



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 14 May 2012

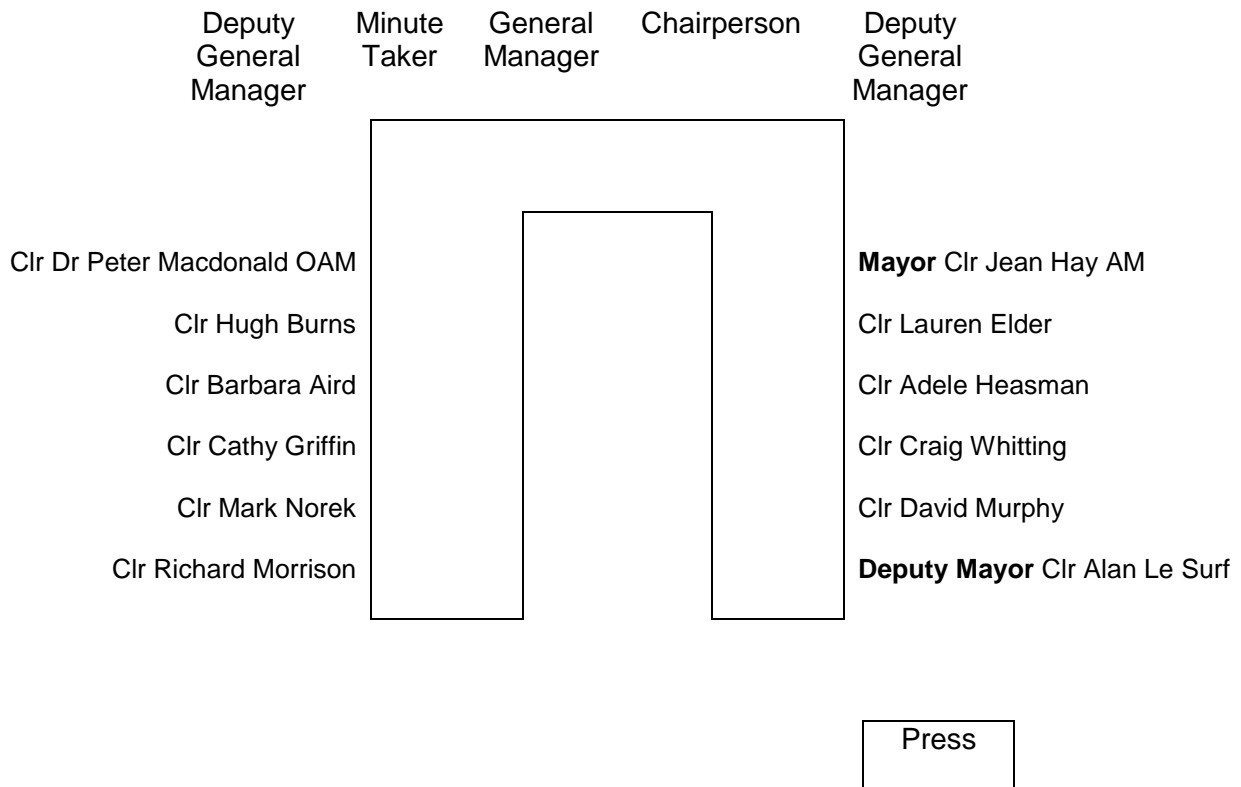
Commencing at 7:30 PM for the purpose of considering items included on the Agenda.

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 Service Counters at Manly Council, Manly Library and Seaforth Library and are available on Council's website:

www.manly.nsw.gov.au

Seating Arrangements for Meetings



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**CONFIDENTIAL COMMITTEE OF THE WHOLE****Environmental Services Division Report No. 13**

Tender No. T2012/03 for the Supply and Delivery of one small 8m3 Garbage Compactor

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

Corporate Services Division Report No. 12

Tender for Retail Charging of Electricity (Contestable Sites and Street Lighting)
It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

General Managers Division Report No. 8

The Kimbriki Resource Recovery Project

It is recommended that the Council resolve into closed session with the press and public excluded to allow consideration of this item, as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret.

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

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 15
SUBJECT: Friends of Cabbage Tree Bay

Councillor Cathy Griffin will move:

That Council write to the Executive Director Fisheries NSW Department of Primary Industries to seek support from the Department of Fisheries to initiate a partnership to develop an appropriate model for the formation of a **Friends of Cabbage Tree Bay Volunteer group** which would meet the Recommendation in the Cabbage Tree Bay Aquatic Reserve: Draft Regulation and Implementation Strategy March 2010 Chapter 5 Section 5.2 Visitor Use, Management Outcome 15 *to initiate a volunteer program to educate visitors about the biodiversity of the Bay and the importance preserving and protecting this biodiversity.*

Background

Cabbage Tree Bay was declared an Aquatic Reserve in 2002. Since this declaration the local community has been actively engaged in encouraging the protection of the area. Each week many calls are made by locals and visitors to Manly Council rangers, OEH and Fisheries staff reporting illegal activity in the Bay. Others swim and dive in Cabbage Tree Bay for pleasure or to conduct research and many simply enjoy the beauty of the area, both in and out of the water.

A working group was established to prepare a Cabbage Tree Bay Aquatic Reserve Plan of Management. This plan of management, although yet to be adopted was overwhelmingly supported by the community with over 200 submissions urging its protection. Issues do however remain regarding the presence of boats and anchoring in the Bay as well as the constant need to remind people not to fish, spear or remove marine creatures from the shoreline as well as the bay itself.

Cabbage Tree Bay is a popular area for recreation and research; however for those not directly involved in research or the protection of the Bay there is a lack of knowledge and understanding about the biodiversity of the area and marine life in the Bay.

In 2010 the MEC held a 'Day at the Bay' to raise awareness and increase knowledge about the sensitive marine environment in the Cabbage Tree Bay Aquatic Reserve. The day was a resounding success and many signed up to become Friends of Cabbage Tree Bay. In addition a large number also separately signed up to receive newsletters and updates on matters relating to the Cabbage Tree Bay Reserve.

A recommendation from the Cabbage Tree Bay Aquatic Reserve: Draft Regulation and Implementation Strategy March 2010 Chapter 5 Section 5.2 Visitor Use, Management Outcomes, was to initiate a volunteer program to educate visitors about the biodiversity of the Bay and the importance preserving and protecting this biodiversity.

A partnership is sought between Fisheries, Manly Council, including the MEC and other interested groups to form a Friends of Cabbage Tree Bay group.

The aim of the Friends of Cabbage Tree Bay is to provide education to support the protection and preservation of the Cabbage Tree Bay Aquatic Reserve.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM140512NM_1

***** End of Notice of Motion Report No. 15 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 16
SUBJECT: Roseberry St Masterplan Working Party
FILE NO:

Councillor Heasman and Councillor Whitting will move:

That Council set up a working party to progress actions regarding Roseberry Street Masterplan to be called the Roseberry Street MasterPlan Working Party.

BACKGROUND

With the closing of Balgowlah Precinct in mid 2011 there has been no formal process for the local community to liaise formally with Council specifically in relation to Roseberry Street

The Working Party would meet to progress actions from the Roseberry Street MasterPlan and other actions that the Working Party decide would assist in the improvement of relevant issues such as (but not limited to) traffic flow (in and out of Roseberry Street), safe pedestrian movement, landscaping and car parking.

A working party would meet initially on a monthly basis until the Working Party agree to it meeting only as required.

The Working Party should have a small membership (maybe 6 to 8) made up of:

Local Residents such as Trudy van der Stratten

Interested Councillors

Local Precinct Representatives (Ivanhoe Park)

A Council staff member to service the Working Party

Further staff as needed

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM140512NM_2

***** End of Notice of Motion Report No. 16 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 17
SUBJECT: Cigarette butts litter in close proximity to Manly Hospital
FILE NO:

Councillor Cathy Griffin will move:

Manly Council write to the CEO and the Director of Nursing at Manly Hospital requesting that they remind their staff that smoking in bus stops is banned. In addition Manly Council mention that the littering of the area immediately across from Manly Hospital on the northern side of Darley Road with cigarette butts and takeaway food and beverage containers is unacceptable. The cigarette butts littered in the vicinity of Manly Hospital are not only unsightly but cause damage to the environment. These cigarette butts dropped in the gutters find their way into the stormwater drains which discharge into the harbour and cause damage to the marine environment.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM140512NM_3

***** End of Notice of Motion Report No. 17 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 18
SUBJECT: Bunnings Hardware Balgowlah works with Ausgrid
FILE NO:

Councillor Craig Whitting will move:

That Manly Council demands Bunnings Hardware Balgowlah works with Ausgrid and places all the electrical wiring on poles in Condamine Street near Bunnings Hardware (eastern side) underground.

Supporting Material

Underground wiring is already used between Kenneth Road and Hayes Street. The continuation of underground wiring will assist with improving traffic flows and community safety in the redeveloping Balgowlah Industrial Area.

Once the building work is completed the footpath will need to be replaced. This will provide a perfect opportunity for Ausgrid to carry-out the underground wiring.

The benefits of underground wiring in the area will:
increase the safety of vehicles entering and leaving car-parks, and;
allow light poles to be set back or to be attached to buildings.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM140512NM_4

***** End of Notice of Motion Report No. 18 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 19
SUBJECT: Sydney Ferries Franchise Agreement
FILE NO:

Councillor Hugh Burns will move:

- 1) To ensure the Manly community can have confidence in the franchising outcome, that Manly Council writes to the responsible minister and the local member to obtain a copy of the full franchising agreement from the government, so the community knows what the performance and controls are on the franchisee, and what costs are expected.
- 2) The life of Manly ferry vessels has varied from 38 to over 70 years in service. The oldest vessel (MV Freshwater) is currently 30 years old. Due to the increasing age of the four vessels operating the Manly run, that Council requests the State government identify and commit to maintaining the existing fleet capacity by ensuring the future life of the existing vessels is maximised by means such as; continued indefinite maintenance regime, a program of life extension re-equipment, or outlines plans to construct new vessels of the same passenger capacity and in what timeframe.

Background

The NSW State government has announced they will be transferring control of the presently government owned and operated Sydney Ferries to a private franchisee. The government has also recently announced they have selected the preferred consortium. They have further advised they intend to transfer ferry operations to this entity mid-year in lieu of at the end on 2012 as originally proposed.

The success of public transport franchising has been quite varied both locally and internationally.

In many cases despite apparent initial savings, operation costs are found to substantially increase (eg British Rail), there are often on-going contract performance issues, or items specified not being delivered or delivered below standards specified, and in a notable number of occasions, franchisees have withdrawn or gone insolvent (eg Melbourne trams and trains).

Due to the Manly service comprising about half the total Sydney ferries passenger numbers, the Manly community would be the most adversely affected if the franchising of the ferry services is poorly implemented or poorly administrated.

Issues such as maintaining existing timetables, maintaining vessels to a high standard of cosmetic appearance and reliability, maintaining peak passenger capacities, avoidance of industrial disputes and a commitment to an indefinite future operation of the service need to be ensured.

Previously, in the hands of the private sector the Manly ferry service was nearly completely lost, and was only rescued by a large capital investment in 4 new Manly ferries by the then State government in the 1980s.

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

There are no attachments for this report.

OM140512NM_5

***** End of Notice of Motion Report No. 19 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Notice of Motion Report No. 20
SUBJECT: Protection of Seagrass Meadows in Manly Cove (West)
FILE NO:

Councillor Cathy Griffin will move:

That Council write to Fisheries NSW stating its support for the immediate implementation of the 'Manly Cove West Preferred Option' to protect the seagrass meadows by restricting boat anchoring in the area 'point to point' from Federation Point to the corner of Manly Wharf.

Manly Council requests that these measures, to protect the seagrass in Manly Cove West, be implemented as a matter of high priority before the start of Summer 2012.

Background

Department of Primary Industries (Fisheries NSW) and the Roads and Maritime Service (RMS), in consultation with the NSW Parks & Wildlife Service (NP&WS) developed a proposal to protect the seagrass meadows in North Harbour. Under the *Fisheries Management Act 1994* it is an offence to 'harm' marine vegetation, including seagrasses, without authority of the Minister or any relevant public authority. For the purposes of the Act 'harm' means cut, pull up, destroy, dig up, remove or injure the marine vegetation or any part of it. Fines of up to \$110,000 for any individual can be imposed for harming marine vegetation.

It is also an offence to 'harm' listed threatened species of marine vegetation, such as endangered populations of *Posidonia australis*, or damage their habitat. In relation to boating practices, such offences can include but not be limited to:

1. Dropping anchor within seagrasses
2. Propeller dredging or 'scarring' seagrass beds by motoring through them at low tide.

The Manly Cove West Preferred option is a line representing an anchoring restriction area that extends approximately 320m from Federation Point (the rocky Point below Commonwealth Parade), east across the cove to the south western corner of Manly Wharf, with two marker buoys (or as deemed appropriate by RMS) and 'no anchoring point to point signs on Federation point and the corner of Manly Wharf.

The aim of these anchoring restrictions is to:

- I. Protect almost all the existing seagrass in Manly West Cove, and provides for re-colonisation of seagrass in denuded and deeper areas. Note: the remaining small amount of seagrass outside the proposed anchoring restriction area is unlikely to be affected by anchoring due to its close proximity to the ferry channel;
- II. Minimise visual impact; and
- III. Simplify compliance.

References:

http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0003/431058/Issues-Paper-for-Public-Consultation.pdf

RECOMMENDATION

That the Notice of Motion be submitted for consideration.

ATTACHMENTS

AT- 1 Issues Paper 8 Pages

OM140512NM_7***** End of Notice of Motion Report No. 20 *****

Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West)
Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

Issues Paper for Public Consultation

**Potential changes to boating practices in Quarantine Beach and
Manly Cove West, North (Sydney) Harbour**

What is this about?

There are changes that could be made to how boat users anchor their boats in Quarantine Beach and Manly Cove West that would significantly help protect seagrass. There are several options available and your feedback on these options would be helpful.

Who is proposing the changes?

The Department of Primary Industries -Fisheries (from now on referred to as "Fisheries NSW") and Roads and Maritime Services (RMS), in consultation with the NSW National Parks and Wildlife Service (NPWS).

Why?

Seagrass is vital habitat for adult and juvenile fish. The seagrass beds at Quarantine Beach and Manly Cove West are becoming degraded and are much smaller than they once were. The loss of seagrass will affect the health and numbers of fish that live in these areas. Harming seagrass is against the law and the changes discussed would help boat users reduce the likelihood of their harming seagrass when anchoring.

What does the Issues Paper say?

The Issues Paper provides background on why seagrasses need protection at Quarantine Beach and Manly Cove West. It also provides diagrams showing where the seagrass occurs and the anchoring restriction options being considered. Advantages and disadvantages of each option are listed too.

Is this final?

No. There are several options available for reducing the risk to seagrass and assisting boat users comply with the legislation and each has advantages and disadvantages. Feedback from boat users will be used to achieve a workable balance. It will take a few months from the end of the consultation period before any changes are finalised.

How do I have my say on this?

We are seeking constructive feedback on the options being considered by **1 June 2012**. If you have other suggestions or concerns, please provide background information to support the changes you would like to see. Please note that form letters and petitions will not be considered as formal submissions for the purpose of this consultation process.

Submissions can be submitted electronically using the submissions form available on the web at www.dpi.nsw.gov.au/fisheries

or can be sent to:

**North Harbour Issues Paper Submissions
NSW Department of Primary Industries (Fisheries)
1243 Bruxner Highway
Wollongbar NSW 2477**

or by facsimile to (02) 6626 1377

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Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West) Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

Issues Paper for Public Consultation

Potential changes to boating practices in Quarantine Beach and Manly Cove West, North (Sydney) Harbour

Purpose of this Issues Paper

This paper outlines a proposal developed by the Department of Primary Industries (Fisheries) (from now on referred to as "Fisheries NSW") and Roads and Maritime Services (RMS), in consultation with the NSW National Parks and Wildlife Service (NPWS), to change boating practices at Quarantine Beach and Manly Cove West in order to protect seagrass communities. The paper provides background on why seagrasses need protection in these two locations, anchoring restriction options being considered and seeks the views of the boating community on these options prior to their finalisation.

Why do seagrasses need protection?

Key fish habitats, such as saltmarsh, mangroves and seagrasses, on public water land and its foreshore below the astronomical high tide level are protected by law under the *Fisheries Management Act 1994*. Seagrasses are internationally recognised as important fish habitats, particularly as nurseries for juvenile fish. For example juvenile yellowfin bream, luderick and leatherjackets recruit to, and live in, seagrass habitats. Seagrasses provide a variety of food sources and shelter from predators.

Like other estuarine vegetation, seagrasses also trap suspended matter and absorb nutrients, helping to improve water quality within estuaries. Their rhizomes (roots) help to bind the sediment, thereby providing some protection against wave-induced erosion. Seagrass beds can be highly variable seasonally as the visible fronds of seagrasses die back during the cooler months, but then re-establish in warmer months of the year, provided the rhizomes are still in tact.

Excessive nutrients, turbidity and sedimentation caused by poor catchment management, sewage pollution, foreshore development, reclamation and urban runoff have significantly contributed to the reduction in area of seagrass in Australia and in NSW. In addition, inadvertent damage to seagrasses from seemingly innocuous boating-related activities can also exacerbate these losses, particularly due to propeller wash and anchoring in shallow areas. The construction of unauthorised foreshore structures such as pontoons, jetties and seawalls has also had indirect impacts on seagrasses through excessive shading and wave refraction.

Surveys of seagrass in NSW in 1985, 2005 and 2009 have shown that of the 154 estuaries surveyed (Creese *et al* 2009), 60 showed a net increase in seagrass area, 49 a net decrease and the remainder had no detectable change or seagrass present (Roper *et al* 2011). Within the Sydney Harbour estuary, Fisheries NSW researchers report that seagrasses have declined from 128.6 ha in 1978 to 51.7 ha in 2000 – a loss of 60% (West *et al* 2004). The North Harbour area accounts for approximately 15-20% of the seagrasses (16.8 ha) in Sydney Harbour with the majority found in the Parramatta River (31.5 ha). Fisheries NSW has estimated that seagrass could predictably expand to 78.25 ha in North Harbour as the environmental conditions and substrate for their expansion are present (West & Williams 2008).

Fisheries NSW and RMS have recently signed an operational agreement to improve their joint management of key fish habitats in coastal NSW. A high priority in this agreement is the protection of seagrasses, and in particular the strapweed *Posidonia australis*, populations of which are listed as "endangered" in Sydney Harbour and five other estuaries, under the Threatened Species Schedules of the *Fisheries Management Act 1994*. The endangered population of *Posidonia australis* in Sydney Harbour occurs within the entrance to the harbour around North Harbour and Port Jackson eastwards of Rose Bay. Maps of seagrass distribution can be viewed on the Fisheries NSW website at <http://www.dpi.nsw.gov.au/research/areas/aquatic->

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Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West)
Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

[ecosystems/estuarine-habitats-maps](#). *Posidonia australis* can take up to 50 years to close a gap of 1 metre caused by mooring or other damage. Large meadows are estimated to take hundreds of years to develop (Fisheries Scientific Committee 2010).

Under the *Fisheries Management Act 1994* it is an offence to “harm” marine vegetation, including seagrasses, without the authority of the Minister or another relevant public authority. For the purposes of the Act “harm” means cut, pull up, destroy, dig up, remove or injure the marine vegetation or any part of it. Fines of up to \$110,000 for an individual can be imposed for harming marine vegetation.

It is also an offence to “harm” listed threatened species of marine vegetation, such as endangered populations of *Posidonia australis*, or to damage their habitat. Fines of up to \$220,000 or two years imprisonment can be imposed for harm to endangered marine vegetation.

In relation to boating practices, such offences can include but are not limited to:

- Dropping anchor within seagrasses,
- Propeller dredging or ‘scarring’ seagrass beds by motoring through them at low tide.

Why does seagrass need protection from anchoring in North Harbour?

Fisheries NSW and RMS are aware of local community concerns for the protection of seagrasses at Manly Cove West and Quarantine Beach as a result of high boat usage, particularly during warmer Summer months. Both Departments have received several representations from concerned community groups, Manly Council’s Estuary Management Committee and recreational fishing peak bodies requesting that more be done to enforce the *Fisheries Management Act 1994* in these and other locations.

As a result Fisheries NSW, RMS and NPWS have completed a site assessment and internal consultation process to identify anchoring restriction options, including a preferred option, at both locations. These are outlined in more detail below. These options were taken to meetings of the Middle Harbour and Sydney Harbour User Groups on 30 November 2011 for consultation. At these meetings the preferred options were presented and supported and no dissenting views were noted. However, since the meetings the NSW Boat Owners Association and NSW Boat Industry Association have raised concerns with the limited consultation and lack of time to consult more broadly with the boating community. The agencies have therefore agreed to consult more broadly and allow the community of North Harbour an additional 30 days for consultation on the preferred options.

What are the options being considered and why?

North Harbour supports many valuable areas of key fish habitat, especially the seagrasses *Zostera capricorni*, *Halophila ovalis* and an endangered population of *Posidonia australis*. North Harbour also contains areas of critical habitat for the endangered population of Little Penguins listed under the *Threatened Species Conservation Act 1995* and administered by the NSW Office of Environment and Heritage (OEH). “Critical Habitat Area A” is specifically related to these proposals as it extends along the foreshore and seaward 50m from mean high water from Cannae Point northwards to Collins Beach, including Quarantine Beach and Store Beach. The following options are likely to directly increase protection for seagrass throughout North Harbour, and to simultaneously increase protection for Manly’s Little Penguins.



Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West) Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

Quarantine Beach

The anchoring restriction options to protect seagrass at Quarantine Beach are shown in Figure 1.

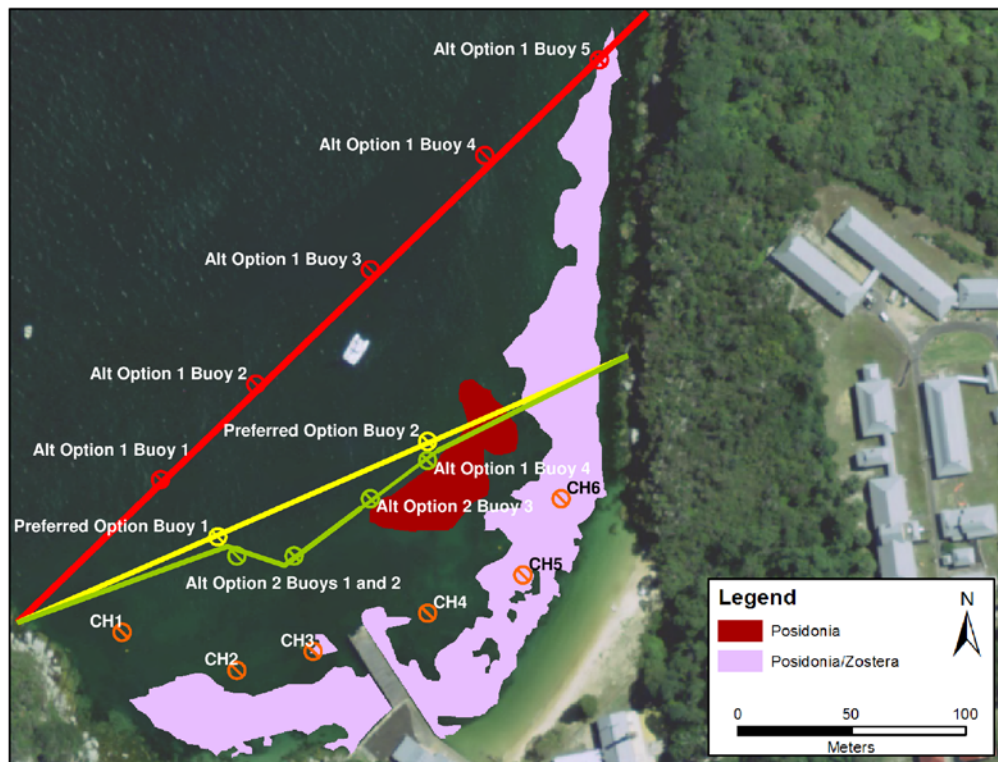


Figure 1: Quarantine Beach showing the Preferred Option (yellow line with two marker buoys) and two alternate options (red and green with multiple marker buoys). The orange buoys CH1-6 denote the positions of the existing six marker buoys for critical habitat of the Little Penguins. Seagrass in this area is dominated by the endangered strapweed, *Posidonia australis*, and *Zostera capricorni* beds (Creese *et al* 2009).

Quarantine Beach Preferred Option: shown in Figure 1 as the yellow line representing an anchoring restriction area that extends approximately 300m from Cannae Point to a mark approximately 75m along the foreshore from the northern end of Quarantine Beach. Signs placed on the foreshore would indicate no anchoring landward of a line from Cannae Point to the sign approximately 75m along the foreshore. In addition to the two signs on the foreshore, there would also be two marker buoys in the water roughly equidistant along the path. This option also includes the removal of two marker buoys denoting Little Penguin Critical Habitat, marked CH3 and CH5 on Figure 1.

Advantages

1. Protects approximately 75% of the seagrass in Quarantine Bay, including endangered *Posidonia australis*, and provides for recolonisation of seagrass in denuded and deeper areas.
2. The remaining 25% of seagrass is unlikely to be affected by boating due to its close proximity to the rocky shoreline and the fact that it is within critical habitat, albeit not marked by buoys.
3. Complements existing critical habitat arrangements without increasing visual impact.
4. Reduces the risk of boat strike to Little Penguins and extends their vegetated foraging area.

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5. Offsets potential angst from boaters by providing access to Quarantine Wharf for pick-ups and drop-offs by recreational vessels.
6. Simplifies compliance.

Disadvantages

1. Reduces the area available for anchoring and restricts it to deeper water.
2. Could cause confusion and/or angst among some boaters with the two protection zones, those being the outer proposal for restricted anchoring, and the inner ring marking critical habitat and its associated restrictions.

Quarantine Beach - Alternate Option 1: shown in Figure 1 as the red line representing an anchoring restriction area that extends approximately 420m from Cannae Point north-east across to the rocky headland at the southern end of Store Beach. It would also entail all other features of the Preferred Option, but with at least five marker buoys (appropriate number for such a distance to be determined by RMS).

Advantages

1. Protects approximately 100% of the seagrass in Quarantine Bay, including endangered *Posidonia australis*, and provides for recolonisation of seagrass in denuded and deeper areas.
2. Complements existing critical habitat arrangements.
3. Limited offset of potential angst from boaters by providing access to the wharf for pick-ups and drop-offs.
4. Simplifies compliance.

Disadvantages

1. Significantly reduces the area available for anchoring and restricts it to deeper water.
2. The extra 25% of seagrass protected over and above the Preferred Option is unlikely to be affected by boating due to its close proximity to the rocky shoreline and the fact that it is within critical habitat, albeit not marked by buoys.
3. Forces boaters to anchor in deeper water and affords little to no protection from south-westerly winds.

Quarantine Beach - Alternate Option 2: shown in Figure 1 as the green line representing an anchoring restriction area that follows the 8m depth contour and would run roughly parallel to the existing critical habitat markers. It would also entail all other features of the Preferred Option, but with at least four marker buoys (appropriate number for such a distance to be determined by RMS), and would similarly require signage on the foreshore.

Advantages

As per Preferred Option.

Disadvantages

1. Reduces the area available for anchoring and restricts it to deeper water.
2. Could cause confusion and/or angst among some boaters with the two protection zones; the outer one for no anchoring; and the internal one for critical habitat and its associated restrictions.
3. Number of buoys required to mark such an area is likely to be costly in terms of ongoing maintenance.
4. Number of buoys required to mark such an area is likely to be considered visual pollution by various stakeholders.



Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West) Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

Manly Cove West

The options for Manly Cove West are shown in Figure 2. All options include a proposal to restrict boats being pulled onto the beach between the swimming enclosure and Manly Wharf (shown by yellow lines on the beach in Figure 2). The aim of this restriction is to avoid interference with the Little Penguins nesting in the area and to allow the community to view the nesting area unimpeded by watercraft.

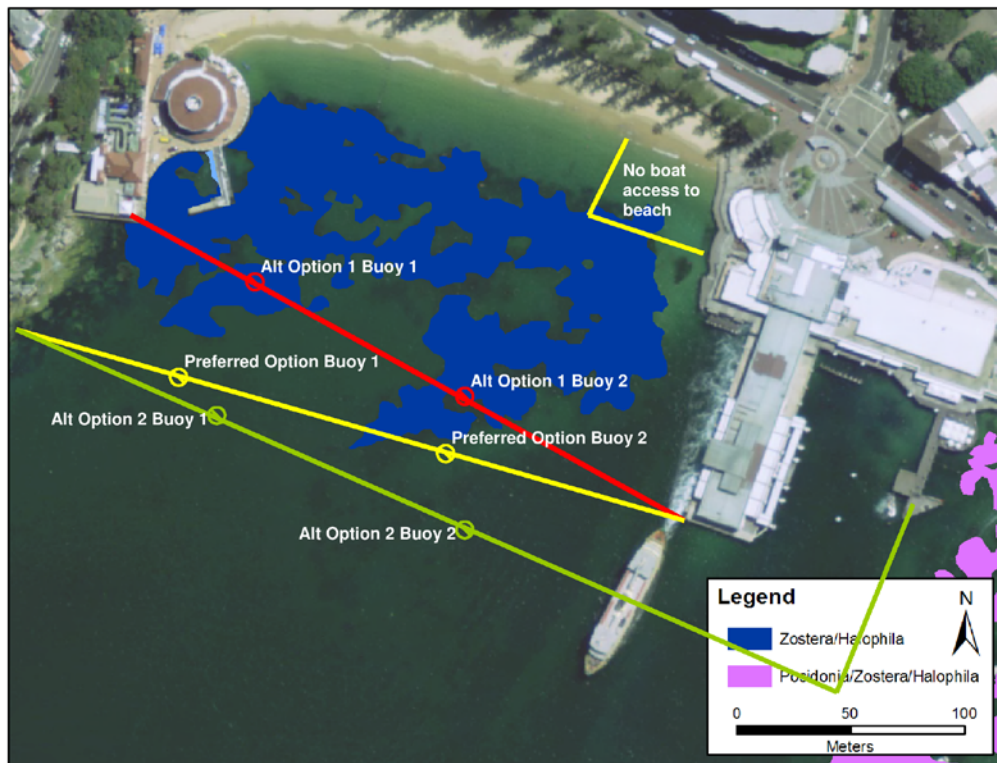


Figure 2: Manly Cove West showing the Preferred Option (yellow line with two marker buoys) and two alternate options (red and green each with two marker buoys). Seagrass in this area is a mix of *Zostera* and *Halophila* species (Creese *et al* 2009) but can also support the endangered strapweed, *Posidonia australis*, which occurs nearby in Manly Cove East.

Manly Cove West Preferred Option: shown in Figure 2 as the yellow line representing an anchoring restriction area that extends approximately 320m from Federation Point (the rocky point below Commonwealth Parade), east across the cove to the south-western corner of Manly Wharf, with two marker buoys (or as deemed appropriate by RMS for the distance) and “no anchoring point to point” signs on Federation Point and the corner of Manly Wharf.

Advantages

1. Protects almost all of the existing seagrass in Manly Cove West, and provides for recolonisation of seagrass in denuded and deeper areas.
2. The small amount of seagrass that remains outside of the proposed anchoring restriction area is unlikely to be affected by boating due to its close proximity to the ferry channel.
3. Minimal visual impact.
4. Simplifies compliance.

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Transport
Roads & Maritime
Services



Department of
Primary Industries



Office of
Environment & Heritage
NSW National Parks & Wildlife Service



Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West)
Issues Paper

Issues paper for public consultation – April 2012
INT12/24531

5. Reduces the risk of boat strike to Little Penguins at Federation Point and Manly Wharf and extends their vegetated foraging areas.
6. Reduces the potential for boaters to inadvertently facilitate the expanded distribution of the marine pest algae *Caulerpa taxifolia*.
7. Significantly reduces potential conflict between beach users and watercraft users that are seeking beach access.
8. Reduces potential interactions between watercraft users and Little Penguins that nest and forage beneath Manly Wharf.

Disadvantages

1. Reduces the area available for anchoring and restricts it to slightly deeper water.
2. Could be construed by some boaters as increasing their exposure to north-easterly winds during the warmer peak holiday periods.

Manly Cove West - Alternate Option 1: shown in Figure 2 as the red line representing an anchoring restriction area that extends from the southern end of the wharf at Manly Esplanade, south-east across to the south-western corner of Manly Wharf, with marker buoys as deemed appropriate by RMS.

Advantages

1. Protects more than half of the existing seagrass in Manly Cove West, and provides for recolonisation of seagrass in denuded areas.
2. Minimal visual impact.
3. Simplifies compliance.

Disadvantages

1. Reduces the area available for anchoring and restricts it to slightly deeper water.
2. Does not provide an opportunity for seagrass to recolonise deeper areas.
3. Could be construed by some boaters as increasing their exposure to north-easterly winds during the warmer peak holiday periods.

Manly Cove West - Alternate Option 2: shown in Figure 2 as the green line representing an anchoring restriction area that extends from Federation Point, south-east across the bay to the port marker over in Manly Cove East, then generally northerly to the second terminus at Manly Wharf, with marker buoys from the point to the channel marker as deemed appropriate by RMS.

Advantages

1. Protects almost all of the existing seagrass in Manly Cove West, and provides for recolonisation of seagrass in denuded and deeper areas.

Disadvantages

1. Significantly reduces the area available for anchoring and restricts it to deeper water.
2. Will be construed by some boaters as increasing their exposure to north-easterly winds during the warmer peak holiday periods.
3. Increased visual impact.
4. Complicates compliance.



**Notice of Motion Report No. 20 - Protection of Seagrass Meadows in Manly Cove (West)
Issues Paper**

*Issues paper for public consultation – April 2012
INT12/24531*

How can I have a say on these options?

If you are interested in making a submission on these or other options to protect seagrass in North Harbour while allowing for safe boating, then please provide a submission in writing by **1 June 2012**.

We are seeking constructive feedback on the options being considered. Where you may have other suggestions or concerns, please provide background information to support any changes recommended. Please note that form letters and petitions will not be considered as formal submissions for the purpose of this consultation process.

Submissions can be submitted electronically using the submissions form available on the web at www.dpi.nsw.gov.au/fisheries or can be sent to:

**North Harbour Issues Paper Submissions
NSW Department of Primary Industries (Fisheries)
1243 Bruxner Highway
Wollongbar NSW 2477**

or by facsimile to (02) 6626 1377

References

Creese RG, Glasby TM, West G and Gallen C (2009) *Mapping the habitats of NSW estuaries*. Industry & Investment NSW Fisheries Final Report Series 113. Port Stephens, NSW, Australia. ISSN 1837-2112. 95pp
(http://www.dpi.nsw.gov.au/data/assets/pdf_file/0004/306625/AE_2009_Output-1575_Creese-et-al_Habitat-Mapping-Final-Report-113_REPORT.pdf)

Fisheries Scientific Committee (2010) *Final determination to list the seagrass Posidonia australis as Endangered Populations in Port Hacking, Botany Bay, Sydney Harbour, Pittwater, Brisbane Waters and Lake Macquarie (NSW)*.
http://www.dpi.nsw.gov.au/data/assets/pdf_file/0008/352169/FD44-Posidonia-australis.pdf

Roper T, Creese B, Scanes P, Stephens K, Williams R, Dela-Cruz J, Coade G, Coates B & Fraser M (2011) *Assessing the condition of estuaries and coastal lake ecosystems in NSW, Monitoring, evaluation and reporting program*. Technical report series, Office of Environment and Heritage, Sydney.

West, G., R.J. Williams and R. Laird. (2004). *Distribution of estuarine vegetation in the Parramatta River and Sydney Harbour, 2000*. NSW Department of Primary Industries – Fisheries, Final Report Series No 70. 33 pp.
<http://www.dpi.nsw.gov.au/research/areas/aquatic-ecosystems/outputs/2004/output-224>

West, G. and Williams, R. (2008) *A preliminary assessment of the historical, current and future cover of seagrass in the estuary of the Parramatta River*. NSW Department of Primary Industries, Cronulla, 63 pp.
<http://www.dpi.nsw.gov.au/research/areas/aquatic-ecosystems/outputs/2008/892>



TO: Ordinary Meeting - 14 May 2012
REPORT: Item For Brief Mention Report No. 7
SUBJECT: Items For Brief Mention
FILE NO:

1. Complaints made to the General Manager as at April 2012

Matter No.	Received	Nature of complaint	Outcome	Status
COMP2012-04-01	April	Section 10A(2) Local Government Act 1993 Closed Committee Matter	Technical or trivial breach. No further action taken.	Finalised

2. Notices of Motion status report.

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution	Status
46/12	2 April	Notice of Motion - Pedestrian Crossing near Harris Farm Market	2. That Manly Council explore grant funding, from but not limited to, the Department of Roads and Maritime Services to enable this project to be undertaken as soon as possible including with direct assistance from Manly Council as appropriate.	In progress
			3. That Council prepare a Pedestrian Access and a Mobility Plan for the area under discussion, eg from the Aquatic Centre back up to the Collingwood Street area and apply to the RMS for shared funding to develop and implement the plan.	In progress
27/12	12 March	Notice of Motion Report No. 11 - Estimates for reconstruction of the Harbour Boardwalk opposite West Esplanade to restore the "Wonder Pool"	2. Subject to 1 above Manly Council examine in detail the feasibility of restoring the Harbour Pool in Manly Cove, and: a) conducts sufficient investigation via the State archives, Port Jackson & Manly Steamship Co (PJ&MSCo) archives and photographs etc. to determine the original boardwalk design (i.e. determine its width, height and details of the piling and supporting under-structure). b) produces a drawing of a short section of the walkway, made in sufficient detail to enable a firm cost estimate to be produced to replace the entire structure, generally to its original appearance. (The design of the replacement structure should allow for inclusion of modern materials providing the original heritage appearance is maintained - eg original timber piles be replaced by steel and concrete piles, the steel anti-shark rodding be replaced by more environment friendly stretched rope meshing and that an unimpeded penguin access corridor to the nesting location on the western side of Manly wharf be included as part of the proposed design.) c) includes a disabled wheelchair access to be provided off the walkway (generally similar to that installed at Watsons Bay harbour pool) d) investigates funding sources to assist any proposed construction, including availability of State and Federal Grants and their documentation requirements. e) conducts community consultation on the proposed reconstruction to ascertain the public's interest in its replacement. f) Subject to the results of this consultation, that Council fully design and document the proposed pool so the project can be ready to be commenced, should Council be successful with any suitable grant applications.	In progress

Item For Brief Mention Report No. 7 (Cont'd)

09/12	13 Feb	Notice of Motion No. 5 - Investigation and trial of LED tube replacement lighting by Manly Council	That Council:	In progress
			1. Carry out an audit of what fluorescent tubes are in its buildings and facilities to determine the life of the 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;	In progress
			3. 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;	In progress
			4. On satisfactory completion of the trial, Council bring back a report to consider full LED tube changeover for all T8 and T12 lamps over say a 4 year period;	In progress
			5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;	In progress
			6. Investigate the availability of drop in LED replacement lamps for street lights. (Currently ahead of market?).	In progress
07/12	13 Feb	Notice of Motion No. 3 - Container Deposit Scheme	2. Post the results of the audit with photos on the front page of Council's website.	In progress
06/12	13 Feb	Notice of Motion No. 2 - Marine Parade Upgrade	i) 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.	In progress
05/12	13 Feb	Notice of Motion No. 1 - Facebook for Manly Council	That Council prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Facebook page.	In progress
214/1 1	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.	In progress

3. Tabled Documents.

1.	02/05/12	Cr Keith Rhoades AFSM President Local Government Association of NSW	One Association – List of Delegates and Addresses for Voting
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RECOMMENDATION

That:

1. Complaints made to the General Manager as at April 2012 be received and noted.
2. The Notices of Motion report be received and noted.
3. The Tabled Documents be received and noted.

ATTACHMENTS

There are no attachments for this report.

OM140512IBM_1

***** End of Item For Brief Mention Report No. 7 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Report Of Committees Report No. 22
SUBJECT: Minutes for adoption by Council - Special Purpose Committee - without recommendations of a substantial nature
FILE NO:

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

- i) Landscape Management & Urban Design Committee – 2 May 2012
- ii) Access Committee – 17 April 2012
- iii) Surf Club Liaison Working Group – 17 April 2012
- iv) Traffic Committee – 16 April 2012
- v) Community Safety Committee – 12 April 2012
- vi) Community Environment Committee – 12 April 2012
- vii) Waste Committee – 28 March 2012

RECOMMENDATION

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

- i) Landscape Management & Urban Design Committee – 2 May 2012
- ii) Access Committee – 17 April 2012
- iii) Surf Club Liaison Working Group – 17 April 2012
- iv) Traffic Committee – 16 April 2012
- v) Community Safety Committee – 12 April 2012
- vi) Community Environment Committee – 12 April 2012
- vii) Waste Committee – 28 March 2012

ATTACHMENTS

There are no attachments for this report.

OM140512RC_1

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

TO: Ordinary Meeting - 14 May 2012
REPORT: Report Of Committees Report No. 23
SUBJECT: Minutes for adoption by Council - Traffic Committee 5 April 2012
FILE NO:

This report was dealt with at the Traffic Committee meeting of 5 April 2012 and was listed as a Recommendation in those minutes. The item is hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

ITEM 9/12 BARRABOOKA STREET / OGILVY ROAD, BALGOWHAH – PROPOSED NO STOPPING RESTRICTUONS

SUMMARY

For Council to consider the introduction of No Stopping restrictions on the corner of Barrabooka Street and Ogilvy Road along with supporting line markings.

REPORT

Background

Committee will recall that at their meeting of the 11 April 2011, a recommendation was made to Council that the No Stopping on the corner of Barrabooka Street and Ogilvy Road be extended so to improve visibility on the bend for vehicles exiting Ogilvy Road (refer to Figure 1).

This issue was returned to the Traffic Committee on the 12 December 2011 following consultation with affected residents. At this meeting the Committee recommended that:

- *Measures to improve sight distances out of Ogilvy Road be discussed further with the affected residents*
- *The statutory No Stopping be installed*
- *The vegetation along the frontage of Number 33 Barrabooka Street be trimmed so that the grass verge can be used by pedestrians*

The section of Barrabooka Street where the No Stopping is proposed is narrow at approximately 7.3m wide (the preferred width for a road with parking on both sides is 11m). Driven inspections show that parking on the inside of the bend significantly reduces sight distances.

There have been 2 recorded accidents in the vicinity of the proposed No Stopping between 2002 and 2009. Neither of these accidents resulted in serious injury. This record of accidents would not be considered as a high risk road safety site.

However, despite the low number of recorded accidents, residents say that this site experiences near misses on a regular basis. Some residents report that they feel they take a risk each time they exit and enter their street.

Consultation with affected residents

The Traffic Manager has met with or has spoken to the residents who would be directly affected by the proposed No Stopping. These residents have explained their concerns which are:

- The No Stopping removes all parking along the frontage of number 33 Barrabooka Street. The residents of this property do not have suitable off road parking so this restriction would

Report Of Committees Report No. 23 (Cont'd)

force them to park on the opposite side of the road and cross the road.

- When the No Stopping was briefly installed the speed of vehicles travelling up and down Barrabooka Street was perceived to increase.
- With the No Stopping in place it was also observed by affected residents that drivers cut the corner onto the wrong side of the road when driving into Ogilvy Road placing their vehicles head on to any oncoming traffic.
- Drivers do not yield at the end of Ogilvy Road. The current parking situation acts as calming which reduces vehicle speeds on the bend.
- Removal of parking would move vehicles closer to the driveway of number 35 Barrabooka Street.

Correspondence from those in support / requesting – No Stopping on this bend

A petition has again been received from the residents of Ogilvy Road. This restates that the residents consider the bend dangerous because of the reduced sight distance caused by vehicles parking on the inside of the bend.

Proposed options

Option 1:

Implement No Stopping on the west side of Barrabooka Street with the addition of a marked centre line marking on Barrabooka Street and marked median island in Ogilvy Road (refer to Figure 2). This option would remove parked vehicles on the bend, would improve forward visibility and so address the concerns of the majority of residents in Ogilvy Road.

This option would remove approximately an additional 70m of parking (11 car spaces). However, currently only 3 vehicles regularly park in this location.

The inclusion of centre line marking and a marked median would partially address concerns about the vehicle paths. The marked centre line would provide to traffic lanes of 2.7m in width and a 1.9m width for parking.

This option does not address a main concern of the residents of No. 33 as removing parking would require them to park on the opposite side of the road and cross the street.

Option 2:

Implement No Stopping on the east side of the bend on Barrabooka Street with marked centre line and parking bays on Barrabooka Street along with improved intersection markings (refer to figure 3). This option would remove approximately 80m of parking (13 car spaces). Currently there are usually no parked cars on this side of the road.

This option would address most of the concerns of the affected residents by retaining parking on the same side as Number 33 while reducing the potential for head on collisions by improving driver lane discipline. This option would provide a 1.9m wide parking lane and two 2.7m wide traffic lanes.

Both these options do not address the issue of potential increase in speed that may result from the removal of parking and the perceived road safety hazard this creates.

Report Of Committees Report No. 23 (Cont'd)**RECOMMENDATION**

That the minutes of the Traffic Committee meeting on 5 April 2012 be adopted including the following items:

ITEM 9/12 BARRABOOKA STREET / OGILVY ROAD, BALGOWHAH – PROPOSED NO STOPPING RESTRICTUONS

It is recommended that Council implement option 2 by installing a No Stopping on the east side of the Barrabooka Street bend along with additional road markings to provide marked parking bays, centre line and hatched areas.

ATTACHMENTS

AT- 1 Traffic Committee Attachment IBM mins 5.04.12

OM140512RC_2

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

Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5
April 2012
Traffic Committee Attachment IBM mins 5.04.12

ITEM 9/12 BARRABOOKA STREET / OGILVY ROAD, BALGOWLAH – PROPOSED NO STOPPING RESTRICTIONS (Item 9/12: 5/4/2012)

SUMMARY

For Council to consider the introduction of No Stopping restrictions on the corner of Barrabooka Street and Ogilvy Road along with supporting line markings.

REPORT

Background

Committee will recall that at their meeting of the 11 April 2011, a recommendation was made to Council that the No Stopping on the corner of Barrabooka Street and Ogilvy Road be extended so to improve visibility on the bend for vehicles exiting Ogilvy Road (refer to Figure 1).

This issue was returned to the Traffic Committee on the 12 December 2011 following consultation with affected residents. At this meeting the Committee recommended that:

- *Measures to improve sight distances out of Ogilvy Road be discussed further with the affected residents*
- *The statutory No Stopping be installed*
- *The vegetation along the frontage of Number 33 Barrabooka Street be trimmed so that the grass verge can be used by pedestrians*

The section of Barrabooka Street where the No Stopping is proposed is narrow at approximately 7.3m wide (the preferred width for a road with parking on both sides is 11m). Driven inspections show that parking on the inside of the bend significantly reduces sight distances.

There have been 2 recorded accidents in the vicinity of the proposed No Stopping between 2002 and 2009. Neither of these accidents resulted in serious injury. This record of accidents would not be considered as a high risk road safety site.

However, despite the low number of recorded accidents, residents say that this site experiences near misses on a regular basis. Some residents report that they feel they take a risk each time they exit and enter their street.

Consultation with affected residents

The Traffic Manager has met with or has spoken to the residents who would be directly affected by the proposed No Stopping. These residents have explained their concerns which are:

ATTACHMENT 1

Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5 April 2012 Traffic Committee Attachment IBM mins 5.04.12

- The No Stopping removes all parking along the frontage of number 33 Barrabooka Street. The residents of this property do not have suitable off road parking so this restriction would force them to park on the opposite side of the road and cross the road.
- When the No Stopping was briefly installed the speed of vehicles travelling up and down Barrabooka Street was perceived to increase.
- With the No Stopping in place it was also observed by affected residents that drivers cut the corner onto the wrong side of the road when driving into Ogilvy Road placing their vehicles head on to any oncoming traffic.
- Drivers do not yield at the end of Ogilvy Road. The current parking situation acts as calming which reduces vehicle speeds on the bend.
- Removal of parking would move vehicles closer to the driveway of number 35 Barrabooka Street.

Correspondence from those in support / requesting – No Stopping on this bend

A petition has again been received from the residents of Ogilvy Road. This restates that the residents consider the bend dangerous because of the reduced sight distance caused by vehicles parking on the inside of the bend.

Proposed options

Option 1: Implement No Stopping on the west side of Barrabooka Street with the addition of a marked centre line marking on Barrabooka Street and marked median island in Ogilvy Road (refer to Figure 2). This option would remove parked vehicles on the bend, would improve forward visibility and so address the concerns of the majority of residents in Ogilvy Road.

This option would remove approximately an additional 70m of parking (11 car spaces). However, currently only 3 vehicles regularly park in this location.

The inclusion of centre line marking and a marked median would partially address concerns about the vehicle paths. The marked centre line would provide to traffic lanes of 2.7m in width and a 1.9m width for parking.

This option does not address a main concern of the residents of No. 33 as removing parking would require them to park on the opposite side of the road and cross the street.

Option 2: Implement No Stopping on the east side of the bend on Barrabooka Street with marked centre line and parking bays on Barrabooka Street along with improved intersection markings (refer to figure 3). This option would remove approximately 80m of parking (13 car spaces). Currently there are usually no parked cars on this side of the road.

This option would address most of the concerns of the affected residents by retaining parking on the same side as Number 33 while reducing the potential for head on collisions by improving driver lane discipline. This option would provide a 1.9m wide parking lane and two 2.7m wide traffic lanes.

**Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5
April 2012
Traffic Committee Attachment IBM mins 5.04.12**

Both these options do not address the issue of potential increase in speed that may result from the removal of parking and the perceived road safety hazard this creates.

Discussion

At the meeting the residents of No 33 Barrabooka Street restated their concerns about the removal of parking outside their property. These concerns included:

- Need to cross the road with young children
- Increased speed as a result of parking being removed
- That removal of the parking would increase the likelihood of a head-on collision
- Makes access out of number 35 Barrabooka Street more difficult.

The residents of number 33 supported the proposals in Option 2.

An email from a representative of Ogilvy Street was readout which itemised the Ogilvy residents concerns. These included:

- The issue is about safety – nothing else
- The bend is blind to cars coming up or down Barrabooka Street
- Cars cut the corner going down Barrabooka Street
- Cars parked outside number 33 create a hazard by causing vehicles heading up the hill to cross the centre line.
- That the concerns of Barrabooka residents about crossing are not founded as these residents could park elsewhere on the street without need to cross the road

Following some discussion the Roads and Maritime representative recommended option 2 as this option would address the safety concerns and address the concerns of affected residents.

Following the meeting the Traffic Manager met with a representative of the police Sgt Bolton. The Traffic Manager explained the views of both the residents of Ogilvy Road and of Barrabooka Street along with the merits and disadvantages of both options. Sgt Bolton confirmed that he would support the committees preferred option that being option 2.

At the meeting of the 16 April 2012 representatives of Ogilvy Road restated their concerns about visibility when exiting and entering Ogilvy Street. Their concern remains that parked cars on the inside of the bend reduce visibility and that this is a safety concern. The residents again confirmed that the only option that satisfied their safety concerns was Option 1.

RECOMMENDATION

It is recommended that Council implement option 2 by installing a No Stopping on the east side of the Barrabooka Street bend along with additional road markings to provide marked parking bays, centre line and hatched areas.

ATTACHMENT 1

Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5
April 2012
Traffic Committee Attachment IBM mins 5.04.12

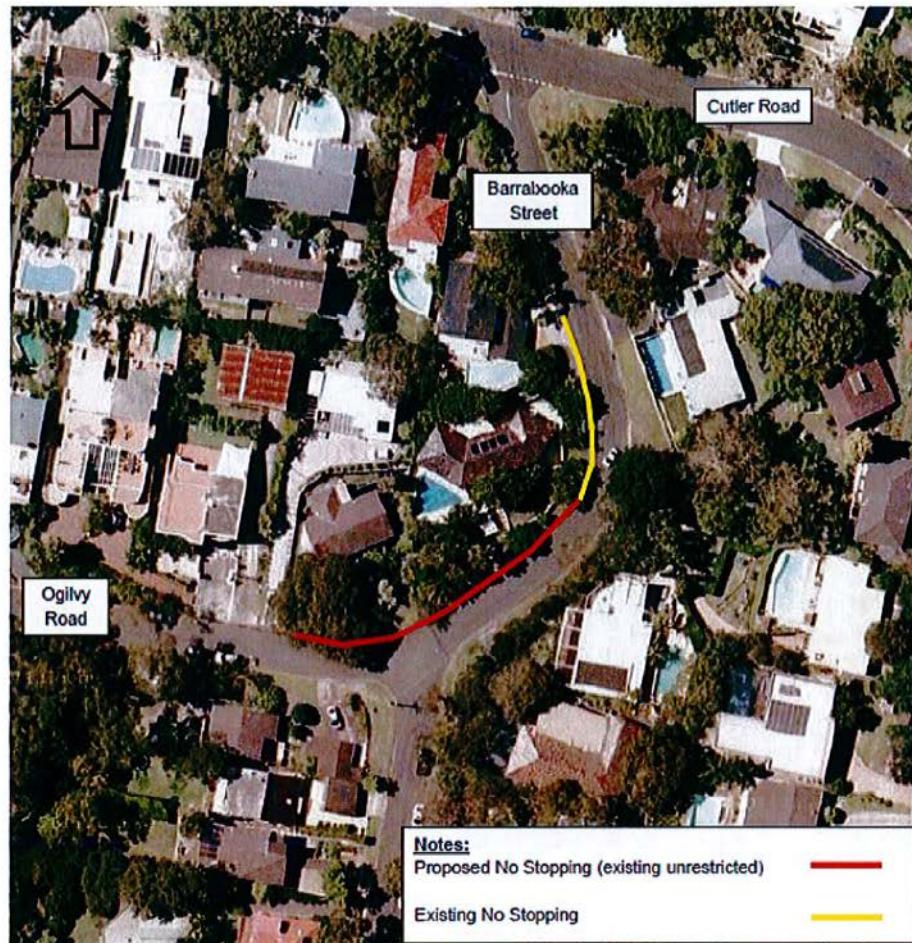


Figure 1: Proposed No Stopping, Barrabooka Street, Clontarf (Option 1)

ATTACHMENT 1

Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5
April 2012
Traffic Committee Attachment IBM mins 5.04.12



Figure 2: Proposed line marking and marked median on Ogilvy Road and Barrabooka Street
(Option 1)

ATTACHMENT 1

Report Of Committees Report No. 23 - Minutes for adoption by Council - Traffic Committee 5
April 2012
Traffic Committee Attachment IBM mins 5.04.12



Figure 3: No Stopping on west side of Barrabooka Street and road markings (Option 2)

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TO: Ordinary Meeting - 14 May 2012

REPORT: Human Services And Facilities Division Report No. 3

SUBJECT: Report on installation of baby change tables in public toilets near council playgrounds

FILE NO:

SUMMARY

At the Ordinary Meeting of 12th March 2012, Council resolved that Manly Council undertakes a report that investigates the installation of more Baby Change Tables in public toilets near Council Playgrounds, Reserves and within Manly's CBD.

Council has popular playground facilities in eight locations and minor playgrounds in another twenty four locations. Currently, there are two baby change tables available in the Manly CBD: at Rialto Square parent amenities (adjacent to the public facilities); and at Manly Library.

REPORT

Council at the Ordinary Meeting of 12th March 2012, requested that (1) Council undertake a report that investigates the installation of more Baby Change Tables in public toilets near Council Playgrounds, Reserves and within Manly's CBD; (2) that the report highlight all possible locations where Baby Change Tables can be easily installed; and (3) that Council provide educational signage.

Council's most popular playgrounds for family gatherings are: **Manly Beach, Lagoon Park, Shelly Beach, West Esplanade, Clontarf Reserve, North Harbour Reserve, Tania Park and Seaforth Oval.** The public toilet facilities within these reserves do not have change tables. Whilst several buildings could reasonably provide space to install change tables within the facility, others have only limited space, and may need substantial alterations to install the facility.

Cost Estimate

Supply and installation of Change Tables to eight locations @ \$525.00 each = \$4,200.00

Maintenance of equipment, including safety checks and reporting:

Annual/regular maintenance and safety check estimated @ = \$1,000.00

Estimated cost for provision of bins and waste removal

Two bins per location is recommended by Facilities management with a twice weekly waste/bin removal regime, which is to be increased to four (4) waste collections per week in peak summer and for public holidays.

- Cost per bin = \$8.00 per week (\$416 per annum for a once per week service)
- Minimum number of bins per location = 2

	Off Peak	Peak	Total
Cost bin service per week	\$16.00	\$16.00	
No. of Bins	2	2	
No. of locations	8	8	
No. of collections per week	2	4	
No. of weeks	36	16	
Cost	\$9,216.00	\$8,192.00	\$17,408.00

(Peak summer and public holiday regime *** 16 weeks @ increased to 4 collections per week)

Human Services And Facilities Division Report No. 3 (Cont'd)Cleaning of baby change tables (daily) for Public Health requirements:

The Cleaning team will incorporate the cleaning of change tables into the daily regime.

Manly currently has 598 children born each year and this figure is projected to remain stable through to 2031. (Data provided by Manly Council Forecast.id Population & Household Forecasts 29/07/10)

- Anecdotal evidence advises Council, that many parents prefer to change baby at the reserve, on the grass, in the pram and in their car. This information was advised in discussion with numerous young mothers who frequent the popular playgrounds.

Financial Impact on Budget

The expenditure for the provision and installation, cleaning, maintenance and waste collection associated with baby change tables at eight (8) popular playground/family locations is not included into the draft budget and will **incur a cost to Council up to \$22,608.00** in the first year as the provision and installation costs are included.

The expenditure of **\$18,408.00** as an ongoing item for community facilities is to be considered for future budgetary planning.

The proposed expenditure will reduce the anticipated budget surplus in 2012-2013 by the amount required to fund the infrastructure and its ongoing services.

RECOMMENDATION

That Council receive and note the report on provision of Baby Change Tables in in public toilets near Council Playgrounds, Reserves and within Manly's CBD.

ATTACHMENTS

There are no attachments for this report.

OM140512HSFU_1

***** End of Human Services And Facilities Division Report No. 3 *****

TO: Ordinary Meeting - 14 May 2012
REPORT: Corporate Services Division Report No. 11
SUBJECT: Report on Council Investments as at March 2012
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 March 2012.

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.

- Parkes CDO currently rated D
- Torquay CDO currently rated D
- Coolangatta CDO currently rated N/R
- Global Bank Note currently rated N/R

Investment Performance

The Investment Report shows that Council has total Investments of \$15,757,852, comprising a combined Bank Balance of \$227,596; and Investment Holdings of \$13,530,256 directly managed and \$2,000,000 externally managed.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 4.69% (Council Benchmark = 4.45% - benchmark is 90 day average BBSW)

Corporate Services Division Report No. 11 (Cont'd)

The reduced interest returns for March are a result of reduced cash flows and 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 5.75%

Lehman Brothers Australia (Grange) Portfolio Performance

Return on Lehman Brothers Australia Limited (Grange) Managed Funds since inception was 3.21% which is 2.19% less than the benchmark UBSWA Index of 5.40% (for the month of March 2012 the monthly return was 0.53% greater 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.

Movements in Investments for the Month of March 2012**Investments Made**

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>
Bank of Queensland	Term Deposit	\$1,000,000
B & E Ltd	Term Deposit	\$1,000,000
Police Credit Union	Term Deposit	\$1,000,000

Investments Matured

<u>Issuer</u>	<u>Particulars</u>	<u>Face Value</u>	<u>Redeemed Value</u>
Magnolia (Flinders)	CDO	\$ 300,000	\$ 300,000

RECOMMENDATION

That: the statement of Bank Balances and Investment Holdings as at 31 March 2012 be received and noted.

ATTACHMENTS

AT- 1 Investment Report March 4 Pages

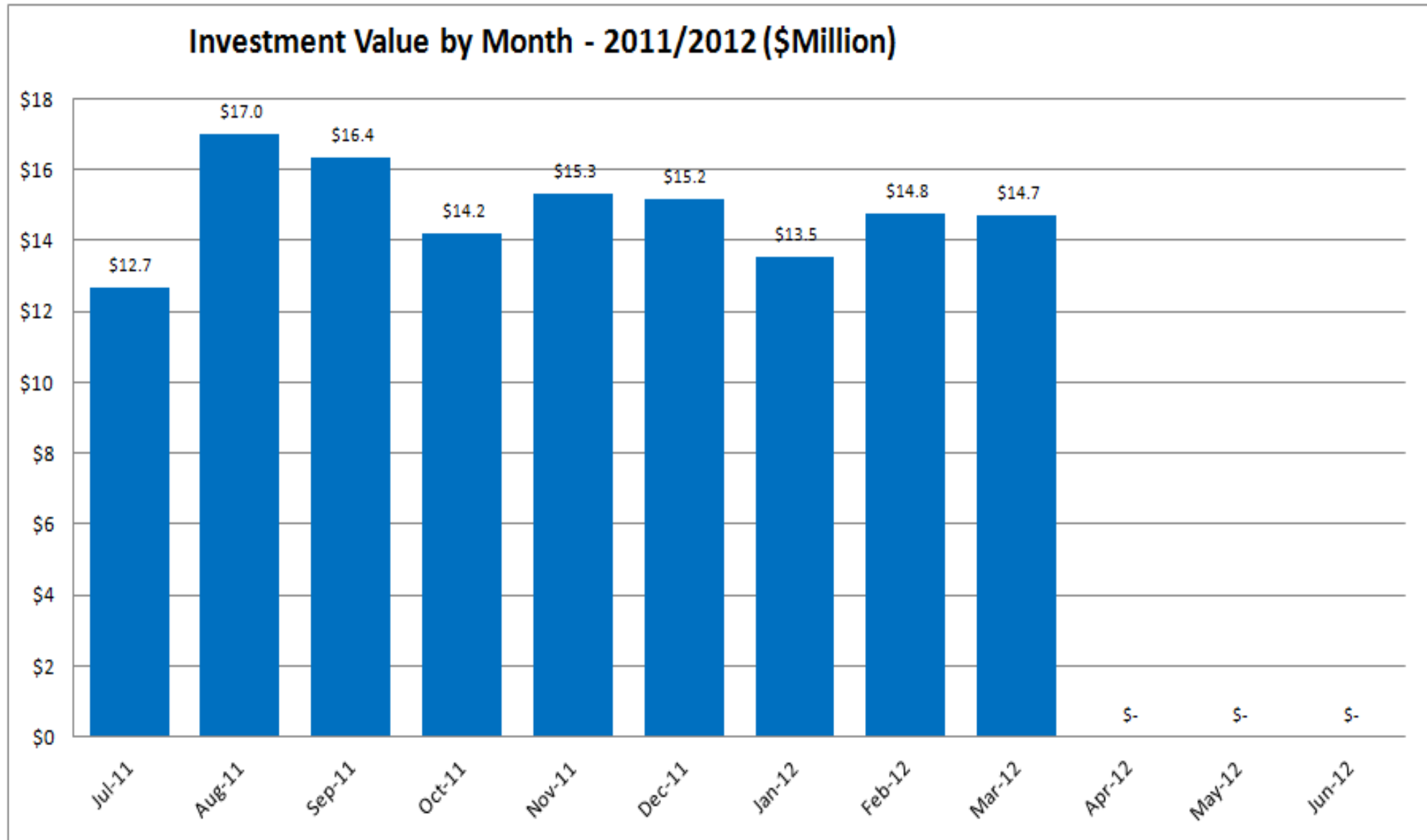
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***** End of Corporate Services Division Report No. 11 *****

ATTACHMENT 1

Corporate Services Division Report No. 11 - Report on Council Investments as at March 2012 Investment Report March

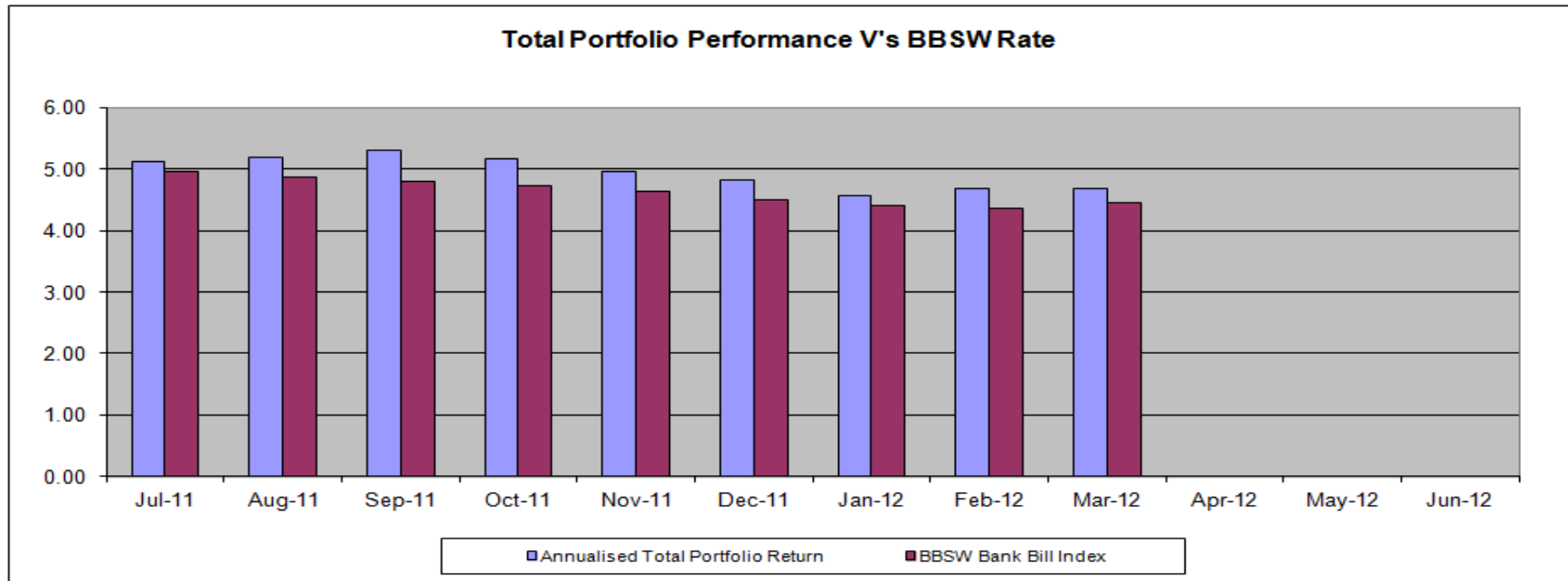
MANLY COUNCIL INVESTMENT PORTFOLIO as at 31 March 2012										
	Form of Investment	Investment in AUS\$	Market Value AUS\$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Interest Rate	Interest YTD	Interest Mar 2012
<u>Directly Managed Funds</u>										
Trading Account										
CBA Trading Account	Cash	227,596	227,596	1.44%	AA-			3% ⁽³⁾	31,043	4,083
Others										
Emu Note - Dresdner Bank AG	Struct'd Note	500,000	430,450	3.17%	AAA	25/10/2005	30/10/2015	0.00%	-	-
ANZ Climate Change Trust	Struct'd Note	500,000	466,096 ⁽⁵⁾	3.17%	AA	18/01/2008	18/01/2014	0.00%	-	-
Members Equity Bank Pty Ltd	TD	500,000	500,000	3.17%	BBB	05/07/2011	04/07/2012	6.36%	23,523	2,701
RaboDirect Australia Limited	TD	719,877	719,877	4.57%	AA	11/07/2011	29/06/2012	6.40%	33,323	3,913
AMP	TD	1,000,000	1,000,000	6.35%	A	03/02/2012	30/08/2012	6.00%	9,370	5,096
People's Choice Credit Union	TD	500,000	500,000	3.17%	Credit Union	03/02/2012	03/04/2012	5.75%	4,490	2,442
Members Equity Bank Pty Ltd	TD	500,000	500,000	3.17%	BBB	03/02/2012	03/05/2012	5.80%	4,529	2,463
Bank of QLD	TD	1,000,000	1,000,000	6.35%	BBB	23/03/2012	21/06/2012	5.80%	1,271	1,271
B & E Ltd	TD	1,000,000	1,000,000	6.35%	Building Society	23/03/2012	21/06/2012	5.80%	1,271	1,271
Police Credit Union	TD	1,000,000	1,000,000	6.35%	Credit Union	23/03/2012	21/06/2012	5.92%	1,298	1,298
AMP @ call	At Call	3,320,600	3,320,600	21.07%	A	At call	At call	5.10%	186,896	14,383
CBA @ call	At Call	2,989,551	2,989,551	18.97%	AA-	At call	At call	4.00%	109,050	20,757
Macquarie @ call	At Call	228	228	0.00%	A	At call	At call	4.25%	8	1
	Total	13,530,256	13,426,802	85.86%						
Total Directly Managed Funds		13,757,852	13,654,398							
<u>Lehman Brothers Australia (Grange) Managed Funds (All in AUS\$)</u>										
Interest Bearing Securities (Non Bank)										
MAS6-7 (Parkes 11A)	Floating Rate CDO	500,000	2,520	3.17%	D	20/03/2007	20/06/2015	0.00%	8,573	3,015
Corsair (Torquay)	Floating Rate CDO	500,000	2,515	3.17%	D	20/03/2007	20/06/2013	0.00%	3,686	123
Zirccon (Coolangatta)	Floating Rate CDO	500,000	490,000	3.17%	N/R	20/03/2007	20/09/2014	0.00%	-	-
Beryl (Global Bank Note)	Floating Rate Note	500,000	555,000	3.17%	N/R	03/04/2007	20/09/2014	0.00%	-	-
Total Grange Managed Funds		2,000,000	1,050,035	12.69%						
Retired Investments									150,817	813
TOTAL PORTFOLIO		15,757,852	14,704,433	100.00%				4.69%	569,148	57,600
BENCHMARK								4.45%		
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 account not included in the monthly portfolio return calculation										
⁵ Valuation as at 31 March 2012										
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.										



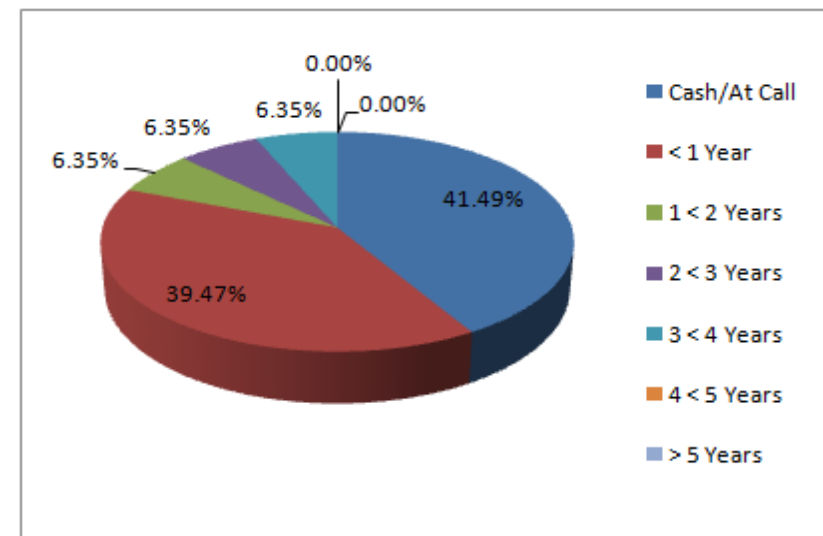
ATTACHMENT 1

Corporate Services Division Report No. 11 - Report on Council Investments as at March 2012

Investment Report March

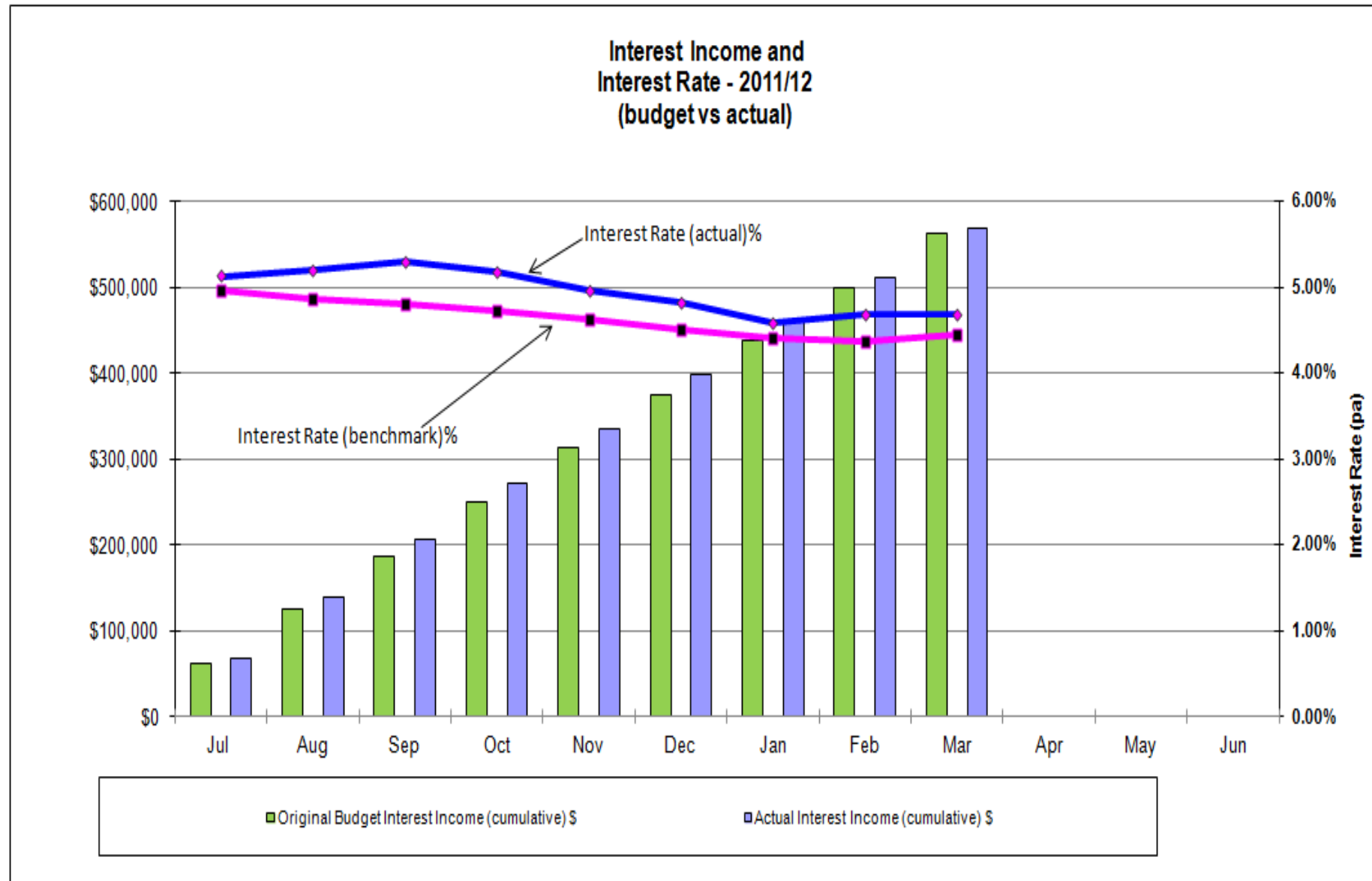


Summary by Credit Rating		No.
AAA	3.17%	1
AA	7.74%	2
A	27.42%	3
AA-	20.42%	2
BBB	12.69%	3
D	6.35%	2
Building Society	6.35%	1
Credit Union	9.52%	2
N/R	6.35%	2
	100.00%	18



Corporate Services Division Report No. 11 - Report on Council Investments as at March 2012

Investment Report March



TO: Ordinary Meeting - 14 May 2012
REPORT: Corporate Services Division Report No. 13
SUBJECT: Third 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 January to 31 March 2012, 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 March 2012, 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 January to March 2012 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 2010, 2011 and 2012 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 31 March 2012.

Some of the key Delivery Program highlights for the third quarter are as follows:

Social priorities – continued progress on management and delivery of community events and local partnerships such as the New Year's Eve Fireworks, World Food Markets in summer, preparations towards the June Food and Wine Festival, Art Gallery exhibitions, Library children's holiday programs and a range of community development, children's and youth programs and ongoing innovative improvements to various neighbourhood parks and gardens.

Corporate Services Division Report No. 13 (Cont'd)

Despite the recent summer rainy season, our beach services, swim centre and parks, and Manly CBD continued to attract high levels of visitors and residents evident in the appended KPI reports.

The inaugural 2012 Australian Open of Surfing held from 11 to 19 February 2012 delivered a world-class event, including stadium, skate-boarding bowl and transformed North Steyne's beachfront. Manly Council partnered with NSW Government agencies including NSW Tourism, Police, Transport to co-ordinate this event, ensure public safety, while attracting more than 170,000 visitors attending events ranging from men's and women's surfing to skating competitions, music concerts and a variety of other promotional activities.

Together with representatives of the City of Huntington Beach, California USA, Manly Council signed a Memorandum of Understanding that formalised a Sister City relationship between the two communities in a ceremony held on 16 February 2012 at the Australian Open of Surfing.

On 10 March 2012, Manly Council together with Warringah Council formally dedicated the Manly-Freshwater World Surfing Reserve, the first such reserve in Australia, and third of its type in the world.

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

Environmental priorities – during the quarter Council continued to responsibly manage our waste, cleaning, and lifeguard services, partnerships and protected our community assets. Continued progress with environmental initiatives eg Bushland regeneration, threatened species management, Coastline Planning initiatives, and Watercycle Management. Manly Environment Centre continued its monthly program of events, environmental advocacy work and environmental education initiatives. In relation to urban planning a new draft Local Environmental Plan and Development Control Plan was with the NSW Department of Planning awaiting approval to exhibit.

Governance priorities – continuous progress with improvements to legal governance and reporting systems policies and procedures, whilst seven internal audits have now been completed and reported to Council's Internal Audit and Risk Committee. Computer system upgrades included the installation of a new Electronic Document Management System (HP - TRIM), 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 March 2012 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

Corporate Services Division Report No. 13 (Cont'd)

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 March 2012, following the adjustments included in this report.

	Original Budget	Revised Budget At 31/12/2011	Revised Budget At 31/12/2011
Operating Income	-\$65,162,198	-\$65,325,152	-\$65,345,652
Capital Income	-\$20,855,170	-\$20,897,680	-\$20,922,180
Total Income	-\$86,017,368	-\$86,222,832	-\$86,267,832
Operating Expenditure	\$64,589,968	\$66,129,077	\$66,082,585
Capital Expenditure	\$21,427,400	\$19,932,196	\$19,888,188
Total Expenditure	\$86,017,368	\$86,061,273	\$85,970,773
Net Surplus / (Deficit)	\$0	\$161,559	\$297,059

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 as Attachment 3.

The March 2012 quarter budget review reports a cash budget surplus for the financial year of \$297,059. On an accrual basis the Quarterly Budget Review Statement forecasts a quarterly surplus of \$92,000 after capital and a surplus of \$67,000 before capital. However the full year forecast on an accrual basis is a net operating result surplus of \$466,000.

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 March 2012, including the revised estimates and recommended variations contained within the report, be adopted.

ATTACHMENTS

AT- 1	Delivery Program Third Quarter Matrix	34 Pages	Circulated Separately
AT- 2	KPI Graphs for the Third Quarter Report	12 Pages	Circulated Separately
AT- 3	Report Qtly Budget Review March 2012	12 Pages	Circulated Separately

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***** End of Corporate Services Division Report No. 13 ***** .