



Agenda

Ordinary Meeting

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

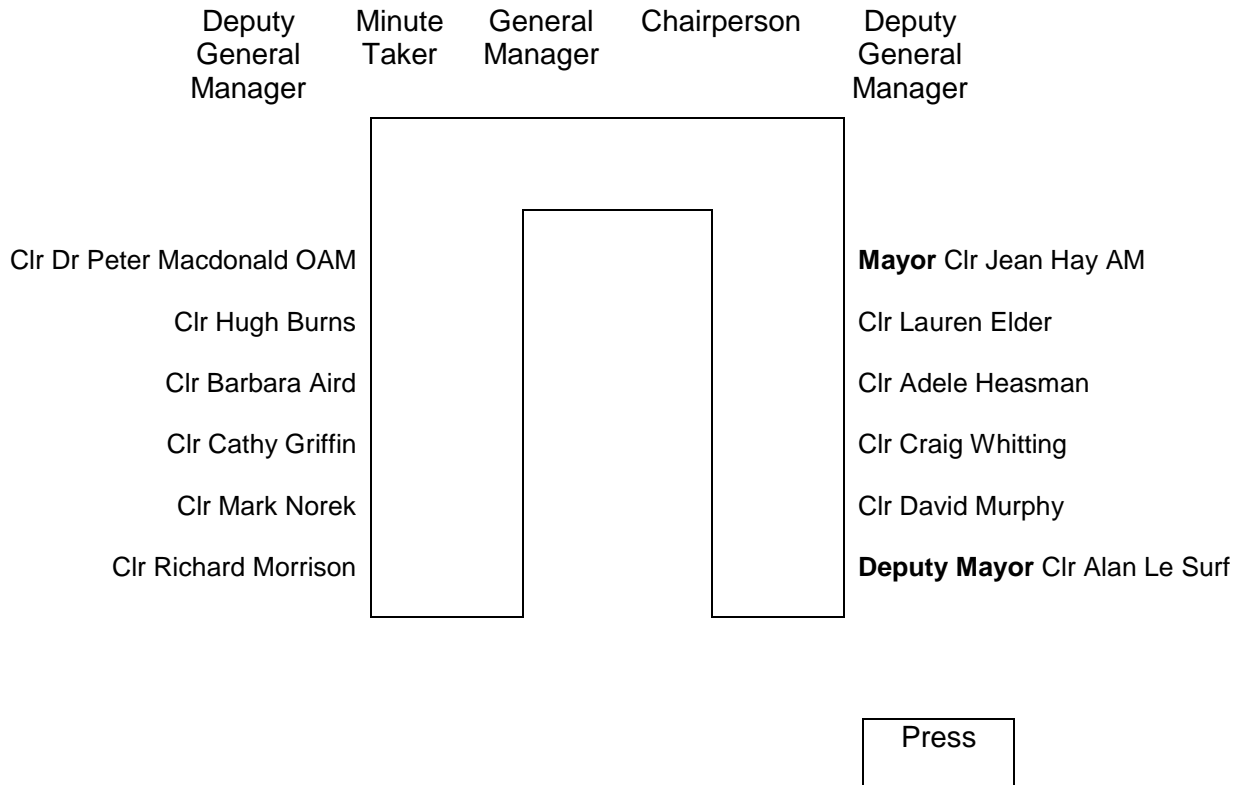
Monday 13 February 2012

Commencing at 7:30 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*

Seating Arrangements for Meetings



Public
Addresses

Public Gallery

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

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QUESTIONS WITHOUT NOTICE**MATTERS OF URGENCY**

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

CLOSED SESSION

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

TO: Ordinary Meeting - 13 February 2012
REPORT: Mayoral Minute Report No. 2
SUBJECT: Boat and Trailer Parking on Public Roads
FILE NO:

Background:

In December 2012 I received correspondence from the Mayor of Woollahra (attached).

The correspondence outlines Woollahra Council's November 2011 resolution to approach the Premier and Minister for Roads and Ports to amend Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of registered trailers, boat trailers and advertising trailers in built-up areas. Currently the regulation allows for vehicles less than 4.5 tonnes and less than 7.5 metres long to park in a built up area in accordance with any parking restrictions.

Woollahra Council seek Manly Council's endorsement of their resolution and requests Council provide that support via a letter to the Premier (template also attached).

Manly Council also regularly receives complaints from the community in relation to this practice. The demand for parking is extremely high in all areas of the local government area and the practice of parking boats, trailers and advertising trailers has become problematic in a number of particular streets including, but not limited to, Balgowlah Road, Griffith Street and Kenneth Road. To date Council has dealt with the problem (in response to such complaints), by implementing restricted parking. This often then moves the existing trailer vehicles to other streets to create a new problem for a different group of residents and road users.

I note at this point that the recommended change to the subject regulation does not restrict the parking of these legally registered vehicles on a public road, it only restricts their timeframe for parking on any street in the local government area.

I Move that:

Council endorse the position of Woollahra Council and write to the Premier of New South Wales requesting the Minister for Roads and Ports consider amending Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of all registered trailers, boat trailers and advertising trailers in built up areas.

ATTACHMENTS

AT- 1 Letter from Mayor of Woollahra Council 4 Pages

OM130212MM_1

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

ATTACHMENT 1

Mayoral Minute Report No. 2 - Boat and Trailer Parking on Public Roads Letter from Mayor of Woollahra Council

Office of
the Mayor

Woollahra
Municipal
Council



ABN 32 218 483 245

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

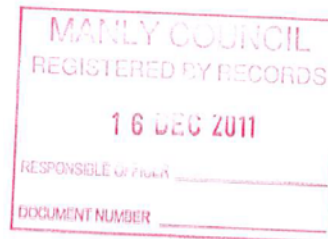
Correspondence to
PO Box 61
Double Bay NSW 1360
DX 3607 Double Bay
records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au

Telephone: 61 2 9391 7181
Facsimile: 61 2 9391 7044

Council Ref: 255.G
Your Ref:

14 December 2011

Mayor Jean Hay
Manly Council
PO Box 82
MANLY NSW 1655



Dear Mayor Hay

Boat & Trailer Parking on Public Roads

At the Woollahra Municipal Council meeting on the 28 November 2011, the issue of boat and trailer parking on public roads was discussed. The Council resolved:

That the Mayor write to the Councils listed in the report seeking their endorsement to approach the Premier and the Minister for Roads and Ports to amend Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of registered trailers, boat trailers and advertising trailers in built-up areas.

Regulation 200 of the NSW Road Rules 2008 permits a registered trailer or boat trailer (less than 4.5 tonnes and less than 7.5 metres long) to park in a built-up area in accordance with any parking restrictions. In unrestricted parking areas these trailers and boat trailers may legally park for an indefinite period. Vehicles greater than 4.5 tonnes or longer than 7.5 metres may only stop in a built-up area for 1 hour.

As you would be aware, the demand for parking in inner urban and dense residential areas is extremely high. The amenity of residents is being increasingly eroded as the limited and valuable parking resource is being taken up by boats and trailers. The parking cannot therefore be used by residents, their guests, tradespeople or other visitors to the area. Some of these boats may be parked for weeks or months on end, without being utilised or moved.

The recommended change to Regulation 200 of the NSW Road Rules does not restrict the parking of these legally registered vehicles on a public road, it only restricts their time frame. It is hoped that this will ensure the turnover of vehicles in areas along the Harbour foreshore and beach-front areas where parking is in high demand. The forced turnover of these vehicles may assist in dispersing the problem and/or it may encourage boat and trailer owners to store their private vehicles off-street in their own properties rather than leaving them "conveniently" positioned near Harbour and beach-front areas, to the detriment of local residents and other road users.

G:\MAYOR\2011\December\Boat Parking Mayor to Councils Dec11 v02.docx



ATTACHMENT 1

Mayoral Minute Report No. 2 - Boat and Trailer Parking on Public Roads Letter from Mayor of Woollahra Council

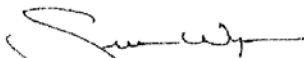
Woollahra Municipal Council intends to approach the Premier and Minister for Roads and Ports to amend Regulation 200 of the NSW Road Rules and is seeking the endorsement and support of your Council for this change.

I have enclosed a copy of the letter which I intend to send to the Premier. If you wish to be part of this group, I would ask that you prepare a letter along the same lines (or use this one). Please return your endorsement to Woollahra Council in the enclosed envelope by the end of February 2012. We will collate the various responses and send them to the Premier.

Also enclosed is a copy of my Mayoral Minute dated 28 November 2011.

Should you have any further enquiries, please contact Council's Manager Engineering Services, Cathy Edwards-Davis on 9391 7127

Yours sincerely



Cr Susan Wynne
Mayor

TO: Ordinary Meeting - 13 February 2012
REPORT: Mayoral Minute Report No. 3
SUBJECT: Call for Statewide Smoke Free Outdoor Area Legislation
FILE NO:

Background:

Under the Local Government Act 1993, councils have the power to regulate for the protection of their communities from the effects of second-hand smoke.

In NSW, Manly is one of over 60% of Councils that regulate smoke-free outdoor areas, but each Council in the partnership currently develops policy that applies in their own area.

The Cancer Council NSW recently requested all councils call on the NSW Government to bring in State wide smoke-free legislation covering particular public outdoor areas, including children's playgrounds and outdoor dining areas. The campaign is called 'Clear the air: Why wouldn't you?'

Other organisations that have formally endorsed the campaign include the National Heart Foundation of Australia, Australian Medical Association (NSW), Action on Smoking and Health, Asthma Foundation NSW, and SIDS and Kids NSW. The Local Government & Shires Associations of NSW has also confirmed it supports the call for uniform smoke-free outdoor area legislation.

In summary, State-wide legislation offers a simpler, more consistent approach for everyone, including councils. It is an effective way to give equal access to the proven health benefits of smoke-free outdoor areas, particularly in children's playgrounds and outdoor dining areas.

I Move that:

Council lobby the NSW Government and write to relevant members of the legislature and Ministers calling for legislation that uniformly prohibits smoking:

1. within 10 metres of children's playgrounds;
2. within 10 metres of sporting fields;
3. in all outdoor dining areas where food is provided as part of a business;
4. in covered bus shelters and taxi ranks; and
5. in Council's parks and reserves.

ATTACHMENTS

There are no attachments for this report.

OM130212MM_2

***** End of Mayoral Minute Report No. 3 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 1
SUBJECT: Facebook for Manly Council
FILE NO:

Councillor Mark Norek will move:

1. Council to prepare a marketing plan on how it can best utilise a Facebook page. Then launch a Facebook page.

Background

After attending last month's strategic workshop with Council staff and fellow councillors it became apparent that council needs to better engage and extend council's ability to communicate with its residents. It is essential to reach the younger members of the community and utilise another medium to promote the good work of council's activities.

While traditional methods of consultation such as questionnaires and public meetings are effective in reaching older, politically engaged residents, they only reach a limited number of people.

Some of the greatest benefits of using Facebook are #1 it's FREE and #2 it's easy to set-up and maintain.

Other councils have a Facebook presence such as Hornsby, Pittwater and Warringah Councils.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM130212NM_1

***** End of Notice of Motion Report No. 1 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 2
SUBJECT: Marine Parade Upgrade
FILE NO:

Councillor Barbara Aird will move:

In acknowledgement that Marine Parade (viz. Manly Surf Club to Shelly Beach) is long overdue for upgrading, that Council seeks grant funding and initiates a process similar to that for the now completed upgrade of the Ocean Beach front to enable this project to be undertaken as soon as possible.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM130212NM_2

***** End of Notice of Motion Report No. 2 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 3
SUBJECT: Container Deposit Scheme
FILE NO:

Councillor Barbara Aird will move:

In view of the failure of both N.S.W. State Government and Federal Government to implement a Container Deposit Scheme, that Manly Council :

1. Urgently conduct an audit of the public place bins (both recycling and general waste bins) in high use areas including East and West Esplanade, The Corso, Ocean Beach, Shelly Beach, Little Manly and Clontarf Beach Reserve at the end of a fine weekend to determine the amounts of recyclable bottles being placed in these bins.
2. Post the results of the audit with photos on the front page of Council's website.
3. Write to the Directors of Wesfarmers, Woolworths, Coca Cola Amatil and any other identifiable corporate entity where waste in the public bins has originated requesting them to implement a recycling program which includes a container deposit scheme or similar, which will reduce the amount of glass and plastic bottles and other recyclable items from entering the municipal waste stream.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

AT- 1 Bottle Bill Ontario 5 Pages

OM130212NM_3

***** End of Notice of Motion Report No. 3 *****

ATTACHMENT 1

Notice of Motion Report No. 3 - Container Deposit Scheme Bottle Bill Ontario

BottleBill.org - The Ontario Deposit Law

Page 1 of 5



[Quick facts](#)
[History](#)
[Text of law \[pdf\]](#)

Links

- [Bag It Back](#)
- [The Beer Store on product stewardship](#)
- [Ontario Environment's Waste page](#)
- [Stewardship Ontario](#)
- [Waste Diversion Ontario](#)

Contacts

Government

Ministry of the Environment, Waste Management Policy Branch
John Vidan, Director: 416-314-4157
www.ene.gov.on.ca

Organizations

Waste Diversion Ontario
(416) 226-5113
(Ms. Glenda Gies, Exec Dir.)
glendagies@wdo.ca
www.wdo.ca

The Beer Store
(905) 361-1005
www.thebeerstore.ca

BottleBill.org - Bottle Bill Resource Guide
[Recycling Legislation in Canada:](#)

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<http://www.bottlebill.org/legislation/canada/ontario.htm>

7/02/2012

Notice of Motion Report No. 3 - Container Deposit Scheme Bottle Bill Ontario

BottleBill.org - The Ontario Deposit Law

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Ontario

Name of Program	Bag It Back, or Ontario Deposit Return Program
Date implemented	February 5, 2007
Beverages covered	All alcoholic beverages
Containers covered	All alcoholic beverage containers
Amount of deposit	<p>Glass bottles, plastic bottles (PET), Tetra Pak containers, bag-in-box: Up to 630mL: 10¢ Over 630 mL: 20¢ Aluminum and steel containers up to 1L: 10¢ Over 1L: 20¢</p>
Handling fees	~
Other fees	~
Reclamation System	Return to Beer Store only, LCBO does not take empties.
Unredeemed Deposits	Retained by beer distributor/ bottler
Complementary Recycling Programs	97% of households and 60% of apartment buildings have access to curbside recycling.
Program Success	<p>Redemption rates May 2010 - Apr 2011:^[9]</p> <ul style="list-style-type: none"> • Beer <ul style="list-style-type: none"> ◦ 99.8% for refillable bottles; 97% for nonrefillable glass bottles; ◦ and 80% for aluminum cans. ◦ 94% overall. • Other Alcohols <ul style="list-style-type: none"> ◦ Glass: 81% ◦ PET: 48% ◦ Aseptic/Bag-in-box: 23% ◦ Aluminum: 80% ◦ Overall: 77.5%

Details

Ontario relies on a municipally funded curbside recycling system for most beverage containers and a deposit-return system for alcoholic beverage containers. There has been a major ongoing battle over deposits in Ontario, with soft drink producers and grocery retailing companies resisting deposits. The Beer Store, the primary distribution channel for beer in the province, has operated a deposit-return system on its containers since 1927,¹ but on February 5, 2007, Ontario government began collecting and refunding deposits on all alcohol containers, not just beer. All container deposits are fully refundable.

Alcoholic Beverage System

The Beer Store

Beer is sold out of two major channels, the Beer Store, run by the Brewers, and the Liquor Control Board of Ontario (LCBO) run by the government, which also sells

<http://www.bottlebill.org/legislation/canada/ontario.htm>

7/02/2012

Notice of Motion Report No. 3 - Container Deposit Scheme Bottle Bill Ontario

BottleBill.org - The Ontario Deposit Law

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other alcoholic beverages and imported beers. In addition, in some rural areas alcohol is sold through LCBO Combination Stores and privately owned Agency Stores. Combination stores are owned by the LCBO but have a more even split between Wine/Spirits and Beer on their shelves. Agency stores are licensed to distribute alcohol in remote communities where a full Beer Store is not justified. Domestic and Imported beer is sold through all locations, however not all imported beer is returnable for a refund.

Refillable containers comprise 72% of the total beer containers sold in Ontario and are reused 12-15 times.⁶ All costs, such as handling and transportation, are internalized through the Beer Store system. The Beer Store augments its recovery infrastructure through the use of authorized empty bottle dealers to collect used containers in rural markets serviced by LCBO Combination and Agency stores.

The beer industry has taken producer responsibility one step further in Ontario with its "100% packaging take-back commitment." The industry has committed to continuing efforts to recover, through its retail channels, all of its packaging wastes: corrugate, boxboard, paper bags, plastic bags, plastic six pack rings and even bottle caps. The industry claims an audited result of 97.5% total recovery of its whole suite of packaging materials, a figure it intends to improve upon.

The Beer Store requires its brewers to pay it a handling fee that is not publicly available. Industry-standard refillable bottles have the lowest fee, while non-standard and nonrefillable bottles have higher fees.⁷

Other alcoholic beverages

In 2007, the Liquor Control Board of Ontario instituted its Deposit Return program, also known as "Bag It Back," and began collecting 10- and 20-cent deposits on all alcoholic beverage containers, including those sold through avenues other than The Beer Store. Regardless of where they were purchased, these containers must be returned to The Beer Store for the refund.

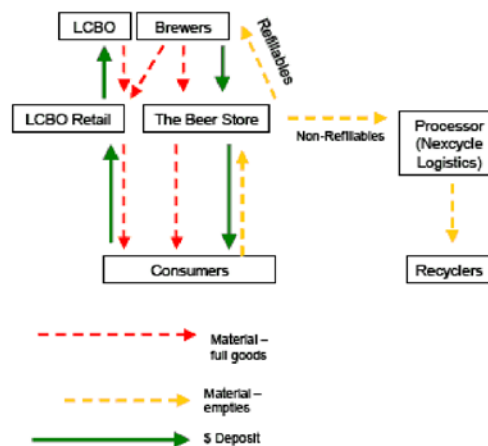


Image source: R3 Consulting Group and Clarissa Morawski. "Section 7. Ontario" Figure 1. [Evaluating End-of-Life Beverage Container Management Systems for California](#), 2009.

Notice of Motion Report No. 3 - Container Deposit Scheme Bottle Bill Ontario

Non-Alcoholic System

Name of program	Waste Diversion Act ²
Collection rates	OVERALL RESIDENTIAL: 65.3% (via blue box); ³ BEVERAGE CONTAINERS: 40% ^[9]
Handling Fees	Ontario's Waste Diversion Act requires all companies that introduce packaging and printed paper into Ontario's consumer marketplace to share in paying 50% of the funding of Ontario's municipal Blue Box programs. ⁴

Ontario's municipal Blue Box programs (and other stewardship programs in the province) are managed by Waste Diversion Ontario, a nonprofit organization.

There used to be a refundable deposit system in Ontario when beverages were all sold in refillable glass. In the mid- to late-70s, the soft drink industry began a strategy of consolidating its bottling production to reduce costs. The industry also began to increase the number of cans and PET plastic containers in the market. In the early 80s refillable glass had dropped steadily as a percentage of beverage sales and efforts were made by government to preserve refillables. The soft drink industry was able to negotiate a reduction in what was a formal refillable quota from 75% to 30% by agreeing to contribute \$20 million over five years to expand the Blue Box system.

Ontario's Waste Diversion Act now requires all **companies that introduce packaging and printed paper into Ontario's consumer marketplace ("Stewards") to share in paying 50% of the funding of Ontario's municipal Blue Box** waste diversion programs.⁵ These companies are referred to as "stewards." To help them meet this obligation at the lowest possible cost, Stewardship Ontario was founded. As shown in the figure below, Stewardship Ontario collects the funds required of beverage packagers and retailers, and distributes them to municipalities.

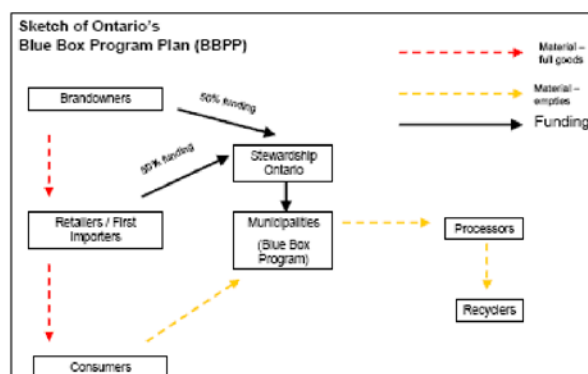


Image source: R3 Consulting Group and Clarissa Morawski. "Section 8. Ontario" Figure 8-1. [Evaluating End-of-Life Beverage Container Management Systems for California](#), 2009.

According to Stewardship Ontario, Ontario has an overall province-wide waste-diversion goal of 60%, and the Blue Box program has a separate recovery rate goal of 60%, which was exceeded in 2007 when recovery reached 64%.⁸

**Notice of Motion Report No. 3 - Container Deposit Scheme
Bottle Bill Ontario**

BottleBill.org - The Ontario Deposit Law

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Footnotes

1. Source: R3 Consulting Group and Clarissa Morawski. "Section 7. Ontario" Section 7-1. [Evaluating End-of-Life Beverage Container Management Systems for California](#), 2009.
2. S.O. 2002, c. 6. See especially subsection 25(2).
3. Source: "Diversion Performance." *Waste Diversion Ontario 2010 Annual Report* p.7 <http://www.wdo.ca/files/domain4116/WDO%202010%20Annual%20Report.pdf>
4. See S.O. 2002, c. 6; specially subsection 25(2).
5. <http://www.stewardshipontario.ca>
6. Source: R3 Consulting Group and Clarissa Morawski. "Section 7. Ontario" Section 7-2. [Evaluating End-of-Life Beverage Container Management Systems for California](#), 2009.
7. Source: R3 Consulting Group and Clarissa Morawski. "Section 7. Ontario" Section 7-6. [Evaluating End-of-Life Beverage Container Management Systems for California](#), 2009.
8. Source: Stewardship Ontario. "Ontario residents exceed recycling targets second consecutive year." *2008 Annual Report: Creating Sustainable Communities through Responsible Environmental Stewardship: Ontario's Blue Box and Municipal Hazardous and Special Waste Programs*, Pg. 9.
9. Source: The Beer Store. [Setting the Standard in Materials Management: Responsible Stewardship 2010-2011](#).

Updated December 19, 2011

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 4
SUBJECT: Details of the catch in the Shark mesh nets off Manly Beach
FILE NO:

Councillor Cathy Griffin will move:

That Manly Council write to the Department of Fisheries to;

1. Confirm that Part 4 of the *Shark Meshing (Bather Protection) Program 2009-10 Annual Performance Report Prepared in accordance with the requirements of the Joint Management Agreements and associated Management Plan* has been complied with and the Observers employed in 2009 as temporary employees for the season have continued to be employed in subsequent and current seasons and have been carrying out their duties.
2. Request the details of the 'catch of target and non target species' in nets used off Manly Ocean Beach as part of the Shark Meshing Program for 2011/12.

Background

Specialist contractors carry out shark meshing operations. The nets are 150 metres long by 6 metres deep and have a mesh size of 60 cm. They are a 'sunk net' set below the surface in about 10 to 12 metres of water, within 500 metres of the shore.

The program extends from 1 September to 30 April each year. The nets are not in place from May to August during the majority of the whale migration season.

The nets are checked regularly by contractors for maintenance purposes and to see if there is any marine life caught in the nets. Contractors are required to free all live marine life found in the nets where it is practical and safe to do so.

Nets may not be in place on every beach every day. They are, however, currently required to be in place at each of the 51 beaches on the weekends to help minimise the risk of a shark encounter during the peak beach period (sea conditions permitting).

The location of the shark meshing nets is determined by the prevailing and forecast wind, sea conditions and currents, generally parallel to beaches near the surf clubs and patrolled swimming areas.

Rough seas can damage the nets so they are put in place only when sea and weather conditions are favourable.

Minimising impacts on other marine life

While the NSW Government remains committed to its shark meshing program, it is also looking for ways to reduce the impact the nets may have on other marine life:

The program is managed under joint management agreements and a management plan. For more information go to our website:

<http://www.dpi.nsw.gov.au/fisheries>

1.1 (b) Observer Program 2009-10 (Part 4 of the Management Plan)

Establishment of the Observer Program

Part 4 of the Management Plan (clauses 32 to 36) establishes the Observer Program of the SMP, the purpose of which is to help qualify the delivery of the services provided under contract and quantify certain aspects of the activity including:

1. Contractor compliance with contract conditions.
2. Certifying that the observed meshings meet contract requirements.

Notice of Motion Report No. 4 (Cont'd)

3. Data and sample collection.
4. Detailing catch of target and non-target species.

Temporary employment

To satisfy the Observer Program requirements, five people were engaged in August 2009 by way of temporary employment for the eight months of the SMP (2009-10). Four of the positions were temporary-part time positions for 8 months of the SMP meshing period for 2009-10 and the fifth position (Sydney South) was retained as a temporary full-time position for the 8 months of the SMP meshing period. The latter position also helps the Shark Scientist with collation of data, dissections and cataloguing samples, purchasing and maintaining acoustic alarms and other duties associated with the SMP.

Duties of the Observers

Clause 35.1(a-e) of the Management Plan sets out the duties to be performed by observers, namely:

1. Observing the work involved in the setting, hauling or running of nets to ensure it is undertaken in accordance with all terms and conditions of the contract and the Management Plan.
2. Coordinating and performing the physical collection of biological samples for DNA analysis (or other projects).
3. Identifying shark species taken in net catches (cross-referencing with the provided identification manual).
4. Maintaining a written logbook and photographic image record of all animals that are caught in the nets while observers are present.
5. Collection and recording of biological samples from animals, as requested and including, but not limited to, genetic, teeth, vertebrae, reproductive and stomach content samples of sharks.
6. Liaising with the I&I NSW Shark Scientist regarding collection of fins and other research samples.
7. Organising for the collection of sampled material for delivery to relevant end-point.
8. Observing and verifying (by initialling the contractor's log book) the meshings observed each day against those recorded by the contractor.
9. Signing the monthly logbook to certify accuracy of the observed meshings.
10. Keeping a record of acoustic warning devices (dolphin pingers and whale alarms) – identifying the number of devices which are operational / not-functioning, and date of battery replacement (including battery type), and providing that advice to the Shark Scientist.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM130212NM_4

***** End of Notice of Motion Report No. 4 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 5
SUBJECT: Investigation and trial of LED tube replacement lighting by Manly Council
FILE NO:

Councillor Hugh Burns will move:

That Council:

1. Carry out an audit of what fluorescent tubes are in its buildings and facilities to determine lamp tube size, numbers, and usual operating hours;
2. Undertake a 3 month trial installation of say 20 LED tube lamps across both office (inc Library) and carpark areas;
3. That Council update the Kinesis Report (presented OM 08/11/2010) to model the CO2 emission reduction from a full LED tube changeover applying to all T8 and T12 fluorescent lamps in Council premises;
4. That on satisfactory completion of the trial, Council proceed to roll out full LED tube changeover for all T8 and T12 lamps over say a 4 year period;
5. That the economic and environmental case for changing T5 lamps to LED tube lamps be investigated;
6. That the availability of drop in LED replacement lamps for street lights be investigated (currently ahead of market?).

Background

Manly Council owns many buildings which run large number of fluorescent lamp (mercury vapour) fittings to provide internal artificial illumination. By the nature of the Council facilities in which they are located, these fittings operate for long hours each day - typically 12 to 24 hours, 5 to 7 days per week.

Obviously the cost of providing lighting is the up-front capital cost of the tube and fitting, the labour to fit and maintain the fitting, and particularly the cost of the energy used to run the fitting annually, or over the whole life of the fitting/lamp.

Traditionally lighting has low up-front capital cost with lamps quite cheap to buy, but quite high operating costs from the energy consumed over the life of each lamp.

The use of energy in manufacture and (mainly) operation of the lamps also has a green house gas (CO2) emission component, as well as an economic cost. So an environmental advantage can be obtained in investing more in the fitting/lamp to gain greater energy efficiency over the life of the fitting/lamp.

Currently new LED tube lights have become available. These are LED replacements for the conventional gas filled fluorescent tube. They can be used as direct replacement in many existing fittings without modification of the fittings, other than removing the lamp starter (i.e. the lamp ballast can be left in circuit).

The typical characteristics of the lamps are :- Lifespan - 50,000 hours (allowing for up to 30% loss of initial brightness, like gas tubes) (50,000 hours is 11.4 years service life with 12 hours per day 365 days per year operation) Beam angle - 120 degrees (as opposed to 360 degrees from

Notice of Motion Report No. 5 (Cont'd)

conventional gas lamp) Cost to purchase - currently around \$120 for a 4ft lamp as opposed to \$4 for a conventional gas filled lamp Energy consumption - 15-20w for a 4ft tube as opposed to 38w (+ballast losses) for a gas filled lamp

So other than environmental grounds of reducing CO2 emission, the economic justification for switching from gas to LED tubes would depend on quantifying the savings from reducing energy consumption over the life of the lamp.

Typically a 4ft gas filled tube rated at 38w would consume about 50W of electric power with ballast losses. The unit used to measure of electrical energy is the kilowatt-hour. So one 4ft lamp operating for say an 18 hour day would consume $(50/1000 \times 18) = 0.9$ kilowatt hours of electricity per day. Typically at 15 cents per kilowatt hour (say), this would thus cost around 13.5 cents per day to run.

So if the lamp was rated to operate 50,000 hours, the saving in electricity over a gas lamp would be typically $(20/50 \times 0.135)$ per day for $(50000/18) = 2778$ days, which is \$150 worth of energy saved. Particularly note that the value of the energy saved would pay the higher up-front cost of buying the LED tube over the gas lamp.

Note that CO2 emission of the LED lamp would be 40% of the gas filled lamp - an easy way to meet Council's green house gas reduction targets.

No allowance has been made for cost of borrowing to finance the tube purchase up front, if this was the method chosen, but also no credit has been claimed for the added benefit of lower heat load on the building air conditioning systems (and energy savings from not having to remove this heat).

Where Council has installed T5 fluorescent lamps and fittings the changeover to LED lamps would produce a lower cost saving and lower energy savings, which would require another calculation. However most of Council's fluorescent tube installations appear to be conventional T8 (1") or T12 (1.5") tubes.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM130212NM_5

***** End of Notice of Motion Report No. 5 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Notice of Motion Report No. 6
SUBJECT: Cabbage Tree Bay Aquatic Reserve Management
FILE NO:

Councillor Cathy Griffin will move:

That Manly Council writes to the appropriate Minister and the Member for Manly requesting details on who is responsible for managing and ensuring the preservation of the Cabbage Tree Bay Aquatic Reserve. In addition seeking clarification on how many compliance officers are employed in the Manly area and for whom they work and are responsible to and what their responsibilities and duties are.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM130212NM_6

***** End of Notice of Motion Report No. 6 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: General Managers Division Report No. 1
SUBJECT: Division of Local Government Better Practice Review Report - Manly Council

SUMMARY

To inform the Council of the Division of Local Government's Better Practice Review of Manly Council undertaken during 2011.

REPORT

In late 2010 Council invited the Division of Local Government (Department of Premier and Cabinet) to undertake a Better Practice Review of Council's operations. Officials from the Division visited Council for a week in April 2011, and over a number of subsequent follow up visits later in the year (September 2011).

The Division's staff reviewed all aspects of Council's operations. The methodology involved a comprehensive review of various Council documents, policies and procedures and also Council's corporate planning documents such as its Community Strategic Plan Beyond 2021 incorporating its Ten Year Community Strategic Plan, Resourcing Strategy, Four Year Delivery Program 2011-2015 and One Year Operational Plan 2011-2012.

All of Council's senior management team were interviewed as part of the review process as well as the Mayor, four Councillors and a range of other staff (at different levels within the organisation) and Council's Internal Auditor.

The final report from the Division of Local Government is **tabled**, with the covering letter and Executive Summary, and Other Noteworthy Practices and Areas for Improvement, attached to this report (refer to Attachments 1 and 2). A total of thirty six (36) recommendations were made in the final report together with the actions proposed by Council to address each recommendation. The Action Plan to address each recommendation is provided in Attachment 3; It should be noted that while some actions have been completed the majority of the balance will be completed over the next calendar year.

Council will provide regular updates to the Division of Local Government on the progress of actioning the recommendations. The report is submitted for Council's information.

RECOMMENDATION

That Council

1. Thank the Chief Executive of the Division of Local Government and his staff for the amount of work they had put into preparing the Report and for the advice and recommendations contained therein;
2. Note and endorse the Action Plan, and
3. Thank Council's Divisional staff for the assistance they provided to the Division of Local Government during the review process.

ATTACHMENTS

AT- 1	Letter and Executive Summary of DLG's Promoting Better Practice Program Review Report Manly Council December 2011	3 Pages
AT- 2	Better Practices/Other Noteworthy Practices and Areas For Improvement	2 Pages
AT- 3	Action Plan	4 Pages

***** End of General Managers Division Report No. 1 *****

ATTACHMENT 1

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Letter and Executive Summary of DLG's Promoting Better Practice Program Review Report Manly Council December 2011



Premier & Cabinet
Division of Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A265010
Your Reference: 17112011: JNKF:
PJ1A-C00S
Contact: Tony Day
Phone: 02 4428 4190

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

Henry

Dear Mr Wong



I am writing in reply to your letter of 16 November 2011 providing comments on the draft Manly Council Promoting Better Practice Review report.

Firstly, I would like to take this opportunity to thank Council for participating in the Local Government Reform Program – Promoting Better Practice review process. I have appreciated the co-operation and support provided to the review team.

Council's response to the draft review report has been considered and incorporated into the final report. I am pleased to enclose a copy of the final report with this letter. An electronic copy of the report will be forwarded to you via email.

Please arrange for the report to be tabled at the next available Council meeting. I would appreciate receiving your written confirmation of the tabling of the report.

Once Council tables the report, it becomes a public document. With a view to sharing better practice with other councils, a PDF version of the report will be made available on the Division's website, along with other finalised review reports. The Division also encourages Council to make the report available on its own website.

I note that Council will already have completed the implementation of some of the recommendations made in the draft report, and commenced implementation of many of the others. Where appropriate, recommendations made in the draft report which are now unnecessary have been removed from the final report.

The Division encourages Council to use the completed action plan to guide and monitor the implementation of those recommendations which are yet to be implemented. Given that Council has provided no implementation timeframes for many of the recommendations in its response, it is requested that Council report progress to the Division within 6 months from the date the report is tabled. I would also appreciate being advised if Council, in implementing the recommendations, develops a better practice that may be of assistance or interest to other councils.

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

**General Managers Division Report No. 1 - Division of Local Government Better Practice Review
Report - Manly Council
Letter and Executive Summary of DLG's Promoting Better Practice Program Review Report
Manly Council December 2011**

2

The Division remains available to provide information and feedback to Council on the implementation of specific recommendations, if necessary. Council should not hesitate to contact the Division if such feedback is required.

I trust this review has been of assistance to Council. Again, I would like to extend my appreciation to Council for its support of this process.

Yours sincerely

 23/12/11

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

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council
Letter and Executive Summary of DLG's Promoting Better Practice Program Review Report
Manly Council December 2011

Local Government Reform Program - Promoting Better Practice Report – Manly Council

EXECUTIVE SUMMARY

Manly Council is a dynamic organisation with a professional and committed workforce. Council generally engages well with its community, although there is scope for improved processes in the context of the ongoing development of its Community Strategic Plan and associated Integrated Planning and Reporting (IP&R) documents.

Council has developed a clear vision for Manly. This has assisted Council with the development of its IP&R framework. Council is well placed to review and improve upon its suite of strategic planning documents into the future.

The challenges posed by the large tourist and visitor populations, such as street cleaning and noise control, are acknowledged as significant.

Like many councils, Manly faces challenges into the future in maintaining its assets. There is an infrastructure gap which needs to be resolved and managed. This will require the review of funding options and service delivery standards to meet future requirements.

There has been a significant emphasis in Council over recent years on reviewing its governance systems, policies and procedures. The impetus for some of this effort has been external, with Council responding to recommendations made by the Deputy NSW Ombudsman following two major investigations in 2010 and 2011. Council appears to be committed to the implementation of those recommendations.

There is still some work to do in finalising and improving its governance practices, policies and procedures. That said, Council is aware of these issues and is taking steps to address deficiencies identified both by external review and by its own review processes.

Council's commitment to the environment is evidenced by the ongoing funding and operation of the Manly Environment Centre.

Council is generally considered to be performing well, with many good systems in place. This report makes a number of recommendations to improve the efficiency, effectiveness and accountability of the organisation.

ATTACHMENT 2

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Better Practices/Other Noteworthy Practices and Areas For Improvement

A Better Practices/Other Noteworthy Practices

STRATEGIC POSITION

- Development and adoption of a clear vision for Manly.
- Use of existing knowledge base and previous plans to inform the development of the Community Strategic Plan (CSP).
- Identification and involvement of potential delivery partners.
- A multifaceted community engagement strategy.
- Significant progress has been made towards establishing the current condition of assets and ascertaining annual life cycle costs.

GOVERNANCE

- Internal audit is provided under a shared arrangement with 7 councils. Each contributes an annual amount to fund a common internal audit program, with a discretionary program subject to extra funding by the relevant council. This arrangement appears to be working well.
- Council has recognised the importance of risk management and it is allocating resources to it.

PLANNING AND REGULATORY

- Operation of the Manly Environment Centre
- Ongoing improvement to turnaround times for DAs
- Good use of delegations and Manly Independent Assessment Panel

ASSET AND FINANCIAL MANAGEMENT

- Improvement program to increase Council's asset management capacity
- Good knowledge of the condition of infrastructure and very positive Rate of Asset Renewal ratio.
- Council is focused on improving the condition of key infrastructure assets.

COMMUNITY, COMMUNICATION AND CONSULTATION

- Communication protocol available to guide staff in the adoption and use of effective communication strategies.
- Long-standing commitment (since 1990) to supporting a system of Precinct Committees, willingness to review the system and the strong procedural framework that underpins their operation of the system.

WORKFORCE RELATIONS

- Council has undertaken a comprehensive review of its Workforce Relations practices
- Council has consistently administered a staff climate survey on a biennial basis.
- Council has undertaken an audit of existing employees' qualifications and acted on its findings.

**General Managers Division Report No. 1 - Division of Local Government Better Practice Review
Report - Manly Council
Better Practices/Other Noteworthy Practices and Areas For Improvement**

B Areas for improvement

STRATEGIC POSITION

- Limited use of the Resourcing Strategy to inform the development of the community strategic plan and limited use of the CSP to inform the Resourcing Strategy.
- Communication to inform the general public about the development of the CSP.
- Implementation of the community engagement strategy.

GOVERNANCE

- Record keeping practices have been an issue of concern for some time. Proper record keeping is fundamental to good governance. Council must address this as a priority. There is evidence that it intends doing so.
- Some changes need to be made to Council's meeting practices to ensure consistency with statutory requirements.
- Council currently has no system in place for ensuring compliance with statutory obligations across the organisation.
- Council needs to review its Gifts and Benefits policies and procedures to ensure that Council officials are aware of their obligations and the implications of accepting gifts and benefits.
- Some of the annual Section 449 returns (declaration of interests) continue to have apparent errors and omissions.

PLANNING AND REGULATORY

- Record-keeping in enforcement matters
- "Stop the clock" process for DAs

ASSET AND FINANCIAL MANAGEMENT

- Further development of the Resourcing Strategy (including the Long Term Financial Plan)
- Integration between Council's strategic and operational planning processes and budgeting process.
- Reporting on the performance of its real estate portfolio and the profit/loss performance of its other commercial activities.

COMMUNITY, COMMUNICATION AND CONSULTATION

- Council needs to develop a community engagement strategy (beyond the one used for the CSP) to support its Community Engagement Policy.
- The Community Engagement Policy needs to be considered and appropriately referenced when preparing reports and recommendations on matters that may have a significant impact on the community.

WORKFORCE RELATIONS

- Communication of the current organisational structure
- The Consultative Committee (that the Award requires) needs to operate as provided for in its Constitution. Relevant policies should be referred to the Committee for consultation prior to their adoption.
- Procedures for performance management need to be reviewed to support the recently revised policy.
- Council should complete the implementation of its human resources information system (HRIS).

ATTACHMENT 3

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Action Plan

Promoting Better Practice – Action Plan As At 31/1/2012

	RECOMMENDATION	PRIORITY	ACTION PROPOSED BY COUNCIL	TIME FRAME	RESPONSIBILITY	PROGRESS REPORT
1	The General Manager should provide Council with a report on the strategies to be pursued over the next two years to facilitate the review and refinement of its CSP and Resourcing Strategy, having regard to the information contained in this report and the advice of its strategic planning professional staff.	Medium	Will proceed as recommended	In of April 2012 and April 2013	Corporate Support Services	Being Progressed
2	Council should review the constitution of its Audit Committee taking into account the Division's Internal Audit Guidelines under section 23A of the Act.	Medium	At the time the DLG Guidelines were issued, Council's Audit and Risk Committee gave prompt consideration to its recommendations but decided to leave the Terms of Reference and Constitution unchanged.	March/April 2012	Internal Auditor	Being Progressed
3	Council should revise its Code of Meeting Practice to ensure compliance and consistency with statutory requirements.	Medium	Next review of the Code will occur in February 2012.	Feb-12	Corporate Support Services	Being Progressed
4	Council should review its Code of Meeting Practice to clarify the status, functions and limitations of the Planning & Strategy Committee.	Medium	Council will proceed as recommended.	Oct-12	Governance	
5	Council should review its Code of Conduct to incorporate updated provisions referencing the Public Interest Disclosures Act 1994 and Council's Internal Reporting Policy.	High	Will proceed as recommended. Council adopted its PID Policy in September 2011, and also changes consequential to the PID Act.	Sep-11	Governance	Completed
6	Council should use the Independent Commission Against Corruption's Managing Gifts and Benefits in the Public Sector Toolkit to review its Gifts and Benefits policies and procedures.	Medium	Will proceed as recommended.	Dec-11	Governance	Completed and will be further reviewed in June 2012
7	Council should develop a system to ensure that all statutory and regulatory obligations are met on an on-going basis.	High	Will proceed as recommended. Council already undertakes performance monitoring for legal compliance by Corporate Governance staff and General Counsel.	Mar-12	Legal and Internal Audit	Report to audit and Risk Committee in April/May
8	Council should develop and regularly review a written register of designated persons under section 441 of the Act.	High	Will proceed as recommended. Note that a review of delegates of committees was undertaken in August/September 2011.	May-12	Corporate Support Services	Initial Review carried out in 9/11
9	Council should develop a written procedure for receipting, checking and recording of the administrative review of pecuniary interest returns lodged by councillors and designated persons.	High	Will proceed as recommended.	May-12	Corporate Support Services	Admin Manager will formalise process in use
10	Council should review its councillor induction program and formalise a councillor training and development program prior to the September 2012 local government election.	Medium	Will proceed as recommended.	Apr-12	Corporate Support Services	Being Progressed
11	Council should formalise and document a regular policy review process to ensure that all policies are up to date and reflect current practice across the organisation.	High	Will proceed as recommended.	Oct-12	Governance	A Periodic Review was carried out and adopted by Council in May 2011

ATTACHMENT 3

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Action Plan

Promoting Better Practice – Action Plan As At 31/1/2012

	RECOMMENDATION	PRIORITY	ACTION PROPOSED BY COUNCIL	TIME FRAME	RESPONSIBILITY	PROGRESS REPORT
12	Council should continue to develop and implement systems for notifying staff of policy review procedures and/or the creation, amendment or revocation of policies relevant to their work.	High	Will proceed as recommended. Policies are reviewed and updated regularly, and comprehensively every four years.	Jul-11	Governance	Implemented in July 2011
13	Council should ensure that sufficient resources are made available to support the successful roll-out of its new EDRMS, including provision for on-going staff training and compliance audits.	High	A comprehensive deployment plan has been adopted and is supported by overview and intensive, tailored training. EDMS goes live in the first week of January 2012.	Jan-11	Corporate Support Services	Implemented and Training being completed
14	Council should finalise its Statement of Business Ethics as soon as possible and devise and implement appropriate communication strategies as a corruption prevention measure	Medium	Will proceed as recommended. A discussion draft has been prepared. To be reported to Council in February 2012.	Feb-12	Corporate Support Services	April P&S
15	Council should undertake a compliance audit with respect to the Compliance and Enforcement Policy within 12 months of adoption.	High	Will proceed as recommended.	Apr-12	Landuse and Sustainability	Being Progressed
16	Council should review its use of stop the clock provisions for DAs to identify opportunities to further streamline its processes	Medium	Will proceed as recommended.	Jun-12	Landuse and Sustainability	
17	Council should ensure that the current infrastructure funding gap is brought to the community's attention as part of its implementation of the new Integrated Planning and Reporting framework and in doing so, ensure appropriate decisions are made to close the gap over time, either by modifying the asset base and/or service standards and/or the level of funding.	Medium	Will proceed as recommended. Council is fully aware of the funding gap but there is a lack of appetite for exceeding the rate cap. This will be examined at the Councillors workshop planned for February 2012.	Feb-12	Corporate Support Services	Has been review and will be considered in the 2012/3 Delivery Program
18	Council should develop and consider a business case for a new Asset Management System	Low	Will proceed as recommended.	Nov-12	People Place and Infrastructure	
19	Council should ensure that its annual reports and its annual Operational Plan provide additional detail on how the income generated from the special rate variation has and will be used.	Low	Will proceed as recommended.	Nov-12	Corporate Support Services	
20	Council should examine the factors that are giving rise to its positive Building and Infrastructure Renewal Ratio and take this into account when reviewing its Resourcing Strategy and consulting with the community.	Low	The "high" ratio is due principally to large capital grants received by Council in the last 4 years and catch-up work Council has embarked upon in the last 10 years. As trends indicate, this ratio is expected to return to the normal range over the next two fiscal cycles.	Jul-12	Corporate Support Services	
21	Council should ensure that next year's Operational Plan incorporates a more detailed budget and information on how the budget was prepared/determined.	High	Will proceed as recommended. Note that line by line budgets are extremely detailed and were simplified for the CSP format.	Apr-12	Corporate Support Services	Being Progressed

ATTACHMENT 3

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Action Plan

Promoting Better Practice – Action Plan As At 31/1/2012

	RECOMMENDATION	PRIORITY	ACTION PROPOSED BY COUNCIL	TIME FRAME	RESPONSIBILITY	PROGRESS REPORT
22	Council should implement the recommendations of its internal audit of tendering processes. In doing so, it should review and revise its existing policy having regard to the Division's section 23A Guidelines.	High	Will proceed as recommended.	Oct-11	Corporate Support Services and PPI	Report to April P&S
23	23 The General Manager should provide a report to the elected Council on the management of Council's real estate portfolio, leases and licences, the income generated and the strategies Council uses to ensure that it obtains an appropriate income/return over time	Medium	Will proceed as recommended. Note that portfolio performance is currently presented in the GM monthly summary briefing to Councillors.	Jun-12	General Managers Unit	
24	The elected Council should be provided with regular reporting on the profit/loss performance of Council's commercial activities. This reporting should include details of the budgeted profit/loss as well as the actual result. Any significant variance should be brought to attention with appropriate commentary.	Medium	Will proceed as recommended. Note that Council divested its commercial waste service on 5 November 2011.	March Qtr. Review	Corporate Support Services and PPI	Being Progressed
25	The use of the website as a communication channel should be incorporated in Council's communication protocol.	Low	Will proceed as recommended.	Dec-11	General Managers Unit	Completed
26	General Manager should provide Council with a report on the upgrade to the website detailing the intent and extent of changes that have been made and details of an actual or proposed evaluation of the changes.	Low	Will proceed as recommended. Note that Council is provided a summary on website traffic and performance in the General Manager's monthly briefing.	Oct-11	General Managers Unit	Completed
27	Council should review its Community Engagement Policy. The outcomes of the review, along with any proposed changes should be reported to the elected Council for consideration	Medium	Will proceed as recommended. Consultants engaged to undertake follow-up work with community on CSP.	Mar-12	Corporate Support Services	Being Progressed
28	Council should complement its community engagement policy with the detailed strategy and methodology document that is referred to in its current policy.	Medium	Will proceed as recommended. Note that Council's commitment to the Precinct System on-going but input will be part of more comprehensive community engagement process moving forward.	Will be incorporated in the 2012/3 update	Corporate Support Services	Being Progressed
29	The General Manager should ensure that the Community Engagement Policy is considered and appropriately referenced when preparing reports and recommendations on matters that may have a significant impact on the community	Medium	Will proceed as recommended. This referencing is already used in reports and strategy formulations and in the quarterly workshops with Councillors.	On going	General Managers Unit	Implemented
30	Council should undertake a further review of its workforce relations practices within the next twelve months to determine what progress has been made in addressing the issues identified by the Manager, Organisational Development and those identified in this PBP report, which impact on the Council's workforce relations practices. A copy of the Manager, Organisational Development's report should be provided to Council's Audit Committee	Medium	Will proceed as recommended.	Jun-12	Organisational Development	Being Progressed
31	Council should revise the organigram and other published information about its structure to ensure that it is accurate and readily able to be understood by councillors, Council employees and the general public.	Medium	Will proceed as recommended.	Feb-12	Organisational Development	completed

ATTACHMENT 3

General Managers Division Report No. 1 - Division of Local Government Better Practice Review Report - Manly Council Action Plan

Promoting Better Practice – Action Plan As At 31/1/2012

	RECOMMENDATION	PRIORITY	ACTION PROPOSED BY COUNCIL	TIME FRAME	RESPONSIBILITY	PROGRESS REPORT
32	Council should conduct an internal audit on Council's revised recruitment and selection practices within twelve months of the adoption of the new policies and procedures.	Medium	Will proceed as recommended.	On going	Organisational Development	
33	Take action to ensure that the Consultative Committee operates in accordance with Local Government (State) Award 2010 and the Committee's Constitution.	High	While recruiting for staff to join various memberships on the JCC has been an on-going challenge due to lack of nominations, it does otherwise work within the provisions of and intent of the Award.	Oct-11	Organisational Development	Completed
34	Reports to Council and/or Council's Executive recommending the adoption of new or significantly amended workforce relations policies should include details of any consultation with the relevant unions and the Consultative Committee.	Medium	Noted. Management has a close and mutually beneficial working relationship with the Unions and hold regular meetings with them to go through Award and industrial relations issue. Council respects their role in the workplace and they respect Council's role to get on with the job.	On going	Organisational Development	Ref to Council's response Column - Practice in use is consistent with DLG recommendations
35	Council should amend its recently adopted Performance Management Policy to ensure it reflects the intention for it to apply to all employees.	Medium	Noted. This policy does in fact apply to all staff and will be amended where necessary to reflect this.	Mar-11	Organisational Development	Ref to Council's response Column - Practice in use is consistent with DLG recommendations
36	Council should review its existing procedures for performance management to ensure that they are consistent with the application of the revised Policy and to ensure they facilitate compliance with Council's contractual and Award obligations. In doing so, it should ensure that controls are in place to ensure all annual reviews occur in a timely manner (including those for senior staff).	Medium	Noted. Performance reviews are systematically carried out by managers and supervisors and with very few exceptions, within time and in a timely fashion, including those of Senior staff.			Ref to Council's response Column - Policy and Practice in use are consistent with DLG recommendations

TO: Ordinary Meeting - 13 February 2012
REPORT: General Managers Division Report No. 2
SUBJECT: Induction Program and Timetable for New Councillors - 2012
FILE NO:

SUMMARY

A Councillors Induction Program is planned for the new Council following the September 2012 Local Government Election.

REPORT

A Councillor Induction Program is being planned for new Councillors following the September 2012 Local Government Election.

The objective of the program is to inform and induct new Councillors for their role, as well as providing team development opportunities for the new Council.

Following the completion of the induction program, Council will hold an Inauguration Ceremony to mark the start of the new Council's term at which each Councillor will make a commitment to public office and service as a Manly Councillor.

The induction program will cover a range of issues pertaining to legal, legislative, policy, and Code of Conduct requirements. An outline of the program is attached.

Following the in-house program, the Division of Local Government will conduct mandatory Councillor Training sessions for all councillors. Additionally, a one day in depth program is being organised by Shore Regional Organisation of Councils (SHOROC) for Manly, Mosman, Warringah, and Pittwater Councils.

RECOMMENDATION

That the information be received and noted.

ATTACHMENTS

AT- 1 Councillor Induction Program and Timetable 2012 2 Pages

OM130212GMO_2

***** End of General Managers Division Report No. 2 *****

ATTACHMENT 1

General Managers Division Report No. 2 - Induction Program and Timetable for New Councillors - 2012

Councillor Induction Program and Timetable 2012

MANLY COUNCIL COUNCILLOR INDUCTION PROGRAM - 2012

DATE AND TIME	ITEM	TO ATTEND	DOCUMENTS ISSUED FOR THE SESSION
October	Day 1		
Session 1	<ul style="list-style-type: none"> Welcome by Mayor Introduction and Presentation by General Manager Introduction to organisation, structure and senior staff Council's Vision, Mission, Customer Service Statement, Statement of Values, and Statutory Charter 	All Councillors General Manager	<ul style="list-style-type: none"> DLG Councillor Guide, 2008* DLG Councillor Induction and Professional Development Guide* 'Becoming a Councillor' publication Code of Meeting Practice** Code of Conduct ** ICAC publication 'Lobbying Local Government Councillors' * Policy on Payment of Expenses/ Facilities to Mayor and Councillors **
Session 2	<ul style="list-style-type: none"> Local Government Act legislative provisions on Councillor's role and responsibilities – elected and administrative levels Protocols for interaction between Councillors and staff Code of Conduct and public interest disclosures, section 449 returns Council decision-making structures, meetings and Code of Meeting Practice 	Executive Divisional Managers	<ul style="list-style-type: none"> * Links on DLG website at www.dlg.nsw.gov.au ** Available at the Manly Council website, www.manly.nsw.gov.au
Session 3	<ul style="list-style-type: none"> Committee structures and Special Purpose Committees 		
Session 4	<ul style="list-style-type: none"> Payment of expenses and provision of facilities - Mayor and Councillors Council priorities 		

Last updated 9 February 2012

Page 1

ATTACHMENT 1

General Managers Division Report No. 2 - Induction Program and Timetable for New Councillors - 2012

Councillor Induction Program and Timetable 2012

MANLY COUNCIL COUNCILLOR INDUCTION PROGRAM - 2012

DATE AND TIME	ITEM	TO ATTEND	DOCUMENTS ISSUED FOR THE SESSION
October	Day 2 Overview of Manly's Community Strategic Plan Beyond 2021, Council Policies and key corporate documents Overview of Shore Regional Organisation of Councils (SHOROC)		
Session 1	<ul style="list-style-type: none"> Overview of CSP, and related Delivery Program 2011-2015, Operational Plan 2012-12 Presentation from Key Divisions Records management and Open File Policy 	All Councillors	<ul style="list-style-type: none"> Manly Council Community Strategic Plan Beyond 2021, Parts 1-3 (CSP)** Delivery Program 2011-2015** Operational Plan 2012-2013 (TBC) Policy Register ** Complaints Management Policy ** Access to Information Policy ** Compliance and Enforcement Policy ** Purchasing and Tendering Policy**
Session 2	<ul style="list-style-type: none"> Overview of SHOROC Privacy Act Overview of Policy Register Complaints Handling and Customer Response Policy Purchasing and Tendering 	General Manager Executive Divisional Managers	
Session 3	<ul style="list-style-type: none"> Bus Tour of key Council facilities within Manly LGA together with review of key development issues and discussion on key projects planned and underway 	Executive Officer SHOROC	<ul style="list-style-type: none"> * Links on DLG website at www.dlg.nsw.gov.au ** Available at the Manly Council website, www.manly.nsw.gov.au

TO: Ordinary Meeting - 13 February 2012
REPORT: Item For Brief Mention Report No. 2
SUBJECT: Items For Brief Mention
FILE NO:

1. 2012 National General Assembly of Local Government – Call for Motions

Correspondence has been received from the Australian Local Government Association (ALGA) (copy attached) advising that the 2012 National General Assembly of Local Government (NGA) will be held in Canberra between 17-20 June, 2012.

ALGA has called for motions for the 2012 NGA under this year's theme "National Voice, Local Choice – Infrastructure, Planning, Services".

To be eligible for inclusion in the NGA Business Paper, motions must follow the principle:

1. Fall under one of the themes – infrastructure, Planning, Services;
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policy objectives of state and territory associations.

A Discussion Paper has been issued to assist Councils in preparing motions.

Motions have to be received by no later than 27 April, 2012.

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
217/11	12 Dec	Notice of Motion - Council develop a Bicycle Management Policy	That the matter be referred back to the Sustainable Transport Committee for consideration.	Pending
214/11	12 Dec	Notice of Motion - Manly Tramway Loop - Trial bus Operation	That Manly Council commence community consultation on the Manly Tramway Loop Proposal by operating a Motor Omnibus service on the proposed Manly Tramway Loop Route on one weekend toward the end of February 2012.	Pending
187/11	17 Oct	Minutes for Adoption by Council - Landscape Management and Urban Design Committee	ITEM 4 MANLY2015 PROJECT That: 1. Council investigate incorporation of the tennis courts to facilitate better urban design outcome and entrance /egress to proposed Manly Oval underground car park.	Pending
			2. The LMUD committee expressed serious concerns regarding the Sydney Road and Raglan Street entrance and egress. In this regard request Council undertake detailed feasibility assessment.	Pending

Item For Brief Mention Report No. 2 (Cont'd)**3. Tabled Documents**

	Date	Author	Subject
1	20/01/12	The Hon Brad Hazzard MP Minister for Planning and Infrastructure Minister Assisting the Premier on Infrastructure NSW	Response to Council's letter concerning the Concept Plan for the proposed redevelopment of the Royal Far West Centre for Excellence site off South Steyne and Wentworth Street Manly
2	31/01/12	Yasmin King, Small Business Commissioner, NSW Government	Introductory letter introducing the NSW Small Business Commissioner in the newly established role.

RECOMMENDATION

1. That the report on the 2012 National General Assembly of Local Government be received and noted.
2. That the Notices of Motion status report be received and noted.
3. That the Tabled Documents be received and noted.

ATTACHMENTS

AT- 1 Correspondence from ALGA 1 Page

OM130212IBM_2

***** End of Item For Brief Mention Report No. 2 *****

ATTACHMENT 1

Item For Brief Mention Report No. 2 - Items For Brief Mention Correspondence from ALGA



AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION

24 January 2012

Manly Council
PO Box 82
MANLY NSW 1655



To the Mayor, Councillors and CEO

2012 National General Assembly of Local Government – Call for Motions

I write to invite you to participate in the 2012 National General Assembly of Local Government (NGA) which will be held at the National Convention Centre in Canberra between 17 - 20 June.

As the major event on the annual local government events calendar, the NGA typically attracts more than 700 mayors, councillors and senior officers from councils across Australia. The NGA is your opportunity to contribute to the development of national local government policy.

The Australian Local Government Association (ALGA) Board is calling for motions for the 2012 NGA under this year's theme 'National Voice, Local Choice – Infrastructure, Planning, Services'.

To be eligible for inclusion in the NGA Business Papers motions must follow the principles:

1. Fall under one of the themes – Infrastructure, Planning, Services;
2. Be relevant to the work of local government nationally; and
3. Complement or build on the policy objectives of state and territory associations.

To assist Councils in preparing motions, a Discussion Paper has been prepared and is enclosed with this letter. It is also available on the ALGA website at www.alga.asn.au.

Motions should be submitted electronically via the online form on the website www.alga.asn.au and should be received by ALGA no later than 27 April 2012.

Any administrative inquiries can be directed to Clare Hogan, ALGA's Director of National Events on 02 6122 9400 or clare.hogan@alga.asn.au.

I would encourage you to make sure the views of your Council and your community are represented at the 2012 NGA.

Yours sincerely

Mayor Genia McCaffery
PRESIDENT

8 Geils Court Deakin ACT 2600
ABN 31 008 613 876

PHONE 02 6122 9400
FAX 02 6122 9401

EMAIL alga@alga.asn.au
WEB www.alga.asn.au

TO: Ordinary Meeting - 13 February 2012
REPORT: Report Of Committees Report No. 9
SUBJECT: Minutes for adoption by Council - Special Purpose Committee - without recommendations of a substantial nature.
FILE NO:

The minutes of the following Special Purpose committee meeting are tabled at this meeting.

- i) Landscape Management and Urban Design Committee – 7 December 2011.

RECOMMENDATION

That the minutes of the following Special Purpose Committee meeting be adopted:

- i) Landscape Management and Urban Design Committee – 7 December 2011.

ATTACHMENTS

There are no attachments for this report.

OM130212RC_3

***** End of Report Of Committees Report No. 9 *****

TO: Ordinary Meeting - 13 February 2012

REPORT: Report Of Committees Report No. 10

SUBJECT: Minutes for adoption by Council - Art & Culture Committee - 13 December 2011

FILE NO:

This report was dealt with at the Art & Culture Committee meeting of 13 December 2011 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.

1. ITEM 4 Report – Exhibitions, acquisitions and collection

Director MAGAM advised that:

- The art store had been reorganized and that all works had been rehung meaning that access to all works was now possible and a conservation treatment plan was to be devised.
- The cost of the Lambert painting restoration will be shared with the AGNSW which is borrowing it for an exhibition.
- The December quarterly review will highlight the need for funds to be diverted towards restoration of the collection.
- Proposed purchase acquisition of several ceramic pieces by Helen Earl.
- Proposed donation of a Mike Esson print.

RECOMMENDATION

That the minutes of the Art & Culture Committee meeting on 13 December 2011 be adopted including the following items:

ITEM 4 Report – Exhibitions, acquisitions and collection

- i) Committee recommends to the General Manager that urgent treatment of the painting collection be implemented and that funds from the December quarterly review be diverted to provide for this treatment.
- ii) Committee recommends that a report on the treatment be presented at Council's first 2012 meeting.
- iii) Committee recommends that the Gallery Society be approached to gauge their interest in the purchase of the Helen Earl works; and that the Mike Esson print be accepted into the collection.

ATTACHMENTS

There are no attachments for this report.

OM130212RC_2

***** End of Report Of Committees Report No. 10 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Corporate Services Division Report No. 2
SUBJECT: Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
FILE NO:

SUMMARY

This report provides an update on achievements and progress of Council's Four Year Delivery Program 2011-2015 and One Year Operational Plan 2011-2012 for the period 1 October 2011 to 31 December 2011, in accordance with the requirements of the *Local Government Act, 1993*. Attached is a detailed matrix and graphs showing progress with the Delivery Program.

Quarterly Financial Review Reports for the period ending 31 December 2011, including variation recommendations is also discussed and detailed in the Attachments.

REPORT

Section 404(5) of the *Local Government Act, 1993*, requires the General Manager to ensure that regular progress reports are provided to the council "with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months".

In June 2011, Council adopted the Community Strategic Plan Beyond 2021 and its various components, including the Four Year Delivery Program 2011-2015 and One Year Operational Plan 2011-2012. The Delivery Program establishes the principal activities to be undertaken by Council to implement the strategies established by the Community Strategic Plan within the resources available under the Resourcing Strategy.

Contained within the Delivery Program are the four main strategic directions undertaken by Council that provide a focus for the development of key goals and strategies arising from the adoption of the Community Strategic Plan. These are:

1. Social Priorities
2. Economic Priorities
3. Environmental Priorities
4. Governance Priorities

The attached spreadsheet (at Attachment 1) shows progress on the various 2011-2015 Delivery Program strategies and actions for the October to December 2011 quarter, and is circulated under separate cover, along with trend data on the key performance indicators. The graphs (at Attachment 2), displaying monthly data for the 2009, 2010 and 2011 calendar years for comparative analysis purposes, are also circulated under separate cover.

This Report provides for the requirement of statutory reporting on the Council's four Strategic directions in the Delivery Program for the period ending 30 December 2011.

Some of the key Delivery Program highlights for the second quarter, being October to December 2011 are as follows:

Social priorities– continued progress management and delivery of community events and partnerships such as the Jazz Festival, Christmas Choral and Dance Concert, New Year's Eve Fireworks, Art Gallery exhibitions, Library children's holiday programs and a range of community development, children's and youth programs and ongoing innovative initiatives.

Corporate Services Division Report No. 2 (Cont'd)

Economic priorities– continued work in partnerships with local stakeholders including the Chamber of Commerce, Council's Visitors Information Bureau, improving our community infrastructure through footpath audits and capital works programs, delivery of car parking.

Environmental priorities – continued progress with the preparation of a State of the Environment Report for the Manly area, initiatives to continue community partnerships, delivery of events such as Ocean Care Day, management and regulation of development activities, and progress with the lodgement of the new Local Environmental Plan in accordance with the Standard Instrument template with the Department of Planning in October 2011.

Governance priorities – continuous progress with improvements to legal governance and reporting procedures, as well as internal auditing, computer system upgrades, recruitment of staff, working with regional stakeholders through SHOROC, and lobbying for improved resources in the Manly area.

QUARTERLY FINANCIAL REPORT

This Financial Report for the period ending 31 December 2011 for the 2011/2012 Financial Year has been prepared in accordance with the Clause 203(2) of the Local Government (General) Regulation, 2005. The Division of Local Government has also issued guidelines to Councils regarding the requirements for the Quarterly Budget Review Statements (QBRs) reporting.

The QBRs are now required to be presented on an accrual basis, and include the following Statements:

1. Budget Review Statement by the Responsible Accounting Officer on Council's financial position
2. Income and Expenses Budget Review Statement (with recommended variations)
3. Capital Budget Review Statement
4. Cash and Investments Statement
5. Key Performance Indicators
6. Summary of Contracts entered into during the Quarter
7. Consultancy and Legal Expenses Statement

Council's Budget as presented to Council has been prepared on a "Cash" basis, while the 4 Year Delivery Plan Budget and LTFP adopted by Council in June 2011 with the Community Strategic Plan is prepared on an "Accruals" basis.

The following is a summary of Council's adopted Cash Budget for 2011/2012 and revised Budget Estimates as at 31 December 2011, following the adjustments included in this report.

	Original Budget	Revised Budget At 30/09/2011	Revised Budget At 31/12/2011
Operating Income	-\$65,162,198	-\$65,194,598	-\$65,325,152
Capital Income	-\$20,855,170	-\$18,722,628	-\$20,897,680
Total Income	-\$86,017,368	-\$83,917,226	-\$86,222,832
Operating Expenditure	\$64,589,968	\$64,435,368	\$66,129,077
Capital Expenditure	\$21,427,400	\$19,243,358	\$19,932,196
Total Expenditure	\$86,017,368	\$83,678,726	\$86,061,273
Net Surplus / (Deficit)	\$0	\$238,500	\$161,559

Corporate Services Division Report No. 2 (Cont'd)

The Statements (listed above) setting out details of the variations to the Budget for the financial year ended 30 June 2012, as well as Council's Restricted Funds Balance (Reserves) are attached.

The December 2011 quarter budget review reports a cash budget surplus for the financial year of \$161,559. On an accrual basis the Quarterly Budget Review Statement forecasts a quarterly deficit of \$1,543,000 before and after capital items. However the full year forecast on an accrual basis is a net operating result surplus of \$374,000.

RECOMMENDATION**THAT**

1. The progress report with the Delivery Program 2011-2015 be received and noted.
2. The Financial Statement for the quarter ended 31 December 2011, including the revised estimates and recommended variations contained within the report, be adopted.

ATTACHMENTS

AT-1	Delivery Program 2011-2015 Matrix for Second Quarter Update to Council	31 Pages	Circulated Separately
AT-2	Program KPIs for Second Quarter Report on Delivery Program 2011-2015	12 Pages	Circulated Separately
AT-3	Quarterly Budget Review Statement	12 Pages	

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***** End of Corporate Services Division Report No. 2 *****

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
Quarterly Budget Review Statement

Quarterly Budget Review Statement	
for the period 01/10/11 to 31/12/11	
Table of Contents	page
1. Responsible Accounting Officer's Statement	1
2. Income & Expenses Budget Review Statement's	2
- Statutory	3
- Variation Details	4
3. Capital Budget Review Statement	5
- Variation Details	6
4. Cash & Investments Budget Review Statement	7
- Variation Details	8
5. Key Performance Indicator (KPI) Budget Review Statement	9
6. Contracts Entered into during the September Quarter	10
- Variation Details	11
7. Consultancy and Legal Expenses Statement	

ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012

Quarterly Budget Review Statement

Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2005.

It is my opinion that the Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11 indicates that Council's projected financial position at 30 June 2012 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

This assessment is supported by Council's auditors Hillis Roger Spencer Steer who described Council's financial position as satisfactory at 30 June 2011, having regard to its available working capital, unrestricted current ratio and debt servicing.

Signed : ,



Date:

Jenny Nascimben
Responsible Accounting Officer

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ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012 Quarterly Budget Review Statement

Manly Council Income & Expenses Budget Review Statement for the period 01/10/11 to 31/12/11

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2011

(\$000's)	Original Budget 2011/12	Approved Changes		Revised Budget 2011/12	Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by a QBR	Sep QBR	Dec QBR				
Income								
Rates and Annual Charges	34,007			34,007			34,007	33,587
User Charges and Fees	13,246			13,246	(48)	1	13,198	7,250
Interest and Investment Revenues	899			899			899	447
Other Revenues	5,863			5,863			5,863	2,361
Grants & Contributions - Operating	3,547		4	3,551	169	2	3,720	1,963
Grants & Contributions - Capital	840		102	942			942	286
Net gain from disposal of assets				-			-	
Share of Interests in Joint Ventures				-			-	
Total Income from Continuing Operations	58,402	-	106	58,508	121		58,629	45,894
Expenses								
Employee Costs	29,217			29,217			29,217	15,425
Borrowing Costs	1,096		(239)	857			857	358
Materials & Contracts	13,642		8	13,650	165	3	13,815	6,637
Depreciation	6,799			6,799	1,499	4	8,298	4,149
Legal Costs	506			506			506	352
Consultants	362			362			362	238
Other Expenses	5,197		3	5,200			5,200	3,099
Interest & Investment Losses				-			-	
Net Loss from disposal of assets				-			-	
Share of interests in Joint Ventures				-			-	
Total Expenses from Continuing Operations	56,819	-	(228)	56,591	1,664		58,255	30,258
Net Operating Result from Continuing Operations	1,583	-	334	1,917	(1,543)		374	15,636
Discontinued Operations				-			-	
Net Operating Result from All Operations	1,583	-	334	1,917	(1,543)		374	15,636
Net Operating Result before Capital Items	743	-	232	975	(1,543)		(568)	15,350

Page 2

ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012 Quarterly Budget Review Statement

Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11

Manly Council

Income & Expenses Budget Review Statement Recommended changes to revised budget

Budget Variations being recommended are as follows:

Notes	Details	
INCOME		
1	Long Day Care Fees Reduced to Eliminate Child Care Benefits Duplication	\$ 148,341
1	Parking Fees Increased due to Parking Metres Upgrade	\$ 100,000
2	Cabbage Tree Bay Implementation Project (Grant Funded from Department of Parks & Wildlife Services)	\$ 50,000
2	Sea Level Rise Hazard Lines (Grant Funded from Office of Environment & Heritage)	\$ 69,000
2	Crime Prevention Project (Grant Funded from Department of Justice & Attorney General)	\$ 49,895
		\$ 120,554
EXPENDITURE		
3	Cabbage Tree Bay Implementation Project	\$ 50,000
3	Roundhouse Children Centre Cleaning Expenses due to Centre Expansion	\$ 27,600
3	Social Isolation Work Party Research Project (Funded from Unspent Grant Carried Forward)	\$ 10,000
3	Crime Prevention Project	\$ 49,895
3	Art Gallery Pest Treatment (Reallocation Fund from Art Gallery Capital Expenditure)	\$ 27,500
4	Depreciation Expenses Increases due to Assets Revaluations and New Capital Assets	\$ 1,498,714
		\$ 1,663,709
	NET VARIATION	\$ 1,543,155

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ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012 Quarterly Budget Review Statement

Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11									
Manly Council									
Capital Budget Review Statement									
Budget review for the quarter ended 31 December 2011									
(\$'000's)	Original Budget 2011/12	Approved Changes		Revised Budget 2011/12		Variations for this Dec Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by a QBR	Sep QBR	Dec QBR					
Capital Expenditure									
New Assets									
- Plant & Equipment	500				500	650	1	1,150	411
- Land & Buildings	4,460				4,460			4,460	
- Other									
Renewal Assets (Replacement)									
- Plant & Equipment	2,525				2,525	70	2	2,595	196
- Furniture & Fittings	165				165			165	14
- Office Equipment	777				777	26	3	803	344
- Land Improvements - Depreciable	1,090		107		1,197			1,197	167
- Land & Buildings	1,314				1,314	(17)	4	1,297	245
- Roads, Bridges, Footpaths	1,403				1,403			1,403	467
- Storm Water	542				542			542	48
- Other Structures	1,150		44		1,194			1,194	376
- Library Books	264				264			264	101
- Art Works & Other Heritage	34				34	(11)	5	23	3
Total Capital Expenditure	14,224	-	151	-	14,375	718		15,093	2,372
Capital Funding									
Rates & Other United Funding	3,076				3,202	42	6	3,244	742
Rates - (Special Rates / Infrastructure Levy)	1,583		126		1,583			1,583	667
Storm Water Levy	402				402			402	48
Capital Grants & Contributions	840				840			840	201
Reserves:									
- External Restrictions/Reserves			25		25	26	7	51	122
- Internal Restrictions/Reserves	250				250			250	-
New Loans	6,500				6,500	650	8	7,150	411
Receipts from Sale of Assets									
- Plant & Equipment	1,573				1,573			1,573	181
- Land & Buildings									
Total Capital Funding	14,224	-	151	-	14,375	718		15,093	2,372
Net Capital Funding	-	-	-	-	-	-		-	-

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ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012 Quarterly Budget Review Statement

Quarterly Budget Review Statement
for the period 01/10/11 to 31/12/11

Manly Council

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

CAPITAL EXPENDITURE

1	Document Management System Project (Funded by New Loan)		
2	Parking Meter Upgraded (Funded from Increase Parking Revenue)	\$	650,000
3	Library Disability & Special Need Project (Funded from Unspent Grant Carried Forward)	\$	70,000
4	Reallocation of Funding from Art Gallery Building to Pest Treatment Operating Expense	\$	26,338
5	Reallocation of Funding from Art Gallery Collection to Pest Treatment Operating Expense	\$	17,000
		\$	10,500
		\$	718,838

CAPITAL FUNDING

6	Parking Meter Upgraded (Funded from Increase Parking Revenue)	\$	70,000
6	Reallocation of Funding from Art Gallery Building to Pest Treatment Operating Expense	\$	17,000
6	Reallocation of Funding from Art Gallery Collection to Pest Treatment Operating Expense	\$	10,500
7	Library Disability & Special Need Project (Funded from Unspent Grant Carried Forward)	\$	26,338
8	Document Management System Project (Funded by New Loan)	\$	650,000
		\$	718,838

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ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
Quarterly Budget Review Statement

Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11									
Manly Council									
Cash & Investments Budget Review Statement									
Budget review for the quarter ended 31 December 2011									
(\$000's)	Closing Balance 2010/2011	Original Budget 2011/12	Approved Changes Other than by a QBR	Sep QBR	Dec QBR	Revised Budget 2011/12	Variations for this Dec Qtr	Notes	Projected Year End Result
Externally Restricted ⁽¹⁾									
Developer Contributions - General	4,664	4,588				4,588			4,588
Specific Purpose Unexpended Grants	546	2,069				2,069			2,069
Domestic Waste Management	-	(324)				(324)			(324)
Other	720	720				720			720
Total Externally Restricted	5,930	7,053	-	-	-	7,053	-		7,053
(1) Funds that must be spent for a specific purpose									
Internally Restricted ⁽²⁾									
Infrastructure Replacement	1,903	921				1,921			1,921
Employees Leave Entitlement	1,210	1,610		1,000		1,610			1,610
Deposits, Retentions & Bonds	1,588	1,597				1,597			1,597
Balgowah Area Improvements	205	291				291			291
Depot Redevelopment	158	101				101			101
Environment Levy	-	-				-			-
Manly Wharf Forecourt	50	50				50			50
Manly Youth Council	6	6				6			6
Meals on Wheels	306	256				256			256
Rates Infrastructure	-	653				653			653
Shelly Beach Improvements	9	9				9			9
Unexpended Loans	1,003	2,000		(1,000)		1,000			1,000
Total Internally Restricted	6,438	7,494	-	-	-	7,494	-		7,494
(2) Funds that Council has earmarked for a specific purpose									
Unrestricted (ie. available after the above Restrictions)	1634	1,410	-	-	-	1,410	-		1,410
Total Cash & Investments	14,002	15,957	-	-	-	15,957	-		15,957

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Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
Quarterly Budget Review Statement

Manly Council

Quarterly Budget Review Statement
for the period 01/10/11 to 31/12/11

Cash & Investments Budget Review Statement

Budget Variations and Comment on Cash & Investments Position

Note 1: Adjustment for movement in Infrastructure Reserve

Investments

Investments have been invested in accordance with Council's Investment Policy and Section 625 of the Local Government Act 1993 and also the DLG Circular 11-01 - Ministerial Investment Order dated 12 January 2011 .

Council's Investment Portfolio report for the month of December 2011 shows a total market value of cash and investments held as at 31 December 2011 of \$15,165,469.

Cash

The value of Cash at Bank (per general ledger) which has been included in the Cash & Investment Statement totals \$327,028

Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 04/01/12

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Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
Quarterly Budget Review Statement

Quarterly Budget Review Statement
for the period 01/10/11 to 31/12/11

Manly Council

Key Performance Indicators Budget Review Statement

Budget review for the quarter ended 31 December 2011

The Council monitors the following Key Performance Indicators:

1. Unrestricted Current Ratio

Current Assets less all External Restrictions

Current Liabilities less Specific Purpose Liabilities

2. Debt Service Ratio

Debt Service Cost

Income from Continuing Operations excluding Capital Items
& Specific Purpose Grants/Contributions

3. Rates & Annual Charges Outstanding Ratio

Rates & Annual Charges

Income from Continuing Operations

4. Building & Infrastructure Renewal Ratio

Annual Renewals (Building & Infrastructure)

Depreciation, Amortisation & Impairment (Building &
Infrastructure Assets)

Current Projection Indicator 11/12	Original Indicator 11/12	Actuals Prior Periods 10/11 09/10
1.27	1.27	1.25 1.30
3.42	4.03	3.37 3.67
3.53	3.53	3.50 3.16
123.7	123.7	155.6 239.0

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ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012 Quarterly Budget Review Statement

Quarterly Budget Review Statement for the period 01/10/11 to 31/12/11

Manly Council

Contracts Budget Review Statement

Budget review for the quarter ended 31 December 2011

Part A - Contracts Listing - contracts entered into during the quarter with a value greater than \$50,000

Contractor	Contract detail & purpose	Contract Value	Start Date	Finish Date	Budgeted (Y/N)
<u>Licences</u>					
Dorajar Pty Ltd	Licence to Provide and Operate a Beach Equipment Hire Service on Manly Beach	66,000.00	01/10/2011	30/09/2014	Y
SEA Australia Pty Ltd	Licence to Operate the Surf Safety Awareness at Manly Beach	60,600.00	01/10/2011	30/09/2014	Y
Sydney Surf School Pty Ltd	Licence to Learn to Ride a Surfboard and Body Board Coaching Rights	153,000.00	01/10/2011	30/09/2014	Y
<u>Other</u>					
J J Richards & Sons Pty Ltd	Purchase of Council Commercial Garbage Business & Assets	546,000.00	14/10/2011	14/10/2011	Y
The Trustee for the AWS Unit Trust	Design, Supply & Installation of Photovoltaic Solar Panels for Town Hall	52,131.00	21/10/2011	26/11/2011	Y
Pro-Asset Painting Maintenance Pty Ltd	Provision of Painting Services for Fences & Bollards	Schedule of Rate	01/09/2011	30/06/2013	Y
Pikes Lawyers	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
Marsdens Law Group	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
HWL Ebsworth Lawyers	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
Maddocks	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
DLA Piper Australia	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
Houston Dearn O'Connor	Legal Services	Schedule of Rate	18/10/2011	17/10/2014	Y
Kilikon Solutions Pty Ltd	Document Management System Hardware Phase 1 Infrastructure	179,000.00	01/12/2011	31/12/2016	Y
Kilikon Solutions Pty Ltd	Document Management System Software Phase 1 Licensing	217,580.00	01/12/2011	31/12/2016	Y
Hewlett Packard Australia Pty Ltd	Document Management System Consulting Services	89,800.00	06/10/2011	04/11/2011	Y
Academy Holdings Pty Ltd	Diploma of Management Training	74,206.00	01/09/2011	30/08/2012	Y
Australian Automotive Group Pty Ltd	Supply and Delivery of a Ford Territory Titanium AWD	54,147	16/11/2011	16/11/2011	Y
Elfhelpt Pty Ltd	Provide Christmas Decorations for Fairlight, Balgowlah, Seaford & Manly CBD centre	54,832	28/11/2011	31/01/2012	Y
Kapish Services Pty Ltd	Consulting Services for Migration and Conversion for Document Management System	100,000	13/12/2011	29/02/2012	Y

Notes:

1. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
2. Contracts for employment are not required to be included.

ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012

Quarterly Budget Review Statement

Quarterly Budget Review Statement
for the period 01/10/11 to 31/12/11

Manly Council

Contracts Budget Review Statement
Comments & Explanations relating to Contractors Listing

Details

All contracts listed have been provided for within current budget allocations. If additional funding is required this will be reported in the following Quarter Budget Review.

Page 10

ATTACHMENT 3

Corporate Services Division Report No. 2 - Second Quarterly Update on Four Year Delivery Program 2011-2015 and Quarterly Budget Review 2011-2012
Quarterly Budget Review Statement

Manly Council
Quarterly Budget Review Statement
for the period 01/10/11 to 31/12/11

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	237,649	Y
Legal Fees	351,545	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Legal Cost above include LEC court related costs of \$383,327.

TO: Ordinary Meeting - 13 February 2012
REPORT: Corporate Services Division Report No. 3
SUBJECT: General Valuation - Base Date 1st July 2011
FILE NO:

SUMMARY

Council has received from the Valuer General's Office, the General Valuation for Manly at base date 1 July 2011.

REPORT

Council has now received the General Valuation for Manly at base date 1 July 2011 from the Valuer General. A table has been provided below listing each suburb and the relevant total rateable land values as well as for Manly as a whole and incorporating the percentage increase in the Valuations for Base Date 1 July 2008 and 1 July 2011.

- Total rateable land valuations within Manly has increased by approximately 10.30% from a base date 1 July 2008 which had total rateable valuations as at most recent supplementary list of \$10,323,034,860 to the new rateable valuations base date 1 July 2011 of \$11,389,241,736.
- Average valuation increases by suburb varied, from Manly the lowest (approx. 6.9%) with Seaforth having the highest average increase of approx. 14.7% (refer to table below).
- Individual streets within suburbs recorded less than the average increase in valuation for the suburb, whilst other streets recorded higher than the average increases in valuations. There are also instances of individual assessments within a street having a higher than average increase. Notable increases were Acacia Road (22.8%), Bundoon Lane (25.5%), Castle Circuit Close (22.7%), Clarence Street (23.2%), College Street (26.5%), David Place (27.3%), Hogan Street (24.9%), Palmerston Place (23.6%) and Rignold Street (28%). The streets that recorded a negative movement were Cove Avenue (-1.7%) and North Harbour Street (-0.8%). Although there were variances the wide distribution of valuation variances between suburbs, streets and individual assessments seen with the 2008 general valuation was not evident with the 2011 general valuation.
- The new valuations will be used for the calculation of the 2012/2013 rate levy. Residents commenced receiving notification of their new land values in January 2012, and have 60 days to lodge an objection with the Valuer Generals Department. The last date for objection is printed on individual valuation notices.
- Council levies an Ad valorem (rate in \$) on the land valuation with a minimum rate (currently \$701.60 for residential assessments and \$916.90 for Business-Other and Manly Business assessments). While it is difficult to assess the impact of the change in land values on the projected rate for next year, if Council were to receive a zero permissible rate increase in 2012/2013, those properties whose valuations increased in line with the average (ie 10.30%) would pay similar rates to the current levy. Properties where valuations have increased at a rate greater than the average increase could expect to have their rates increased, whilst properties whose valuations have increased by less than the average could expect a marginal reduction in rates.
- Council's overall income from rates is subject to rate pegging therefore the total income from rates will only increase by the rate determined by IPART that being 3.6% for 2012/2013 announced 6th December 2011.

Corporate Services Division Report No. 3 (Cont'd)

- This table also lists the changes from the 1 July 2005 to 1 July 2008 base date valuations. It indicates that the average increase in valuations between suburbs was more evenly distributed in the 1 July 2011 revaluation.
- The statutory contribution levied on Council by the NSW Fire Brigades is based on variations in land valuations which may impact on Council.

Table 1:

Suburb	Valuation Base Date 1 July 2008	Valuation Base Date 1 July 2011	Average % Increase 2005-2008	Average % Increase 2008-2011
BALGOWLAH	1,458,984,880	1,657,446,065	10%	13.6%
BALGOWLAH HEIGHTS	947,064,320	1,067,059,680	9%	12.7%
CLONTARF	939,068,380	1,021,413,400	5%	8.8%
FAIRLIGHT	1,085,196,546	1,191,463,858	6%	9.8%
MANLY	3,910,773,604	4,179,159,043	10%	6.9%
SEAFORTH	1,981,947,130	2,272,699,690	14%	14.7%
TOTAL	10,323,034,860	11,389,241,736	9.8%	10.3%

RECOMMENDATION

That the report be received and noted.

ATTACHMENTS

There are no attachments for this report.

OM130212CSD_6

***** End of Corporate Services Division Report No. 3 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Corporate Services Division Report No. 4
SUBJECT: Report on Council Investments as at 30 November 2011
FILE NO:

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 November 2011.

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.

The following securities held are currently rated less than the minimum required under the Ministerial Investment Order. Council is permitted to hold securities under the grandfathering clause in the Ministerial Investment Order dated 31 July 2008.

- Flinders CDO currently rated BB
- Parkes CDO currently rated CCC-
- Scarborough CDO currently rated D
- Torquay CDO currently rated D
- Coolangatta CDO – B+ (unwinding)
- Global Bank Note - B- (unwinding)

Investment Performance

The Investment Report shows that Council has total Investments of \$16,666,542, comprising a combined Bank Balance of \$1,896,550; and Investment Holdings of \$12,219,992 directly managed and \$2,550,000 externally managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 4.96% (*Council Benchmark = 4.63% - benchmark is 90 day average BBSW*)

Corporate Services Division Report No. 4 (Cont'd)

The reduced interest returns for November are a result of several investments not paying interest coupons and initiating capital guarantee mechanisms to protect the investment. These include Emu Note (Dresdner Bank), ANZ Climate Change Trust, and Lehman Bros Zircon (Coolangatta) and Beryl (Global Bank Note).

The average rate of return for investments paying interest is 5.95%

Lehman Brothers Australia (Grange) Portfolio Performance

Return on Lehman Brothers Australia Limited (Grange) Managed Funds since inception was 2.86% which is 2.60% less than the benchmark UBSWA Index of 5.46% (for the month of November 2011 the monthly return was 0.32% lower than benchmark UBSWA Index). The current market value of these investments (included in the report for information) shows a reduction in the value and the returns reported by Lehman Brothers Australia (Grange) indicate a return below benchmark. Council in 2008 recognised a loss in market value of the CDO portfolio amounting to \$2.2 million. Since then Council recovered part of that loss reducing it at financial year 30th June 2011 to \$1.4 million.

During the month of November two credit events took place that affected negatively the market value of the CDOs, Scarborough and Torquay separately.

Movements in Investments for the Month of November 2011**Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Nil		

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Railways Credit Union	Term Deposit	\$ 500,000.00	\$ 500,000.00
Bank of Queensland	Term Deposit	\$1,000,000.00	\$1,000,000.00
People's Choice Credit Union	Term Deposit	\$ 500,000.00	\$ 500,000.00

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 30 November 2011 be received and noted.

ATTACHMENTS

AT- 1 Investment Report November 3 Pages

OM130212CSD_4

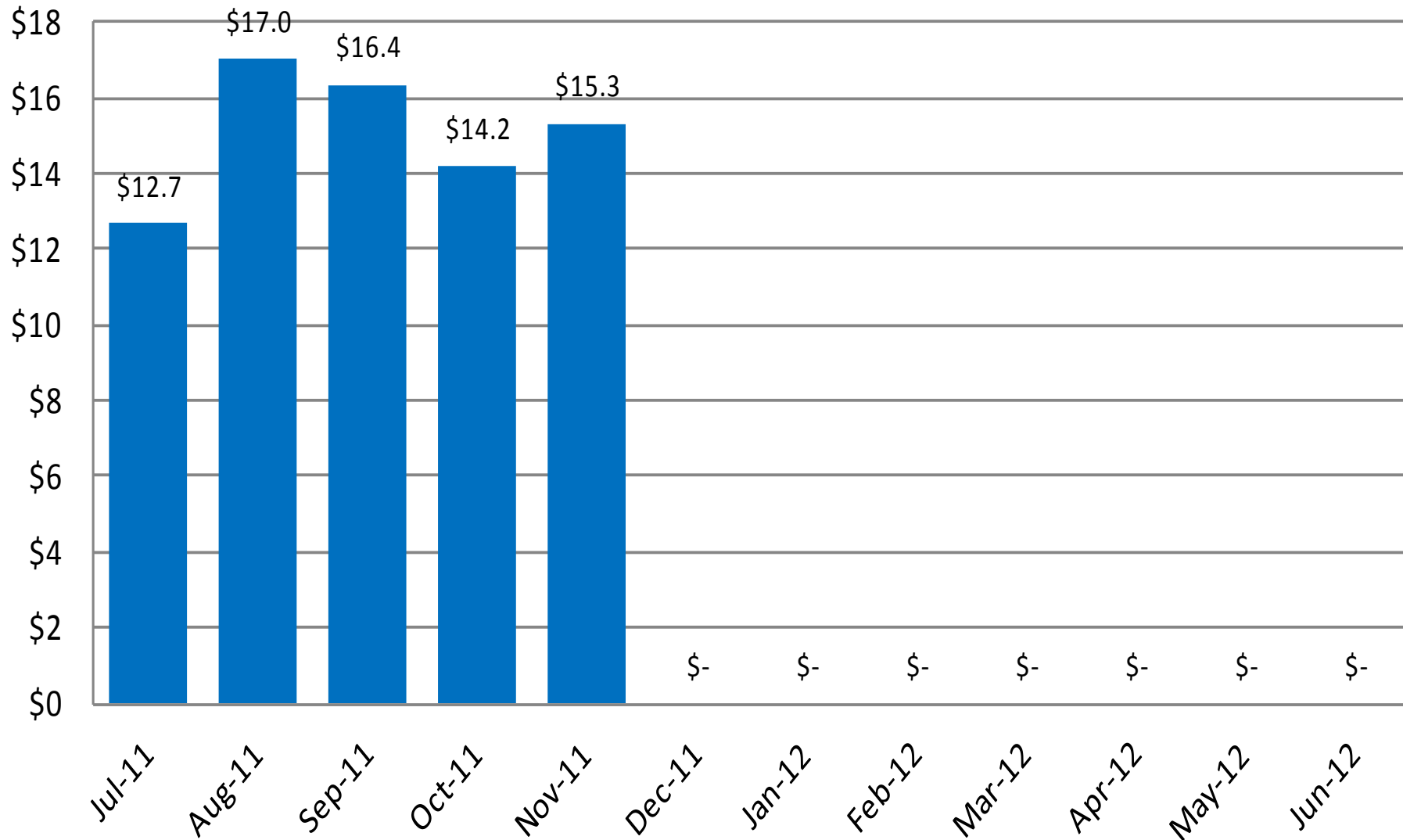
***** End of Corporate Services Division Report No. 4 *****

ATTACHMENT 1

Corporate Services Division Report No. 4 - Report on Council Investments as at 30 November 2011 Investment Report November

MANLY COUNCIL INVESTMENT PORTFOLIO as at 30 November 2011										
	Form of Investment	Investment in AUSS\$		Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Investment Returns Interest Rate	Interest YTD	Accrual Nov 2011
<u>Directly Managed Funds</u>										
Trading Account			Market Val							
CBA Trading Account	Cash	1,896,550	1,896,550	11.38%	AA-	.		3% ⁽³⁾	\$ 15,979	\$ 3,299
Others										
Emu Note - Dresdner Bank	Structered Note	500,000	424,300	3.00%	AAA	25/10/2005	30/10/2015	0.00%	\$ -	\$ -
ANZ Climate Change Trust	Structured Note	500,000	461,395 ⁽⁵⁾	3.00%	AA	18/01/2008	18/01/2014	0.00%	\$ -	\$ -
Suncorp-Metway Ltd	Term Deposit	1,000,000	1,000,000	6.00%	A+	5/07/2011	3/01/2012	6.24%	\$ 25,302	\$ 5,129
Bank of Queensland	Term Deposit	500,000	500,000	3.00%	BBB+	5/07/2011	5/01/2012	6.21%	\$ 12,590	\$ 2,552
Members Equity Bank Pty Ltd	Term Deposit	500,000	500,000	3.00%	BBB	5/07/2011	4/07/2012	6.36%	\$ 12,894	\$ 2,614
RaboDirect Australia Limited	Term Deposit	719,877	719,877	4.32%	AAA	11/07/2011	29/06/2012	6.40%	\$ 17,924	\$ 3,787
Members Equity Bank Pty Ltd	Term Deposit	500,000	500,000	3.00%	BBB	12/09/2011	12/12/2011	5.87%	\$ 6,352	\$ 2,412
People's Choice Credit Union	Term Deposit	500,000	500,000	3.00%	Cr Union	12/09/2011	12/12/2011	5.94%	\$ 6,428	\$ 2,441
Macquarie Cash Management Account	@ Call	225	225	0.00%	AAA	At call	At call	4.50%	\$ 5	\$ 1
AMP Limited	@ Call	4,745,356	4,745,356	28.47%	A	At call	At call	5.35%	\$ 118,135	\$ 27,360
Commonwealth Bank	@ Call	2,754,534	2,754,534	16.53%	AA-	At call	At call	4.00%	\$ 53,277	\$ 6,687
Total		12,219,992	12,105,687	73.32%						
Total Directly Managed Funds		14,116,542	14,002,237							
<u>Lehman Brothers Australia (Grange) Managed Funds (All in AUSS\$)</u>										
Interest Bearing Securities (Non Bank)			Market Val							
Magnolia (Flinders)	Floating Rate CDO	300,000	294,624	1.80%	BB	20/03/2007	20/03/2012	6.49%	\$ 8,178	\$ 1,601
MAS6-7 (Parkes IIA)	Floating Rate CDO	500,000	9,080	3.00%	CCC-	20/03/2007	20/06/2015	8.29%	\$ 8,585	\$ 1,785
Heli0308 (Scarborough)	Floating Rate CDO	250,000	1,968	1.50%	D	21/06/2007	23/06/2014	6.83%	\$ 4,497	\$ 903
Corsair (Torquay)	Floating Rate CDO	500,000	8,195	3.00%	D	20/03/2007	20/06/2013	6.64%	\$ 6,769	\$ 1,409
Zirccon (Coolangatta)	Floating Rate CDO	500,000	475,000	3.00%	B+	20/03/2007	20/09/2014	0.00%	\$ -	\$ -
Beryl (Global Bank Note)	Floating Rate Note	500,000	540,000	3.00%	B-	3/04/2007	20/09/2014	0.00%	\$ -	\$ -
Total Grange Managed Funds		2,550,000	1,328,867	15.30%						
Retired Investments									\$ 38,009	\$ 1,869
TOTAL PORTFOLIO		16,666,542	15,331,104	100.00%				4.96%	\$ 334,925	\$ 63,850
BENCHMARK								4.63%		
<u>Notes:</u>										
1 Benchmark is 90 day Average BBSW										
2 CDO - Collateralised Debt Obligation										
3 Balances less than \$250,000 earn 3%, \$250,000 to \$499,999 earn 3.25%, \$500,000 to \$750,000 earn 3.5% & greater \$750,000 earn 3.75%										
4 CBA Trading & At Call account not included in the monthly portfolio return calculation										
5 Valuation as at 30 November 2011										
In 2008 Council's Portfolio was written down from Face Value to its Market Value by \$2.2million. Since then there has been partial recovery of some write downs with the overall written down value as at 30/06/2011 standing at \$1.4 million.										

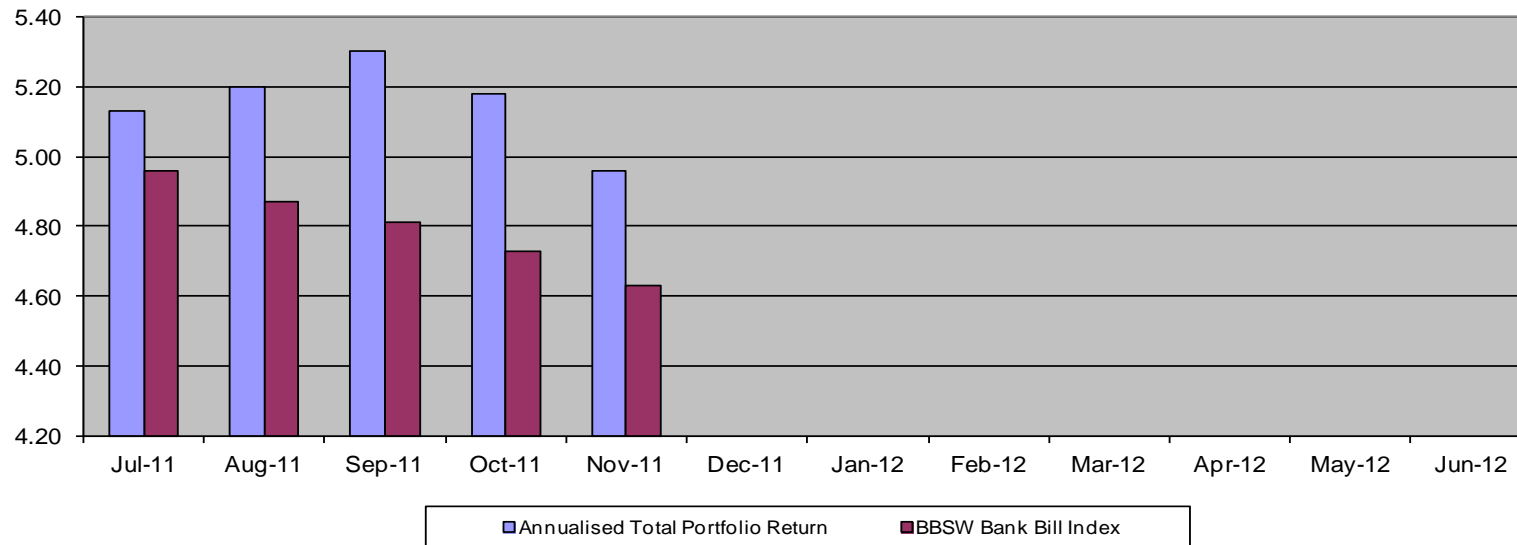
Investment Value by Month - 2011/2012 (\$Million)



ATTACHMENT 1

Corporate Services Division Report No. 4 - Report on Council Investments as at 30 November 2011 Investment Report November

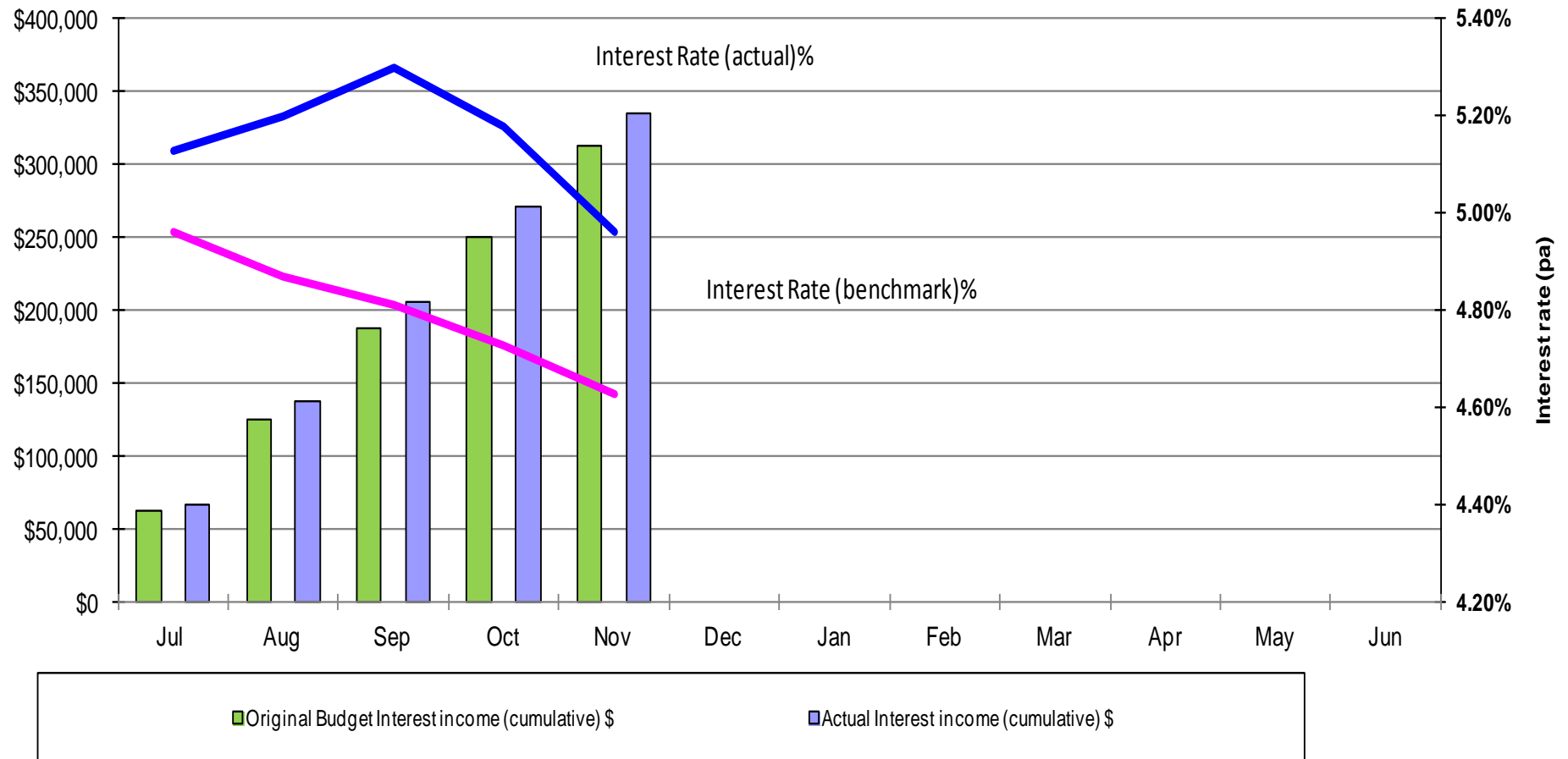
Total Portfolio Performance V's BBSW Rate



Summary by Credit Rating		No.
A+	6.00%	1
AAA	7.32%	3
AA	3.00%	1
A	28.47%	1
AA-	27.91%	2
BBB+	3.00%	1
B+	3.00%	1
BBB	6.00%	2
BB	1.80%	1
B-	3.00%	1
CCC-	3.00%	1
D	4.50%	2
Building Society	0.00%	0
Credit Union	3.00%	1
	100.00%	18

0.00%	0.00%	@ Call
3.00%	0.00%	
6.00%	7.50%	< 1 Year
6.00%		1 < 2 Years
		2 < 3 Years
21.12%	56.38%	3 < 4 Years
		4 < 5 Years
		5 < 6 Years
		6 < 7 Years
		> 7 Years

**Interest Income and
Interest Rate - 2011/12
(budget vs actual)**



TO: Ordinary Meeting - 13 February 2012
REPORT: Corporate Services Division Report No. 5
SUBJECT: Report on Council Investments as at 31 December 2011
FILE NO:

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 December 2011.

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.

The following securities held are currently rated less than the minimum required under the Ministerial Investment Order. Council is permitted to hold securities under the grandfathering clause in the Ministerial Investment Order dated 31 July 2008.

- Flinders CDO currently rated BB
- Parkes CDO currently rated CCC-
- Torquay CDO currently rated D
- Coolangatta CDO – B+ (unwinding)
- Global Bank Note - B- (unwinding)

Investment Performance

The Investment Report shows that Council has total Investments of \$16,252,027, comprising a combined Bank Balance of \$701,558; and Investment Holdings of \$13,250,470 directly managed and \$2,300,000 externally managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 4.83% (*Council Benchmark = 4.51% - benchmark is 90 day average BBSW*)

Corporate Services Division Report No. 5 (Cont'd)

The reduced interest returns for December are a result of several investments not paying interest coupons and initiating capital guarantee mechanisms to protect the investment. These include Emu Note (Dresdner Bank), ANZ Climate Change Trust, and Lehman Bros Zircon (Coolangatta) and Beryl (Global Bank Note).

The average rate of return for investments paying interest is 5.59%

Lehman Brothers Australia (Grange) Portfolio Performance

Return on Lehman Brothers Australia Limited (Grange) Managed Funds since inception was 2.89% which is 2.55% less than the benchmark UBSWA Index of 5.44% (for the month of December 2011 the monthly return was 0.01% lower than benchmark UBSWA Index). The current market value of these investments (included in the report for information) shows a reduction in the value and the returns reported by Lehman Brothers Australia (Grange) indicate a return below benchmark. Council in 2008 recognised a loss in market value of the CDO portfolio amounting to \$2.2 million. Since then Council recovered part of that loss reducing it at financial year 30th June 2011 to \$1.4 million.

During the month of December two credit events took place that affected negatively the market value of the CDOs, Scarborough and Torquay separately. Scarborough's sale value declined to \$0 consideration and hence has been removed from the portfolio. This loss was accounted for in 2008 and has no impact on Council's 2012 accounts.

Movements in Investments for the Month of December 2011**Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Members Equity Bank	\$ 500,000.00	\$ 500,000.00
ING Bank (Australia)	\$ 500,000.00	\$ 500,000.00
Bank of Queensland	\$ 500,000.00	\$ 500,000.00
Citigroup Pty Ltd	\$ 500,000.00	\$ 500,000.00
ING Bank (Australia)	\$1,000,000.00	\$1,000,000.00
Members Equity Bank	\$1,000,000.00	\$1,000,000.00

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Members Equity Bank	Term Deposit	\$500,000.00	\$500,000.00
People's Choice Credit Union	Term Deposit	\$500,000.00	\$500,000.00

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 31 December 2011 be received and noted.

ATTACHMENTS

AT- 1 Investment Report 4 Pages

OM130212CSD_5

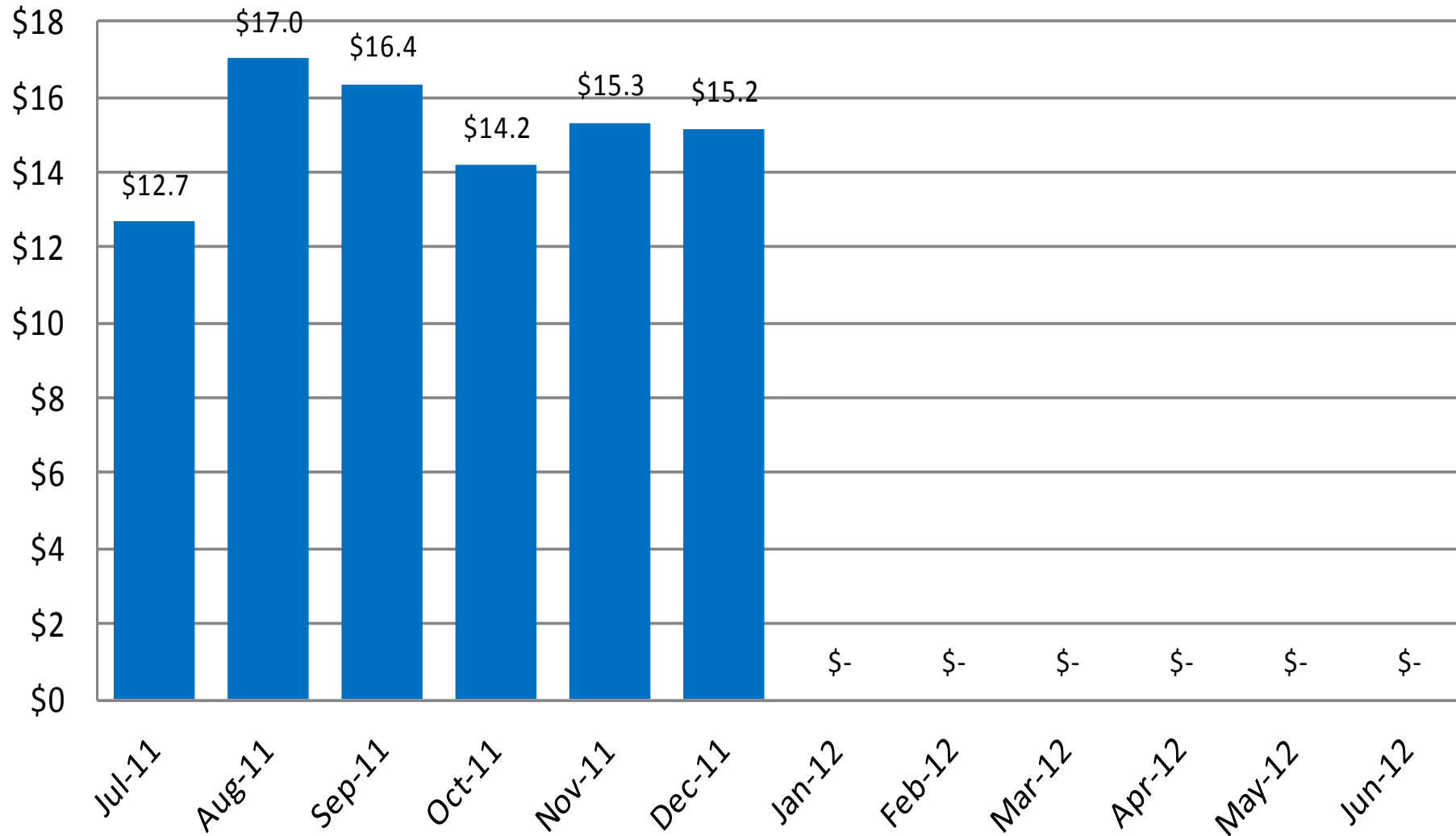
***** End of Corporate Services Division Report No. 5 *****

ATTACHMENT 1

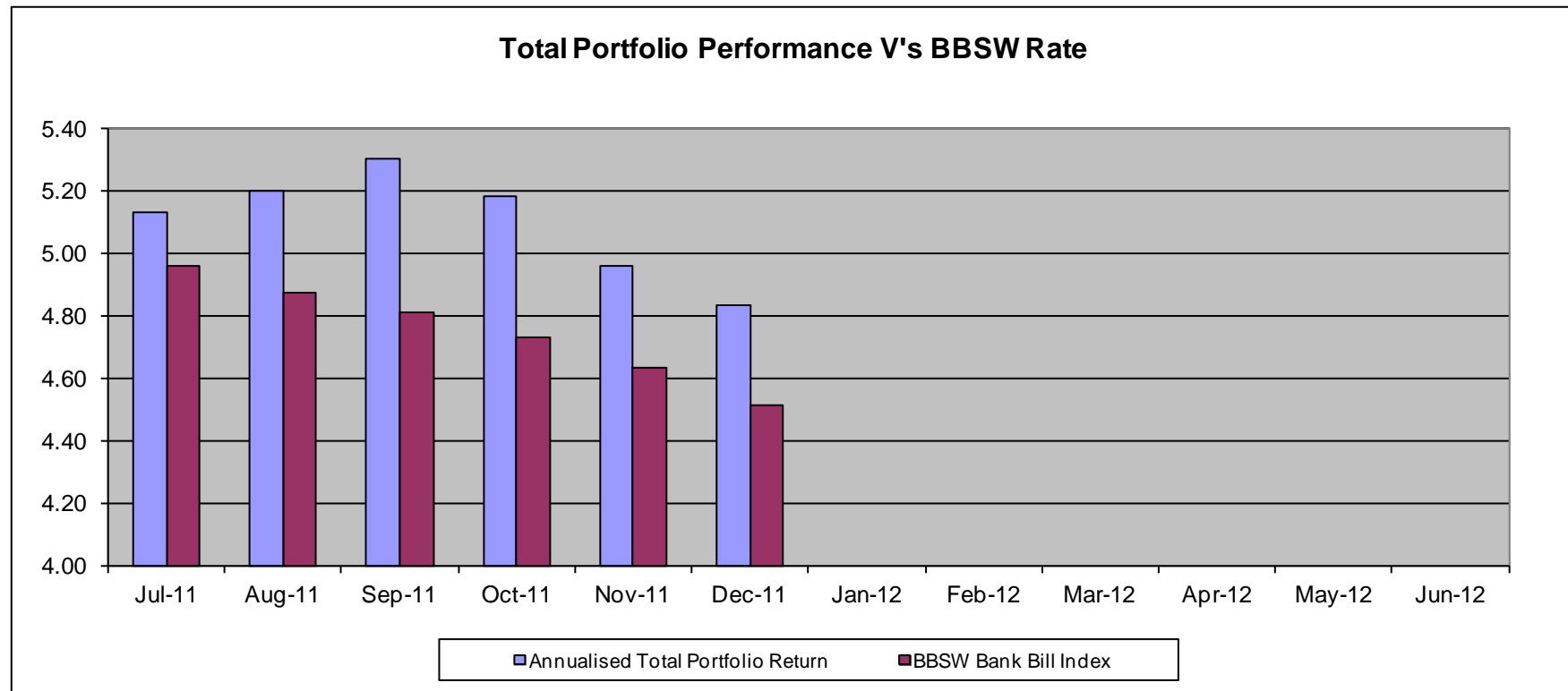
Corporate Services Division Report No. 5 - Report on Council Investments as at 31 December 2011 Investment Report

MANLY COUNCIL INVESTMENT PORTFOLIO as at 31 December 2011									
	Form of Investment	Investment in AUS\$	Market Val	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Investment Returns Interest Rate	Interest Accrual YTD Dec 2011
Directly Managed Funds									
Trading Account									
CBA Trading Account	Cash	701,558	701,558	4.32%	AA-	.	.	3% ⁽³⁾	\$ 20,429 \$ 4,451
Others									
Emu Note - Dresdner Bank	Structured Note	500,000	426,900	3.08%	AAA	25/10/2005	30/10/2015	0.00%	\$ - \$ -
ANZ Climate Change Trust	Structured Note	500,000	461,990. ⁽⁵⁾	3.08%	AA	18/01/2008	18/01/2014	0.00%	\$ - \$ -
Suncorp-Metway Ltd	Term Deposit	1,000,000	1,000,000	6.15%	A+	5/07/2011	3/01/2012	6.24%	\$ 30,602 \$ 5,300
Bank of Queensland	Term Deposit	500,000	500,000	3.08%	BBB	5/07/2011	5/01/2012	6.21%	\$ 15,227 \$ 2,637
Members Equity Bank Pty Ltd	Term Deposit	500,000	500,000	3.08%	BBB	5/07/2011	4/07/2012	6.36%	\$ 15,595 \$ 2,701
RaboDirect Australia Limited	Term Deposit	719,877	719,877	4.43%	AAA	11/07/2011	29/06/2012	6.40%	\$ 21,837 \$ 3,913
Members Equity Bank Pty Ltd	Term Deposit	500,000	500,000	3.08%	BBB	5/12/2011	3/02/2012	5.85%	\$ 2,084 \$ 2,084
ING Bank (Australia)	Term Deposit	500,000	500,000	3.08%	A	5/12/2011	3/02/2012	5.84%	\$ 2,080 \$ 2,080
Bank of Queensland	Term Deposit	500,000	500,000	3.08%	BBB	5/12/2011	3/02/2012	5.55%	\$ 1,977 \$ 1,977
Citigroup Pty Ltd	Term Deposit	500,000	500,000	3.08%	A-	5/12/2011	9/01/2012	5.50%	\$ 1,959 \$ 1,959
ING Bank (Australia)	Term Deposit	1,000,000	1,000,000	6.15%	A	16/12/2011	14/02/2012	5.66%	\$ 2,326 \$ 2,326
Members Equity Bank Pty Ltd	Term Deposit	1,000,000	1,000,000	6.15%	BBB	16/12/2011	14/02/2012	5.65%	\$ 2,322 \$ 2,322
Macquarie Cash Management Account	@ Call	226	226	0.00%	A	At call	At call	4.50%	\$ 5 \$ 1
AMP Limited	@ Call	4,765,031	4,765,031	29.32%	A	At call	At call	5.35%	\$ 138,596 \$ 20,460
Commonwealth Bank	@ Call	765,335	765,335	4.71%	AA-	At call	At call	4.00%	\$ 64,078 \$ 10,801
Total		13,250,470	13,139,360	81.53%					
Total Directly Managed Funds		13,952,027	13,840,917						
Lehman Brothers Australia (Grange) Managed Funds (All in AUS\$)									
Interest Bearing Securities (Non Bank)									
Magnolia (Flinders)	Floating Rate CDO	300,000	294,537	1.85%	BB	20/03/2007	20/03/2012	6.21%	\$ 9,595 \$ 1,417
MAS6-7 (Parkes IIA)	Floating Rate CDO	500,000	2,500	3.08%	CCC-	20/03/2007	20/06/2015	8.29%	\$ 10,430 \$ 1,845
Corsair (Torquay)	Floating Rate CDO	500,000	2,515	3.08%	D	20/03/2007	20/06/2013	0.10%	\$ 3,562 -\$ 3,207
Zircon (Coolangatta)	Floating Rate CDO	500,000	480,000	3.08%	B+	20/03/2007	20/09/2014	0.00%	\$ - \$ -
Beryl (Global Bank Note)	Floating Rate Note	500,000	545,000	3.08%	B-	3/04/2007	20/09/2014	0.00%	\$ - \$ -
Total Grange Managed Funds		2,300,000	1,324,552	14.15%					
Retired Investments									\$ 55,181 -\$ 106
TOTAL PORTFOLIO		16,252,027	15,165,469	100.00%				4.83%	\$ 397,885 \$ 62,960
BENCHMARK								4.51%	
Notes:									
1 Benchmark is 90 day Average BBSW									
2 CDO - Collateralised Debt Obligation									
3 Balances less than \$250,000 earn 3%, \$250,000 to \$499,999 earn 3.25%, \$500,000 to \$750,000 earn 3.5% & greater \$750,000 earn 3.75%									
4 CBA Trading & At Call account not included in the monthly portfolio return calculation									
5 Valuation as at 31 December 2011									
In 2008 Council's Portfolio was written down from Face Value to its Market Value by \$2.2million. Since then there has been partial recovery of some write downs with the overall written down value as at 30/06/2011 standing at \$1.4 million.									

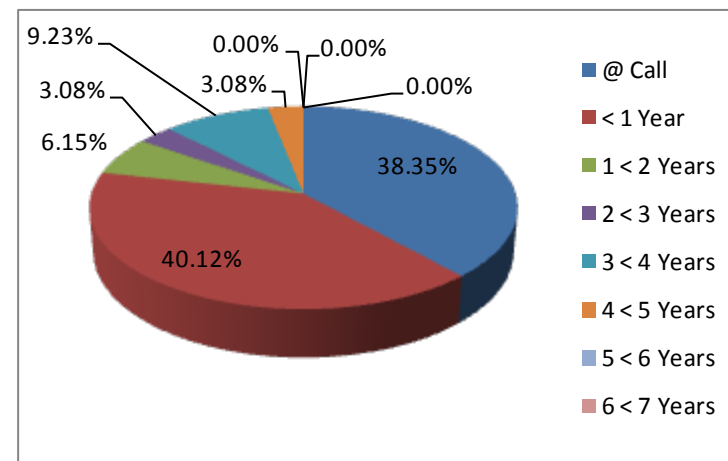
Investment Value by Month - 2011/2012 (\$Million)



Corporate Services Division Report No. 5 - Report on Council Investments as at 31 December 2011
Investment Report

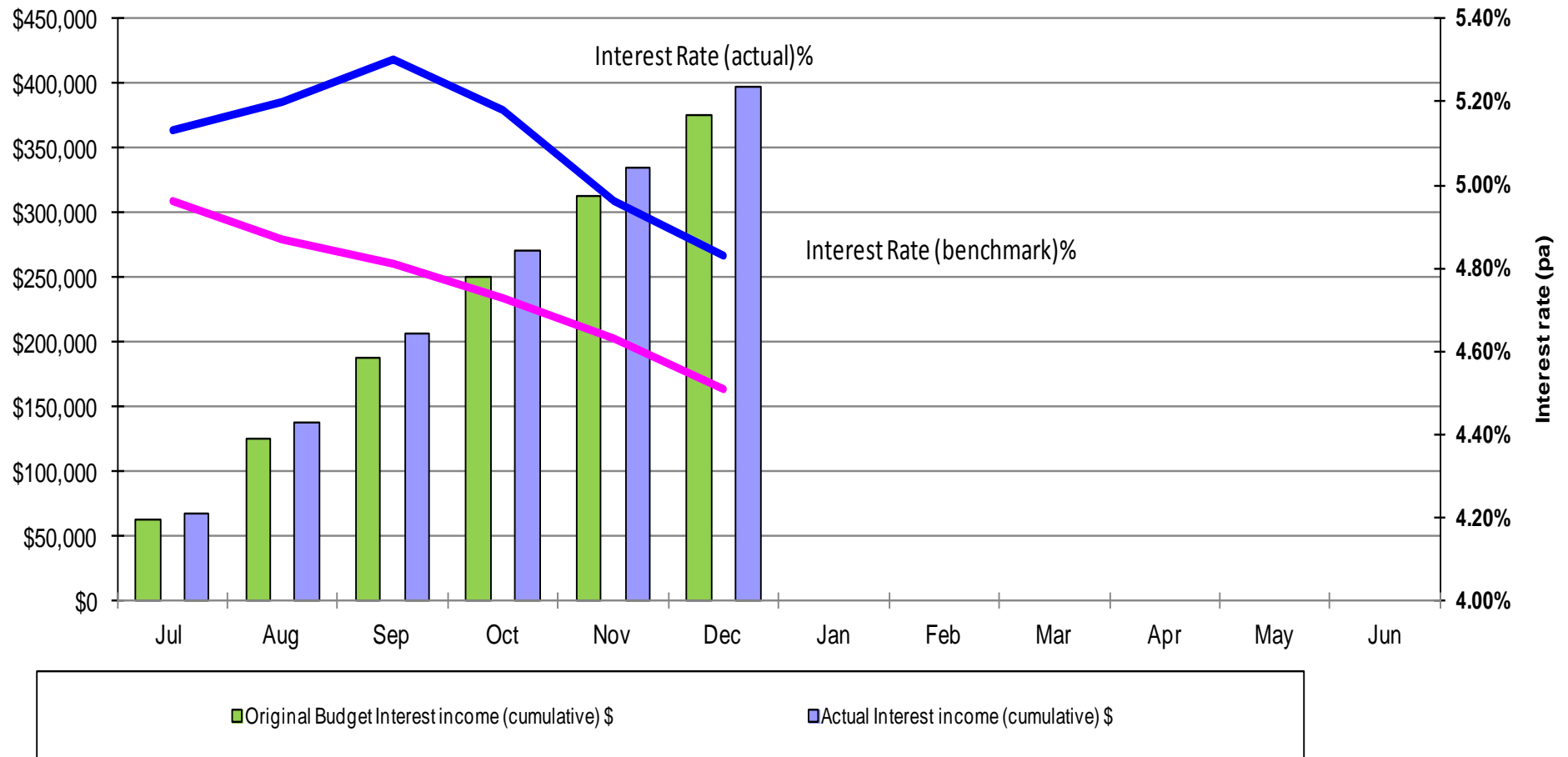


Summary by Credit Rating		No.
A+	6.15%	1
AAA	7.51%	2
AA	3.08%	1
A	38.55%	4
A-	3.08%	1
AA-	9.03%	2
B+	3.08%	1
BBB	18.46%	5
BB	1.85%	1
B-	3.08%	1
CCC-	3.08%	1
D	3.08%	1
	100.00%	21



Corporate Services Division Report No. 5 - Report on Council Investments as at 31 December 2011
Investment Report

**Interest Income and
Interest Rate - 2011/12
(budget vs actual)**



TO: Ordinary Meeting - 13 February 2012
REPORT: Civic and Urban Services Division Report No. 2
SUBJECT: Unstructured Recreational Strategy and Policy
FILE NO:

SUMMARY

This report recommends that Council gives public notice of its intention to adopt the draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy.

REPORT

At the Ordinary Meeting on 12th September 2011 Council resolved:

“

1. *That Council require the dirt jump riders to form into an incorporated legal entity before entering into discussion with the Council. Following which,*
2. *Manly Council to work with Warringah Council and the riders community to form a working group, including any interested councillors to investigate the various options for the preservation of the “Freedom” dirt jump trails (near Burnt Bridge Creek deviation), which have been shown to be successful for other councils around Australia.*
3. *That the “Freedom” dirt jump trail shall remain closed, however, prior to its demolition, the working group should be initiated.*
4. *Council develop an unstructured recreational strategy and policy that provides guidance to recreational groups, such as dirt jump riders, that want to use parcels of public land.”*

A **policy** document (Attachment 1) will be the Unstructured Recreation Policy guiding outcomes in relation to unstructured recreation in Manly.

A **strategy** document (Attachment 2) will guide staff, residents and other users in the management of unstructured recreation in Manly and will:

- Guide the principals of unstructured recreation;
- Establish Manly's commitment to the future of unstructured recreation a strategic direction for open space in the Local Government area (LGA);
- Address issues related to the unstructured recreation and maintenance faced by Manly Council;
- Provide a rationale for decision making to ensure consistency in the management of unstructured recreation in the Manly Council LGA, and
- Provide direction to support the commitment to unstructured recreation management in the Manly LGA.

The two documents will go on public exhibition for a period of 28 days as part of Council's consultation process, in order to gain public feedback on the documents.

Civic and Urban Services Division Report No. 2 (Cont'd)**RECOMMENDATION**

That:

1. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be endorsed.
2. The draft Unstructured Recreation Policy and draft Unstructured Recreation Strategy be placed on public exhibition for a period of 28 days.
3. A report be brought back to Council following the close of the public exhibition period.

ATTACHMENTS

AT- 1 Unstructured Recreation Policy 5 Pages Circulated Separately

AT- 2 Unstructured Recreation Strategy 34 Pages Circulated Separately

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***** End of Civic and Urban Services Division Report No. 2 *****

TO: Ordinary Meeting - 13 February 2012
REPORT: Civic and Urban Services Division Report No. 3
SUBJECT: Adoption of the Ellery's Punt Reserve Landscape Masterplan
FILE NO:

SUMMARY

At Council's Planning and Strategy Committee meeting dated 5 September 2011, Council resolved to place the Final design of the Ellery's Punt Reserve Landscape Masterplan on public exhibition (PS106/11).

The Plan was publicly exhibited from 19 September to 14 October 2011. During this period, a public information day was also organised on 24 September 2011 to obtain direct community feedback on the Plan. Only one submission was received

The Landscape Masterplan and Urban Design (LMUD) Committee, at its meeting on 7 December 2011, reviewed the lone submission and staff response. The Committee recommends that Council adopts the Ellery's Punt Reserve Landscape Masterplan.

REPORT

Background

Development of a Landscape Masterplan for Ellery's Punt Reserve is proposed to integrate improvements to the harbour edge addressing erosion and community concerns.

Landscape Masterplan for Ellery's Punt Reserve.

The main landscape elements proposed for upgrade are:

1. Formalise access to water for recreation uses.
2. Improve the visibility of the existing stormwater services to the waters edge.
3. Propose a solution to the current erosion of the existing sand embankment.
4. Investigate remaining heritage stonework and integrate this with the landscape upgrade of the foreshore.

It was communicated that this landscape plan is being developed in response to the continuing erosion issues at the site and to resolve the problem of soil erosion to the harbour foreshore area.

The landscape drawings show proposed elements to protect the reserve from further erosion, screen the stormwater outlet pipe, protect the punt landing area and provide an attractive park for the local and Manly Scenic Walkway user (**Attachments 1 and 2**).

Public Exhibition

The Ellery's Punt Reserve Landscape Masterplan (Final Design) was publicly exhibited 19 September to 14 October 2011. The draft Masterplan was placed on public exhibition at the following locations:

- Manly Council Chambers,
- Manly Environment Centre,
- Manly Library, and
- Council's website at www.manly.nsw.gov.au under the Manly Council News section.

Civic and Urban Services Division Report No. 3 (Cont'd)

Exhibition of the LMP was advertised in the Manly Daily, on Council's web-page and also through Community Precincts' Newsletters. A public information day was organised on 24 September 2011.

A total of only one submission was received. The submission was reviewed and staff response prepared. (**Attachment 3**).

Recommendations from Committees

Preliminary Design of the Ellery's Punt Reserve Landscape Masterplan was presented at the HFCMC, Access, MSW, Heritage and LMUD committees during August -September 2010.

Final Design of the Ellery's Punt Reserve Landscape Masterplan was again presented at the HFCMC, MSW and LMUD committees during December 2010 - August 2011.

Considering feedbacks from all Committees and submission from public exhibition, the Landscape Masterplan and Urban Design (LMUD) Committee, at its meeting on 7 December 2011, has endorsed the Final Design of the Ellery's Punt Reserve Landscape Masterplan and recommended Council for adoption.

RECOMMENDATION

It is recommended that Council adopts the Ellery's Punt Reserve Landscape Masterplan.

ATTACHMENTS

AT- 1	Final Design of the Ellery's Punt Reserve Landscape Masterplan	3 Pages
AT- 2	Design Element for the Ellery's Punt Reserve Landscape Masterplan	1 Page
AT- 3	Submission from Public Exhibition with Staff Responses	1 Page

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***** End of Civic and Urban Services Division Report No. 3 *****

Civic and Urban Services Division Report No. 3 - Adoption of the Ellery's Punt Reserve Landscape Masterplan
Final Design of the Ellery's Punt Reserve Landscape Masterplan

Drawing 1 - LANDSCAPE CONTEXT PLAN

Civic and Urban Services Division Report No. 3 - Adoption of the Ellery's Punt Reserve Landscape Masterplan
Final Design of the Ellery's Punt Reserve Landscape Masterplan

[illegible]

ATTACHMENT 1

Civic and Urban Services Division Report No. 3 - Adoption of the Ellery's Punt Reserve Landscape Masterplan Final Design of the Ellery's Punt Reserve Landscape Masterplan

Drawing 3 - LANDSCAPE SKETCH



Civic and Urban Services Division Report No. 3 - Adoption of the Ellery's Punt Reserve
Landscape Masterplan
Design Element for the Ellery's Punt Reserve Landscape Masterplan

Attachment 2

Design Element for the Ellery's Punt Reserve Landscape Masterplan

The landscape drawings show how we propose to protect the reserve from further erosion, screen the stormwater outlet pipe, protect the punt landing area and provide an attractive park for the local and Manly Scenic Walkway user.

The Main Design items include:

1. **Retaining sea wall:** Removal of existing eroded sand embankment to be replaced with a retaining sea wall.
2. **Slope improvement:** Improve and enhance the grass slope to the shoreline.
3. **Timber Walkway:** To screen the existing stormwater pipe and provide a viewing platform to the waters edge.
4. **Timber Steps:** To connect the user with the shoreline, existing punt ramp and waters edge path with minimal disturbance to the existing soil profile and potential underground remnants of the punt ramp.
5. **Furniture:** We propose seating to the path edge overlooking the water, a rubbish bin close to the existing car park and a water bubbler adjacent to the timber steps.
6. **Interpretive Signage:** We propose an interpretive sign also adjacent to the timber steps with viewing access from the footpath.
7. **Heritage signage:** Consolidation of existing signage/plaques, including the O'Halloran monument in the area.
8. **Stormwater pipe:** Retained full length of the stormwater pipe.
9. **Footpath:** We propose a new footpath to connect the user with the Manly Scenic Walkway and the existing steps under the spit bridge providing access to Battle Boulevard and Avona Crescent.

ATTACHMENT 3

Civic and Urban Services Division Report No. 3 - Adoption of the Ellery's Punt Reserve Landscape Masterplan Submission from Public Exhibition with Staff Responses

Attachment 3

Ellery's Punt Reserve Landscape Masterplan – Final Design

Public Exhibition Submissions and Staff Responses

November 2011

Submissions received: 1

Comments (as written)	Staff responses
<p>1.</p> <p>General and Specific Comments</p> <p>In general, the plan looks very interesting and will enhance the area.</p> <p>A particular concern however will be the lack of access to kayakers under the masterplan. We and many others use the beach at the reserve to launch our kayaks. A beach is required to safely launch a kayak.</p> <p>Under the masterplan the beach will be bordered by a sandstone wall preventing kayakers from accessing the beach. I strongly recommend that steps be built onto the beach allowing kayakers to walk their kayaks onto the beach.</p> <p>I note that a walkway and wooden steps is proposed over the water outlet pipe. I am not sure whether the planners are proposing that kayakers launch their kayaks using the walkway and steps. However that would be a very precarious operation especially at high tide. Have you ever seen someone trying to launch a kayak from a wharf, it is a dangerous exercise</p> <p>I request you give our proposal serious consideration as there are 100s of people like us who love the current access we have to the beach.</p> <p>Thank you for your consideration</p>	<p>Your concern has been noted.</p> <p>Council will modify the design to facilitate kayakers access when detailed design and construction design are prepared</p>