs to set up "outdoor" smoking areas in pubs and clubs is creating several problems for both local government and residents, as follows:

1. Requests for “outdoor” smoking areas on rooftops, balconies and beer gardens are based on a flawed and unworkable regulation that defines an outdoor area as up to 75% enclosed
2. Higher noise levels and smokedrift into adjacent areas will increase tensions and complaints from nearby residents as well as from staff exposed to second hand smoke in outdoor areas where they are obliged to service and/or from smokedrift.

Background

The medical and health evidence on second hand smoke (SHS) confirms there is no risk-free level of exposure to SHS and that partial smoking bans and ventilation options do not work (refer US Surgeon General’s report at <http://www.hhs.gov/news/press/2006pres/20060627.html>).

Regular smoking rates in NSW have declined significantly to around 20% of the population with further declines in prevalence of 1% pa expected over next five years
Following political pressure from pub and club associations, the NSW Government agreed to the longest, phase out of smoking within the pubs with a delayed deadline of July 2007 along with exemptions for outdoor smoking indefinitely.

As legal obligations under OHS law require workplaces to be safe, an increase in SHS injuries and compensation claims is expected to increase as staff will have to continue servicing patrons in smoking areas. Tobacco companies are driving the surge in DAs as they have admitted offering financial incentives to hotels seeking approval for smoking areas.

To further complicate the already unworkable regulations in NSW, a duty to prevent the spread of smoke from outdoor to indoor areas will take effect from July 2007 - resulting in smokedrift becoming unlawful if it penetrates indoor workplaces. Refer gazettal at:

http://www.advertising.nswp.commerce.nsw.gov.au/NR/rdonlyres/ewt6njac6tbud5b42ymf7uvdhlo5q5ozccxupxncxfgedef2ltu3kgfrfplpm3rhkkovyt7wjtrgk/10th_February.pdf

Advice from the Smoke Free Australia Coalition:

Given the overwhelming medical evidence and several legal precedents on SHS injuries at <http://www.cancercouncil.com.au/editorial.asp?pageid=713> , the Coalition is advising that the 75:25 regulation is unworkable and inconsistent with other legal requirements.

In particular, ASH Australia recommends that:

“DAs be rejected and/or treated with caution. As a minimum, applicants should be required to obtain legal advice on how any proposed smoking area would comply with all of the legal obligations including technical reports on how smokedrift – which is very gaseous – will not penetrate indoor areas of places of work or residence. For example, smokedrift may be limited but not necessarily contained, by requiring buffer zones, self closing doors and a ban on staff working in these areas”.

PUBLIC ADDRESSES

The following persons addressed Council in relation to this matter:

Against: Mr Tom Shanahan

In favour: Mr Stafford Sanders

MOTION (Macdonald)

1. That Council defer all DAs for Outdoor Smoking Areas in pubs and clubs and request that the applicant seek legal advice which would demonstrate if and how the proposed smoking area would comply with all the legal obligations applicable including but not limited to:
 - a) Regulation prohibiting smoke drift from the smoking area.
 - b) Occupation, Health and Safety regulations protecting staff working in smoking areas from SHS.
 - c) Commonwealth and NSW discrimination law relating to both employment and access of persons suffering from disabilities adversely affected by secondhand tobacco smoke.
2. That Council review it's current planning instruments in light of the proposed regulations due to be implemented in July 2007.

82/06 RESOLVED: (Macdonald)

1. That Council defer all DAs for Outdoor Smoking Areas in pubs and clubs and request that the applicant seek legal advice which would demonstrate if and how the proposed smoking area would comply with all the legal obligations applicable including but not limited to:
 - a) Regulation prohibiting smoke drift from the smoking area.
 - b) Occupation, Health and Safety regulations protecting staff working in smoking areas from SHS.
 - c) Commonwealth and NSW discrimination law relating to both employment and access of persons suffering from disabilities adversely affected by secondhand tobacco smoke.
2. That Council review it's current planning instruments in light of the proposed regulations due to be implemented in July 2007.

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

Against the Resolution: Nil.

RESUMPTION OF STANDING ORDERS (Macdonald / Aird)

That Standing Orders be resumed.

83/06 RESOLVED: (Macdonald / Aird)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

NOTICES OF MOTION

Notice of Motion Report No. 10

Government Policies on Dealing with Alcohol Problems in Society

Councillor Aird moved:

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 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.

Note: International research (through a five-year review of world literature on anti-alcohol programs sponsored by the World Health Organisation) has found that the most effective curbs are not school education or a focus on treatment, but rather, a regime of taxes – that rise with alcohol content – minimise harm and offset the health costs of alcohol abuse.

Facts:

- There are around 4,000 premature deaths per year in which alcohol has played a role.
- The annual cost of alcohol-related harm is just under \$8 billion
- A third of fatal car accidents involve alcohol
- Two thirds of alcohol consumed is consumed by people drinking at levels well above recommended risk.

MOTION (Aird / Daley)

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.

84/06 RESOLVED: (Aird / Daley)

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.

For the Resolution: Councillors Macdonald, Heasman, Lambert, Daley, Pedersen, Aird and Evans

Against the Resolution: Councillors Hay, Murphy and Morrison

Councillor Morrison departed the meeting at 9:42pm.

Notice of Motion Report No. 12

Amendment of Council's Purchasing and Procurement Policy to include a Service Provider Environmental Questionnaire

Councillor Lambert moved:

Consistent with a corporate commitment to Triple Bottom Line reporting and the Ethical Charter, Manly Council's Purchasing and Procurement Policy be amended to include a Service Provider Environmental Questionnaire to be completed by those providing quotations, specifications or tenders for goods or services valued at \$50,000 or above.

Using the final section of Appendix C to the Policy as a basis for the questionnaire, it be designed as follows:

**SUPPLIER ENVIRONMENTAL QUESTIONNAIRE
For Goods or Services over \$50,000**

MANLY COUNCIL is committed to reinforcing environmental preservation and improvement. In the interests of achieving these goals MANLY COUNCIL is encouraging tenderers to develop and implement environmentally responsible initiatives. **All else being equal, preference will be given to those bids which comply with Council's various environmental and sustainability policies.**

The Supplier Environmental Questionnaire is to be completed by the service supplier. It is considered as part of the supplier's product and is subject to the same laws and regulations as the rest of the supplier's product. (Additional information in typed or printed form may be provided. Please indicate this on the form, next to the relevant question).

Please remember to sign the declaration at the end of this form.

Company environmental information.

<p>Does your organisation produce a public environment report? Yes [] No [] If Yes, please attach.</p>
<p>Does your organisation have an environment policy or Environmental Management System (EMS)? Yes [] No [] If Yes, please attach</p> <p style="text-align: right;">Is the EMS certified Yes [] No []</p>
<p>Has your organisation prepared an environmental management plan and set quantified objectives and targets for environmental improvement? Yes [] No []</p>
<p>Does your organisation have programs in place or planned for promoting resource efficiency? Yes [] No [] If Yes, please specify</p>
<p>Does your organisation undertake environmental and/or waste audits? Yes [] No []</p>
<p>Does your organisation carry out life-cycle analysis of its products or services (and the packaging)?</p>

Yes [] No []	
Has any other established product verification process verified the environmental merits of the product? Yes [] No [] If Yes, please specify	
Has your organisation's environmental record been checked to verify:	
That it has complied withal environmental legislation and regulations?	Yes []
No []	
That all environmental issues are satisfactorily addressed?	Yes [] No []

I declare that all information on this form is true and correct.

..... (Signature of person making declaration) (Position)

Dated:

Background Information

Increasingly within the corporate sector supply chain considerations are being included in Triple Bottom Line operating and reporting. State agencies in some states (e.g. Victoria) also require a sustainability declaration from service providers tendering for supply of goods or services to those agencies. These supply chain aspects of sustainable operations are also being adopted at the Local Government level.

The Environmental Questionnaire proposed is modelled directly on a similar survey already in use at Marrickville Council, and has been adapted to reflect the Service Provider Environmental Record considered in Manly Council's Purchasing and Procurement Policy adopted at the Ordinary Meeting of 21 November 2005.

Whilst the survey is considered only where other aspects of a tender are equal between potential goods/service providers, completion of the survey is an important tool in enhancing environment and sustainability awareness across the supply chain, and at the same time enhances staff capacity to more accurately assess this aspect of the provider's credentials.

MOTION (Lambert / Aird)

Consistent with a corporate commitment to Triple Bottom Line reporting and the Ethical Charter, Manly Council's Purchasing and Procurement Policy be amended to include a Service Provider Environmental Questionnaire to be completed by those providing quotations, specifications or tenders for goods or services valued at \$50,000 or above.

That using the final section of Appendix C to the Policy as a basis for the questionnaire, it be designed as follows:

**SUPPLIER ENVIRONMENTAL QUESTIONNAIRE
For Goods or Services over \$50,000**

MANLY COUNCIL is committed to reinforcing environmental preservation and improvement. In the interests of achieving these goals MANLY COUNCIL is encouraging tenderers to develop and implement environmentally responsible initiatives. **All else being equal, preference will be given**

to those bids which comply with Council's various environmental and sustainability policies.

The Supplier Environmental Questionnaire is to be completed by the service supplier. It is considered as part of the supplier's product and is subject to the same laws and regulations as the rest of the supplier's product. (Additional information in typed or printed form may be provided. Please indicate this on the form, next to the relevant question).

Please remember to sign the declaration at the end of this form.

Company environmental information.

<p>Does your organisation produce a public environment report? Yes [] No [] If Yes, please attach.</p>
<p>Does your organisation have an environment policy or Environmental Management System (EMS)? Yes [] No [] If Yes, please attach</p> <p style="text-align: right;">Is the EMS certified Yes [] No []</p>
<p>Has your organisation prepared an environmental management plan and set quantified objectives and targets for environmental improvement? Yes [] No []</p>
<p>Does your organisation have programs in place or planned for promoting resource efficiency? Yes [] No [] If Yes, please specify</p>
<p>Does your organisation undertake environmental and/or waste audits? Yes [] No []</p>
<p>Does your organisation carry out life-cycle analysis of its products or services (and the packaging)? Yes [] No []</p>
<p>Has any other established product verification process verified the environmental merits of the product? Yes [] No [] If Yes, please specify</p>
<p>Has your organisation's environmental record been checked to verify: That it has complied withal environmental legislation and regulations?</p> <p>Yes [] No []</p> <p>That all environmental issues are satisfactorily addressed? Yes [] No []</p>

I declare that all information on this form is true and correct.

.....
(Signature of person making declaration) (Position)

Dated:

85/06 RESOLVED: (Lambert / Aird)

Consistent with a corporate commitment to Triple Bottom Line reporting and the Ethical Charter, Manly Council’s Purchasing and Procurement Policy be amended to include a Service Provider Environmental Questionnaire to be completed by those providing quotations, specifications or tenders for goods or services valued at \$50,000 or above.

That using the final section of Appendix C to the Policy as a basis for the questionnaire, it be designed as follows:

**SUPPLIER ENVIRONMENTAL QUESTIONNAIRE
For Goods or Services over \$50,000**

MANLY COUNCIL is committed to reinforcing environmental preservation and improvement. In the interests of achieving these goals MANLY COUNCIL is encouraging tenderers to develop and implement environmentally responsible initiatives. **All else being equal, preference will be given to those bids which comply with Council’s various environmental and sustainability policies.**

The Supplier Environmental Questionnaire is to be completed by the service supplier. It is considered as part of the supplier’s product and is subject to the same laws and regulations as the rest of the supplier’s product. (Additional information in typed or printed form may be provided. Please indicate this on the form, next to the relevant question).

Please remember to sign the declaration at the end of this form.

Company environmental information.

<p>Does your organisation produce a public environment report? Yes [] No [] If Yes, please attach.</p>
<p>Does your organisation have an environment policy or Environmental Management System (EMS)? Yes [] No [] If Yes, please attach</p> <p style="text-align: right;">Is the EMS certified Yes [] No []</p>
<p>Has your organisation prepared an environmental management plan and set quantified objectives and targets for environmental improvement? Yes [] No []</p>
<p>Does your organisation have programs in place or planned for promoting resource efficiency? Yes [] No [] If Yes, please specify</p>
<p>Does your organisation undertake environmental and/or waste audits? Yes [] No []</p>

Does your organisation carry out life-cycle analysis of its products or services (and the packaging)? Yes [] No []		
Has any other established product verification process verified the environmental merits of the product? Yes [] No [] If Yes, please specify		
Has your organisation's environmental record been checked to verify:		
That it has complied withal environmental legislation and regulations?	Yes []	No []
That all environmental issues are satisfactorily addressed?	Yes []	No []

I declare that all information on this form is true and correct.

.....
 (Signature of person making declaration) (Position)

Dated:

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

Notice of Motion Report No. 16

Long term protection for Cape York Peninsula

Councillor Aird moved:

That Manly Council calls upon the Federal Minister for the Environment (Senator Ian Campbell) to commit to long term protection and eventual World Heritage listing to protect Cape York Peninsula world class tropical wilderness.

Note: This area is home to more than 3000 plant species, half of Australia's bird species, one third of our mammal species and a quarter of our frog and reptile species.

Background

Uncontrolled development

Every year new proposals emerge to 'open up' Cape York to the same kinds of destructive developments that have caused so much damage in southern Australia. One after the other, big companies seek to plunder the Cape's natural wealth. Mines, dams, logging and intensive agriculture are regular and serious threats. In 2006, plans for a massive new bauxite mine near the west coast wetlands and a gas pipeline through Cape York make protection even more urgent.

Inaction

Land degradation is beginning to eat away at Cape York's spectacular environment, yet very little is being done to stop it. A lack of fences lets cattle trample sensitive habitats and roam into native animals, while invasive weeds slowly choke out native plants. Fires are being left to burn in the

wrong place at the wrong time, causing major changes to the landscape.

Scientists believe that all these things combined are causing the wave of extinctions that is sweeping across northern Australia, taking its toll on small mammals and grass seed-eating birds. The Northern Quoll and Golden Shouldered Parrot are just two incredible species that have already disappeared from much of their natural range. Core areas must be protected from over-development and action needs to be taken to properly care for the land, and stop the wave of extinctions threatening small mammals and grass-seed eating birds.

As a signatory to the World Heritage Convention, the Federal Government has a responsibility to identify and protect places of international importance. Two independent scientific reports have confirmed that Cape York would ensure that the Cape's diverse and unspoiled environment is preserved for future generations as part of the world's natural heritage.

MOTION (Aird / Lambert)

That Manly Council calls upon the Federal Minister for the Environment (Senator Ian Campbell) to commit to long term protection and eventual World Heritage listing to protect Cape York Peninsula world class tropical wilderness.

86/06 RESOLVED: (Aird / Lambert)

That Manly Council calls upon the Federal Minister for the Environment (Senator Ian Campbell) to commit to long term protection and eventual World Heritage listing to protect Cape York Peninsula world class tropical wilderness.

For the Resolution: Councillors Macdonald, Hay, Lambert, Daley, Pedersen, Aird and Evans

Against the Resolution: Nil

Councillor Murphy and Councillor Heasman were not in the Chamber when the Motion was put.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 9

Items For Brief Mention

Minutes Of Meetings:

- i. COMMUNITY SAFETY COMMITTEE MINUTES OF MEETING HELD ON 20 JULY 2006
- ii. MANLY YOUTH COUNCIL MINUTES OF MEETING HELD ON 17 JULY 2006
- iii. THE MANLY MEALS ON WHEELS SERVICE COMMITTEE MINUTES OF MEETINGS HELD ON 5 JULY 2006
- iv. THE MANLY SISTER CITIES COMMITTEE MINUTES OF MEETING HELD ON 12 JULY 2006
- v. MANLY VISITOR AND COMMUNITY BOARD COMMITTEE NOTES OF MEETING HELD ON 27 JULY 2006

MOTION (Pedersen / Evans)

That the recommendations of **Minutes of Meetings, as listed in item 1**, being **1(i) to 1(v)**, as

listed above, be **adopted**.

87/06 **RESOLVED:** (Pedersen / Evans)

That the recommendations of **Minutes of Meetings, as listed in item 1, being 1(i) to 1(v)**, as listed above, be **adopted**.

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

Against the Resolution: Nil.

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 21

Accounts - Report on Council Investments as at 30 June, 2006 and 31 July, 2006

SUMMARY

Latest accounting statements for the period to 30 June, 2006 and 31 July, 2006

1. Statement showing general fund bank account balance as at 30 June, 2006 and 31 July, 2006.
2. Cash investments as at 30 June, 2006 and 31 July, 2006.

MOTION (Pedersen / Evans)

1. That the statement of General Fund Bank Account balance as at 30 June, 2006 and 31 July, 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 30 June, 2006 and 31 July, 2006 be received and noted.

88/06 **RESOLVED:** (Pedersen / Evans)

1. That the statement of General Fund Bank Account balance as at 30 June, 2006 and 31 July, 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 30 June, 2006 and 31 July, 2006 be received and noted.

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

Against the Resolution: Nil.

Corporate Services Division Report No. 22

Independent Inquiry into the Financial Sustainability of NSW Local Government - Final Report

SUMMARY

The Final Report of the Independent Inquiry into the Financial Sustainability of NSW Local Government commissioned by the Local Government and Shires Associations of NSW (LGSA)

was released on 3 May 2006.

MOTION (Evans / Aird)

That the Independent Inquiry into the Financial Sustainability of NSW Local Government - Final Report be received.

89/06 **RESOLVED:** (Evans / Aird)

That the Independent Inquiry into the Financial Sustainability of NSW Local Government - Final Report be received.

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

Against the Resolution: Nil.

QUESTIONS WITHOUT NOTICE

QWN Councillor Hay - Funding allocated to Forty Baskets Reserve project

Can the General Manager confirm the amount of funding allocated to the Forty Baskets Reserve project.

At the request of the Mayor, the General Manager advised that \$206,000 had been allocated to this project.

QWN Councillor Heasman – Council Carparking Policy (signage in Whistler Street carpark)

Can the General Manager please clarify Council's carparking policy regarding multiple daily visits and ensure that signage is consistent with this policy.

(The Mayor further requested that a report be submitted to Council for consideration.)

At the request of the Mayor, the General Manager advised the Council on its parking policy as it stands at the moment.

QWN Councillor Lambert - Clarification regarding Council carparking policy

Can the General Manager please clarify that the carparking policy was set up to deter cars exiting and re-entering the carpark after the initial 2 hour free parking (and not local residents utilising the carparks to run errands).

At the request of the Mayor, the General Manager advised that the carparks are set up for this purpose.

QWN Councillor Murphy - Exhibiting of the Draft DCP prior to Committee approval

Why has the Draft DCP been put on public exhibition when it hasn't been reviewed or approved by the Land Use Management Committee?

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

QWN Councillor Murphy - Lighting on the Queenscliff Lagoon pathway

Is there any reason why Queenscliff Lagoon does not have any lighting along the pathway like the beachfront and harbourfront or even similar to the existing limited lighting between Manly and Fairy Bower?

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

QWN Councillor Aird - Signage between North Steyne Surf Club and The Corso

Can the General Manager advise when signage between North Steyne Surf Club and The Corso will also prohibit skateboarders and rollerbladers?

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

RECOMMITAL MOTION (Aird / Daley)

That Notice of Motion Report No. 10, Government Policies on Dealing with Alcohol Problems in Society, be recommitted for further consideration.

90/06 RESOLVED: (Aird / Daley)

That Notice of Motion Report No. 10, Government Policies on Dealing with Alcohol Problems in Society, be recommitted for further consideration.

For the Recommital Motion: Councillors Macdonald, Lambert, Daley, Pedersen, Aird and Evans

Against the Recommital Motion: Councillor Murphy

Councillors Hay and Heasman were not in the Chamber when the Recommital Motion was put.

Notice of Motion Report No. 10

Government Policies on Dealing with Alcohol Problems in Society

Councillor Aird moved:

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 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.

Note: International research (through a five-year review of world literature on anti-alcohol programs sponsored by the World Health Organisation) has found that the most effective curbs are not school education or a focus on treatment, but rather, a regime of taxes – that rise with alcohol content – minimise harm and offset the health costs of alcohol abuse.

Facts:

- There are around 4,000 premature deaths per year in which alcohol has played a role.
- The annual cost of alcohol-related harm is just under \$8 billion
- A third of fatal car accidents involve alcohol
- Two thirds of alcohol consumed is consumed by people drinking at levels well above recommended risk.

MOTION (Aird / Daley)

1. 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) inclusion of warning labels regarding alcohol consumption on all alcoholic beverages;
 - c) banning of all alcohol advertisements and sponsorship which target youth demographics.
2. That the point 1a), b) and c) be submitted as a Late Item to the Local Government Association Conference 2006.

91/06 RESOLVED: (Aird / Daley)

1. 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 its mix of policies on dealing with alcohol problems in society;
 - b) inclusion of warning labels regarding alcohol consumption on all alcoholic beverages;
 - c) banning of all alcohol advertisements and sponsorship which target youth demographics.
2. That the point 1a), b) and c) be submitted as a Late Item to the Local Government Association Conference 2006.

For the Resolution: Councillors Macdonald, Lambert, Daley, Pedersen, Aird and Evans
Against the Resolution: Councillor Murphy

Councillors Hay and Heasman were not in the Chamber when the Motion was put.

MATTERS OF URGENCY

Nil.

CLOSE

The meeting closed at 10:21pm.

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

MAYOR

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