

Manly Council

Minutes

Extraordinary Meeting of Council

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 27 August 2007

*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	2
APOLOGIES.....	2
DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST.....	2
CORPORATE SERVICES DIVISION	4
Corporate Services Division Report No. 28	
Financial Arrangement with Grange Securities	4
GENERAL MANAGERS DIVISION.....	5
General Managers Division Report No. 27	
Corso Upgrade - Stage One.....	5

The Extraordinary Meeting of Council was held in the Council Chambers, Town Hall, Manly, on Monday 27 August 2007. The meeting commenced at 7:40pm.

PRESENT

His Worship, The Mayor, Councillor Dr Peter Macdonald, who presided
Councillor B Aird
Councillor S Cant
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM
Councillor A Heasman
Councillor J Lambert, AM
Councillor R Morrison
Councillor D Murphy
Councillor M Norek

ALSO PRESENT

Henry T Wong, General Manager
Stephen Clements, Divisional Manager Environmental Services
Ross Fleming, Chief Executive Officer
Liz Rich, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillor Pedersen for non-attendance.

MOTION (Aird / Evans)

That the apology received from Councillor Pedersen be accepted and leave be granted.

127/07 **RESOLVED: (Aird / Evans)**

That the apology received from Councillor Pedersen be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS (Macdonald / Aird)

That Standing Orders be suspended to consider items of public interest, being Corporate Services Division Report No.28.

128/07 **RESOLVED: (Macdonald / Aird)**

That Standing Orders be suspended to consider items of public interest, being Corporate Services Division Report No.28.

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

Against the Resolution: Nil.

PROCEDURAL MOTION (Macdonald / Aird)

That the ABC be allowed to record Corporate Services Division Report No.28, as subject matter for its programme "Background Briefing".

129/07 **RESOLVED: (Macdonald / Aird)**

That the ABC be allowed to record Corporate Services Division Report No.28, as subject matter for its programme "Background Briefing".

For the Resolution: Councillors Aird, Evans, Hay, Heasman, Lambert, Norek and Macdonald

Against the Resolution: Councillors Cant, Daley, Morrison and Murphy

MATTER OF URGENCY (Daley / Norek)

Councillor Daley sought leave to move as a matter of urgency a motion of No Confidence in the Mayor, due to his public behaviour in the media regarding the two issues before Council tonight and the unjustified public attacks on staff regarding these issues.

The Mayor ruled this was not a matter of urgency and ruled it out of order.

MOTION OF DISSENT (Daley / Norek)

Councillor Daley formally moved dissent in the Chair in not allowing debate on this matter.

130/07 **RESOLVED: (Daley / Norek)**

Councillor Daley formally moved dissent in the Chair in not allowing debate on this matter.

For the Motion of Dissent: Councillors Daley, Hay, Heasman, Morrison, Murphy and Norek

Against the Motion of Dissent: Councillors Aird, Cant, Evans, Lambert and Macdonald

The Motion of Dissent was declared **CARRIED** and the Matter of Urgency was put to the meeting for discussion.

MOTION (Daley / Norek)

That a motion of No Confidence in the Mayor, due to his public behaviour in the media regarding the two issues before Council tonight and the unjustified public attacks on staff regarding these issues be carried.

131/07 RESOLVED: (Daley / Norek)

That a motion of No Confidence in the Mayor, due to his public behaviour in the media regarding the two issues before Council tonight and the unjustified public attacks on staff regarding these issues be carried.

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

CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 28

Financial Arrangement with Grange Securities**SUMMARY**

Council at its Ordinary Meeting on a Notice of Motion from Councillor Pederson resolved:

118/07 RESOLVED: (Pedersen / Lambert)

That the General Manager:

- 1. Provide a full report on Manly Council's financial arrangement with Grange Securities.*
- 2. Publicly inform the Councillors of the history of the relationship between Council and Grange securities and how it was initiated.*
- 3. Provide full details of Council's financial exposure as a result of the Grange Securities investments.*
- 4. Provide briefing material to advise Councillors of Grange Securities and any other high risk investments in the investment reports considered at the Ordinary Meetings.*

PUBLIC ADDRESSES

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

Against the Recommendation: Mr Ian Watson

MOTION (Morrison / Daley)

That:

1. The information on the Financial Arrangement with Grange Securities be received and

noted.

2. Council's strategy to hold securities to maturity be determined, based on independent legal and financial advice obtained as a matter of urgency; and for new investments to be placed in cash (or equivalent) term deposits, government bonds and capital guaranteed deposits.

132/07 **RESOLVED: (Morrison / Daley)**

That:

1. The information on the Financial Arrangement with Grange Securities be received and noted.
2. Council's strategy to hold securities to maturity be determined, based on independent legal and financial advice obtained as a matter of urgency; and for new investments to be placed in cash (or equivalent) term deposits, government bonds and capital guaranteed deposits.

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

Against the Resolution: Nil.

RESUMPTION OF STANDING ORDERS (Macdonald / Aird)

That Standing Orders be **resumed**.

133/07 **RESOLVED: (Macdonald / Aird)**

That Standing Orders be **resumed**.

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

Against the Resolution: Nil.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 27

Corso Upgrade - Stage One

SUMMARY

Council at its meeting held on the 20 August resolved that staff:

1. Arrange for the tabling of the *Shackel* Report within its final form or as an interim report.
2. Provide a detailed financial report on the expenditure on Stage One of The Corso and whether it is within or over budget.
3. Provide a detailed report on the full costs associated with the remediation works undertaken to date.

4. Report on any outstanding contractual issues associated with Stage One works.
5. Provide a timetable on a completion date for Stage One including any necessary remediation works.

MOTION (Murphy / Daley)

That:

1. The Shackel report be received and noted.
2. The intention of the Office of the General Manager to directly manage the necessary remediation works be received and noted.
3. Council note the financial details associated with the stage one works.
4. Council note the other information in the report.
5. The General Manager carry out further trials with staff and consultants as necessary at the Depot.
6. The General Manager bring back on a monthly basis to Councillors and stakeholders a report on the progress of these trials and the potential cost of solutions.

AMENDMENT (Lambert / Evans)

That:

1. The Shackel report be received and noted.
2. The intention of the Office of the General Manager to directly manage the necessary remediation works be received and noted.
3. Council note the financial details associated with the stage one works.
4. Council note the other information in the report.
5. Following talks with interested parties, the General Manager brings to Council at the earliest possible opportunity a detailed report on the:
 - i) Extent and nature of initial trials proposed.
 - ii) A timeline for proposed works.
 - iii) Supervisory arrangements to ensure adequate quality assurance for all future works.
 - iv) A schedule of anticipated costs of rectification to an appropriate standard for The Corso, taking account of the need to address improvements to drainage, cross fall of the area, bedding materials and other relevant factors.
 - v) Progress of any remedial work be reported on a monthly basis to a group to whom the project reports.
6. A workshop be convened, involving stakeholders including TCL, Cardno, the Chamber of Commerce, Landscape Management and Urban Design, relevant staff, interested Councillors and Professor Shackel, to prepare a Remediation Action Plan.

For the Amendment: Councillors Aird, Cant, Evans, Lambert and Macdonald

Against the Amendment: Councillors Daley, Hay, Heasman, Morrison, Murphy and Norek

The **Amendment** was declared **LOST**.

134/07 **RESOLVED: (Murphy / Daley)**

That:

1. The Shackel report be received and noted.
2. The intention of the Office of the General Manager to directly manage the necessary remediation works be received and noted.
3. Council note the financial details associated with the stage one works.
4. Council note the other information in the report.
5. The General Manager carry out further trials with staff and consultants as necessary at the Depot.
6. The General Manager bring back on a monthly basis to Councillors and stakeholders a report on the progress of these trials and the potential cost of solutions.

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

CLOSE

The meeting closed at 10.50pm.

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on 17th September 2007.

MAYOR

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