



Agenda

Ordinary Meeting

Notice is hereby given that a Ordinary Meeting of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

Monday 11 March 2013

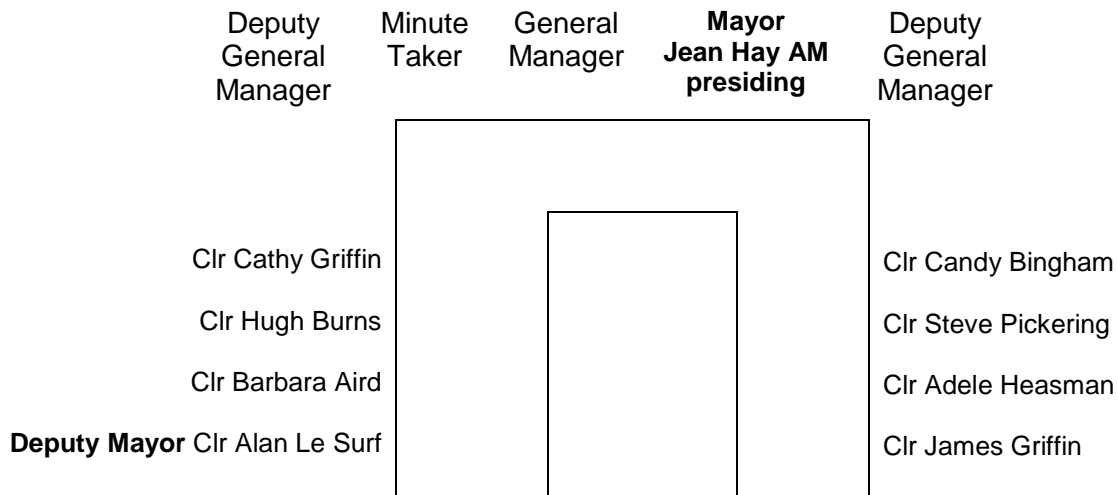
Commencing at 7.30pm for the purpose of considering items included on the Agenda.

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

Copies of business papers are available at the Customer Service Counters at Manly Council, Manly Library and Seaforth Library and are available on Council's website:

www.manly.nsw.gov.au

Seating Arrangements for Meetings



Press

Public
Addresses

Public Gallery

Chairperson: The Mayor, Clr Jean Hay AM
Deputy Chairperson: Clr Alan Le Surf

TABLE OF CONTENTS

Item	Page No.
OPENING PRAYER	
APOLOGIES AND LEAVE OF ABSENCE	
DECLARATIONS OF INTEREST	
CONFIRMATION OF MINUTES	
The Ordinary Meeting of Monday, 11 February 2013	
The Extraordinary Meeting of Council of Tuesday, 26 February 2013	
The Planning & Strategy Minutes of Monday 4 March 2013	
PUBLIC FORUM	
(In accordance with Clause 66 in Council's Code of Meeting Practice, Public Forum is for a maximum of fifteen (15) minutes for <i>matters that are not listed on the Agenda</i> . A total of five (5) people may address Council for a maximum of three (3) minutes each.)	
MAYORAL MINUTES	
Mayoral Minute Report No. 2	
The Amalgamation Agenda	3
NOTICES OF MOTION	
Notice of Motion Report No. 7	
Manly Business Commercial Event Fees	7
Notice of Motion Report No. 8	
Councillor briefing on Council's Asset Management Plan.....	9
Notice of Motion Report No. 9	
Restoration of Works by Public Utilities	10
Notice of Motion Report No. 10	
No amalgamation of Northern Beaches Councils	11
Notice of Motion Report No. 11	
Manly Whistler Street Carpark Structural Assessment	12
Notice of Motion Report No. 12	
Re-location of Manly Environment Centre	13
ITEMS FOR BRIEF MENTION	
Item For Brief Mention Report No. 3	
Items For Brief Mention.....	14
REPORTS OF COMMITTEES	
Report Of Committees Report No. 3	
Minutes for adoption by Council - Special Purpose Advisory Committees without recommendations.	15

Report Of Committees Report No. 4

Minutes for adoption by Council - Community Safety & Place Management Advisory
Committee - 14 February 2013. 16

CORPORATE SERVICES DIVISION**Corporate Services Division Report No. 8**

Report on Council Investments as at 28 February 2013..... 17

QUESTIONS WITHOUT NOTICE**MATTERS OF URGENCY**

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

CLOSED SESSION**CONFIDENTIAL COMMITTEE OF THE WHOLE****General Managers Division Report No. 7**

L M Graham Reserve – Report on Expression of Interest and Tender awarded to Design
Landscapes Pty Limited

*It is recommended that the Council resolve into closed session with the press and public
excluded to allow consideration of this item, as provided for under Section 10A(2) (c) of the
Local Government Act, 1993, on the grounds that the report contains information that
would, if disclosed, confer a commercial advantage on a person with whom the council is
conducting (or proposes to conduct) business.*

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

TO: Ordinary Meeting - 11 March 2013
REPORT: Mayoral Minute Report No. 2
SUBJECT: The Amalgamation Agenda
FILE NO: MC/13/27868

I move that Council:

1. Note the public commitment made by the Minister for Local Government to no forced council amalgamations;
2. As a matter of policy, Manly reject any proposal for amalgamation;
3. Write to and request, the Premier, the Prime Minister, the Leader of the Opposition, the Federal Minister for Local Government and Regional Affairs, and the NSW Minister for Local Government, to immediately commit to the equitable, and proportionally adequate funding of Local Government from the Federal tax revenue receipts, to enable councils to provide essential community services, including infrastructure;
4. Call on the Premier to cease unfunded cost shifting of the State's responsibility to councils, and
5. Adopt as policy the continuation of regional collaboration on policy development and operational issues as an alternative to forced amalgamations.

Background

The preoccupation by some politicians in talking up the need to up-size the unit of councils is frankly a distraction from the day to day reality of seeing and experiencing democracy in action at the local level.

Even if bigger was better, and I do not believe for one moment that it is, a democratic system of government, of which local democracy is a major part, is far more sophisticated than the simplistic economic rationalist would have me believe. Therefore, as Mayor, I intend to fight for Manly's communities of interest and against the insidious ideology of economic rationalism.

If councils are a democratic institution and a tier of democratic government, then it needs to be respected and protected as such. And while it should always be business like, it is not and cannot per se be a business.

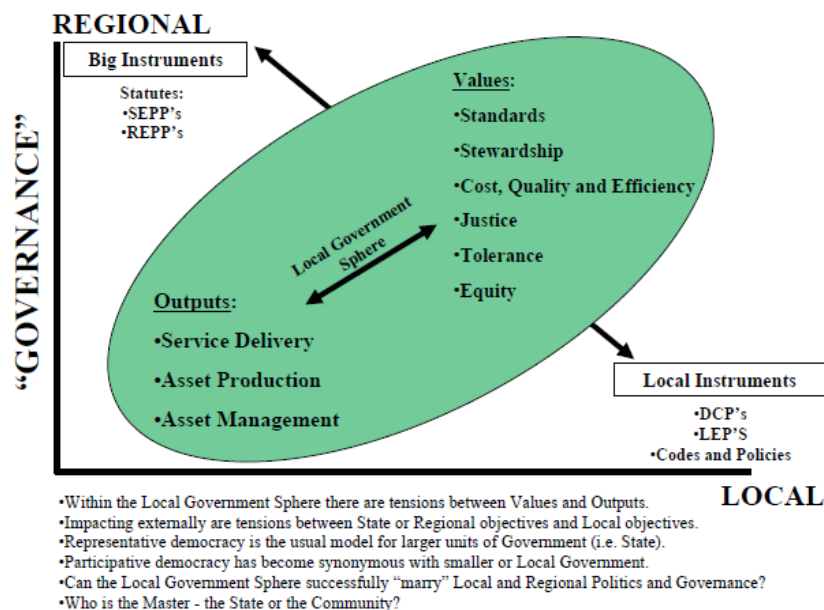
Therefore, it is with some frustration to be preached to by politicians the merits of up-sizing councils when this question had been done to exhaustion by academics and governments over the years, yet each successive government was still prepared to cost shift their functions to councils without giving councils the necessary resources to perform them - then be perplexed over why councils are financially fatigued – so it is time for another round of review to work out why!

Professor Sproats, who undertook a review of local government in 2003/4, argued that councils need to be operationally in touch and accessible to its community, whilst at the same time having enough resources, power and influence to contribute to issues of regional importance. This view appears to reinforce the recent experience on the Northern Beaches when Pittwater was formed and the findings of the 1968 Ferris Commission, which also identified 'community of interest' as a critical factor in any such discussions.

On this point, it should be noted that when Council conducted a Poll of Electors in the 1990's, 68% of respondents were not in favour of amalgamation.

Mayoral Minute Report No. 2 (Cont'd)

Professor Sproats used the following diagram to explain what local means in Local Government and its relationship with its region and the State.



In his report, Professor Sproats went on to say: "... It appears that the most significant challenge to the viability of councils in the future relates to the cost of infrastructure. It is reasonable to conclude that a number of the councils are likely to be under some financial strain in the future due to the limited ability to raise revenue and the infrastructure requirements in respect of upgrading and maintenance. At the same time, councils are still expected to provide an increasingly broad range of services."

Like many councils in this State, Manly has had to deal with the challenges of doing more with less but never in Manly's history has the Council thought it necessary to trade off on its identity to deal with them.

The present review by Professor Graham Samsom is a timely reminder of the chronic state of vertical fiscal imbalance in Australia's taxation system, which concentrates tax revenue at the federal sphere of government while a significant cost burden for providing and maintaining community services and infrastructure are left with councils.

Manly continues to excel in spite of competing interests and talk of amalgamation. Our resiliency is inherent in the strategic capability of our staff and in our strong leadership. And our ability to adapt and embrace change by the strategic use of innovation, technology, collaboration, regional co-operation, and prudent financial management is notable

The Minister for Local Government has repeatedly said publicly that there will be no forced amalgamations, but he also said status quo is not an option, particularly for metropolitan councils. Therefore, change is inevitable. However, the Minister points out that councils must collaborate far more in the future than in the past; and he is likely to entrench this as a legislative requirement.

At a recent planning workshop of SHOROC Councillors, Professor Graham Samsom, chair of the Local Government Review Panel, presented the issues being examined by his Panel. Following his presentation, Councillors had the opportunity to work through the challenges facing our region as well as their own councils. Councillors agreed that member councils must continue to collaborate.

Mayoral Minute Report No. 2 (Cont'd)

Change is nothing new for councils in our region and the incorporation of Pittwater Council is a recent example of that. The region's resiliency is evident in the results of the collaborations achieved over the past 21 years by SHOROC, as can be demonstrated by its Shaping the Future Strategic Plan, and the results from this advocacy work.

At its February Board Meeting, the Board of SHOROC agreed to a policy that SHOROC member councils should continue to collaborate regionally on policy and operational issues as an alternative to forced amalgamations (ATTACHMENT 1).

RECOMMENDATION**I move that Council:**

1. Note the public commitment made by the Minister for Local Government to no forced council amalgamations;
2. As a matter of policy, Manly reject any proposal for amalgamation;
3. Write to and request, the Premier, the Prime Minister, the Leader of the Opposition, the Federal Minister for Local Government and Regional Affairs, and the NSW Minister for Local Government, to immediately commit to the equitable, and proportionally adequate funding of Local Government from the Federal tax revenue receipts, to enable councils to provide essential community services, including infrastructure;
4. Call on the Premier to cease unfunded cost shifting of the State's responsibility to councils, and
5. Adopt as policy the continuation of regional collaboration on policy development and operational issues as an alternative to forced amalgamations.

ATTACHMENTS

AT- 1 Shoroc 1 Page

OM110313MM_1.DOC

***** End of Mayoral Minute Report No. 2 *****

**Mayoral Minute Report No. 2.DOC - The Amalgamation Agenda
Shoroc**

PO Box 361
Brookvale NSW 2100

Ph: 02 9905 0095
Fx: 02 9939 6454

Email: admin@shoroc.nsw.gov.au
Web: shoroc.com



22 February 2013

Jean Hay AM
Mayor
Manly Council
PO Box 82
MANLY NSW 1655

Dear Mayor Hay

Re: SHOROC Board proposed policy on regional collaboration and forced amalgamations

I wish to advise that at its meeting of 20 February 2013 the SHOROC Board resolved as follows:

- To note the update on the Independent Local Government Review including its Options to Enhance Regional Collaboration amongst Councils in NSW report.
- To agree, subject to confirmation by individual councils, to a policy that SHOROC member councils should continue to collaborate regionally on policy and operational issues as an alternative to forced amalgamations.
- To agree that the draft policy be referred back to councils for consideration and confirmation.

Moved Cr Jean Hay / Seconded Mark Ferguson

For – Cr Michael Regan, Cr Jean Hay, Cr Jacqueline Townsend, Cr Peter Abelson, Henry Wong, Mark Ferguson, Viv May

Against – Rik Hart

Carried

As per the resolution, I am writing on behalf of the Board to seek confirmation from your council of the proposed policy: "That SHOROC member councils should continue to collaborate regionally on policy and operational issues as an alternative to forced amalgamations".

Please provide a written response to SHOROC by Friday 8 march 2013. If this timeframe is not suitable please let me know.

Yours sincerely

Cr Michael Regan
SHOROC President, Mayor of Warringah

A partnership of Manly, Mosman, Pittwater and Warringah councils - making our region and our councils even stronger.

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 7
SUBJECT: Manly Business Commercial Event Fees
FILE NO: MC/13/25864

Councillor Steve Pickering will move:

Manly Council amends the 2013/2014 Special Event Application Fees & Charges, to include an hourly 'Manly Business Commercial Event' application fee, for commercial event activity relevant to Brand Manly.

These fees and charges should be trialled for a period of 12 months.

Background

Over the last 6-months, Manly has missed out on a number of key, small scale, free events due to the current structure of the event application fees.

The events have been community orientated events, with engaging activities relevant to the Manly youth market. Two events that the Manly Chamber of Commerce is aware of:

- 1) Proposed free outdoor surf movie screening in Short Street Plaza
- 2) Free skateboard demo on a portable ramp with world class skaters at the beach front

Both activities were proposed for a period of 1.5 hours, with both applicants commercial rate payers in Manly.

Application fees for both events were quoted at \$8,230, hence both events declined to utilise Manly as a venue.

There is currently no opportunity for flexibility under the 2012/2013 Manly Council Fees and Charges as listed below:

Major Event:	\$23,805
Medium Event:	\$17,595
Small Event:	\$8,230
Surf Club:	Waived
Charity:	\$140.70

The Manly Chamber of Commerce would like to see an additional event fee added for the new financial years Fees & Charges, on an hourly basis, which may be utilised by Manly CDB businesses located within the special levy area.

Detail for the application could include:

Location:	Manly Wharf Forecourt Town Hall Grass Forecourt The Corso Stage Area Beach Front Promenade (The Corso intersection) Short Street Plaza
Size:	Exact area to be decided by Manly Council staff
Fee:	\$200 per hour, 4 hour maximum use at one time

Notice of Motion Report No. 7 (Cont'd)

Up to 24 total applications accepted per year. Restricted to 2 uses per business per year.

Use: Promotional activity inclusive of but not limited to demonstrations, exhibitions, displays, celebrity signings etc

Applicants: Commercial Manly CBD rate payers only, within the special levy area
Each application will be assessed on individual merit and relevance to Brand Manly
Applications must be made a minimum of 7 days in advance

Other: A full application required (more streamlined version of current Council Event application to be created)

Consideration: Supporting 'Brand Manly – Manly Vibe'

Restrictions: Refer to Manly Council Special Event Application Guidelines

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_1.DOC

***** End of Notice of Motion Report No. 7 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 8
SUBJECT: Councillor briefing on Council's Asset Management Plan
FILE NO: MC/13/25975

Councillor Candy Bingham will move:

That:

1. Councillors be provided with a full report on the current Capital Works Program for this financial year and a progress report on these works to date.
2. Councillors receive a full briefing on Council's current Asset Management Plan and what funding will be required to maintain these assets, at an acceptable level, over the next 4 years.

Background:

As part of the Integrated Reporting & Planning framework (IPR) Council has a Community Strategic Plan (10 years+) and Resourcing Strategy to deliver services and programs.

An important part of the IPR process is Council's Asset Management Plan (10 years). Like most councils, Manly is faced with aging infrastructure and community demands for better and additional services.

Council's Asset Management Plan contains considerable information regarding Council's asset classes, the funds required to maintain them at a reasonable level and the current funding gap of \$2.8 million per annum.

It is therefore imperative that Council now receives a full briefing on the situation and how this ongoing gap should be managed.

With Council committing to a \$15m redevelopment of the Boy Charlton Pool, and currently seeking professional advice on the feasibility of proceeding with the Manly 2015 Plan (which could commit council to further borrowings of \$80m for new infrastructure), it is considered imperative that Councillors be fully briefed on the condition of Council's current assets, and what funding strategy is proposed to maintain these at an acceptable level.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_2.DOC

***** End of Notice of Motion Report No. 8 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 9
SUBJECT: Restoration of Works by Public Utilities
FILE NO: MC/13/26394

Councillor Candy Bingham will move:

That:

1. A special rate be determined by Council for its charges to public utilities for the restoration of footpaths, plazas and roadways to a level that will protect the life of Council's asset with a view to these repairs being done by Council in a more timely manner and to an acceptable standard.
2. Council staff negotiate with representatives of the various public utilities to ascertain what level of fees would be acceptable to both parties.
3. A full report, with recommendations, be presented to Council on this matter.

Background

The ongoing and constant works in our municipality by public utilities such as Sydney Water, Electricity Authorities and Telstra is continually damaging our footpaths, plazas and roads with little or no consideration for the ongoing damage created, long periods of unsightly temporary repairs and subsequent poor restoration by the utilities themselves.

As well as being unsightly, such lack of repairs could be considered a major risk to the safety of our community and visitors, with large pot-holes and uneven footpaths prevalent in our CBD and suburbs.

The period it takes the utilities to repair damaged areas is unacceptable and the cause of much complaint by ratepayers. However, while Council has the means to restore the works in a professional and timely manner, the cost quoted to the utilities continues to prove a barrier.

With a view to finding a solution, it is recommended that Council staff negotiate with representatives of the various public utilities to ascertain what level of fees would be acceptable to both them and us, for Council to take on the responsibility of restoring areas after works have been completed.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_3.DOC

***** End of Notice of Motion Report No. 9 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 10
SUBJECT: No amalgamation of Northern Beaches Councils
FILE NO: MC/13/26541

Councillor Cathy Griffin will move that Council:

- 1) inform the community of the issues and proposals being raised to enable them to provide comments and voice any concerns;
- 2) determine the level of community support against Manly Council amalgamating with any neighbouring Council;
- 3) note and welcomes the commitment of Premier O'Farrell, prior to the March 2011 NSW election, that there would be no forced amalgamations of local councils under his government;
- 4) notes with concern the recent statements made by the Local Government Minister, the Hon Don Page, that he would take proposals for forced amalgamations to Cabinet if they were recommended by the Local Government Review Panel; and
- 5) states clearly its opposition to the forced amalgamation of Manly Council with any other council(s).

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_4.DOC

***** End of Notice of Motion Report No. 10 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 11
SUBJECT: Manly Whistler Street Carpark Structural Assessment
FILE NO: MC/13/26693

Councillor Hugh Burns will move:

That Council prepare and/or make available to the public (if such a report is already in existence) an engineering assessment report on the current Whistler Street concrete structure.

The report is to comprehensively assess the current state of the structure and is to include, but not be limited to, examination of the following matters:

- The extent of corrosion of the reinforcing in the concrete slabs by means of inspection and other investigations;
- The maintenance history of the structure as regards when previous repairs were carried out to the structure and the historical costs of these works;
- The necessary repairs to give the carpark a further 25 year life and the estimated cost of these works;
- An assessment on whether the current maintenance regime is adequate to ensure the maximum economic life of the structure;
- An opinion as to the remaining economic life of the existing structure and the basis for this opinion;
- Any recommendations as to means of preventing continuing rainwater damage to the structure, including waterproofing protection of the structure to minimise corrosion and minimise maintenance costs;
- Certification that the present structure, in its current condition, is presently safe for continued use by the public; and
- Identification of any major deficiencies in the design of the present carpark structure compared to current contemporary standards of concrete multi-storey carpark construction, and assessment of the significance of any such deficiencies (eg as both regards safety and public amenity).

Background

Manly Council is considering the demolition of the Concrete Multi-story carpark, constructed over 40 years ago at this location, to be replaced by a new underground carpark under Manly oval, as part of the Manly 2015 concept plan.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_6.DOC

***** End of Notice of Motion Report No. 11 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Notice of Motion Report No. 12
SUBJECT: Re-location of Manly Environment Centre
FILE NO: MC/13/27741

Councillor Barbara Aird will move:

That council brings back to the next Ordinary Meeting a feasibility report on options for relocation of the Manly Environment Centre (MEC), including input from MEC staff.

NB. Council has been paying rent for over 20 years to house the MEC and is currently paying in excess of \$70,000.00pa.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM110313NM_7.DOC

***** End of Notice of Motion Report No. 12 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Item For Brief Mention Report No. 3
SUBJECT: Items For Brief Mention
FILE NO: MC/13/16822

1. Complaints made to the General Manager

Complaints made to the General Manager as at February 2013

Received	Nature of complaint	Outcome	Status
February	Code of Conduct	Being assessed	Pending

2. Notices of Motion status report

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution (Précis)	Status
208/12	10 Dec	Notice of Motion Report No. 46 - Master Plan for Ivanhoe Botanic Gardens	Master Plan for the Ivanhoe Botanic Gardens area.	In progress
203/12	10 Dec	Mayoral Minute Report No. 12	Stuart Street Manly Properties	In progress
194/12	12 Nov	Notice of Motion Report No. 39	Introduce up to 3 hours free parking for residents at Council owned car parks	In progress
193/12	12 Nov	Notice of Motion Report No. 38	Masterplan for the area known as Jump Rock	In progress
05/13	11 Feb	Notice of Motion No 5	Feasibility report on reinstating a mural at Lagoon Park	In progress

3. Tabled Documents

Date	Author	Subject
1 March 2013	Ross Woodward Chief Executive, Local Government	Circular to Councils 13-06 Model Code of Conduct 2013 – Commencement and Key Resources

RECOMMENDATION

- That reports 1, 2 and 3 are received and noted.

ATTACHMENTS

There are no attachments for this report.

OM110313IBM_1.DOC

***** End of Item For Brief Mention Report No. 3 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Report Of Committees Report No. 3
SUBJECT: Minutes for adoption by Council - Special Purpose Advisory Committees without recommendations.
FILE NO: MC/13/27428

The following Special Purpose Advisory Committee minutes are tabled at this meeting.

- i) Art & Culture Advisory Committee – 19 February 2013
- ii) Surf Club Liaison Working Group – 19 February 2013
- iii) Community Environment Advisory Committee – 20 February 2013
- iv) Economic Development and Tourism Advisory Committee – 21 February 2013
- v) Community Garden Advisory Committee – 21 February 2013

RECOMMENDATION

That the minutes of the following Special Purpose Advisory Committee meetings be adopted.

- i) Art & Culture Advisory Committee – 19 February 2013
- ii) Surf Club Liaison Working Group – 19 February 2013
- iii) Community Environment Advisory Committee – 20 February 2013
- iv) Economic Development and Tourism Advisory Committee – 21 February 2013
- v) Community Garden Advisory Committee – 21 February 2013

ATTACHMENTS

There are no attachments for this report.

OM110313RC_1.DOC

***** End of Report Of Committees Report No. 3 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Report Of Committees Report No. 4
SUBJECT: Minutes for adoption by Council - Community Safety & Place Management Advisory Committee - 14 February 2013.
FILE NO: MC/13/27477

This report was dealt with at the Community Safety & Place Management Advisory Committee meeting of 14 February 2013 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

ITEM 3 Police Amalgamations

Mayor advised that she had been briefed by Supt Darcy about the announced amalgamation of Manly and Dee Why with the management/administrative arm based in Dee Why. He suggested that it could actually result in stronger operational numbers for Manly. No further details about how it will work have been finalised yet. Police will form a working group to transition with a view to commencement by end of year. Police Association has been assured that no operational staffing levels will be affected.

The Mayor read the letter that was sent to the Police Minister following a recommendation about this issue from the last meeting. The committee agreed that a copy of this should also be sent for the information of the local member.

Committee expressed concern about what impact this will have on the redevelopment of the police station and more delays. Announcement about the amalgamations have also fuelled concerns that the Court House will not reopen now it is closed for a 6 month period. It was agreed that community pressure must be made on this issue and some representation is needed to clarify the future of the police station and its operations and the courthouse. Both of these connected services are extremely important to the Manly area and must be retained.

RECOMMENDATION

That the minutes of the Community Safety & Place Management Advisory Committee meeting on 14 February 2013 be adopted including the following items:

ITEM 3 Police Amalgamations

That the committee continues to be very concerned with the delay in communication of the future structure of policing (administration, management, numbers of officers, support staff) and particularly the continuance of the heavily utilized courthouse facility, that at the moment is "temporarily closed". The committee wishes to seek an urgent update of the planning proposals and remind the Minister of the importance of local commitment of satisfactory policing and justice.

ATTACHMENTS

There are no attachments for this report.

OM110313RC_2.DOC

***** End of Report Of Committees Report No. 4 *****

TO: Ordinary Meeting - 11 March 2013
REPORT: Corporate Services Division Report No. 8
SUBJECT: Report on Council Investments as at 28 February 2013
FILE NO: MC/13/16824

SUMMARY

In accordance with clause 212 of the *Local Government (General) Regulation 2005*, a report setting out the details of money invested must be presented to Council on a monthly basis.

The report must also include certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

REPORT

Council is required to report on a monthly basis, all invested funds which have been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005*, and Council's Investment Policy.

Attached is the report of the bank balances and investment performance for **February 2013**.

Legislative & Policy Implications

Manly Council Investment Policy
Section 625 Local Government Act 1993
Clause 212 Local Government (General) Regulation 2005
DLG Circular 11-01 – Ministerial Investment Order dated 12 January 2011
DLG Circular 10-11 – Investment Policy Guidelines

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached report have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

Investment Performance

The Investment Report shows that Council has total Investments of \$16,382,106 comprising a Commonwealth Bank Balance of \$1,046,467 and Investment Holdings of \$15,335,639 directly managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 4.30% (*Council Benchmark = 2.94% - benchmark is 90 day average BBSW*)

The following investments are not paying interest coupons and initiating capital guarantee mechanisms to protect the investment. These include Emu Note (Dresdner Bank) and ANZ Climate Change Trust.

The average rate of return for investments paying interest is 4.84%.

Corporate Services Division Report No. 8 (Cont'd)**Lehman Brothers Australia (Grange) Redemption**

Council had 2 CDOs redeemed from Lehman Brothers Asia Limited (Grange) on 26 February. They were Beryl (Global Bank Note) and Zircccon (Coolangatta). Beryl (Global Bank Note) was processed \$559,966.35 redemption for the \$500,000 holding. Zircccon (Coolangatta) was processed \$494,876.90 redemption for the \$500,000 holding.

Movements in Investments for the Month of February 2013**Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Members Equity Bank Pty Ltd	Term Deposit	\$1,000,000
Members Equity Bank Pty Ltd	Term Deposit	\$1,000,000

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Bank of Queensland	Term Deposit	\$1,000,000	\$1,000,000
Bank of Queensland	Term Deposit	\$1,000,000	\$1,000,000
Beryl (Global Bank Note)	CDO	\$500,000	\$559,966
Zircccon (Coolangatta)	CDO	\$500,000	\$494,877

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 28 February 2013 be received and noted.

ATTACHMENTS

AT- 1 Investment Report 4 Pages

OM110313CSD_1.DOC

***** End of Corporate Services Division Report No. 8 *****

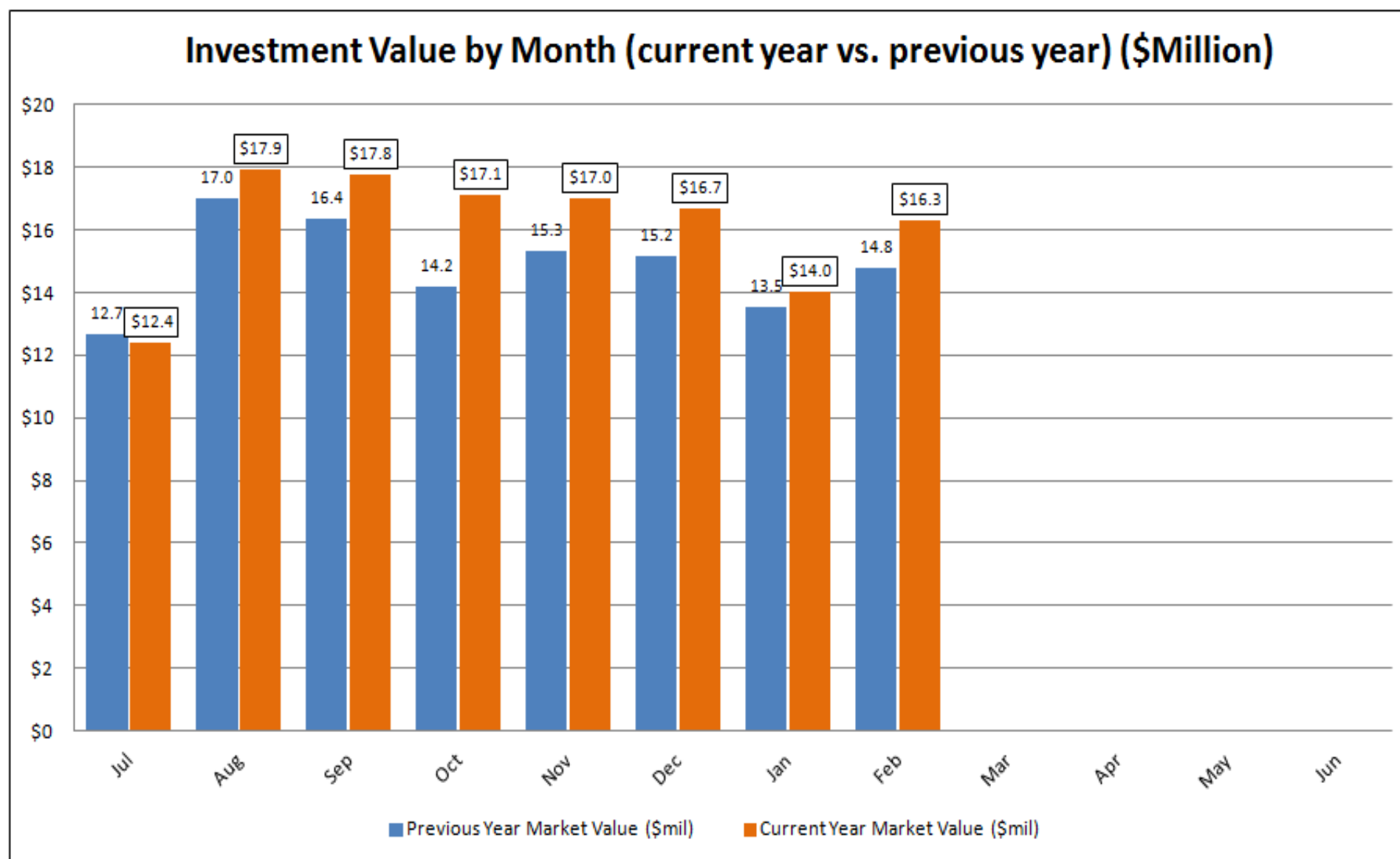
ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 28 February 2013 Investment Report

MANLY COUNCIL INVESTMENT PORTFOLIO as at 28 February 2013								Interest Rate	Interest	
Form of Investment	Investment \$	Market Value \$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	YTD		Feb 2013	
<u>Directly Managed Funds</u>										
Trading Account								0.9% ^{(2)&(3)}	15,912	1,719
CBA Trading Account	Cash	1,046,467	1,046,467	6.39%	AA-	.				
Others										
CBA @ call	At Call	3,031,754	3,031,754	18.51%	AA-	At Call	At Call	3.30%	43,494	3,588
AMP @ call	At Call	2,735,919	2,735,919	16.70%	A	At Call	At Call	3.85%	68,620	8,080
Macquarie @ call	At Call	235	235 [Ⓕ]	0.00%	A	At Call	At Call	3.00%	4	1
RaboDirect (Art Gallery)	TD	719,877	719,877	4.39%	AA-	06/07/2012	04/07/2013	5.02%	23,672	2,772
RaboDirect (Meals on Wheels)	TD	347,853	347,853	2.12%	AA-	19/09/2012	18/03/2013	4.95%	7,642	1,321
Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	6.10%	A2	07/09/2012	06/03/2013	5.01%	23,883	3,843
Police Credit Union	TD	1,000,000	1,000,000	6.10%	Credit Union	19/09/2012	18/03/2013	4.90%	21,748	3,759
Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	6.10%	A2	22/10/2012	22/04/2013	4.76%	16,823	3,652
Bendigo and Adelaide Bank	TD	1,000,000	1,000,000	6.10%	A2	03/12/2012	03/06/2013	4.60%	10,964	3,529
Rural Bank	TD	500,000	500,000	3.05%	A2	10/12/2012	11/06/2013	4.60%	5,041	1,764
Bank of QLD	TD	1,000,000	1,000,000	6.10%	A2	08/01/2013	10/07/2013	4.65%	6,497	3,567
Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	6.10%	A2	26/02/2013	27/05/2013	4.38%	240	240
Members Equity Bank Pty Ltd	TD	1,000,000	1,000,000	6.10%	BBB	27/02/2013	27/02/2014	4.33%	119	119
Emu Note - Dresdner Bank AG	Struct'd Note	500,000	458,200 [Ⓕ]	3.05%	A	25/10/2005	30/10/2015	0.00%	-	-
ANZ Climate Change Trust	Struct'd Note	500,000	486,467 [Ⓕ]	3.05%	AA-	18/01/2008	18/01/2014	0.00%	-	-
	Total	15,335,639	15,280,305	93.61%						
Total Directly Managed Funds		16,382,106	16,326,772	100.00%						
Retired Investments									229,843	58,913
TOTAL PORTFOLIO		16,382,106	16,326,772	100%				4.30%	474,503	96,866
BENCHMARK⁽¹⁾								2.94%		
Notes:										
¹ Benchmark is 90 day Average BBSW for the monthly of December										
² Balances less than \$250,000 earn 0.20%, \$250,000 to \$499,999 earn 1%, greater \$500,000 earn 1.5%										
³ CBA Trading account not included in the monthly portfolio return calculation										
⁴ Market Value as at 31 January 2013										

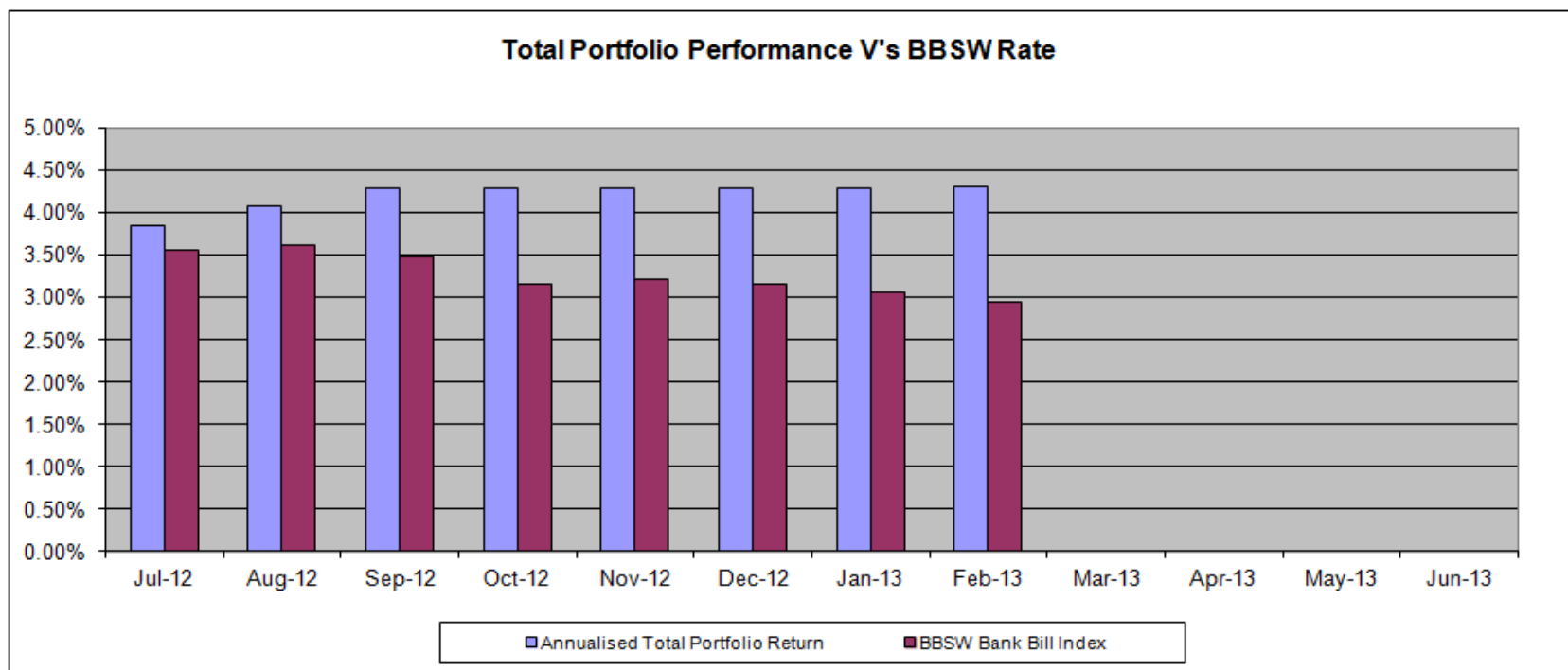
ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 28 February 2013 Investment Report

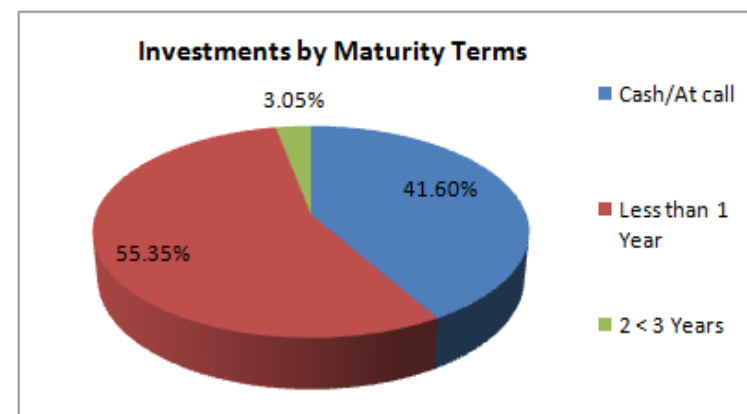


ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 28 February 2013 Investment Report



Summary by Credit Rating		No.
AA-	34.46%	5
A	19.75%	3
A2	33.57%	6
BBB	6.10%	1
Credit Union	6.10%	1
	100.00%	16



ATTACHMENT 1

Corporate Services Division Report No. 8.DOC - Report on Council Investments as at 28 February 2013 Investment Report

