



## Agenda

### Planning and Strategy Committee

Notice is hereby given that a Planning and Strategy Committee of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

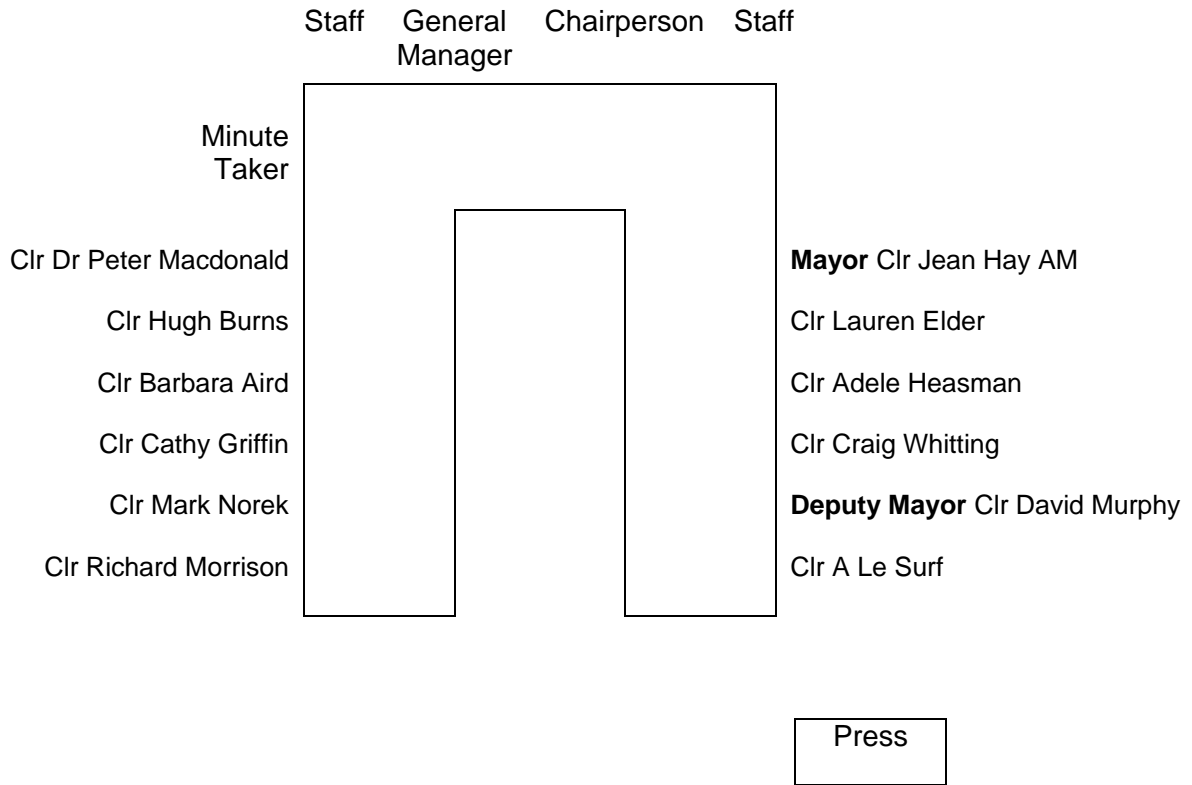
**Monday 7 June 2010**

Commencing at 7:30:00 PM for the purpose of considering items included on the Agenda.

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

*Copies of business papers are available at the Customer 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)*

# Seating Arrangements for Meetings



## Public Gallery

**Chairperson:** Councillor Richard Morrison  
**Deputy Chairperson:** Councillor Alan Le Surf

## TABLE OF CONTENTS

| Item   | Page No. |
|--|----------|
| <b>APOLOGIES AND LEAVE OF ABSENCE</b>  |          |
| <b>DECLARATIONS OF INTEREST</b>  |          |
| <b>CONFIRMATION OF MINUTES</b>   |          |
| The Planning and Strategy Committee of Monday, 03 May 2010   |          |
| <b>PUBLIC ADDRESSES</b>  |          |
| <b>GENERAL MANAGERS DIVISION</b>   |          |
| <b>General Managers Division Report No. 10</b>   |          |
| Communications Strategy for Manly Council's Hop, Skip and Jump Tourist Bus Service .....                             | 3        |
| <b>REPORTS OF COMMITTEES</b>   |          |
| <b>Report Of Committees Report No. 20</b>  |          |
| Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature ..... | 4        |
| <b>Report Of Committees Report No. 21</b>  |          |
| Minutes for adoption by Council - Surf Club Liaison Working Group - 20 April 2010 .....                              | 5        |
| <b>Report Of Committees Report No. 22</b>  |          |
| Minutes for adoption by Council - Landscape Management and Urban Design Committee - 21 April 2010 .....              | 6        |
| <b>Report Of Committees Report No. 23</b>  |          |
| Minutes for adoption by Council - Human Services Planning and Policy Committee - 27 April 2010.....                  | 8        |
| <b>Report Of Committees Report No. 24</b>  |          |
| Minutes for adoption by Council - Internal Audit Committee - 28 April 2010.....                                      | 11       |
| <b>Report Of Committees Report No. 25</b>  |          |
| Minutes for adoption by Council - Playground Committee - 13 May 2010 .....   | 13       |
| <b>CORPORATE SERVICES DIVISION</b>   |          |
| <b>Corporate Services Division Report No. 16</b>   |          |
| Adoption of Draft Management Plan 2010-2013 and Draft Budget / Fixing of Rates and Charges for 2010-2011 .....       | 16       |
| <b>Corporate Services Division Report No. 17</b>   |          |
| Adoption of the Management Plan 2010-2013 .....  | 20       |
| <b>Corporate Services Division Report No. 18</b>   |          |
| Adoption of the Manly Council Code of Meeting Practice .....   | 27       |
| <b>Corporate Services Division Report No. 19</b>   |          |
| Authority for Abandonment and Writing off of Debts.....  | 33       |

**PLANNING AND STRATEGY DIVISION**

**Planning And Strategy Division Report No. 13**

Update Report on the Manly Lagoon Rehabilitation Project ..... 35

**ENVIRONMENTAL SERVICES DIVISION**

**Environmental Services Division Report No. 14**

Development Applications Being Processed During the Month of June 2010 ..... 39

**Environmental Services Division Report No. 15**

List of Current Appeals Relating to Development Applications..... 46

**HUMAN SERVICES AND FACILITIES DIVISION**

**Human Services And Facilities Division Report No. 6**

Andrew Boy Charlton Swim Centre Life Passes – Clarification of Criteria for awarding  
Life Passes ..... 47

**MATTERS OF URGENCY**

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

**CLOSED COMMITTEE ITEMS**

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

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** General Managers Division Report No. 10  
**SUBJECT:** Communications Strategy for Manly Council's Hop, Skip and Jump Tourist Bus Service  
**FILE NO:**

---

## SUMMARY

At the Ordinary Meeting of Council held on Monday 8<sup>th</sup> March 2010, it was resolved [25/10] that:

*"Council prepare a comprehensive marketing and promotion plan for its new Tourist Bus service to maximize patronage".*

This report seeks to respond to the resolution.

## REPORT

There were twelve specific marketing and promotional initiatives included within the Notice of Motion Report No. 8 to Council on 8<sup>th</sup> March 2010. A document outlining staff's responses to each initiative, and suggested timing, is attached in a matrix, along with draft promotional material (refer to Confidential Attachment 1).

## RECOMMENDATION

It is recommended that the report be received and noted.

## ATTACHMENTS

**AT- 1** Communications Matrix HSJ Tourist Bus Service 9 Pages Circulated Separately

PS070610GMO\_2.doc

\*\*\*\*\* End of General Managers Division Report No. 10 \*\*\*\*\*

**TO: Planning and Strategy Committee - 7 June 2010**  
**REPORT: Report Of Committees Report No. 20**  
**SUBJECT: Minutes for Adoption by Council - Special Purpose Committees - without recommendations of a substantial nature**  
**FILE NO:**

---

The Minutes of the following Special Purpose Committee Meetings are tabled at this meeting.

**Minutes of Meetings for adoption without recommendations of a substantial nature.**

- i) Sustainable Economic Development and Tourism Committee – 1 April 2010
- ii) Meals on Wheels Committee – 14 April 2010
- iii) Community Environment Committee – 14 April 2010
- iv) Harbour Foreshore and Coastline Management Committee – 20 April 2010
- v) Access Committee – 20 April 2010
- vi) Sister Cities Committee – 28 April 2010
- vii) Sustainable Transport Committee – 28 April 2010
- viii) Sustainable Economic Development & Tourism Committee – 6 May 2010
- ix) Sports Facilities Committee – 7 May 2010
- x) Sustainability & Climate Change Committee – 11 May 2010
- xi) Meals on Wheels Committee – 12 May 2010
- xii) Waste Committee – 12 May 2010
- xiii) Community Environment – 12 May 2010
- xiv) Community Safety Committee – 13 May 2010

**RECOMMENDATION**

That the Minutes of the following Special Purpose Committee Meetings be adopted:

- i) Sustainable Economic Development and Tourism Committee – 1 April 2010
- ii) Meals on Wheels Committee – 14 April 2010
- iii) Community Environment Committee – 14 April 2010
- iv) Harbour Foreshore and Coastline Management Committee – 20 April 2010
- v) Access Committee – 20 April 2010
- vi) Sister Cities Committee – 28 April 2010
- vii) Sustainable Transport Committee – 28 April 2010
- viii) Sustainable Economic Development & Tourism Committee – 6 May 2010
- ix) Sports Facilities Committee – 7 May 2010
- x) Sustainability & Climate Change Committee – 11 May 2010
- xi) Meals on Wheels Committee – 12 May 2010
- xii) Waste Committee – 12 May 2010
- xiii) Community Environment Committee – 12 May 2010
- xiv) Community Safety Committee – 13 May 2010

**ATTACHMENTS**

There are no attachments for this report.

PS070610RC\_1.doc

\*\*\*\*\* End of Report Of Committees Report No. 20 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Report Of Committees Report No. 21  
**SUBJECT:** Minutes for adoption by Council - Surf Club Liaison Working Group - 20 April 2010  
**FILE NO:**

---

This report was dealt with at the Surf Club Liaison Working Group meeting of 20 April 2010 and was listed as a Recommendation in those Minutes. The item is hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

**1. ITEM 4 SLS CLUBS CODE OF CONDUCT FOR SURF BOAT TRAINING IN WATER AND AT ACCESS POINTS IN RESIDENTIAL AREAS**

Letter tabled by President Queenscliff SLSC, as sent to Surf Life Saving Northern Beaches, regarding the behaviour of Surf Boat crews whilst training within residential areas, such as Little Manly. SLS Northern Beaches has communicated with all SLS Clubs regarding their noise and behaviour during boat training within residential areas.

**RECOMMENDATION**

That the Minutes of the Surf Club Liaison Working Group meeting held on 20 April 2010 be adopted including the following item:

**1. ITEM 4 SLS CLUBS CODE OF CONDUCT FOR SURF BOAT TRAINING IN WATER AND AT ACCESS POINTS IN RESIDENTIAL AREAS**

That this information be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

PS070610RC\_2.doc

\*\*\*\*\* End of Report Of Committees Report No. 21 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Report Of Committees Report No. 22  
**SUBJECT:** Minutes for adoption by Council - Landscape Management and Urban Design Committee - 21 April 2010  
**FILE NO:**

---

These reports were dealt with at the Landscape Management and Urban Design Committee meeting of 21 April 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. **ITEM 4 SANDY BAY LANDSCAPE UPGRADE**
2. **ITEM 5 MARINE PARADE LANDSCAPE UPGRADE**
3. **ITEM 7 GENERAL BUSINESS**

#### **RECOMMENDATION**

That the Minutes of the Landscape Management and Urban Design Committee meeting held on 21 April 2010 be adopted including the following items:

1. **ITEM 4 SANDY BAY LANDSCAPE UPGRADE**

Councillors endorsed the Sandy Bay landscape upgrade project. Staff to amend the masterplan drawings to communicate the following recommendations :

- Locate the bubblers away from the rubbish bins.
- Move the elevated seat further north away from the stormwater outlet pipe.
- Confirm that existing lighting levels meet current and future user requirements.
- Illustrate a connecting stainless steel stair from the beach to upper pathway close to the elevated seat location.
- Present Sandy Bay Masterplan drawing to the Traffic Committee for comment. Council to keep the Committee updated on the progress of the grant application.

2. **ITEM 5 MARINE PARADE LANDSCAPE UPGRADE**

LMUD recommend that the Marine Parade study carried out by Council be progressed into a draft landscape plan for discussion on site.

The following items identified will be progressed as part of the upgrade works:

**Rubbish:** Council staff to research bin locations to meet council requirements.

**Bubbler:** It is proposed that bubblers with water filters be installed to Marine Parade to be consistent with the Ocean Beach bubblers.

**Senior Surf club building:** Council staff to report back to LMUD regarding the purpose of the building and future use proposal.

**Path accessibility:** An investigation into the possibility of regrading sections of this path will be undertaken as part of this report.

**DAs:** Guidelines to be set by council for the standard recommended boundary treatment of neighbouring properties.



**Report Of Committees Report No. 22 (Cont'd)**

**Dive users at Fairy Bower:** Council staff to identify and research how this user group uses the beach and propose potential improvement for dive users and mixed use.

**3. ITEM 5 GENERAL BUSINESS**

Council staff to prepare a draft landscape concept plan for proposed upgrade works at North Harbour Reserve.

Council staff to answer the following queries at next meeting:

- Current maintenance practices used to improve grass wear and tear on Ocean Beach.
- Proposed use for unoccupied council property on Stuart Street.

**ATTACHMENTS**

There are no attachments for this report

PS070610RC\_4.doc

\*\*\*\*\* End of Report Of Committees Report No. 22 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Report Of Committees Report No. 23  
**SUBJECT:** Minutes for adoption by Council - Human Services Planning and Policy Committee - 27 April 2010  
**FILE NO:**

---

This report was dealt with at the Human Services Planning and Policy Committee meeting of 27 April 2010 and was listed as a Recommendation in those minutes. This item is hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

### 1. ITEM 3 MATTERS ARISING

It should be noted in relation to the recommendations regarding the future of Manly public health services that the General Manager had written to the NSW Minister for Health in February 2010. As well, a representative from the Northern Area Health service was invited to address a future meeting of the committee regarding health services in the area. Council received a reply to the letter from Dr Andrew McDonald, Parliamentary Secretary for Health. A copy of this letter is attached to these minutes for information from Carmel Tebbutt MP (see Attachment 1).

### RECOMMENDATION

That the Minutes of the Human Services Planning and Policy Committee meeting held on 27 April 2010 be adopted including the following items:

### 1. ITEM 3 MATTERS ARISING

That the information be received and noted.

### ATTACHMENTS

|            |  |       |
|------------|--|-------|
| <b>AT-</b> | Ltr from Minister for Health Carmel Tebbutt re public health services at Manly | 2     |
| <b>1</b>   | Hospital received 21 April 2010  | Pages |

PS070610RC\_5.doc

\*\*\*\*\* End of Report Of Committees Report No. 23 \*\*\*\*\*

## ATTACHMENT 1

Report Of Committees Report No. 23 - Minutes for adoption by Council - Human Services  
Planning and Policy Committee - 27 April 2010  
Ltr from Minister for Health Carmel Tebbutt re public health services at Manly Hospital  
received 21 April 2010

Carmel Tebbutt MP  
Deputy Premier | Minister for Health

eA1547642  
M10/1206

Mr H T Wong  
General Manager  
Manly Council  
PO Box 82  
MANLY NSW 1655

21 APR 2010

Dear Mr Wong

Thank you for your letter to the Minister for Health, the Hon Carmel Tebbutt MP, concerning public health services at Manly Hospital. The Minister has asked that I respond on her behalf.

Please be assured that the NSW Government is committed to providing a wide range of local public health services for residents on the Northern Beaches.

I am pleased to inform you that services at Manly Hospital have been enhanced in the past 12 months. These services include:

- Refurbishment of the Central Sterilising Services Department - \$450,000
- Re-location and upgrading of the Pharmacy Department - \$250,000
- Operating theatre equipment such as monitor stacks - \$300,000; orthopaedic drills - \$50,000; ultrasound machine - \$83,000; operating light - \$23,000
- New intensive care monitors - \$167,000
- Upgrade to the paging system for Manly Hospital - \$40,000.

Mr Matthew Daly, Chief Executive, Northern Sydney Central Coast Area Health Service advises that new outpatient clinics for gynaecology have been established with the purchase of ultrasound machines at a cost of \$166,000 together with additional funding to appoint a second Staff Specialist in Obstetrics and Gynaecology.

As part of the NSW Government's response to Commissioner Garling's recommendations regarding NSW acute hospitals, *Caring Together – The Health Action Plan for New South Wales* additional funding has been provided to appoint five Clinical Support Officers at Manly Hospital at a cost of \$240,000. These positions will assist to relieve clinical staff from administrative duties and enable them to focus more on patient care and service delivery. I understand that appointments to these positions have been made.

In addition, funding for two pharmacy positions under the *Caring Together* initiative has been provided with two staff recently appointed to these positions.

I am advised that the Dalwood Children's Centre based at Seaforth continues to provide children's services, however there has been a review of the model of care provided by one of these programs, the Dalwood Assessment Centre. Mr Daly suggests that a representative from the Area Health Service be invited to provide further advice to Manly Council on this review and associated recommendations.



Level 30, Governor Macquarie Tower | 1 Farrer Place Sydney NSW 2000 | p 9228 4866 | f 9228 4855

## ATTACHMENT 1

---

### Report Of Committees Report No. 23 - Minutes for adoption by Council - Human Services Planning and Policy Committee - 27 April 2010

**Ltr from Minister for Health Carmel Tebbutt re public health services at Manly Hospital received 21 April 2010**

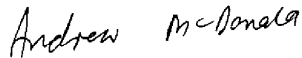
---

Please be assured that health services planning and the use of public land in the Manly Local Government Area will continue to be discussed with key stakeholders such as Manly Council. The recent cooperation between the Northern Beaches Health Service and Manly Council regarding the future of the Manly Early Childhood Centre is a good example of cooperative working arrangements between the Area Health Service and the Council.

Mr Daly recommends that Mr Frank Bazik, General Manager, Northern Beaches Health Service and Ms Heather Gough, Divisional Manager for Primary Community Care and Women's Children and Family Health, Northern Beaches Health Service, be invited to attend a future meeting of the Human Services Planning Policy Committee of Manly Council to address the issues relating to the delivery of health services in the Manly area. At this meeting Mr Bazik and Ms Gough could also provide further advice on the Dalwood Assessment Centre.

Thank you for bringing your concerns to the Minister's attention. Should you wish to obtain further information, please contact Mr Bazik, on (02) 9976 9820.

Yours sincerely



Dr Andrew McDonald FRACP MP  
**Parliamentary Secretary for Health**

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Report Of Committees Report No. 24  
**SUBJECT:** Minutes for adoption by Council - Internal Audit Committee - 28 April 2010  
**FILE NO:**

---

These reports were dealt with at the Internal Audit Committee meeting of 28 April 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

1. **ITEM 3 ELECTION OF CHAIRPERSON**
2. **ITEM 5 REPORT – CODE OF CONDUCT**
3. **ITEM 6 REPORT – BACKGROUND AND ADOPTION OF THE MANLY COUNCIL AUDIT CHARTER AND MANLY COUNCIL AUDIT COMMITTEE CHARTER**
4. **ITEM 7 REPORT – ADOPTION OF THE NORTH SHORE COUNCILS INTERNAL AUDIT OPERATING PROTOCOLS**
5. **ITEM 8 REPORT – DRAFT INTERNAL AUDIT PLAN**

#### **RECOMMENDATION**

That the Minutes of the Internal Audit Committee meeting held on 28 April 2010 be adopted including the following items:

1. **ITEM 3 ELECTION OF CHAIRPERSON**

Council appoints Mr John Gordon as Chairperson for the Manly Council Internal Audit Committee for the term of the current Council and until such time as Committees are renewed following the next Local Government Election in 2012.

2. **ITEM 5 REPORT – CODE OF CONDUCT**

The Committee recommends to Council that:

- i. The report is received and noted; and
- ii. The Manly Council Code of Conduct for Community Members on Special Purpose Committees be adopted for use by the Committee to be read and used in conjunction with the Audit Committee Charter and Protocols documents.

3. **ITEM 6 BACKGROUND AND ADOPTION OF THE MANLY COUNCIL AUDIT CHARTER AND MANLY COUNCIL AUDIT COMMITTEE CHARTER**

The Committee recommends to Council that:

- i. The Committee received and noted the Internal Audit Charter and the Internal Audit Committee Charter documents for use as interim documents pending some amendments

**Report Of Committees Report No. 24 (Cont'd)**

- in relation to the recommendations raised in the meeting.
- ii. That a further report be prepared by the Internal Auditor received by Committee on this matter at its next meeting.

**4. ITEM 7 REPORT – ADOPTION OF THE NORTH SHORE COUNCILS INTERNAL AUDIT OPERATING PROTOCOLS**

The Committee recommends to Council that:

- i. The Report be received and noted; and
- ii. The North Shore Councils Internal Audit Operating Protocols be adopted.

**5. ITEM 8 REPORT – DRAFT INTERNAL AUDIT PLAN**

The Committee recommends to Council that the North Shore Councils Internal Audit Program proposed for 2010/11 be adopted by Manly Council as presented in the report.

**ATTACHMENTS**

There are no attachments for this report.

PS070610RC\_7

\*\*\*\*\* End of Report Of Committees Report No. 24 \*\*\*\*\*

**TO: Planning and Strategy Committee - 7 June 2010**  
**REPORT: Report Of Committees Report No. 25**  
**SUBJECT: Minutes for adoption by Council - Playground Committee - 13 May 2010**  
**FILE NO:**

---

These reports were dealt with at the Playground Committee meeting of 13 May 2010 and were listed as a Recommendation in those Minutes. These items are hereby submitted to the Planning and Strategy Meeting, together with the Minutes for formal adoption by Council.

#### **1. ITEM 4 Nanbaree Reserve Playground**

The Committee discussed the report and the options presented along with survey information presented by the Open space Coordinator.

Notifications were hand delivered to adjoining properties; signage was installed in the playground as part of the consultation process.

The responses to option 1 and 2 were very similar with most people wanting the playground to stay in the same location, and both options requesting shade, whether it is in a built shade structure or by providing natural shade by installing advanced trees.

##### **Option 1**

###### **Advantages**

- The installation of a shade structure would provide a large solid area of shade.
- Equipment would be removed and refurbished and reinstalled with softfall to fall zone

###### **Disadvantages**

- The issue of wall height remains and would require a fence at a later stage.
- Residents living behind playground are strongly opposed to shade structure; they are concerned that young people will climb up onto the top of the structure and throw objects into their swimming pool, and that their view will be obstructed.
- Shade structure's experience a range of vandalism covering graffiti, slashed sails and incidents where people climb up onto the top of the sail.

##### **Option 2**

###### **Advantage**

- Installation of trees would be a natural enhancement to the open space
- Equipment would be removed and refurbished and reinstalled, with softfall to fall zone
- Local residents concerns would be addressed.
- No fence would be required as the playground would be at ground level
- Reduced incidence of major vandalism to shade structure infrastructure.

###### **Disadvantage**

- Shade from trees may not cover the same area as a shade structure.

##### **Option 3**

To refurbish the equipment and relocate the pieces of equipment into existing shaded areas in the park, with suitable surface material such as synthetic grass or softfall.

This option was not acceptable and did not receive favourable feedback.

**Report Of Committees Report No. 25 (Cont'd)****2. ITEM 5 Lagoon Park Playground Design 2010/11**

The Playground Committee held the March meeting on site to discuss the possible use of the open space in the playground. The Committee agreed that a series of cycle ways and fantasy play would be the best use of the space, while retain the open look of the area.

Council's landscape architect has designed a draft playground layout for consideration. The design features the following elements:

- Bike paths
- Equipment suitable for 0-5
- Relocation of some equipment
- Seating
- Bubbler
- Tree planting
- Softfall
- And the extension of the fence to accommodate more equipment.

An application for funding for this project has been lodged with the Metropolitan Green Space Program for \$75,000 to match Council's funding, providing a total budget of \$150,000 for this project. The announcement of grants is not expected until late 2010.

The Committee discussed the report and concept design plan at the meeting, it is proposed to hold a series of consultations in the playground to discuss with parents and residents the proposed design and gain feedback for any changes. Once the consultation has been held and recommendations made, a full design will be costed, and a project timeframe will be developed so the project can be implemented immediately once the funding is approved.

A further report will be presented to the Playground Committee in July and September 2010. With further details of plan there will be a number of stages that will require the Committee's input.

**RECOMMENDATION**

That the Minutes of the Playground Committee meeting on 13 May be adopted including the following items:

**1. ITEM 4 Nanbaree Reserve Playground**

The Committee recommend to the General Manager and Council that:

- i) Option Two (2) be endorsed for the refurbishment of Nanbaree Reserve:
  - Retain the playground in the same location as outlined in the consultation.
  - Remove and restore the existing playground equipment.
  - Demolish and remove the retaining wall.
  - Remove the mulch to ground level.
  - Install softfall and reinstall playground equipment.
  - Install advanced trees that provide maximum shade.



**Report Of Committees Report No. 25 (Cont'd)**

- Install turf and other landscaping features.
- ii) A media release on the Playground refurbishment to be issued on completion of the playground.
- iii) The works on Nanbaree be completed by the end of June 2010 as outlined in Councils 5 year strategy.

**2. ITEM 5 Lagoon Park Playground Design 2010/11**

The report was received and noted by the Committee.

**ATTACHMENTS**

There are no attachments for this report.

PS070610RC\_8

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

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Corporate Services Division Report No. 16  
**SUBJECT:** Adoption of Draft Management Plan 2010-2013 and Draft Budget / Fixing of Rates and Charges for 2010-2011  
**FILE NO:**

---

## SUMMARY

Council is required to make rates and charges following the adoption of the Management Plan for the 2010/2011 financial period.

## REPORT

Council at the extra-ordinary meeting held 4 May 2010, considered Corporate Services Division Report No. 12, Draft Budget and Revenue Policy for 2010-2011 and resolved that:

1. *The draft 2010/2011 Budget be adopted for the purpose of public exhibition of Council's draft Management Plan 2010 – 2013;*
2. *That for the purposes of public exhibition of the draft Management Plan, Council adopt the draft 2010/2011 Revenue Policy including the adoption of the general rates variation of 2.6% and the making of the proposed Rates;*
3. *That for the purposes of public exhibition, Council adopt the draft Schedule of Fees and Charges for 2010/2011;*
4. *The draft Management Plan for 2010/2013 incorporate a statement that Council's proposed loan borrowing for 2010/2011 is:*  

*Public Works Infrastructure - \$1,000,000*
5. *The draft Management Plan 2010/2013, incorporating the draft Revenue Policy, the draft Budget, the draft Schedule of Fees and Charges, and proposed loan borrowing for 2010/2011, be placed on public exhibition for 28 days to 4 June 2010;*

Council has indicated in the Draft Management Plan its intention to levy two (2) Ordinary Rates:

1. an Ordinary Residential Rate on the Land Value of all Rateable Land categorised as Residential; and
2. an Ordinary Business Rate on the Land Value of all Rateable Land categorised as Business consisting of two sub-categories, being:
  - Manly Business Centre - as delineated on Plan Number 1/280B.
  - Business (other than the Manly Business Centre).

Council also indicated in the Draft Management Plan its intention to levy a Special Rate for each of the following areas:

- Manly Business Centre and Ocean Beachfront Improvements
- Balgowlah Business Centre Improvements

Council's Revenue Policy for 2010/2011 provides for a rating structure that is based on an ad valorem (rate in the dollar) with a minimum Rate and these Rates were advertised in the

**Corporate Services Division Report No. 16 (Cont'd)**

Management Plan. The rate to be levied will be calculated on the land value of the land as determined by the Valuer General, base dated 1 July 2008,

The Minister has announced the statutory rate increase for 2010/2011 of 2.6% in accordance with S.506 of the Act. Council has prepared its draft Estimates on this basis.

Interest is to be charged on overdue Rates and domestic waste management charges in accordance with section 556(3) of the Act. The maximum rate of interest payable on overdue rates and charges as set by the Minister is 9.0%.

Since the exhibition of the Management Plan, Council has received additional supplementary valuations from the Valuer General. These new valuations have been supplied as a result of either new subdivisions, strata titling of properties, or re-ascertainment of valuations, and must be used for levying rates in 2010/2011. The rates and charges outlined in the Recommendation to this report now take into account any adjustments as a consequence of these amended and new valuations.

**RECOMMENDATION**

Whereas the detailed draft Estimates of Income and Expenditure of the General Fund, for the period 1 July 2010 to 30 June 2011, were considered by Council on 4 May 2010, and having given public notice in accordance with S.405 of the *Local Government Act, 1993*, of the Draft Management Plan to allow public submissions on or before 4 June 2010, and whereas the Management Plan and Estimates of Income and Expenditure for the period 1 July 2010 to 30 June 2011, were adopted by Council at the meeting of 7 June 2010, and having considered any matters concerning the Management Plan in accordance with S.406 of the *Local Government Act, 1993*, Council hereby resolve:

1. That the draft Schedule of Fees and Charges 2010-2011 as tabled, be adopted;
2. That the 2010-2011 draft Budget as amended and tabled to the meeting be adopted;
3. That Council now make the following Rates and Charges for the year 1 July 2010 to 30 June 2011:

**A Ordinary Rates**

- (i) An Ordinary Rate (Residential) of **0.168788** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land in the Local Government Area categorised as Residential in accordance with S.516 of the *Local Government Act 1993*, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$682.50**;
- (ii) An Ordinary Rate - Business - Manly Business Centre of **0.813381** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land categorised as Business in accordance with S.518 of the *Local Government Act 1993*, within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$892.00**;
- (iii) An Ordinary Rate – Business - Other of **0.435424** cents in the dollar be made for the year 2010/2011 on the land value of all rateable land categorised Business in accordance with S.518 of the *Local Government Act 1993*, within Manly other than that land within the centre of population defined in (ii) above, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of **\$892.00**.

**Corporate Services Division Report No. 16 (Cont'd)****B. Special Rate – Manly Business Centre Improvements**

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works, including the Manly Business Centre, The Corso and the Ocean Beach Front improvements, provide services, facilities and activities of specific benefit to the area, and are of special benefit to that portion of Manly as delineated on Plan Number 1/280A previously defined and adopted by Council, and whereas Council having adopted the Management Plan for 2009–2012, incorporating the Estimates of Income and Expenditure for the Manly Town Centre Improvements Programme, it is hereby resolved that a Special Rate - Manly Business Centre Improvements of **0.272964** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2010/2011.
- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act 1993*, that no minimum amount of the Special Rate - Manly Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

**C. Special Rate – Balgowlah Business Centre Improvements**

- (i) That whereas the Council is of the opinion that the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street, provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Management Plan for 2009 - 2012, incorporating the Estimates of Income and Expenditure for the Balgowlah Business Centre Improvements Programme, it is hereby resolved that a Special Rate - Balgowlah Business Centre Improvements of **0.195548** cents in the dollar on the land value of all rateable land as previously defined be now made for the year 2010/2011.
- (ii) That in accordance with the provisions of Section 548 of the *Local Government Act, 1993*, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

**D Interest**

In accordance with the provisions of S.566(3) of the *Local Government Act 1993*, Council hereby resolves to adopt the maximum interest rate as advised by the Minister for Local Government for outstanding rates, domestic waste management services and annual charges, currently being **9.0%** per annum in respect of accrual on a simple basis.

**E Domestic Waste Management Services**

In accordance with S.496 of the *Local Government Act 1993*, that an annual charge of **\$450.00** per annum be made for the period 1 July 2010 to 30 June 2011, for each domestic waste management service rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service.;

In accordance with S.502 of the *Local Government Act 1993*, that an annual charge of **\$450.00** per annum be made for the period 1 July 2010 to 30 June 2011, for each additional 80 litre domestic waste management service rendered to owner occupied single occupancy residential dwellings (excluding green waste and recycling service);

**F Stormwater Management Service Charge**

**Corporate Services Division Report No. 16 (Cont'd)**

In accordance with the Local Government (General) Amendment (Stormwater) Regulation 2006 and *Local Government Act 1993*, the following annual Stormwater Management Service Charge be made and levied on all developed rateable land categorised for rating purposes as follows:

|   |         |   |
|---|---------|---|
| Land categorised as Residential:  | \$25.00 | for a single residential dwelling   |
| Residential strata lots:  | \$12.50 | for each strata unit  |
| Residential flats, community title,<br>tenants-in-common residential units: | \$12.50 | for each flat/unit  |
| Land categorised as Business  | \$25.00 | Plus an additional \$25.00 for<br>each 350 square metres or part<br>of 350 square metres by which<br>the area of the parcel of land<br>exceeds 350 square metres up<br>to a maximum charge of<br>\$200.00 |

**ATTACHMENTS**

There are no attachments for this report.

PS070610CSD\_2

\*\*\*\*\* End of Corporate Services Division Report No. 16 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Corporate Services Division Report No. 17  
**SUBJECT:** Adoption of the Management Plan 2010-2013  
**FILE NO:**

---

## **SUMMARY**

The 2010-2013 Draft Management Plan has been exhibited for the statutory period and is submitted for adoption by Council. Public submissions are also presented to Council for consideration.

## **Introduction**

At the Extraordinary meeting of Council held on Tuesday 4<sup>th</sup> May 2010 Council resolved to adopt and place on exhibition the Draft Management Plan for the period 2010 to 2013.

## **Public Consultation**

Public notice was given in the Manly Daily on Friday 7<sup>th</sup> May 2010 inviting comments on the Draft Management Plan (refer to Attachment 1). Copies of the Draft Management Plan were available to peruse from Council's Customer Service Area, the Manly Library, the Seaforth/Balgowlah Branch Library, as well as Council's web site. The exhibition period concluded on Friday 4<sup>th</sup> June 2010.

## **Report**

The Draft Financial Plan 2010-2013 was presented to Council at the Extraordinary meeting together with the Draft Management Plan 2010-2013.

Council's Revenue Policy comprised in the Draft Management Plan (Section 4C) provided options for Rating including the adoption of the general rates variation of 2.6% as specified by the Minister for Local Government for 2010-2011, compared to 3.5% for 2009-2010. The variation will provide a reduction in real revenue growth as a result of rate pegging, and combined with cost shifting by other levels of government, increased State Government charges and a substantially reduced Financial Assistance Grant, will have an impact on Council's ability in maintaining and providing the current level of services and facilities in an environment of rising costs.

Council has prepared estimates of Income and Expenditure for 2010-2011 for the various programs within the Draft Management Plan. It provides for a Deficit of \$232,073 with anticipated revenues (operating and capital) totalling \$80,268,981; operating expenditure of \$62,889,575, and capital expenditure of \$17,611,479.

The Ten Year Financial Plan was prepared on the basis of the following assumptions:

- Rates and Annual changes rate pegging increase = 2.6% per annum
- User Charges and Fees increase by CPI = minimum 2.2% per annum
- Grants and contributions – increase 2.0%
- Employee Award increase = 3.2%
- Material and contracts increase = 3%
- Council elections every 4 years

The Draft Management Plan also contains the draft allocations proposed for the Environmental Levy projects to be funded over the 2010-2011 year, and are detailed in Appendix A of the document. The net proceeds of the Environmental Levy of \$925,000 are intended to be expended on priority programs involving a mix of works including:

**Corporate Services Division Report No. 17 (Cont'd)**

- Biodiversity Program for the Burnt Creek rehabilitation, habitat restoration, threatened species conservation and land management;
- Water Cycle Management including total catchment management and water conservation and reuse;
- Lagoon conservation and remediation;
- Education for Sustainability; and
- Climate Change program.

**Submissions Received**

From the invitation for public comment on the Draft Management Plan, Council has received ten (10) submissions at the time of preparing this Report. These submissions are summarized and staff responses given to each item raised (refer to Attachment 2). If further submissions are received between the time of preparing this Report and the close of business on Friday 4<sup>th</sup> June 2010, a Late Report will be added to the Agenda for 7<sup>th</sup> June 2010.

A copy of the draft Management Plan 2010-2013, including the Schedule of Fees and Changes for 2010-2011, is **tabled** with this report.

**RECOMMENDATION**

It is recommended that Council:

1. Adopt the Manly Council Management Plan 2010-2013 and the 2010-2011 Schedule of Fees and Charges; and
2. Write to the parties who made submissions to the Management Plan, thanking them for their comments, and providing a response to the points raised by them.

**ATTACHMENTS**

**AT- 1** Matrix of Submissions to Management Plan 2010-2013 1 Page  
**AT- 2** Manly Daily ad 7 May 2010 1 Page

PS070610CSD\_6

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

**ATTACHMENT 1**

**Corporate Services Division Report No. 17 - Adoption of the Management Plan 2010-2013  
Matrix of Submissions to Management Plan 2010-2013**

**Summary of Submissions to Management Plan 2010-2013**

| Name & Address  | Issues Raised in Submission  | Staff Comment  |
|---|--|--|
| Barry Antella<br>Captain, Queenscliff<br>Surf Life Saving Club  | Requesting that the draft Management Plan to include an allocation towards the construction of the lifeguard facility and first aid room.  | Manly Council has no additional capital expenditure funds available in the 2010/2011 financial year to assist the Queenscliff Surf Club construct the lifeguard facility and first aid room.   |
| R Woodland<br>D & T Creed<br>L McKay<br>N Stelzer<br>S & C Quartly<br>K & D Kick<br>K & D Wickham<br>M. Harries | Objecting to increase in fees for the Roundhouse Childcare Centre commencing on 1 <sup>st</sup> July 2010.<br><br>Requesting that the increase not to apply until 1 <sup>st</sup> January 2011, due to the disruption caused by the building work. | All Fees for Childcare Services (long day care, family care and OOSH) are budgeted to take effect from 1 <sup>st</sup> July each year.<br><br>There is no proposed reduction of fees for this service due to the building works at the Centre. The centre is continuing to provide children's services (including employing staff and incurring on-costs of operations) during the 2010/2011 financial year. |
| J & G Chapman<br>T & E Lane   | 1      What is Council's intentions for 38 & 40 Stuart Street Little Manly.  | When the DA for 38 Stuart St was approved by the Court in Oct 2009, Council did not appeal that decision, which is a matter of public record.<br><br>With the DA approved, the question of acquisition was not pursued and has been put in abeyance. The Department has been advised accordingly.<br><br>No amendments proposed in relation to the Management Plan.  |



**ATTACHMENT 1**

**Corporate Services Division Report No. 17 - Adoption of the Management Plan 2010-2013**  
**Matrix of Submissions to Management Plan 2010-2013**

| Name & Address | Issues Raised in Submission  | Staff Comment  |
|----------------|--|--|
|                | <p>2 The submission raised concerns regarding the transaction of matters associated with these properties in Closed Committee.</p> | <p>Only a very narrow class of matters is put to Closed Committees of Council and when it is unavoidable, reasons under the Local Government Act are always provided.</p> <p>No amendments proposed in relation to the Management Plan.</p>  |
|                | <p>3 What is the current status of the Draft LEP?</p>  | <p>The timetable for completing the Draft Comprehensive LEP to the Standard Template follows the State Government's timetable, which is currently scheduled for late 2011. However, given recent amendments by the State to the standard template, NSW Councils are still seeking clarifications from the Department on a way forward.</p> <p>No amendments proposed in relation to the Management Plan.</p> |
|                | <p>4 In August 2009 Council rezoned 36 Stuart Street and we were not informed.</p>   | <p>Council did not re-zone the property in question. It was reclassified to Community Land from Operational.</p> <p>No amendments proposed in relation to the Management Plan.</p>   |
|                | <p>5 Pleased to read about Council's approach to community engagement, but would like to see a measurement of performance</p>      | <p>Noted. Council's community engagement strategy follows statutory requirements and will be reported via Council's Annual Report</p>  |
|                |  |  |

**ATTACHMENT 1**

**Corporate Services Division Report No. 17 - Adoption of the Management Plan 2010-2013**  
**Matrix of Submissions to Management Plan 2010-2013**

| Name & Address | Issues Raised in Submission  | Staff Comment  |
|----------------|--|--|
|                | included.  | to the Department of Local Government.<br><br>No amendments proposed in relation to the Management Plan.   |
|                | 6 Would like to see a newsletter to the community.   | Council channels its information and promotes its initiatives through the Precincts and their newsletters.<br><br>Council welcomes the suggestion and will endeavour through the Community Engagement Process to improve dialogue with the community in a two way process.   |
|                | 7 Would like to see Council's detailed Financial Plan / Budget be made publicly available with the Management Plan.  | Noted.<br><br>The financials in their headline aggregates are provided in the Management Plan together with information on other vital recourses, including human, plant and equipment, and when shown together, gives a more comprehensive view of how the Council intends to achieve its stated objective.<br><br>No amendments proposed in relation to the Management Plan. |
|                | 8 Comments on capital works program that this can only be correct if the decision on the status of 34-40 Stuart St is that they be rezoned back to their original zoning of residential. | The Little Manly Coastline Plan of Management and its Landscape Master Plan inform capital works involving that area.  |

**ATTACHMENT 1**

---

**Corporate Services Division Report No. 17 - Adoption of the Management Plan 2010-2013**

**Matrix of Submissions to Management Plan 2010-2013**

---

| <b>Name &amp; Address</b> | <b>Issues Raised in Submission</b> | <b>Staff Comment</b>   |
|---------------------------|------------------------------------|--|
|                           |                                    | <p>Any conclusions made in the submission on the two separable issues of re-zoning and capital works raised are assumptions only. There is no current plan to make zoning changes in the vicinity.</p> <p>No amendments proposed in relation to the Management Plan.</p> |



## MANLY COUNCIL NOTICE

### Exhibition of Draft Management Plan for 2010 - 2013

In pursuant of s405 of the Local Government Act 1993, Council hereby gives notice of the public exhibition of its Draft Management Plan for 2010 - 2013 (Draft Plan). The Exhibition Period of the Draft Plan is from 9am, 7th May 2010 to 5pm, 4th June 2010.

Members of the public may inspect the Draft Plan at the following locations and times:

The Draft Management Plan is available for inspection from **Friday 7th May 2010 to 5pm Friday 4th June 2010** at:

- **Manly Town Hall** 1 Belgrave Street, Manly, Monday to Friday from 8.30am to 5.00pm.
- **Manly Library** Market Place, Manly, during Library hours.
- **Seaforth / Balgowlah Branch Library** during Library hours.

The Draft Plan is also available on Council's website: [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)

During the Exhibition Period, written submissions on the Draft Plan may be made at any time by post: **PO Box 82 Manly 1655** or by email: [records@manly.nsw.gov.au](mailto:records@manly.nsw.gov.au) addressed to the General Manager.

Council Chambers, 1 Belgrave Street, Manly **PO Box 82, Manly 1655** ph 9976 1500 fax 9976 1400  
email [records@manly.nsw.gov.au](mailto:records@manly.nsw.gov.au) [www.manly.nsw.gov.au](http://www.manly.nsw.gov.au)

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Corporate Services Division Report No. 18  
**SUBJECT:** Adoption of the Manly Council Code of Meeting Practice  
**FILE NO:**

---

## SUMMARY

The *Manly Council - Code of Meeting Practice* is now referred to Council for adoption.

## REPORT

Council at the Ordinary Meeting of 19 April 2010, considered Corporate Services Division Report No. 11, *Amendments to the Manly Council Code of Meeting Practice*, following the release by the Division of Local Government, Department of Premier, of Circular No 09/32 regarding the revised and updated the Meetings Practice Note (Practice Note 16).

Clause 361 of the Local Government Act, 1993, provides that:

- (2) The council must give public notice of the draft code after it is prepared.
- (3) The period of public exhibition must not be less than 28 days.
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.

The *draft Manly Council - Code of Meeting Practice* was placed on public exhibition from 23 April 2010, closing on 24 May 2010. At the close of the exhibition period, Council had not received any submissions.

However, during the exhibition period, the Division of Local Government, Department of Premier, issued Circular 10-10 dated 21 May 2010 titled "Implementation of the Revised Meetings Practice Note", copy of which is attached.

The Circular provides further explanation to the revised *Practice Note 16 – Meetings Practice* issued by the DLG on 31 August 2009.

Prior to Council adopting the draft Code, a further amendment is required to bring the Code more in line with the DLG Practice Note in regard to the section dealing with Questions without Notice.

The Circular discusses the following items. Where relevant, a comment is provided.

### 1. Questions at Council Meetings Generally

The Circular emphasises that councillors must, when submitting questions, balance their civic responsibility for representing the interests of their community with their obligation to use council's resources effectively and efficiently.

### 2. Questions without notice

Council's Code of Meeting Practice – Clause 6.5 "Order of Business" includes a provision at the end of the Ordinary Meeting for "Questions without Notice". During this time Councillors ask questions of staff, and in the majority of instances, an answer is provided at the meeting. Councillors are still required to submit the "Question without Notice" in writing to the Minute Taker, who also records the answer given by staff, in the Minutes. If the question cannot be answered at the meeting, for eg it may need to be referred to staff, the question is "taken on notice".

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

Whilst Council's current practice for dealing with questions does work, the DLG Practice Note recommends that Questions be provided in advance and appear as part of the Agenda. The DLG argument is that all councillors and the public should be aware of matters that will be raised at the meeting. However, staff's opinion is that the DLG requirement that the Agenda include an item for "Questions with Notice" and "Questions without Notice which are ruled as a matter of urgency" will only lead to more administration, will delay the meeting proceedings, and will not result in better decision making.

This purpose may be better served by a requirement that Questions be submitted in writing to the Chairperson prior to the Meeting. The Questions would then be read out by the Chairperson at the appropriate Order of Business, and the General Manager provide a response at the meeting or "take the question on Notice", and provide a response at a subsequent meeting. "Questions" and "answers" would still be reported in the Minutes.

Clause 6.13 of the Code provides that: *a Councillor (a) may, through the Chairperson, put a question to another Councillor; and (b) may, through the General Manager, put a question to a Council employee. (2) However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.*

This would also give the General Manager, and staff, time during the meeting to read the submitted Questions and prepare a response.

It is therefore recommended that:

- (a) Clause 6.5 "Order of Business" agenda item "Questions Without Notice" be omitted and be replaced by a standing order of business "Questions on Notice".
- (b) Clause 6.13 be amended as follows (new subclauses hi-lited):
  - (1) A Councillor:
    - (a) may, through the Chairperson, put a question to another Councillor; and
    - (a) may, through the General Manager, put a question to a Council employee.
  - (2) All Questions on Notice intended for consideration at any meeting are to be delivered to the Chairperson prior to commencement of the Ordinary Meeting of the Council.
  - (3) All Questions on Notice will be read out by the Chairperson at the Meeting, unless it is ruled out of Order by the Chairperson.
  - (3) The Councillor who put the Question may provide further explanation.
  - (5) However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.
  - (6) The Councillor must put every such question directly, succinctly and without argument.
  - (7) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause.

**Corporate Services Division Report No. 18 (Cont'd)**3. Removal of Items of Business from the Agenda before the Meeting

This is the current practice.

4. Comments by the General Manager on the Merits of a Notice of Motion

It is the current practice that the General Manager does not to comment on the merits or otherwise of a Notice of Motion.

5. Workshops

Council workshops are already conducted in this format.

Amendments to Council's Codes of Meeting Practice

Council is advised that it may only amend its code of meeting practice by preparing a new draft code and complying with the public consultation procedure set out in sections 361 and 362 of the Act.

Section 362 states that if, after considering the submissions received during the public consultation process, a council wishes to amend the draft code before adopting it the council may either:

- re-exhibit the draft code with the amendments, or
- if it considers that the amendments are not substantial, simply amend the draft and adopt it.

The only exception to these is, as noted in clause 12.2.1 of the Practice Note, an amendment which is triggered by a change in the Act or the Local Government (General) Regulation 2005. In such cases the legislation effectively amends a code of meeting practice.

The proposed changes recommended above to Questions without Notice are not considered sufficient to warrant Council re-exhibiting its draft Code.

It is therefore recommended that the draft *Manly Council - Code of Meeting Practice* be adopted in accordance with Section 362 (2) of the Act, incorporating the amendments to Clauses 6.5 and 6.13 outlined above.

**RECOMMENDATION**

That, having given public notice of its intention to adopt the *Manly Council - Code of Meeting Practice* in accordance with Section 361 of the Local Government Act 1993, and having received no submissions at the close of the exhibition period, Council now adopt the *Manly Council - Code of Meeting Practice dated June 2010*.

**ATTACHMENTS**

AT- 1 DLG Circular 10-10 3 Pages

PS070610CSD\_4

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



Circular No. 10-10  
Date 21 May 2010  
Doc ID. A200086

Contact David Rolls  
02 4428 4210  
david.rolls@dlg.nsw.gov.au

### IMPLEMENTATION OF THE REVISED MEETINGS PRACTICE NOTE

The Division of Local Government, Department of Premier and Cabinet issued the revised and updated *Practice Note 16 – Meetings Practice* on 31 August 2009.

The Practice Note was developed to assist councillors and staff conduct council and committee meetings in accordance with best practice standards.

The Division has been monitoring feedback on the revised Practice Note. The following information is now provided to answer some of the more frequently asked questions arising out of the contents of the revised Practice Note.

#### Questions at Council Meetings Generally

The opportunity to raise questions at council meetings should not be abused. Councillors should bear in mind that there may well be other effective avenues of obtaining information, for example through the general manager outside the formal meeting cycle.

As in the case of putting forward notices of motion, councillors must, in submitting questions, balance their civic responsibility for representing the interests of their community with their obligation to use council's resources effectively and efficiently.

#### Questions without notice

Clause 1.4.11 of the revised Practice Note explains that allowing questions without notice is inconsistent with the provisions of clause 241(1) of the Local Government (General) Regulation 2005 which requires notice to be given of matters to be raised at council meetings.

The purpose of the notice requirement is to enable all councillors and the public to be aware, by reading the agenda for the meeting, of matters that will be raised at the meeting. This in turn promotes openness and transparency in the conduct of council meetings.

The notice requirement also ensures that questions, when asked, are appropriately recorded and responded to. It should not stifle debate or constrain the asking of questions.

If the subject matter of a question is genuinely urgent and the question is not on the agenda, the question could be raised under clause 241(3) of the Regulation. That clause allows a matter to be raised before council, despite notice not having been given, if:

Department of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195



## ATTACHMENT 1

---

### Corporate Services Division Report No. 18 - Adoption of the Manly Council Code of Meeting Practice DLG Circular 10-10

---

2

- A motion is passed to have the matter brought before the meeting; and
- The matter is ruled by the chairperson to be of great urgency.

It should be borne in mind that a councillor is at liberty to ask a question of another councillor or the general manager about a matter that is on the meeting agenda during the debate on that matter.

The Division considers that it is acceptable for a council to adopt a practice of allowing councillors, just prior to the end of a meeting, to raise questions on the understanding that the answers will be provided at the following meeting.

Such questions should be recorded in the minutes of the meeting. This could be formalised by way of an agenda item "Questions for Next Meeting". This would constitute a means of giving notice of the question for the following meeting, provided that there is sufficient time between the two meetings to meet the notice requirements of clause 241. When such questions are listed, there is nothing preventing an answer being given straight away, if it makes sense to do so.

#### Removal of Items of Business from the Agenda before the Meeting

As noted in clause 1.4.12 of the revised Practice Note, once the agenda for a meeting has been sent to councillors an item of business on the agenda should not be removed from the agenda prior to the meeting.

The proper course of action for the removal of an item of business from the agenda in these circumstances is for council to resolve at the meeting to defer the business to another meeting or resolve not to consider the business, as the circumstances may require.

#### Comments by the General Manager on the Merits of a Notice of Motion

As noted in clause 5.2.3 of the revised Practice Note, it is good practice that a general manager only provide factual information on a notice of motion to assist in the discussion of the motion if requested by the councillor who lodged the motion.

It is considered inappropriate for a general manager to comment in the business papers on the merits of any notice of motion. However this does not prevent the general manager from answering a question with regard to factual information, if invited to do so. Such information could include legal or financial impediments, which should be considered by the Council when making decisions.

#### Workshops

Clause 13.3.1 concerns the procedures for council workshops. Ideally, workshops should be chaired by the general manager or another senior council officer. This will assist in placing workshops in their proper perspective, that is, an information sharing forum, and avoid the appearance of a formal council meeting which carries the attendant risk of de facto decision-making.

## ATTACHMENT 1

---

### Corporate Services Division Report No. 18 - Adoption of the Manly Council Code of Meeting Practice DLG Circular 10-10

---

3

#### Amendments to Councils' Codes of Meeting Practice

The Division is aware that a number of councils, in reviewing their meeting procedures in light of the revised Practice Note, have found it necessary to amend their codes of meeting practice.

It is apparent that several councils have been under the misapprehension that provided they are satisfied that an amendment is not substantial they may amend their codes without public notice and exhibition.

The attention of councils is drawn to section 363 of the Act. The effect of this section is that a council may only amend its code of meeting practice by preparing a new draft code and complying with the public consultation procedure set out in sections 361 and 362 of the Act.

Section 362 states that if, after considering the submissions received during the public consultation process, a council wishes to amend the draft code before adopting it the council may either:

- re-exhibit the draft code with the amendments, or
- if it considers that the amendments are not substantial, simply amend the draft and adopt it.

The only exception to these is, as noted in clause 12.2.1 of the Practice Note, an amendment which is triggered by a change in the Act or the Local Government (General) Regulation 2005. In such cases the legislation effectively amends a code of meeting practice.

Councils are asked to consider these matters when reviewing their codes of meeting practice.



**Ross Woodward**  
Chief Executive, Local Government  
A Division of the Department of the Premier and Cabinet

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Corporate Services Division Report No. 19  
**SUBJECT:** Authority for Abandonment and Writing off of Debts  
**FILE NO:**

---

## SUMMARY

Delegation of authority to the General Manager to write-off doubtful debts.

## REPORT

From time to time it is necessary for Council to write-off small debts or rates and charges, which have either been incorrectly raised, or are not economic to recover.

Clause 131 of the Local Government (General) Regulation, 1993, provides that the council must, from time to time, by resolution, fix the amount of rates and charges above which any individual rate or charge may be written off only by resolution of the council. Similarly, Clause 213 provides that council must by resolution, fix an amount above which debts to the council may be written off only by resolution of the council.

That is, any amount below that amount as fixed, may be written-off by order of the General Manager, without the necessity to refer each item to Council.

The authority to write-off debts or other amounts of rates and charges under these clauses would be delegated to the General Manager. Any debts, etc, which are written-off by order of the General Manager will be reported to Council annually.

Any amounts to be written-off above the amount set by Council must be referred to Council for approval to write-off.

Council should now resolve to fix an amount below which debts which are not recoverable, or amounts of rates and charges which are not recoverable, may be written off, without the necessity to refer every matter to Council for approval.

It is recommended that this amount be set at \$10,000 for both debts to be written-off under clause 213, and rates and charges to be written-off under clause 131, of the Local Government (General) Regulation. The Regulation sets out the requirements to be followed before a debt or a rate can be written off.

Where an amount of a debt or a rates and charge are to be written-off, the write-off will be fully investigated by the Revenue Accountant and Manager Financial Services. Amounts which are to be written-off under these clauses will be listed in Council's Abandonments Register, and a listing of amounts so written-off given to the General Manager for reporting to Council.

In the event that amounts above \$10,000 require being written-off, a report will be presented to Council, with full particulars of the reasons for writing-off.

## RECOMMENDATION

That,

1. In accordance with Clause 213 (2) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off debts of up to \$10,000 in accordance with this clause.

**Corporate Services Division Report No. 19 (Cont'd)**

2. In accordance with Clause 131 (1) of the Local Government (General) Regulation 2005, authority be granted to the General Manager to write-off rates and charges of up to \$10,000 in accordance with this clause.

**ATTACHMENTS**

There are no attachments for this report.

PS070610CSD\_5

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

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Planning And Strategy Division Report No. 13  
**SUBJECT:** Update Report on the Manly Lagoon Rehabilitation Project  
**FILE NO:**

---

## SUMMARY

This report seeks to provide a response to Council to its Notice of Motion Report No. 18 of the Ordinary Meeting held on 10 May 2010, where it was resolved [68/10]:

*“That in regards to the Restoration of Manly Lagoon staff provide a report on:*

- rehabilitation outcomes achieved to date,*
- any delays encountered, and*
- anticipated completion dates for works which have already been funded by a DECCW grant, towards restoration of Manly Lagoon.”*

## REPORT

The rehabilitation of Manly Lagoon is endorsed by Manly and Warringah Councils, and is overseen by the Manly Lagoon Catchment Coordinating Committee. The existing Management Plan for the rehabilitation of Manly Lagoon is the Manly Lagoon Integrated Catchment Management Strategy (ICMS), adopted by both Councils.

### Background Dredging Works Project - Sites One and Two Manly Lagoon

The combined Councils made applications to NSW Department of Environment, Climate Change and Water (DECCW) for support and funding for the dredging works and \$690,000 was forthcoming in 2004. Total project funding is \$1,380,000. Improving water quality is a key objective of the funding.

In May 2009 Manly and Warringah Councils both agreed for Manly Council to take over project management of the project for the dredging of sites 1 & 2. Since this time a Review of Environmental Factors (REF) has been undertaken and approved by the NSW Lands and Property Management Authority.

The dredging methodology involves the use of a floating cutter suction dredge to remove up to 6,500m<sup>3</sup> of sediment. The sediment will be pumped into geotextile bags (designed for this purpose) to dewater on the edge of Nolan Reserve in Warringah. Following dewatering it is proposed the sediment will be re-used in accordance with a permit obtained from DECCW.

### Time taken to this point:

Early in 2009 both Councils identified that the project was not progressing as quickly as they would like. Over the last year the REF has been progressed as a priority to completion and approval. The REF is a detailed scientifically technical document. Consultations with DECCW over this time helped identify which studies and tests needed to be undertaken (over a dozen in total).

In layman's terms these studies and tests and the REF were required to satisfy a general criterion that no 'net harm' would take place to the environment and or people in terms of how the dredging methodology was carried out.

If these studies were not undertaken Council would not have been in a position to obtain approval to proceed with the dredging by the NSW Land and Property Management Authority, and would risk heavy financial and criminal penalties under NSW legislation / statute.

**Planning And Strategy Division Report No. 13 (Cont'd)**

In addition to the above, as part of finalising the REF, the following actions proceeded over the past 12 months.

- A review of current dredging / dewatering best practice processes within and outside of Australia. Manly Council had, on occasion, representatives of dredging companies fly into Manly to assess / discuss the options available.
- Trialling, testing and researching the best polymers that are essential to the flocculation of sediment did take time to fine tune and discover what polymer is uniquely suitable to the Manly Lagoon environment.
- Explaining and convincing the innovative concept to the Land and Property Management Authority, Industry & Investment NSW, and DECCW (this did take time and a number of meetings and correspondences).
- The creation of a suite of testing items before during and after the dredging process did take time as well, and had to satisfy both Councils' requirements. The dredging of sites 1 & 2 has a detailed and robust replicate water quality testing plan and regime; there is both a detailed benthic survey and detailed sea grass survey which has been undertaken amongst a range of necessary studies and tests.

**Project Risks and Possible Delays to Be Managed:**

In addressing the completion dates for the dredging of sites 1 & 2 it is important to quantify and be aware of the risks that confront the project at this point in time, all of which continue to be actively managed by Council staff:

1. *The Reuse of the Dewatered Sediment*

There is a risk in that, whilst there has been every effort taken in determining the makeup of the existing Lagoon sediment, the actual final sediment composition with the added lime and polymer needs to be rigorously tested in an effort to meet the requirements of DECCW towards the Reuse and Recovery Permit application process. If Council was to be denied the permit to reuse the reclaimed sediment then the sediment would need to be taken to landfill, incurring additional costs.

2. *Public Exhibition of REF (proposed for July 2010)*

The REF is being prepared to go on public exhibition but this is being delayed to allow time to complete an additional more detailed survey of fish stock in the Lagoon, with a view to assessing the impacts of dredging on this fish stock. Approval of the REF by the NSW Land and Property Management Authority conditioned this further more detailed fish study to take place.

Once exhibited, the feedback and comments from the community on the REF need to be addressed and or changes to the REF would need to be made if deemed appropriate by both Councils. This can only occur after the exhibition period.

3. *New Endangered Species Identified (in Vicinity of Dredge Site)*

There are risks that new endangered birds, animals and or fish etc decide to make the lagoon dredging site their 'home' or are discovered anew. The effects of managing the endangered species and coming to terms with appropriate mitigation measures would need to be prepared in such a circumstance (a Flora and Fauna Study has been undertaken as part of the REF).

**Planning And Strategy Division Report No. 13 (Cont'd)****4. Funding Body**

DECCW requested a report be prepared and submitted explaining why the funding grants should be allowed to be extended until 30<sup>th</sup> April 2011. Manly Council prepared a report detailing the status of the project, and this was submitted 10<sup>th</sup> May 2010.

**Anticipated completion dates for works which have already been funded by a DECCW grant, towards Dredging of Manly Lagoon Sites One and Two:**

All factors above can potentially delay the project. However, assessing each and taking them into consideration, it is proposed that the site compound and preparatory works for the project will commence in October 2010; dredging will be able to take place over November & Dec 2010; with the dewatering of the sediment to occur over January and February 2010; and with sediment re-use occurring in March and April 2010.

**For the information of Council other significant works completed to date in relation to Manly Lagoon Rehabilitation works include:**

- Rehabilitation works within Brookvale Creek.
- The removal of accumulated sediment at Manly Lagoon mouth (site 5).
- Sewerage leak investigation, repair and overflow reduction.
- Investigations in support of other rehabilitation works.

**Rehabilitation outcomes achieved to date:****1. Brookvale Creek works:**

A major rehabilitation project has been undertaken at Brookvale Creek, along a 1km section of the creek. The project included the planting of 60,000 native trees, the creation of new wetlands and habitat refuges, the installation of a new Gross Pollutant Trap (GPT) immediately downstream of Warringah Mall, and the removal of large non-native trees. Major riparian zone rehabilitation works have also been undertaken at 8 sites in upper Manly Lagoon.

**2. The removal of accumulated sediment at the Manly Lagoon mouth (Site 5):**

In 2006, Manly Council removed approximately 4,000 cubic metres of accumulated sediment at the entrance of Manly Lagoon. This project utilised \$65,765 of the available \$690,000 NSW Government funding.

**3. Sewerage leak investigation, repair, and overflow reduction:**

Manly and Warringah Councils are working with Sydney Water to undertake a range of works in the Manly Lagoon Catchment to improve water quality entering the Lagoon. These include:

- Measuring the quality of storm water in drains discharging to Manly Lagoon, to determine if there is any sewage.
- Filling storm water drains with smoke, and inspecting to see if smoke comes from the openings of a private sewer, such as a gully or a vent. Putting dye in the public sewer and observing if dye escapes to a stormwater drain or creek.
- Cleaning and inspection of all high-flow sewers with closed circuit television cameras to prevent blockages and sewers spilling in the future.
- In addition, Sydney Water is also finalising options to reduce wet weather sewage overflows associated with under-capacity in the Narrabeen Sub-Main sewer.

**4. Investigations in support of other rehabilitation works:**

Manly and Warringah Councils have undertaken significant environmental assessments and investigations relating to other major rehabilitation works, including reinstatement of the

**Planning And Strategy Division Report No. 13 (Cont'd)**

waterway connection under Pittwater Road bridge at Site 4. At present funding is not available to proceed with these works.

**RECOMMENDATION**

It is recommended that the information be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

PS070610PSD\_2

\*\*\*\*\* End of Planning And Strategy Division Report No. 13 \*\*\*\*\*



**TO: Planning and Strategy Committee - 7 June 2010**  
**REPORT: Environmental Services Division Report No. 14**  
**SUBJECT: Development Applications Being Processed During the Month of June 2010**  
**FILE NO:**

**SUMMARY**

DEVELOPMENT APPLICATIONS BEING PROCESSED DURING THE MONTH OF JUNE 2010.

**REPORT**

The following applications are with the Town Planners for assessment.

|     |      |                                |  |
|-----|------|--------------------------------|--|
| 387 | 2003 | 69-71 The Corso                | Section 96 Modification                                      |
| 46  | 2004 | 36-38 South Steyne             | Section 96 Modification                                      |
| 145 | 2005 | 4/11-27 Wentworth Street       | Remove Brick wall and replace with windows to match existing |
| 544 | 2005 | 73 Kangaroo Street             | Section 96 Modification                                      |
| 390 | 2006 | 71 Gordon Street               | Section 96 Modification                                      |
| 411 | 2006 | 36-38 South Steyne             | Section 96 Modification                                      |
| 510 | 2006 | 5 Marine Parade                | Section 96 Modification                                      |
| 220 | 2007 | 14 Camera Street               | Section 96 Modification                                      |
| 242 | 2007 | 3 Rignold Street               | Land Subdivision   |
| 267 | 2007 | Manly Wharf                    | Section 96 Modification to Hugo's                            |
| 348 | 2007 | 33 Edgecliffe Esplanade        | Section 96 Modification                                      |
| 355 | 2007 | 4 Sheridan Place               | Section 96 Modification                                      |
| 363 | 2007 | 2A Denison Street              | Section 96 Modification                                      |
| 370 | 2007 | 91 Gurney Crescent             | Section 96 Modification                                      |
| 409 | 2007 | 11 Oyama                       | Alterations & Additions                                      |
| 421 | 2007 | Manly Golf Club - Kenneth Road | Section 96 Modification                                      |
| 427 | 2007 | 2A West Street                 | Land Subdivision into 2 allotments and new driveway access   |
| 505 | 2007 | 36-38 South Steyne             | Section 96 Modification                                      |
| 10  | 2008 | 3 Prince Edward Road           | Section 96 Modification                                      |
| 261 | 2008 | 39 Stuart Street               | Section 96 Modification                                      |
| 328 | 2008 | 35 Upper Clifford Avenue       | Section 96 Modification                                      |
| 354 | 2008 | 3 Augusta Road                 | Amended Plans - Section 96                                   |
| 428 | 2008 | 30 Moore Street                | Section 96 Modification                                      |
| 446 | 2008 | 29 Adelaide Street             | Part demolition and Alterations and Additions                |
| 455 | 2008 | 99 Clontarf Street             | Section 96 Modification                                      |
| 13  | 2009 | 74 Castle Circuit              | 82A Review   |
| 24  | 2009 | 7 Marine Parade                | Alterations & Additions to mixed use building                |
| 28  | 2009 | 51 Hope Street                 | Section 96 Modification                                      |
| 88  | 2009 | 16 Mulgowrie Crescent          | Section 96 Modification                                      |
| 108 | 2009 | 38 Birkley Road                | Alterations to approved garage and first floor addition      |
| 138 | 2009 | 170 Pittwater Road             | Section 96 Modification                                      |
| 159 | 2009 | 32 Alto Avenue                 | Section 96 Modification                                      |

## Environmental Services Division Report No. 14 (Cont'd)

|     |      |                         |   |
|-----|------|-------------------------|---|
| 170 | 2009 | 1/111 North Steyne      | Section 96 Modification   |
| 175 | 2009 | 33 Abernethy Street     | Section 96 Modification   |
| 180 | 2009 | Manly Wharf             | Hugos extended outdoor seating  |
| 235 | 2009 | 8 King Avenue           | Section 96 Modification   |
| 270 | 2009 | 323 Sydney Road         | Alterations & Additions   |
| 327 | 2009 | 5 Ellery Parade         | Alterations & Additions   |
| 328 | 2009 | 39 Osborne Road         | Section 96 Modification   |
| 365 | 2009 | 22 Denison Street       | Demolition of existing and new 3 storey dwelling                            |
| 376 | 2009 | 8 Boronia Lane          | Pool and landscaping  |
| 379 | 2009 | 55 Boyle Street         | 2 x 2 Dwellings   |
| 384 | 2009 | 31 Victoria Parade      | Alterations and Additions to RFB  |
| 388 | 2009 | 39 Peronne Avenue       | Alterations and Additions and extended deck                                 |
| 389 | 2009 | 8 Woodland Street       | Alterations and Additions   |
| 401 | 2009 | 31 Ellery Parade        | Demolition, new dwelling, pool, gazebo, pergola and landscaping             |
| 402 | 2009 | 28 Alexander Street     | Re sub, demolition, new 2x2 dwelling  |
| 1   | 2010 | 103 Condamine Street    | Alterations and Additions   |
| 11  | 2010 | 44 Alma Avenue          | Partial demolition, Alterations and Additions, pool, cabana and landscaping |
| 13  | 2010 | 48 North Steyne         | Demolition of existing, new 5 storey mixed use                              |
| 14  | 2010 | 1 Barrabooka Street     | Alterations & Additions   |
| 16  | 2010 | 164 Condamine Street    | Demolition of existing, excavation new 2 storey dwelling                    |
| 21  | 2010 | 11 Violet Street        | Alterations & Additions   |
| 22  | 2010 | 20 Cutler Road          | Alterations and Additions   |
| 28  | 2010 | 4 Plant Street          | Alterations and Additions   |
| 29  | 2010 | 8 Reid Street           | Alterations and Additions   |
| 33  | 2010 | 25A Cliff Street        | Retaining wall and access stairs  |
| 35  | 2010 | 63 Bungalow Avenue      | Alterations & Additions   |
| 37  | 2010 | 15 Bellevue Street      | Alterations and Additions   |
| 39  | 2010 | 11 Fairlight Crescent   | 4 car garage over existing hardstand  |
| 41  | 2010 | 3 Fairy Bower Road      | Alterations and Additions   |
| 42  | 2010 | 2 Linkmead Avenue       | partial demolition and new three storey dwelling                            |
| 46  | 2010 | 71 Cutler Road          | Parital demolition new 4 storey dwelling                                    |
| 48  | 2010 | 10 Geddes Street        | Alterations and Additions   |
| 49  | 2010 | 64 Peacock Street       | Section 96 Modification   |
| 53  | 2010 | 13 Violet Street        | Alterations and Additions   |
| 57  | 2010 | 29A Quinton Road        | Alterations and Additions and Single Garage                                 |
| 59  | 2010 | 46 Addison Road         | Alteration and Additons to RFB  |
| 61  | 2010 | 44-46 Seaforth Crescent | Alterations and Additions   |
| 64  | 2010 | 3 Rignold Street        | Alterations and Additions   |
| 66  | 2010 | 55 Seaforth Crescent    | Alterations and Additons including inclinor                                 |
| 67  | 2010 | 31 Seaforth Crescent    | Demolition of existing, new 4 level dwelling                                |
| 71  | 2010 | 108 Woodland Street     | Alterations and Additions   |
| 73  | 2010 | 8 Bruce Avenue          | Alterations and Additions to RFB  |
| 76  | 2010 | 165 Woodland Street     | Alterations and Additions   |
| 77  | 2010 | 71 Kangaroo Street      | Alterations and Additions   |
| 82  | 2010 | 97-109 Sydney Road      | Shop 5 - Change of Use - Cafe/ Refreshments                                 |
| 84  | 2010 | 9 The Corso             | Shop fit out change of use to cafe  |

## Environmental Services Division Report No. 14 (Cont'd)

|     |      |                        |   |
|-----|------|------------------------|---|
| 86  | 2010 | 48 Radio Avenue        | Alterations and Additions                             |
| 87  | 2010 | 9 Gourlay Avenue       | Alterations and Additions                             |
| 88  | 2010 | 59 Ethel Street        | 8 lot strata subdivision                              |
| 89  | 2010 | 83 Cutler Road         | Alterations and Additions                             |
| 90  | 2010 | 10 Ernest Street       | 2 Lot strata & 2 dwellings                            |
| 91  | 2010 | 41 Peacock Avenue      | Alterations and Additions                             |
| 93  | 2010 | 8 Iluka Avenue         | Alterations and Additions                             |
| 94  | 2010 | 18 Fisher Street       | Alterations and Additions, carport and new driveway   |
| 95  | 2010 | 40 Bower Street        | Alterations and Additions pool and landscaping        |
| 97  | 2010 | 86 Kirkwood Street     | Alterations and Additions                             |
| 98  | 2010 | 6 Radio Avenue         | Alterations and Additions                             |
| 99  | 2010 | 25 Cliff Street        | Alterations and Additions to RFB                      |
| 100 | 2010 | 33 Pacific Street      | Alterations and Additions                             |
| 101 | 2010 | 2 James Street         | Strata Title Alterations                              |
| 102 | 2010 | 1 Edwin Street         | Alterations and Additions                             |
| 103 | 2010 | 42 Ethel Street        | Change of use to Dog Boarding Facility                |
| 104 | 2010 | 28 Seaforth Crescent   | Demolition of existing and new 2 storey dwelling      |
| 106 | 2010 | 358 Sydney Road        | Alterations and Additions                             |
| 107 | 2010 | 17-29 Roseberry Street | Demolition of existing and construction of Woolworths |
| 109 | 2010 | 3 Ainslee Place        | Pool, gazebo and landscaping                          |
| 110 | 2010 | 535-537 Sydney Road    | Change of Use to Refreshment Room                     |
| 111 | 2010 | 74 Lauderdale Avenue   | Alterations and Additions                             |
| 112 | 2010 | 14 Lower Beach Street  | Pool, deck and landscaping                            |
| 113 | 2010 | 7 Beaconview Street    | Alterations and Additions                             |
| 116 | 2010 | 14 Bower Street        | Alterations and Additions                             |
| 119 | 2010 | 3 Monash Crescent      | Alterations and Additions                             |

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

169/2006      68 Beatrice Street, BALGOWLAH HEIGHTS 2093  
Section 96 to modify approved Alterations and additions to existing dwelling including new carport and verandah

170/2009      1/111 North Steyne, MANLY 2095  
Section 82A Review of deferred commencement consent for Demolition of existing residential flat building and garages and construction of a four (4) storey residential flat building containing four (4) units with basement garage, roof top terrace and a swimming pool and including a Strata Subdivision of the proposed development

110/2010      535-537 Sydney Road, SEAFORTH 2092  
Change of use to a Cafe (Refreshment Room), partition of existing shop and fitout

114/2010      64 Ellery Parade, SEAFORTH 2092  
Demolition of existing structures and construction of a two (2) storey dwelling with basement

**Environmental Services Division Report No. 14 (Cont'd)**

double garage, decks, garden shed, swimming pool and landscaping

115/2010 20 Waterview Street, SEAFORTH 2092

Alterations and additions to an existing dwelling including new roof, extensions, double garage, deck and landscaping

117/2010 21-25 Sydney Road, MANLY 2095

New shop front for an existing retail store – Lot 3 – "Inn of the Sixth Happiness"

118/2010 5 Jellicoe Street, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including new vergola on existing terrace

493/2007 Stuart Street, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing Kiosk - Hours of Operation

66/2007 11-27 Wentworth Street, MANLY 2095

Section 96 to modify approved use of the basement car space lot 146 for the storage and refrigeration of retail goods used in conjunction with the Fusion Cafe – to delete condition 27 – Trial period

120/2010 5 Bentley Street, BALGOWLAH 2093

Partial demolition of an existing dwelling, construction of a two (2) storey dwelling with deck, carport, front fence and landscaping

121/2010 14 Margaret Street, FAIRLIGHT 2094

Alterations and additions to an existing dwelling including extension to first floor

122/2010 Wharves and Jetties, MANLY 2095

Security fencing and gates to the existing jetty and deck of the Manly Yacht Club

123/2010 220 Sydney Road, FAIRLIGHT 2094

Alterations and additions to an existing Residential Flat Building including third level addition, decks and front fence

466/2006 42 Beatty Street, BALGOWLAH HEIGHTS 2093

Section 96 to modify approved Alterations and additions to dwelling house

124/2010 3 Camera Street, MANLY 2095

Alterations and additions to an existing Residential Flat Building including decks and courtyards

125/2010 117 Clontarf Street, SEAFORTH 2092

Carport and retaining wall

126/2010 29 Vista Avenue, BALGOWLAH HEIGHTS 2093

Alterations to an existing front fence

238/2007 2 Brighton Street, BALGOWLAH 2093

Section 96 to modify approved New roof to rear section of an existing residential dwelling

127/2010 36 Heathcliff Crescent, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including second floor addition, swimming pool, decks and landscaping

214/2008 24 Boronia Lane, SEAFORTH 2092

**Environmental Services Division Report No. 14 (Cont'd)**

Section 96 to modify approved Construction of a split level two (2) storey dwelling with double garage and swimming pool

208/2009 3 Redman Street, SEAFORTH 2092

Section 96 to modify approved Alterations and additions including new first floor, rear extensions, additional garage, swimming pool and landscaping

260/2009 26 Crescent Street, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to existing dwelling including first floor bedroom, ensuite and study

128/2010 43 Judith Street, SEAFORTH 2092

Alterations and additions to an existing dwelling including new colourbond roof, carport, side and rear decks and front fence

129/2010 70 Seaview Street, BALGOWLAH 2093

Alterations and additions to an existing semi-detached dwelling including first floor addition, decks and carport

130/2010 36 Malvern Avenue, MANLY 2095

Alterations and additions to an existing attached dwelling including first floor extension, deck, pergola, front fence and landscaping

434/2008 224 Sydney Road, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to an existing residential flat building including new rear deck and internal alterations

131/2010 15 The Corso, MANLY 2095

Establishment of use as and fitout of Retail Shop – Shop G04/ Shop 2– Homeware Shop

132/2010 38 Golf Parade, MANLY 2095

Demolition of existing and construction of a new two (2) storey dwelling with double carport, front fence, swimming pool, decks and landscaping

133/2010 48 Rosedale Avenue, FAIRLIGHT 2094

Front fence and garden shed

134/2010 45 Gordon Street, CLONTARF 2093

Roof over existing deck

336/2009 62 Balgowlah Road, BALGOWLAH 2093

Section 96 to modify approved Fitout of existing tenancy for a Nando's restaurant including external signage and external seating area

**Environmental Services Division Report No. 14 (Cont'd)**

135/2010 12 Phillip Avenue, SEAFORTH 2092  
Demolition of existing and construction of a new two (2) storey dwelling with double garage, decks and landscaping

136/2010 1-3 The Crescent, MANLY 2095  
Alterations and additions to an existing Residential Flat Building including roof over existing terrace and louvre screens

137/2010 13 Alexander Street, MANLY 2095  
Alterations and additions to an existing dwelling including first floor addition, rear and side deck and pergola

138/2010 20 Osborne Road, MANLY 2095  
Alterations and additions to an existing dwelling including rear deck

456/2006 41B Castle Circuit, SEAFORTH 2092  
Section 96 to modify approved Construction of a residential dwelling, double garage and swimming pool

139/2010 7 Golf Parade, MANLY 2095  
Garage, swimming pool and landscaping

140/2010 22 Seaview Street, BALGOWLAH 2093  
Alterations and additions to an existing townhouse including awning, retaining wall and front fence – Unit 1

141/2010 19 Woodland Street, BALGOWLAH 2093  
Swimming pool and landscaping

142/2010 94 Beatrice Street, BALGOWLAH HEIGHTS 2093  
Alterations and additions to an existing dwelling including extensions, double garage, attic, pergola, decks, swimming pool and landscaping

143/2010 44-46 Seaforth Crescent, SEAFORTH 2092  
Alterations and additions to an existing dwelling including new roof, balconies, lift, stairs and pergola

144/2010 2-8 Darley Road, MANLY 2095  
Change of use to a Cafe (Refreshment Room) and shop fit out –“Organicus Kitchen and Pantry” – Shop B

397/2009 154 Sydney Road, FAIRLIGHT 2094  
Section 96 to modify approved Change of use a Deli/ Cafe - Amendment to condition for updating to hours of operation

145/2010 6 East Esplanade, MANLY 2095  
New timber wall on the boundary to replace the existing

146/2010 43 Smith Street, MANLY 2095  
Alterations and additions to an existing dwelling including enclosing the existing side verandah and balcony

147/2010 2B Boyle Street, BALGOWLAH 2093  
Deck

**Environmental Services Division Report No. 14 (Cont'd)**

148/2010      22 Jackson Street, BALGOWLAH 2093  
Dwelling

149/2010      16 Carey Street, MANLY 2095  
Dwelling

150/2010      118 Griffiths Street, BALGOWLAH 2093  
Alterations & Additions to Dwelling

151/2010      26 Ocean Road, MANLY 2095  
Alterations & Additions to Dwelling

152/2010      29 Amiens Road, CLONTARF 2093  
Alterations & Additions to Dwelling

153/2010      89 Addison Road, MANLY 2095  
Alterations & Additions to Dwelling

**RECOMMENDATION**

THAT the information be noted.

**ATTACHMENTS**

There are no attachments for this report.

PS070610ESD\_3

\*\*\*\*\* End of Environmental Services Division Report No. 14 \*\*\*\*\*

**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Environmental Services Division Report No. 15  
**SUBJECT:** List of Current Appeals Relating to Development Applications.  
**FILE NO:**

---

## SUMMARY

LIST OF CURRENT APPEALS RELATING TO DEVELOPMENT APPLICATIONS DURING JUNE 2010.

## REPORT

| DA#                       | L&E Appeal Reference           | House # | Address        | Date Appeal Lodged | Solicitor Company | Current Status            |
|---------------------------|--------------------------------|---------|----------------|--------------------|-------------------|---------------------------|
| 47/06                     | Class 1<br>10975/09            | 11      | The Corso      | 16/12/09           | Pikes             | Awaiting Judgment         |
| 46/04<br>505/07<br>411/06 | Class 1<br>10979 –<br>10981/09 | 36-38   | South Steyne   | 16/12/09           | HWL               | Hearing<br>15,16,17/06/10 |
| 103/09                    | Class 1<br>10068/10            | 71      | Bower Street   | 09/02/10           | Pikes             | Hearing<br>8,9,10/06/10   |
| 26/09                     | Class 1<br>10217/10            |         | West Esplanade | 26/03/10           | Pikes             | Hearing<br>06/07/10       |

## RECOMMENDATION

THAT the information be noted.

## ATTACHMENTS

There are no attachments for this report.

PS070610ESD\_2

\*\*\*\*\* End of Environmental Services Division Report No. 15 \*\*\*\*\*



**TO:** Planning and Strategy Committee - 7 June 2010  
**REPORT:** Human Services And Facilities Division Report No. 6  
**SUBJECT:** Andrew Boy Charlton Swim Centre Life Passes – Clarification of Criteria for awarding Life Passes  
**FILE NO:**

---

## **SUMMARY**

At the Meeting of Council held on 18<sup>th</sup> February 2008, Council adopted a policy to grant life time passes to Manly Andrew 'Boy' Chalton Swim Centre to Manly residents who have represented Australia in aquatic still-water events as athletes at a Commonwealth, World Championship or Olympic Games.

## **REPORT**

Currently, Manly Council has issued 32 passes costing \$14,000 per annum. These in some instances include representatives of non FINA sports.

The criteria for the awarding of the Life Passes for access to the Andrew 'Boy' Charlton Swim Centre needs to be reviewed to better reflect the intent of the Council's policy to recognise only persons who have won medals representing Australia in the sports of swimming, diving, water polo, synchronised swimming and open water swimming as an athlete. These are the five still water swimming sports, recognised by FINA, which is the governing body for five aquatic disciplines.

## **RECOMMENDATION**

That a person who is a resident of the Manly LGA and had competed as an athlete and won a medal representing Australia in any FINA discipline at any Olympic Games, Commonwealth Games, World Championship or Paralympics, may submit an application of claim to the General Manager for a non transferable complimentary life pass to access the Manly Andrew 'Boy' Charlton Swim Centre.

## **ATTACHMENTS**

There are no attachments for this report.

PS070610HSFU\_1

\*\*\*\*\* End of Human Services And Facilities Division Report No. 6 \*\*\*\*\*