



## 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 4 June 2012**

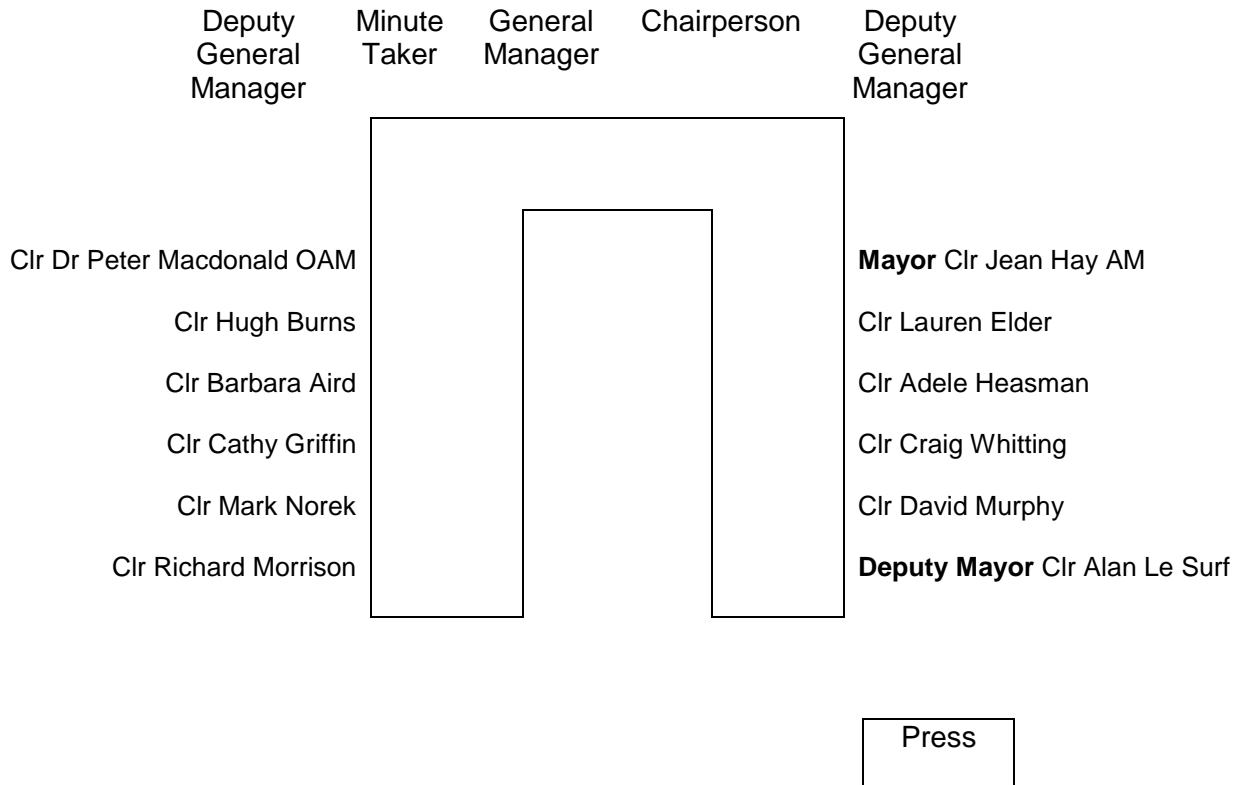
Commencing at 7:30 PM for the purpose of considering items included on the Agenda.

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](http://www.manly.nsw.gov.au)

# Seating Arrangements for Meetings



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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 - 4 June 2012  
**REPORT:** Notice of Motion Report No. 20  
**SUBJECT:** Royal Far West  
**FILE NO:**

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**Councillor Craig Whitting will move:**

That Council:

1. Investigates the progress on the amended Royal Far West (RFW) Development Plans to ascertain the extent to which the RFW Board has listened to the concerns of the community regarding the over-development of the site and the inappropriate use of the facility for a hotel.
2. In their investigations approach the Manly Public School to discuss their plans for expansion given their increase in student numbers over the last few years.
3. Write to the NSW Minister for Education in order to clarify the possibility that the Department will require the facility, which now houses the Manly Neighbourhood Centre, for future expansion plans for the school.

**RECOMMENDATION**

That the Notice of Motion be submitted for consideration.

**ATTACHMENTS**

There are no attachments for this report.

OM040612NM\_2

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Notice of Motion Report No. 21  
**SUBJECT:** Permanent access to Development Application information on Manly Council Website  
**FILE NO:**

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**Councillor Cathy Griffin will move:**

Council review its current method of providing open access to Development Applications and other related documents outside the 'exhibition period' on the Council website. Such access should be in accordance with the general principles of the Government Information (Public Access) NSW Act 2009 (GIPA) which includes 'a presumption in favour of the disclosure of government information unless there is an overriding public interest against disclosure.'

Council review the type of information relating to Development Applications that can remain on the Council website for permanent public access and historical reference.

Council request applicants provide the information required by Council to assess their application in an electronic format that is not subject to copyright and will conform with the Privacy Legislation in addition to the more detailed plans and reports required that can remain 'on file' but only made available to the public via a formal GIPA request.

Council consider the permanent publication of reports and decision on DAs on the Council website.

Council make public the advice given by the Information Commissioner during a meeting held in May 2012 at Manly Council regarding access to current and historical Development Application information on the Manly Council website.

**RECOMMENDATION**

That the Notice of Motion be submitted for consideration.

**ATTACHMENTS**

There are no attachments for this report.

OM040612NM\_1

\*\*\*\*\* End of Notice of Motion Report No. 21 \*\*\*\*\*

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Notice of Motion Report No. 22  
**SUBJECT:** Restoration of Public Access to Development Application (DA) information beyond the notice period  
**FILE NO:**

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**Councillor Hugh Burns will move:**

- 1) That Council proceed to develop its DA online website to enable the public to access DA documents subject to the Office of Information Commissioner's (OIC) guidelines on privacy and copyright laws (current and historical i.e. post 2004).
- 2) That Council set up dedicated Development Application PCs in both the Council Chambers public area and the library, where such present and historical DA information, including all plans, can also be freely and easily viewed (but not printed or copied).
- 3) That, subject to OIC guidelines, Precinct DA assessment officers are always provided with a complete and full set of documentation, including all plans, to assist their precincts' review of DAs. This provides transparency.

Council may request a guarantee be given by Precinct DA Officers that no copies will be taken of plans provided to the precincts for comment.

**Background**

Recently Manly Council changed the access to DAs and associated approval documents. Previously such documents continued to be freely available via the Council website beyond the normal DA public exhibition time-frame. Since the change, Council's policy is to only make the full set of documents available for inspection by visiting the Council Chambers and availability on line is limited to the 14 day exhibition period.

Even the scope of documentation being provided to Precinct DA assessment is reportedly being wound back to the same set of summary external plans given to adjacent neighbours for comment. It is important to remember that Manly Council is committed to community consultation, a key component of which is the committee-based Precinct Community Forums system introduced in 1990.

It is noted that the Office of the Information Commissioner (OIC) has only been in operation for 12 months, having taken over the task of FOI from the NSW Ombudsman under the GIPA Act, and that there may be misinterpretations in the changeover as advised by OIC, but there is a clear need to maximise the public's access to Council information.

The Government Information Public Access Act (GIPA) (which replaced the old "Freedom of Information" system) encourages Council's to pro-actively release information unless there is a public interest against doing so.

The extended availability of DA information on line also allows the public to monitor the construction of the approved works and better understand Council's approvals process.

**RECOMMENDATION**

That the Notice of Motion be submitted for consideration.

**ATTACHMENTS**

There are no attachments for this report.

OM040612NM\_3

\*\*\*\*\* End of Notice of Motion Report No. 22 \*\*\*\*\*

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Item For Brief Mention Report No. 8  
**SUBJECT:** Items For Brief Mention  
**FILE NO:**

**1. Complaints made to the General Manager as at May 2012**

There were no complaints to the General Manager in May 2012.

**2. Tabled Documents.**

1.	2 May 2012	Shore Regional Organisation of Councils	SHOROC Board 2 May 2012 Meeting Minutes
2.	7 May 2012	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 12-12 Amendments to the Local Government Act 1993
3.	10 May 2012	Kevin Young Managing Director Sydney Water	Response to Council's letter regarding North Head Wastewater Treatment Plant, emission monitoring and methane burn off.
4.	16 May 2012	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 12-13 Determination of the Local Government Remuneration Tribunal (Regarding annual fees paid to Mayors and Councillors)
5.	16 May 2012	Chris Hartcher MP Minister for Resources and Energy Special Minister of State and Minister for the Central Coast	Response to Council's letter of 3 April 2012 regarding fridge disposal and destruction in the NSW Energy Savings Scheme (ESS).
6.	18 May 2012	Peter Duncan Chief Executive Transport Roads & Maritime Services	Response to Council's letter regarding mobility parking scheme.
7.	24 May 2012	The Hon Don Page MP Minister for Local Government Minister for the North Coast	Ministerial Circular M12-04 50:50 Vision – Councils for Gender Equity Program
8.	24 May 2012	The Hon Tony Abbott MHR Leader of the Opposition	Carbon tax and its cost impact on Local Government
9.	25 May 2012	Ross Woodward Chief Executive, Local Government A Division of the Department of Premier and Cabinet	Circular to Councils 12-14 Candidate Diversity Strategy and <i>Thinking About Becoming A Councillor?</i>

**3. Notices of Motion status report.**

The following Notices of Motion are currently in progress.

Res No.	Meeting Date	Subject	Resolution Précis	Status
209/11	12 Dec	Notice of Motion - Fulfilling the Vision: A new community park at Little Manly Beach	That Manly Council commits to establishing a new park and community resource at nos. 34 and 36 Stuart St. Manly, and progresses this matter forthwith by undertaking at least the following:	Completed
			1. Present a program and budget for consultation and concept design at next P&S Meeting (Feb. 2012)	
			2. Commission a report re heritage issues, initial and ongoing costs associated with the removal or adaption for community use in a park setting of the heritage listed cottage on no. 34 Stuart St.	Completed
			3. Budget and commence a consultation and planning process for the new parkland with a view to construction during winter, 2012.	Referred to LUMD to progress.
			4. That, at a minimum, the rear boundary fence at 36 Stuart Street be removed/ relocated.	Completed



**Item For Brief Mention Report No. 8 (Cont'd)**

214/11	12 Dec	Notice of Motion - Manly Tramway Loop Trial bus Operation	Council commence community consultation Proposal by operating a Omnibus service on the proposed Manly Tramway Loop Route.	In progress.
05/12	13 Feb	Notice of Motion No. 1 Facebook for Manly Council	Prepare a marketing plan on how it can best utilise a Facebook page and costs associated to launch a Council Facebook page.	In progress.
06/12	13 Feb	Notice of Motion No. 2 Marine Parade Upgrade	i) Council seeks grant funding and initiates a process for Marine Parade similar to upgrade of the Ocean Beach front.	In progress.
09/12	13 Feb	Notice of Motion No. 5 Investigation and trial of LED tube replacement lighting by Manly Council	1. Carry out an audit of current fluorescent tube usage in Council buildings / facilities.	In progress.
			2. Undertake a 3 month trial of LED tube lamps across office and carpark areas;	Pending Point 1.
			3. Update the Kinesis Report (presented previously) to model the CO2 emission reduction from a full LED tube changeover.	Pending Point 1.
			4. On completion of the trial, Council bring back a report to consider full LED tube changeover.	Pending Point 1.
			5. Investigate the economic and environmental case for changing T5 lamps to LED tube lamps;	Pending Point 1.
			6. Investigate the availability of drop in LED replacement lamps for street lights	Pending Point 1.
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 various archives sources. to determine the original boardwalk design 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(using modern materials), and taking into account penguin access corridor to the nesting location on the western side of Manly wharf c) includes a disabled wheelchair access to be provided d) investigates funding sources to assist any proposed construction e) conducts community consultation on the proposed f) Subject to the results of this consultation, that Council fully design and document the proposed pool (should Council be successful with any suitable grant applications).	In progress.
46/12	2 April	Notice of Motion - Pedestrian Crossing near Harris Farm Market	2. Explore grant funding options to enable this project to be undertaken in conjunction with Council	In progress.
			3. That Council prepare a Pedestrian Access and a Mobility Plan for the area and apply to the RMS for shared funding	In progress.
74/12	14 May	Notice of Motion Report No. 16 - Roseberry St Masterplan Working Party	Set up a working party regarding Roseberry St Masterplan.	In progress.

**RECOMMENDATION**

That reports 1, 2 and 3 be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

OM040612IBM\_1

\*\*\*\*\* End of Item For Brief Mention Report No. 8 \*\*\*\*\*

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Report Of Committees Report No. 24  
**SUBJECT:** Minutes for adoption by Council - Special Purpose Committees without recommendations of a substantial nature.  
**FILE NO:**

---

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

- i) Art and Culture Committee – 17 April 2012
- ii) Human Services Planning and Policy Committee – 24 April 2012
- iii) Sustainable Economic Development & Tourism Committee – 26 April 2012
- iv) Community Environment Committee – 9 May 2012

### **RECOMMENDATION**

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

- i) Art and Culture Committee – 17 April 2012
- ii) Human Services Planning and Policy Committee – 24 April 2012
- iii) Sustainable Economic Development & Tourism Committee – 26 April 2012
- iv) Community Environment Committee – 9 May 2012

### **ATTACHMENTS**

There are no attachments for this report.

OM040612RC\_2

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Report Of Committees Report No. 25  
**SUBJECT:** Minutes for adoption by Council - Sports Facilities Committee - 27 April 2012  
**FILE NO:**

---

These reports were dealt with at the Sports Facilities Committee meeting of 27 April 2012 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**1. ITEM 4 REPORT: Update On Items From Previous Meetings**

This report will update the Committee on previous items raised.

**Blackout dates for Renovation periods**

There was a delay with re turfing of Seaforth Oval number one field with the wet weather conditions. This has now been completed.

Manly West Oval has had second topdressing for the season to bring up levels.

**LM Grahams Reserve Landscape Master Plan Grant Funding Applications**

The following update on Grant applications:

Successful grant received from NSW Communities Sport & Recreation Facilities Program application \$120,000 received \$50,000.

Unsuccessful NSW Government Community Building Partnership application for \$200,000.

There was one final Grant in for the second round of NSW Government Community Building Partnership grants for \$200,000 this was announced after this agenda report and was also unsuccessful.

Demolition of the old toilet block on the northern side will commence on the 17<sup>th</sup> April. Followed shortly after by the demolition of old fencing, site screens and cricket net infrastructure around the field. Signage has been installed on entry gates and letter drop carried out to local residents. New portable sight screens will be installed for the cricket season.

The works should have minimal impact on user groups of the reserve, and those groups will be notified of progress on project.

**Change of Season**

All fields have been changed over for the season.

**Recycled Seats for Sports Fields**

Recommendation from the Sports Facilities Committee meeting 3<sup>rd</sup> February 2012 *that any seats that are available for recycling be recycled into areas around sporting fields where there is no seating available. In particular Manly West Oval.*

Seats that are available have been refurbished for use and will be installed at Manly West Oval. Any further seats that become available will be utilised for sportsfields.

**Sportsfields Flood lighting.**

Again at the change of the season there were a lot of repairs to flood lighting, for various reasons, movement of lights with storms, bulb replacement, and circuitry issues. These have also now been rectified.

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

Earlier in the season replacement of cabling at Seaforth oval because of vandalism was carried out.

Rectification of the western lighting towers at Seaforth oval has been completed, one additional light on the northern side has just gone out this will be rectified as soon as possible.

**2. ITEM 5 REPORT: Project Priorities for New Financial Year 2102 -13**

Funds were allocated in this financial year's budget for the re cabling of the western lighting towers at Seaforth oval. This work is now complete.

The majority of major project funds have been allocated to LM Grahams Reserve Project. This means that the current list of priorities will not be funded in the 2012-13 budget. But will remain listed for future available funding.

As recommended from the Sports Facilities Committee Recommendation 2<sup>nd</sup> December 2011:

Staff have lodged budget bids for the next financial year for: Replacement Cricket Wickets at Balgowlah Oval, Tania Park, Keirle Park and improvements to Balgowlah Oval from draft plan proposal, and other relevant projects from the schedule.

The Manly Warringah Junior Cricket Association will still need to nominate their contribution to the works prior to Council committing to the project, lodgment of budget bid would be on the basis that the cricket associations contribution is substantial in this regard.

**Current existing Project Priorities list**

Objective or project	Description	Target timeframe
<b>All Fields General</b>		
Field Levelling	Levelling of uneven fields	2012/13
Facilities improvements	Toilets, canteens, seating, fences infrastructure	2013
Practice cricket nets restorations	Replace or repair any damaged nets at Sports field locations	2012/13
Improvements for other sports	Look at other sporting needs	2013 /14
Possible storage areas for other sports	Improve storage areas for all sports	2012 to 14
Environmental improvements	Improving Sportsfields Environmental footprint	2013-2014
<b>Bantry Bay</b>		
Field changes	Seaforth Balgowlah Raiders have received Grant for this work.	2012-13
<b>Grahams Reserve</b>		
LM Grahams Reserve POM roll out	Actioning of projects from the completed master plan	2012/13 In Landscape Master plan
Grahams reserve cricket nets	Relocate to new position with new nets	2012/13 In Landscape Master plan
Site screens Grahams reserve	Look at mobile site screens	2012/13 In Landscape Master plan
Remove internal fence grahams reserve	Remove fence to allow manipulation of fields	2012/13 In Landscape Master plan

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

Practice wall Grahams Reserve	Install practice wall for ball sports	2012/13 In Landscape Master plan
<b>Keirle Park</b>		
Ambulance entry areas Keirle Park	Restoration of the entry areas to allow better ambulance access.	Pending
Keirle Park Amenities storage	Return dressing shed to full use, re align storage areas to accommodate better use & storage	2012-13
<b>Manly Oval</b>		
Manly oval irrigation improvements	Replace old infrastructure & sprinklers	2014-15
Score board Manly oval	Electronic score board	2015
<b>Balgowlah Oval</b>		
Balgowlah oval lighting improvements	Possible green lighting project	2013-14 Subject to Grant Funds and club contributions
Balgowlah oval	Drainage eastern side improvements to outfield	2013-14
Re sizing of Balgowlah oval	Possibilities for using field areas more efficiently	2013-14

**RECOMMENDATION**

That the minutes of the Sports Facilities Committee meeting on 27 April 2012 be adopted including the following items:

**1. ITEM 4 REPORT: Update On Items From Previous Meetings**

1. That the committee received and noted the report.

The Committee recommend to the General Manager and Council :

2. That a progress report on LM Grahams Reserve Landscape Masterplan Implementation works be provided at the next meeting.
3. That Manly Council writes to Manly Warringah District Cricket (MWDC) requesting that they look at rectifying the existing practice net storage boxes on the western side of Manly Oval.
4. That MWDC be requested to look at some sort of padding to go over the picket fence to stop the ball damage on the fence.
5. That Council move ahead with the Keirle Park additional lights and replacement poles.
6. That the trees are trimmed on the eastern side to alleviate the shadowing of the number one field.
7. That the possibility of timed parking be looked at at Keirle Park similar to the swim centre parking restriction.
8. That the users of Keirle Park amenities facility meet onsite with the Manager of Facilities and Manager Parks and Reserves to discuss the current storage areas and possible improvements to the storage arrangements. So as to make available the dressing shed

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

currently used for storage.

**2. ITEM 5 REPORT: Project Priorities for New Financial Year 2012 -13**

That the Committee recommend to the General Manager and Council that:

- This project priorities list is retained should any funding become available in the 2012-13 financial year.
- That Keirle Park Dressing Sheds be returned to full use without materials stored in the dressing sheds.
- That refurbishment of the Storage facility at Keirle Park is carried out as soon as funds become available.
- That approval from the General Manger is requested for the installation of a storage container, supplied by the Manly Roos Rugby Club to be installed between the building and the croquet club to assist with storage issues at the ground, and that the container is painted the same colour as the building.

**ATTACHMENTS**

There are no attachments for this report.

OM040612RC\_4

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Report Of Committees Report No. 26  
**SUBJECT:** Minutes for adoption by Council - Meals on Wheels Committee - 9 May 2012  
**FILE NO:**

---

This report was dealt with at the Meals on Wheels Committee meeting of 9 May 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 4 FINANCE REPORT**

The Food Services Coordinator (FSC) explained the April 2012 Finance Report:

- Volunteer expenses were greater than usual with Manly Cinema tickets having been purchased for service volunteer birthdays.
- Income and Expenditure was operating in surplus for April – with the quarterly EFT accounts paid by Council for January to March reimbursed in April.
- In response to the request from the April meeting for more information, the CSM emailed Committee members on 4 May 2012 with further advice re how the service finances would operate if its funds were held with Council.

Of interest was advice that the service investment account would be invested separately from the Council General Fund, so all movements and interest earned could be traced separately at all times.

The service bookkeeper would continue to provide the Committee with monthly and quarterly financial statements.

- The Term Deposit is due on 14 June thus it would make sense that these funds be transferred on that date.

#### **RECOMMENDATION**

That the minutes of the Meals on Wheels Committee meeting on 9 May 2012 be adopted including the following items:

1. The Committee was in favour of the service being Council managed, with investment funds to be held in a separate “quarantined” account to allow tracking of all monies and interest earned, and financial management changes required by Council to be effective from 1 July 2012.
2. That the Finance Report for April 2012 be accepted and attached to the minutes for Council's consideration.

#### **ATTACHMENTS**

There are no attachments for this report.

OM040612RC\_3

\*\*\*\*\* End of Report Of Committees Report No. 26 \*\*\*\*\*

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Report Of Committees Report No. 27  
**SUBJECT:** Minutes for adoption by Council - Community Safety Committee - 10 May 2012  
**FILE NO:**

---

These reports were dealt with at the Community Safety Committee meeting of 10 May 2012 and were listed as a Recommendation in those minutes. These items are hereby submitted to the Ordinary Meeting, together with the minutes for formal adoption by Council.

**1. ITEM 7 HOMELESSNESS**

The Homeless Person's Protocol is awaiting endorsement by Council. It is an item of brief mention in the April minutes hopefully will be put to the meeting on 14 May.

Staff are currently investigating purchasing some wheely bins (approx \$75 each) for use by the Manly Community Centre and Fairlight Centre to loan as storage to rough sleepers on a 3-6 month trial basis.

Jacqui Smith advised that the MCC had recently been successful in receiving a grant which will allow for additional funding for the outreach worker to now operate 2 days per week. Additional discussion regarding police enforcement of consorting laws.

Street Mission are also looking for a location to serve meals to the needy and homeless on a Saturday night – averaging about 40 people. They have used the space around the church in West Promenade for a number of years but are not able to access inside which is difficult in bad weather. They need a location that has some shelter and access to some cooking facilities. Staff have been asked to help locate an appropriate site. Committee discussed options and agreed that Street Mission should be offered the opportunity of using the Early Childhood Centre in Pittwater Road whilst it is unused provided it is suitable and would be dependent on entering an agreement with appropriate conditions with a review period.

**2. ITEM 9.3 WHISTLER STREET CARPARK SAFETY ISSUE**

Pedestrians using the vehicle ramps are becoming increasingly prevalent. It is very dangerous as it is difficult for vehicles to see people coming down the ramps and there is little room for a pedestrian to go once on the ramp.

Committee agreed that there needs to be some signage painted onto the ramps warning pedestrians not to use the ramps and directing them to the stairs or lift.

It was suggested that all the carpark ramps should have the same treatment. Also that maximum speed signs be included in order to ensure both pedestrians and vehicles are warned.

**RECOMMENDATION**

That the minutes of the Community Safety Committee meeting on 10 May 2012 be adopted including the following items:

**1. ITEM 7 HOMELESSNESS**

1. That a number of wheelie bins be purchased for use by the Manly Community Centre for loan to rough sleepers as a storage alternative on a trial basis.



**Report Of Committees Report No. 27 (Cont'd)**

2. That Street Mission be shown the former Early Childhood Centre in Manly and if suitable be offered the use of the site for three hours on a Saturday night for a six month trial period.

**2. ITEM 9.3 WHISTLER STREET CARPARK SAFETY ISSUE**

That clear signage is painted on the vehicle only ramps in all the Council carpark ramps (including Whistler Street, Peninsula and Pacific Waves) warning pedestrians not to use the vehicle ramps and directing them to the stairs/lifts.

**ATTACHMENTS**

There are no attachments for this report.

OM040612RC\_5

\*\*\*\*\* End of Report Of Committees Report No. 27 \*\*\*\*\*

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Environmental Services Division Report No. 14  
**SUBJECT:** Development Applications Currently Being Processed During June 2012  
**FILE NO:**

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## SUMMARY

A list of Development Applications currently being processed during June 2012.

## REPORT

The following applications are with the Town Planners for assessment.

418	2003	65 Bungalow Avenue	Section 96 Modification
76	2004	11 Adrian Place	Section 96 Modification
429	2005	30 Beatty Street	Section 96 Modification
66	2007	11-27 Wentworth Street	Section 96 Modification
504	2007	68 Birkley Road	Section 96 Modification
57	2008	6 Waratah Street	Section 96 Modification
85	2009	43 Gurney Crescent	Section 96 Modification
16	2010	164 Condamine Street	Section 96 Modification
94	2010	18 Fisher Street	Section 96 Modification
107	2010	17 Roseberry Street	Section 96 Modification
127	2010	36 Heathcliff Crescent	Section 96 Modification
358	2010	80 Bower Street	Section 96 Modification
404	2010	22 Ellery Parade	Section 96 Modification
46	2011	44 Griffiths Street	82A Review
108	2011	17 Addison Road	Threatened species development
120	2011	89 Birkley Road	Sections 96 modification
126	2011	4 West Street	RFB containing 8 units
149	2011	23 Bolingbroke Parade	Section 96 Modification
170	2011	67 Curban Street	Section 96 Modification
174	2011	6 Malvern Avenue	Section 96 Modification
234	2011	141 Griffiths Street	Section 96 Modification
252	2011	North Steyne - QSLSC	Section 96 Modification
270	2011	60 Lauderdale Avenue	Section 96 Modification
277	2011	374-378 Sydney Road	Demolition of existing - new mixed use building
298	2011	131A Woodland Street	Duplex Construction
300	2011	26 Maritimo Street	Section 96 Modification
302	2011	7 Gertrude Street	Section 96 Modification
316	2011	374-378 Sydney Road	82A Review
322	2011	15 The Crescent	Alterations and additions to RFB
330	2011	45 The Corso	Alterations and additions
337	2011	2A Gilbert Street	New 3 storey RFB
349	2011	41C Castle Circuit	New 3 storey dwelling
9	2012	32 Pacific Street	Demolition and construction of three storey dwelling
13	2012	219 Sydney Road	Alterations and additions
21	2012	46 White Street	Demolition and construction of three storey dwelling

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

22	2012	25 Palmerston Place	Alterations and additions
23	2012	42 Pacific Parade	Alterations and additions
24	2012	49 Edgecliffe Esplanade	Demolition and new 2 storey dwelling
27	2012	14 Brook Road	Alterations and additions
29	2012	84 Woodland Street	Alterations and additions
30	2012	27 New Street	Demolition, construction two storey dwelling
32	2012	5 Ogilvy Road	Alterations and additions
35	2012	53 Fairlight Street	Alterations and additions
38	2012	15 Cliff Street	Alterations and additions
40	2012	11 Bruce Street	Demolition & new 3 storey dwelling
45	2012	61 Gurney Crescent	multi level dwelling, pool, spa, balconies, terrace, terrace and landscaping
46	2012	6 The Corso	Partial demolition, retention of heritage facade - 6 storey with basement level
47	2012	24A Beatty Street	Alterations and additions
48	2012	387 Sydney Road	Sushi shop with seating and signage
50	2012	1 Orchard Street	Demolition, new multi dwelling
51	2012	89 Condamine Street	Alterations and additions
52	2012	31 Vista Avenue	Alterations and additions
55	2012	29 Castle Circuit	2 Storey dwelling with double garage
57	2012	19 George Street	Alterations and additions
59	2012	22-22A High Street	Alterations and additions
60	2012	40 Wakehurst Parkway	2 Storey dwelling with basement garage
61	2012	34 Upper Clifford Avenue	Demolition of an existing dwelling and new 3 storey dwelling
62	2012	129 Bower Street	Alterations and additions to RFB
63	2012	45 Prince Edward Road	Alterations and additions, carport, hardstand and crossover
64	2012	307 Sydney Road	Alterations and additions
65	2012	120 Pittwater Road	Demolition & new 2 storey dwelling
66	2012	5 Pacific Parade	Alterations and rear additions, single carport
68	2012	35-39 Belgrave Street	Refreshment room, fitout and signage
69	2012	21 George Street	Alterations and additions
71	2012	19 Pacific Parade	Alterations and additions
75	2012	46 East Esplanade	Change of Use - Foyer Bar to Manly Cinema
76	2012	12 Prince Edward Road	Alterations and additions
77	2012	10 King Avenue	Alterations and additions
78	2012	82 Wood Street	Alterations and additions
79	2012	49 New Street	Alterations and additions and single carport
80	2012	46 August Road	Alterations and additions
81	2012	35 Peronne Avenue	Alterations and additions
82	2012	26 Alto Avenue	Alterations and additions
84	2012	Ocean World - West Esplanade	Alterations and additions
85	2012	50 Francis Street	Alterations and additions
86	2012	6 Cecil Street	Alterations and additions
88	2012	14 Cliff Street	Alterations and additions
89	2012	14 Amiens Road	Alterations and additions
90	2012	3 Laura Street	Alterations and additions

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

91	2012	11 Darley Road	Alterations and additions
92	2012	49 Darley Road	Alterations and additions
93	2012	12 Rosedale Avenue	Alterations and additions
95	2012	17 Francis Street	Alterations and additions to RFB
96	2012	22 Fairlight Crescent	Alterations and additions to RFB
97	2012	1 Ashley Parade	Alterations and additions
98	2012	33 Darley Road	Alterations and additions to RFB
99	2012	33 Darley Road	Alterations and additions to RFB
100	2012	10 Addison Road	Alterations and additions
101	2012	63 Lauderdale Avenue	Alterations and additions
102	2012	243 Pittwater Road	Alterations and additions

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

12/2012      9 Addison Road, MANLY 2095

Demolition of existing boatshed and construction of a new boatshed, timber deck and slipway

264/2010      10 Addison Road, MANLY 2095

Section 96 to modify approved Two (2) storey dwelling with basement car parking, swimming pool and associated landscape works, and consolidation of two (2) lots into one (1)

31/2012      19A-21 Addison Road, MANLY 2095

Alterations and additions to an existing multi-dwelling development including rear deck – Unit 9

83/2012      1 Lower Beach Street, BALGOWLAH 2093

Alterations and additions to existing dwelling including ground and first floor extension, new external stairs, bi-fold doors and glass balustrade, first floor deck and privacy screen, new roof and highlight windows, new deck and landscaping

87/2012      29 Sydney Road, MANLY 2095

Change of use to a Refreshment Room and bar incorporating outdoor seating. Extend the trading hours to 9.00am to 3.00am – The Space Manly

372/2005      11 Fairlight Crescent, FAIRLIGHT 2094

Section 96 to modify approved Alterations and additions to existing dwelling and conversion into two (2) attached Residential Units – internal alterations to create an additional unit within existing structure - Part 5

106/2010      358 Sydney Road, BALGOWLAH 2093

Section 96 to modify approved Alterations and additions to an existing building including demolition of the rear section, construction of a new take-away facing Lane 34, extension of existing pharmacy and change of use of residence to an office with fitout

103/2012      7 Gurney Crescent, SEAFORTH 2092

Alterations and additions to an existing dwelling including first floor addition, rear addition to lower ground floor and ground floor, a detached double garage, a suspended above ground swimming pool, decks, a rooftop garden and landscaping

104/2012      45 Wood Street, MANLY 2095

Alterations and additions to existing semi-detached dwelling including first floor addition with front and rear balconies, front ground floor balconies with glass sliding doors, internal alterations and landscaping

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

161/2011 468 Sydney Road, BALGOWLAH 2093

Section 82A Review of Determination of refused Replacement of the dwelling house with a two (2) storey duplex at the rear portion of the site, alterations and additions to commercial building at the front of the site, including first floor addition and Strata Subdivision into three (3) allotments - Part 2

542/2005 91 North Steyne, MANLY 2095

Section 96 to modify approved Demolition of existing Residential Flat Buildings and construction of a four (4) storey Residential Flat Building containing five units and strata subdivision - enclosure of ground floor balcony and new windows to Unit 1 - Part 3

105/2012 385 Sydney Road, BALGOWLAH 2093

Demolition of existing building, construction of a four (4) storey Mixed Use Development comprising of ten (10) residential units, one(1) retail shop, two (2) commercial units and sixteen (16) basement car parking spaces

206/2010 15 Grandview Grove, SEAFORTH 2092

Section 96 to modify approved Alterations and additions to an existing dwelling including first floor addition and extensions, garage, carport and landscaping – involving raise floor levels, revised windows, skylights, chimney, internal alterations, remove balcony, lower carport and garage - Part 2

109/2012 210 Sydney Road, FAIRLIGHT 2094

Alterations and additions to an existing dwelling including a carport in the front setback, new driveway, new front and side fence with gate

124/2010 3 Camera Street, MANLY 2095

Section 96 to modify approved Alterations and additions to an existing Residential Flat Building including decks and courtyards – involves the removal of privacy screens and removal of condition ANS01 in regard to boundary fence – Part 2

107/2012 112B Woodland Street, BALGOWLAH 2093

Alterations and additions to an existing dwelling including conversion of sub-floor area into an habitable space

108/2012 6 Laurence Street, MANLY 2095

Amendment to an existing Strata Plan to incorporate common property(clothes drying area) into the existing Lot 4

110/2012 31 Heathcliff Crescent, BALGOWLAH HEIGHTS 2093

Alterations and additions to an existing dwelling including first floor balcony extension, ground floor rear pergola extension with roof

8/2011 27 Eurobin Avenue, MANLY 2095

Section 96 to modify approved Alterations and additions to existing dwelling including side and rear addition to ground and first floor, carport, rear undercover patio, swimming pool and landscaping

111/2012 7 Quinton Road, MANLY 2095

Alterations and additions to an existing Residential Flat Building including renovations and extensions of existing garage with a new garage door – Unit 1

112/2012 17 Maretimo Street, BALGOWLAH 2093

Alterations and additions to an existing dwelling including first floor and ground floor extensions, demolition of garage, new double carport, new driveway, swimming pool, deck and landscaping

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

113/2012     43-45 North Steyne, MANLY 2095  
Residential Flat Building

114/2012     468 Sydney Road, BALGOWLAH 2093  
Commercial Development

**The following development applications were determined by the Manly Independent Assessment Panel at its meeting held on Thursday 17 May 2012:**

<b>DA#</b>	<b>Site</b>	<b>Proposal</b>
684/99	9-15 Central Avenue	Section 96(1A) Modification Change of hours of operation for 'In Situ'
308/11	2 White Street	Alterations and additions to existing dwelling
43/12	2 Edwin Street	Alterations and additions to existing dwelling including first floor additions and decks
195/11	54 Ellery Parade	Alterations and additions to dwelling house including ground floor alterations and new first floor

**RECOMMENDATION**

THAT the information be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

OM040612ESD\_1

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Environmental Services Division Report No. 15  
**SUBJECT:** Summary of Current Appeals Relating to Development Applications During June 2012  
**FILE NO:**

---

**SUMMARY**

Summary of current Appeals relating to Development Applications during June 2012.

**REPORT**

DA#	L&E Appeal Reference	House #	Address	Date Appeal Lodged	Solicitor Company	Current Status
13/10	Class 1 10584/10 S56A Appeal	46-48	North Steyne	27/09/11	HWL	Judgment reserved
64/11	Class 1 10839/11	23	Beatrice Street	15/09/11	Pikes	Appeal dismissed 22/05/12
138/11	Class 1 11004/11	69	Pittwater Road	07/11/11	Marsdens	Judgment reserved
294/11	Class 1 11221/11	31	The Crescent	21/12/11	Maddocks	S34 conference 13/06/12

**RECOMMENDATION**

THAT the information be received and noted.

**ATTACHMENTS**

There are no attachments for this report.

OM040612ESD\_2

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Environmental Services Division Report No. 16  
**SUBJECT:** Manly Development Control Plan for the Residential Zone 2007, Amendment 2  
**FILE NO:**

---

## SUMMARY

A draft amendment to Manly Development Control Plan for the Residential Zone 2007 (Residential DCP - Amendment 2) has been exhibited in accordance with earlier resolutions of Council. Draft Residential DCP Amendment 2 proposes to amend the Residential DCP following a recent amendment to Manly LEP 1988 (Amendment 82) which rezoned certain land within the Manly Golf Club to permit residential development.

Manly Residential DCP - Amendment 2 seeks to adopt a range of residential planning controls for certain land within the Manly Golf Club site. These controls include those matters generally contained in subzone 3 of the DCP consistent with adjoining residential land, as well as various other special provisions in relation to density and access to apply to the subject land.

No submissions were received in relation to the exhibition of these amendments. It is recommended that Council resolve to approve the DCP amendment.

## REPORT

Council resolved on 12 September, 2011 to initiate an amendment to Manly Local Environmental Plan 1988, (Amendment 82), to rezone land known as 15-17 Suwarrow Street Fairlight (owned by Manly Golf Club Pty Ltd) from No. 6 Open Space Zone to No. 2 Residential Zone. At this time Council also considered complementary amendments to the Residential DCP and made resolutions in relation to amending the Residential DCP on 12 September, 2011 as follows:

153/11 **RESOLVED:** (Hay / LeSurf)

That:

...

2. Council resolve to amend the Manly Development Control Plan for the Residential Zone 2007 – Amendment 1 to include 15-17 Suwarrow Street Fairlight and 28-34 Balgowlah Road Fairlight within Density Sub-zone 3 on the Residential Density and Height Subzone Map.
3. Council resolve that should vehicular access for future development be through L M Graham Reserve, a right of way will be required at the eastern most part of the site being. A 1 metre right of way will be required for lots 29 and 30 in Sec 5 DP 939916. The right of way should nominate Council or any person nominated by Council as the beneficiary as well as Lot 1 in DP1022202, the other lots of the site, lots 29, 30, 31 and 32 in Section 5 of DP 939916.
- ...
5. To elevate any concerns regarding the intensity of any future development by the Manly Golf Club, that Council only support the amendment that only two dwellings be constructed on the subject site.

**For the Resolution:** Councillors Heasman, Murphy, Le Surf, Morrison, Norek and Hay

**Against the Resolution:** Councillors Whitting, Burns, Aird and Griffin



**Environmental Services Division Report No. 16 (Cont'd)****Council's Exhibition**

The DCP amendment was exhibited for public comment from 31 March 2012 to 28 April 2012, and was available for viewing at Manly Council Chambers, Manly Library and on the Council web site for 28 days. Under clause 18(1) of EP&A Regulation 2000, public notice was given in the local newspaper of the places, dates and times for inspection of the draft plans. In accordance with the Regulations, the exhibition included a copy of the draft plans and a copy of the Manly Local Environmental Plan (Manly LEP 1988).

No submissions have been received in relation to the DCP amendment exhibited. Consultations with the Manly Council Development Assessments Branch have also taken place and no objection was raised to the proposed amendments which will ensure consistency between the LEP and DCP provisions.

The exhibited material for the Residential DCP Amendment 2 is circulated under separate cover.

**Conclusion**

No submissions were received in relation to the DCP and it is recommended that the amendments be adopted as exhibited to ensure consistency between the LEP and DCP provisions. These amendments will become effective from the date of a notice to be put in the local newspaper and will be carried through administratively in future DCPs i.e. the draft Manly DCP (Consolidated) 2011.

**RECOMMENDATION**

THAT

1. Council **approve** and give public notice of the adoption of Amendment 2 to the Manly Residential DCP as publicly exhibited, in accordance with Clause 21 of the EP&A Regulation 1980.

**ATTACHMENTS**

<b>AT-1</b>	Manly DCP for Residential Zone 2007 - Amendment 2	66 Pages	Circulated Separately
<b>AT-2</b>	Manly DCP for Residential Zone 2007 Amendment 2 - Proposed Amendments	1 Page	Circulated Separately
<b>AT-3</b>	Manly DCP for Residential Zone 2007 Amendment 2 - Explanatory Note	3 Pages	Circulated Separately

OM040612ESD\_3

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Corporate Services Division Report No. 14  
**SUBJECT:** Adoption of the CSP, Operational Plan, Budget and Fixing of Rates and Charges for 2012-2013  
**FILE NO:**

---

## SUMMARY

The Manly Council Integrated Planning and Reporting plans including the Community Strategic Plan Beyond 2021 and related Resourcing Strategy including the updated Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy, updated Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-2013 including Draft Budget have been exhibited for the statutory period (28 days) and is submitted for adoption by Council.

Public submissions to the Integrated Plans are also presented to Council for consideration in the attached Matrix.

Following the adoption of the above Council is required to make the Rates and Charges for the year 2012-2013.

## REPORT

### Introduction

At the Extraordinary meeting of Council held on 23<sup>rd</sup> April 2012 Council resolved to adopt and place on exhibition Manly Council's Integrated Plans including its Community Strategic Plan Beyond 2021 and Resourcing Strategy, updated Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-2013 including the Draft Budget and the Draft Schedule of Fees and Charges 2012-2013.

### Public Consultation

Public notice was given in the Manly Daily placing the draft integrated planning documents on exhibition from the 27<sup>th</sup> April and inviting comments on the Draft Integrated Plans. The exhibition period concluded on 25<sup>th</sup> May 2012.

Copies of the Draft Integrated Plans were also available to peruse from Council's Customer Service Area, the Manly Library, the Seaforth/Balgowlah Branch Library, as well as Council's web site.

### Report

The Community Strategic Plan Beyond 2021 and the Resourcing Strategy, updated Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-2013 including the Draft Budget and the Draft Schedule of Fees and Charges 2012-2013 were presented to Council at the Extra-ordinary meeting.

These documents have been drafted to comply with sections 402 – 405 of the *Local Government Act, 1993* and the Department of Local Government's Planning and Reporting Guidelines and Manual for local government in NSW.

They provide the Manly Local Government Area with the following:

- A Community Strategic Plan Beyond 2021 (Part 1 of 3). This plan has been informed by the community engagement process undertaken by Elton Consulting and is supported by the 10 year Resourcing Strategy.

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

- A Resourcing Strategy including the Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy (Part 2 of 3).
- A Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-2013 including a Draft Budget for 2012-2013 and Council's Draft Schedule of Fees and Charges 2012-2013 (Part 3 of 3). The Four Year Delivery Program articulates actions that Council plans to achieve during 2011-2015 in relation to the Community Strategic Plan Beyond 2021.

**Rating Policy 2012-2013**

Following the adoption of the Community Strategic Plan and the One Year Operational Plan and the Budget, Council is required to make the Rates and Charges for the year 2012-2013.

The draft Delivery Program - Revenue Policy contained details of the proposed Rates and Charges to be levied for 2012-2013, and the adoption of the 3.6% rate pegging increase as announced by the Independent Pricing and Regulatory Tribunal (IPART). IPART set the general rate variation increase for 2012-2013 at 3.6%, based on a Local Government cost index of 3.4% less a productivity factor of 0.2%, and a carbon price advance of 0.4%.

Council's Revenue Policy for 2012-2013 provides for a rating structure that is based on an ad valorem (rate in the dollar) with a minimum rate, and these rates will be calculated on the land value of the land as determined by the Valuer General, base dated 1 July 2011.

Interest is to be charged on overdue Rates and domestic waste management charges in accordance with section 566(3) of the Act. The rate of interest for 2012-2013 has not yet been specified by the Minister. The current maximum rate of interest payable on overdue rates and charges as set by the Minister is 11.0% and may be subject to change.

**Budgetary Considerations**

The State Government's Rate Pegging Policy is continuing to place pressure on Council's Budget, with increases in the costs of street lighting and electricity, and materials & contracts exceeding any increases in income from Council rates. The Federal Government's Carbon Tax alone is expected to add another \$125,000 to \$130,000 per annum to Council's electricity costs. The Carbon Tax will also be passed onto Council through price increases on other materials and supplies such as road making materials, building supplies and other contractor costs.

Changes in licensing requirements to meet accreditation for Council's Child Care Centres has required Council to review the salary and conditions for staff employed in those Centres, and to operate the Centres on a competitively cost neutral basis.

At the same time Council has a \$2.8 million infrastructure maintenance backlog which must be addressed if Council is to maintain its facilities and infrastructure to meet the community's expectation.

Council has also resolved to acquire a property at 40 Stuart Street Manly. The loan repayments required for this purchase (in subsequent years) have influenced the setting of fees and charges.

**Submissions Received**

From the invitation for public comment on the Draft Plans, Council has received 241 individual submissions at the time of preparing this Report. Council has also received petitions in relation to the proposed charges for the first 2 hours parking at Council's car parking facilities.

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

These submissions are summarized and staff responses given to each item raised (refer to Attachment 1). The folder containing copies of all submissions received is **tabled** with this report.

Following consideration of the public submissions by appropriate staff, Council's response to the submissions is provided in Attachment 1.

No change to the Community Strategic Plan is recommended.

A copy of the draft Integrated Plans, including the Schedule of Fees and Charges for 2012-2013, is **tabled** with this report.

The recommendation below includes the making of Rates and Charges and formalising the Budget and Operational Plans for 2012-2013.

**RECOMMENDATION**

Whereas the detailed estimates of income and expenditure of the General Fund, for the year commencing 1 July 2012, were considered by Council at an extra-ordinary meeting on 23 April 2012, and having given public notice in accordance with S.405 of the *Local Government Act, 1993*, to allow public submissions on or before 25 May 2012, and having considered any matters in accordance with S.406 of the *Local Government Act, 1993*, Council hereby resolves to:

**Part 1:**

1. Adopt the Manly Council's Integrated Plans including its Community Strategic Plan Beyond 2021 and related Resourcing Strategy including the Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy, Updated Four Year Delivery Program 2011-2015 and One Year Operational Plan 2012-2013 including the Budget, Statement of Revenue Policy and Schedule of Fees and Charges for 2012-2013;
2. Write to the parties who made submissions to the above Integrated Plans, thanking them for their comments, and providing a response to the points raised by them.

**Part 2:**

Make the Rates and Charges as follows for 2012-2013:

**A Ordinary Rates**

(i) Ordinary Residential Rate

An Ordinary Rate (Residential) of 0.161416 cents in the dollar be made for the year 2012-2013 on the land value, as determined by the Valuer General base dated 1 July 2011, of all rateable land in the Local Government Area categorised as Residential in accordance with S.516 of the *Local Government Act 1993*, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of \$726.80;

(ii) Business Rate – Manly Business Centre

An Ordinary Rate - Business - Manly Business Centre of 0.822581 cents in the dollar be made for the year 2012-2013 on the land value, as determined by the Valuer General base dated 1 July 2011, of all rateable land categorised as Business in accordance with S.518 of the *Local Government Act 1993*, within the centre of population defined within the Manly CBD and previously adopted by Council, as delineated on Plan Number 1/280B, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993*

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

of \$949.90;

(iii) Business Rate – Other

An Ordinary Rate – Business - Other of 0.443814 cents in the dollar be made for the year 2012-2013 on the land value, as determined by the Valuer General base dated 1 July 2011, of all rateable land categorised Business in accordance with S.518 of the *Local Government Act 1993*, within Manly other than that land within the centre of population defined in (ii) above, with a Minimum Rate in accordance with Section 548 of the *Local Government Act, 1993* of \$949.90.

**B. Special Rate – Manly Business Centre and Ocean Beach Front Improvements**

That whereas the Council, being of the opinion that works related to the provision of on-going and proposed capital and maintenance works, including the Manly Business Centre, The Corso and the Ocean Beach Front improvements, provide services, facilities and activities of specific benefit to the area, and are of special benefit to that portion of Manly as delineated on Plan Number 1/280A previously defined and adopted by Council, and whereas Council having adopted the Manly Community Strategic Plan beyond 2021, incorporating the estimates of income and expenditure for the Manly Town Centre Improvements Programme, it is hereby resolved that a Special Rate - Manly Business Centre Improvements of 0.275764 cents in the dollar on the land value, as determined by the Valuer General base dated 1 July 2011, of all rateable land as previously defined be now made for the year 2012-2013.

That in accordance with the provisions of Section 548 of the *Local Government Act 1993*, that no minimum amount of the Special Rate - Manly Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

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

That whereas the Council being of the opinion that works related to the provision of on-going and proposed capital and maintenance works including the off-street car parks in Condamine Street, provide services, facilities and activities of specific benefit to the area and is of special benefit to that portion of Balgowlah delineated on Plan Number 5/005B, and whereas Council having adopted the Manly Community Strategic Plan beyond 2021, incorporating the estimates of income and expenditure for the Balgowlah Business Centre Improvements Programme, it is hereby resolved that a Special Rate - Balgowlah Business Centre Improvements of 0.204508 cents in the dollar on the land value, as determined by the Valuer General base dated 1 July 2011, of all rateable land as previously defined be now made for the year 2012-2013.

That in accordance with the provisions of Section 548 of the *Local Government Act, 1993*, it is hereby resolved that no minimum amount of the Special Rate - Balgowlah Business Centre Improvements shall be levied in respect of any separate parcel of land, including strata title lots and dwellings under company title.

**D Interest**

In accordance with the provisions of S.566(3) of the *Local Government Act 1993*, Council hereby resolves to adopt the maximum interest rate as advised by the Minister for Local Government for outstanding rates, domestic waste management services and annual charges, currently being 11.0% per annum in respect of accrual on a simple basis.

**Corporate Services Division Report No. 14 (Cont'd)****E Domestic Waste Management Services**

- i. In accordance with S.496 of the *Local Government Act 1993*, that an annual charge of \$495.00 per annum be made for the year 2012-2013, for domestic waste management services rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service;
- ii. In accordance with S.496 of the *Local Government Act 1993*, that an annual charge of \$495.00 per annum be made for the year 2012-2013, for domestic waste management services for all properties categorised residential vacant land;
- iii. In accordance with S.502 of the *Local Government Act 1993*, that a pay-for-use charge of \$9.52 per service (\$495.00 per annum) be made for the year 2012-2013, for each additional weekly 80 litre domestic waste management service rendered to owner occupied single occupancy residential dwellings;
- iv. In accordance with S.502 of the *Local Government Act 1993*, that a pay-for-use charge of \$9.52 per service (\$495.00 per annum) be made for the year 2012-2013, for each once weekly 80 litre (or equivalent) domestic waste management service rendered to non-rateable or council owned properties;
- v. In accordance with S.502 of the *Local Government Act 1993*, that a pay-for-use charge of \$9.52 per service (\$495.00 per annum) be made for the year 2012-2013, for each once weekly 80 litre (or equivalent) domestic waste management service rendered to residential units above business category premises.

**F Stormwater Management Service Charge**

In accordance with the Local Government (General) Regulation 2005 and the *Local Government Act 1993*, the following annual Stormwater Management Service Charge be made and levied on all developed rateable land categorised for rating purposes as follows:

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

**ATTACHMENTS**

**AT- 1** Summary of Submissions to CSP 3 Pages

**TABLED**

Folder of all Submissions

Draft Integrated Plans, including Schedule of Fees & Charges for 2012-2013

OM040612CSD\_6

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

# ATTACHMENT 1

## Corporate Services Division Report No. 14 - Adoption of the CSP, Operational Plan, Budget and Fixing of Rates and Charges for 2012-2013

### Summary of Submissions to CSP

#### Summary of Submissions to Manly's Integrated Planning and Reporting plans

Submissions Received	Issues Raised in Submission	Staff Comment
Note: Roundhouse Parents Committee and prepared submissions totalling 110	Increases to Childcare Fees at Roundhouse and Harbourview Child Care Centres	The child care fee increases at the Roundhouse and Harbourview Centres have been structured as part of the 2012-13 Operational Plan so as to ensure the service is sustainable. The fee increases are necessary for the continued quality and sustainable delivery of a council child care service facility, and provide adequate remuneration and the retention of child care staff.
Manly Chamber of Commerce	Increases to Car Park fees, including introduction of payment for first 2 hours in Council's car park facilities	The car parking fee increases in the Manly CBD have been structured as part of the 2012-13 Operational Plan and Budget so that Council can deliver a responsible budget that accommodates new capital expenditure proposals and maintains existing level of service delivery. The fee increases are modest and nominal in amount.
8 Petitions received <b>1079</b> signatures	Opposed to introduction of paid parking for first 2 hours in Council's car park facilities	As above.
<b>100</b> individual submissions	Opposed to introduction of paid parking for first 2 hours in Council's car park facilities	As above.
<b>1</b> submission	In favour of car park fee increases proposed	As above.
<b>3</b> submissions	Opposed to increases to car parking fees; Food and Wine stall fees and Footpath Trading fees	As above.
<b>14</b> individual submissions	Allocation of insufficient funds to Ivanhoe Park Preschool	The issue raised has already been addressed by the Division HSF.
<b>1</b> submission	Supports Council's decision to purchase property in Stuart St Manly for open space purposes	Noted. But Council has already resolved to acquire this site based on valuation advice.
<b>12</b> individual submissions	Opposes Council's decision to purchase property in Stuart St Manly	As above.

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Corporate Services Division Report No. 15  
**SUBJECT:** Report on Council Investments as at April 2012  
**FILE NO:**

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## 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 April 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 \$17,201,084, comprising a combined Bank Balance of \$3,835,686; and Investment Holdings of \$11,365,397 directly managed and \$2,000,000 externally managed. The large Bank Balance is due to the drawdown of the loan funds for Seaforth TAFE of \$3.25million on April 30<sup>th</sup>.

Investments overall performed above the 90 day average Bank Bill Swap Rate (BBSW) for the month providing a return of 4.69% (Council Benchmark = 4.21% - benchmark is 90 day average BBSW)



**Corporate Services Division Report No. 15 (Cont'd)**

The reduced interest returns for April 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 3.16% which is 2.23% less than the benchmark UBSWA Index of 5.39% (for the month of April 2012 the monthly return was 0.38% less 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 30<sup>th</sup> June 2011 to \$1.4 million.

**Movements in Investments for the Month of April 2012****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>
People's Choice Credit Union	Term Deposit	\$ 500,000	\$ 500,000

**RECOMMENDATION**

**That:** the statement of Bank Balances and Investment Holdings as at 30 April 2012 be received and noted.

**ATTACHMENTS**

**AT- 1** Investment Report 4 Pages

OM040612CSD\_1

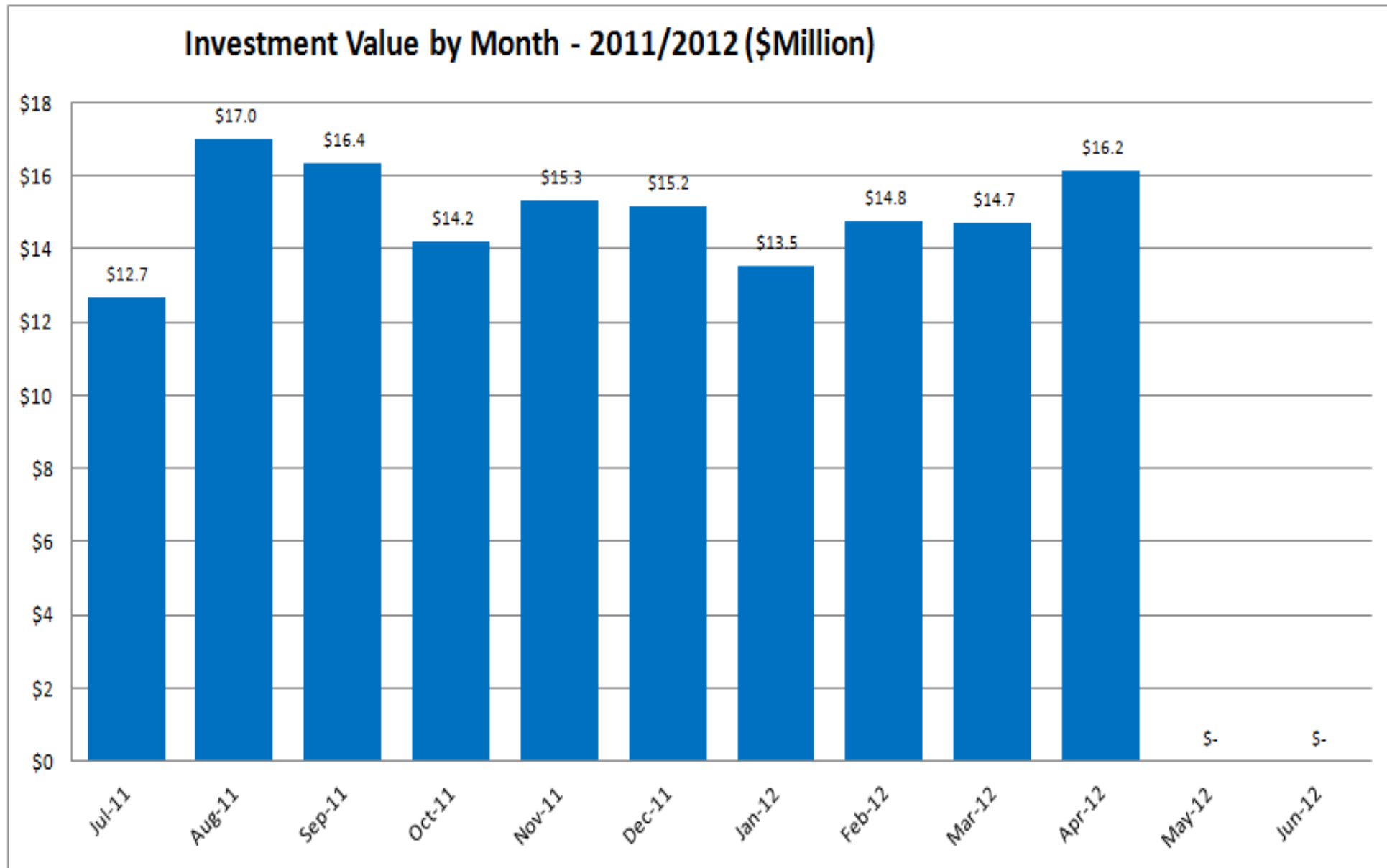
\*\*\*\*\* End of Corporate Services Division Report No. 15 \*\*\*\*\*

# ATTACHMENT 1

## Corporate Services Division Report No. 15 - Report on Council Investments as at April 2012 Investment Report

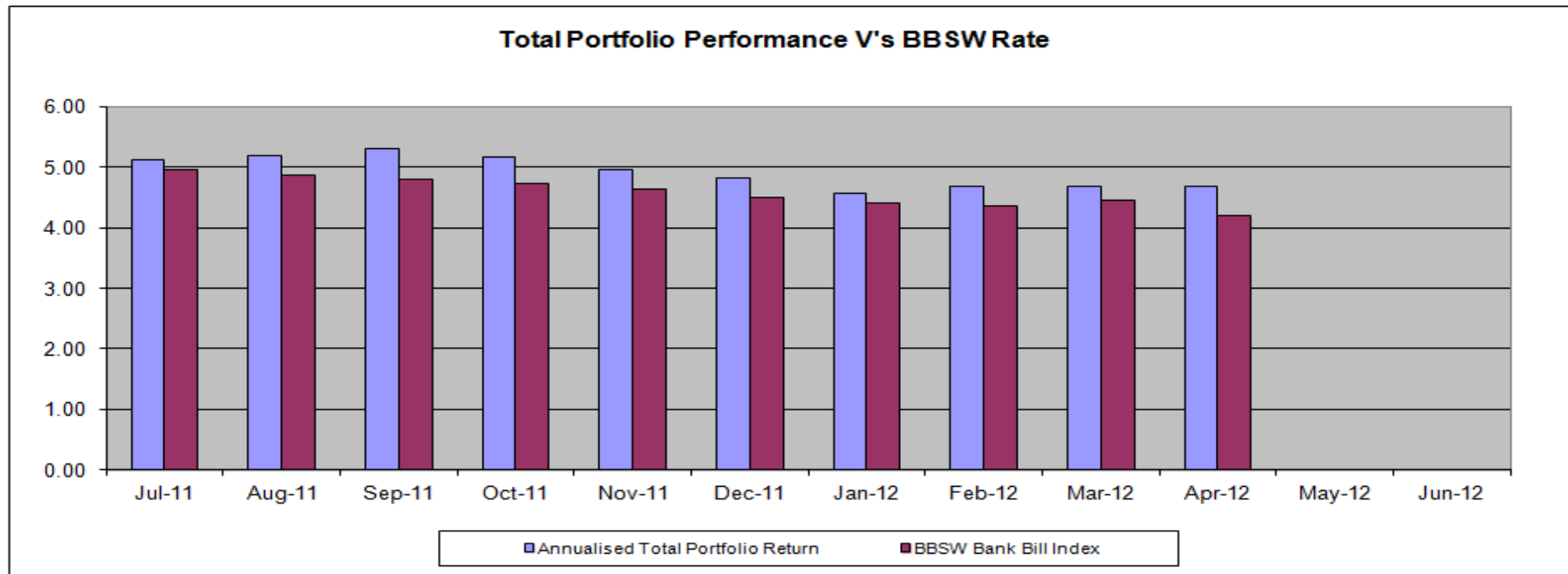
MANLY COUNCIL INVESTMENT PORTFOLIO as at 30 April 2012									Interest	
	Form of Investment	Investment in AUS\$	Market Value AUS\$	Percentage of Portfolio	S & P Rating	Date Invested	Call/Maturity Date	Interest Rate	YTD	Apr 2012
<b><u>Directly Managed Funds</u></b>										
<b>Trading Account</b>										
CBA Trading Account	Cash	3,835,686	3,835,686	22.30%	AA-			3% <sup>(3)</sup>	32,982	1,939
<b>Others</b>										
Emu Note - Dresdner Bank AG	Struct'd Note	500,000	430,450 <sup>(5)</sup>	2.91%	AAA	25/10/2005	30/10/2015	0.00%	-	-
ANZ Climate Change Trust	Struct'd Note	500,000	469,385 <sup>(6)</sup>	2.91%	AA	18/01/2008	18/01/2014	0.00%	-	-
Members Equity Bank Pty Ltd	TD	500,000	500,000	2.91%	BBB	05/07/2011	04/07/2012	6.36%	26,137	2,614
RaboDirect Australia Limited	TD	719,877	719,877	4.19%	AA	11/07/2011	29/06/2012	6.40%	37,110	3,787
AMP	TD	1,000,000	1,000,000	5.81%	A	03/02/2012	30/08/2012	6.00%	14,301	4,932
Members Equity Bank Pty Ltd	TD	500,000	500,000	2.91%	BBB	03/02/2012	03/05/2012	5.80%	6,912	2,384
Bank of QLD	TD	1,000,000	1,000,000	5.81%	BBB	23/03/2012	21/06/2012	5.80%	6,038	4,767
B & E Ltd	TD	1,000,000	1,000,000	5.81%	Building Society Credit Union	23/03/2012	21/06/2012	5.80%	6,038	4,767
Police Credit Union	TD	1,000,000	1,000,000	5.81%		23/03/2012	21/06/2012	5.92%	6,163	4,866
AMP @ call	At Call	3,334,983	3,334,983	19.39%	A	At Call	At Call	5.10%	200,876	13,980
CBA @ call	At Call	1,310,308	1,310,308	7.62%	AA-	At Call	At Call	4.00%	117,003	7,953
Macquarie @ call	At Call	229	229	0.00%	A	At Call	At Call	4.25%	9	1
	Total	11,365,397	11,265,232	66.07%						
<b>Total Directly Managed Funds</b>		15,201,084	15,100,918							
<b><u>Lehman Brothers Australia (Grange) Managed Funds (All in AUS\$)</u></b>										
<b>Interest Bearing Securities (Non Bank)</b>										
MAS6-7 (Parkes 11A)	Floating Rate CDO	500,000	2,570	2.91%	D	20/03/2007	20/06/2015	0.00%	8,573	-
Corsair (Torquay)	Floating Rate CDO	500,000	2,555	2.91%	D	20/03/2007	20/06/2013	0.00%	3,686	-
Zirccon (Coolangatta)	Floating Rate CDO	500,000	490,000	2.91%	N/R	20/03/2007	20/09/2014	0.00%	-	-
Beryl (Global Bank Note)	Floating Rate Note	500,000	555,000	2.91%	N/R	03/04/2007	20/09/2014	0.00%	-	-
<b>Total Grange Managed Funds</b>		2,000,000	1,050,125	11.63%						
Retired Investments									155,543	236
<b>TOTAL PORTFOLIO</b>		17,201,084	16,151,043	100.00%				4.69%	621,372	52,224
<b>BENCHMARK</b>								4.21%		
<b>Notes:</b>										
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										
6 Valuation as at 30 April 2012										

Corporate Services Division Report No. 15 - Report on Council Investments as at April 2012  
Investment Report

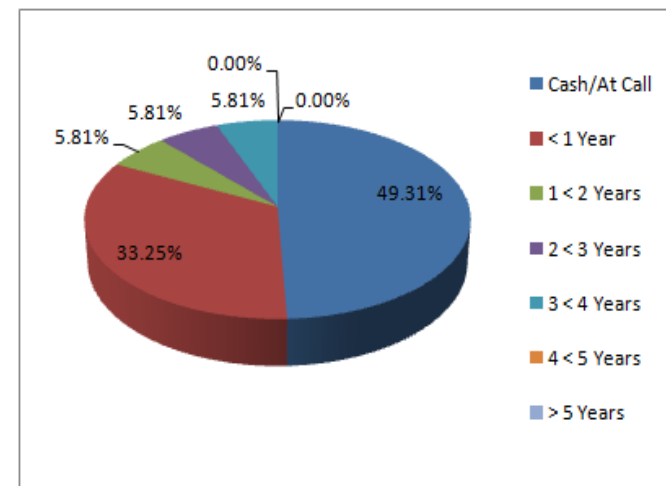


# ATTACHMENT 1

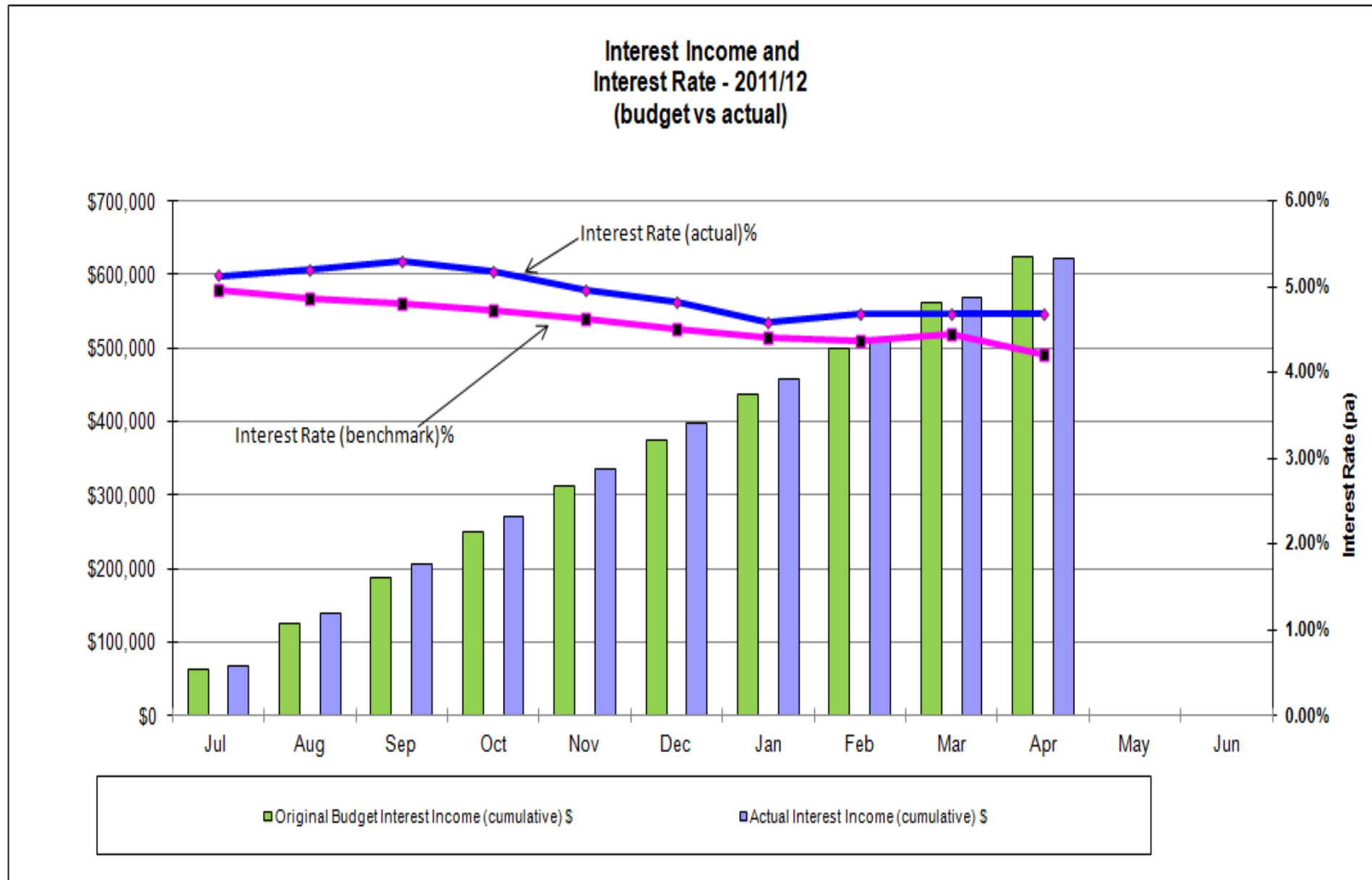
## Corporate Services Division Report No. 15 - Report on Council Investments as at April 2012 Investment Report



Summary by Credit Rating		No.
AAA	2.91%	1
AA	7.09%	2
A	25.20%	3
AA-	29.92%	2
BBB	11.63%	3
Building Society	5.81%	1
Credit Union	5.81%	1
D	5.81%	2
N/R	5.81%	2
	100.00%	17



**Corporate Services Division Report No. 15 - Report on Council Investments as at April 2012**  
**Investment Report**



**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Corporate Services Division Report No. 16  
**SUBJECT:** Mayors' and Councillors' Fees - Determination of Local Government Remuneration Tribunal – 2012-2013  
**FILE NO:**

---

## SUMMARY

The Local Government Remuneration Tribunal has handed down its Report for 2012-2013 regarding the Category of Councils, and the fees payable to the Mayor and Councillor's as from 1<sup>st</sup> July 2012.

## REPORT

Under the Act, the Council must pay the Mayor and each Councillor an annual fee. The fee must be fixed by Council and must be in accordance with the appropriate determination of the Local Government Remuneration Tribunal being equal to or greater than the minimum but not greater than the maximum of the appropriate category. The same fee must be paid to each Councillor.

The Tribunal has now made a determination for 2012-2013, handing down its Report on 27 April 2012.

In making their determination the Tribunal is now required under section 242A of the *Local Government Act 1993*, to apply the same cap on increases to Councillors and Mayors remuneration that applies to public sector employees, Members of Parliament, statutory officers and public sector executives.

The Tribunal considered submissions by the LGSA, regarding the level of fees paid to Mayors and Councillors, as well as 19 submissions from individual councils seeking a review of their council categorization.

The Tribunal was not convinced by any of the submissions received and accordingly made no significant changes to the classification and remuneration scheme.

The Tribunal has determined that fees for Mayors and Councillors be increased by 2.5% effective from 1 July 2012 (4.2% in 2011).

A copy of the Remuneration Tribunal Report is **tabled** at this meeting and can also be found at: [http://www.remtribunals.nsw.gov.au/local\\_government/current\\_determinations](http://www.remtribunals.nsw.gov.au/local_government/current_determinations)

Manly Council is classified as a Metropolitan Category Council - for which the Tribunal has set the following minimum and maximum fees to apply for 2012-2013:

	Minimum	Maximum
<b>Mayor Allowance</b> (current maximum fee paid \$36,320)	\$16,480	\$37,230
<b>Councillors Fees</b> (current maximum fee paid \$16,640)	\$ 7,740	\$17,060

The fee payable to Mayors is in addition to Councillor fees.

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

At Council's Meeting held on 27<sup>th</sup> July 1998, Council resolved as follows:

*“ That in respect of future determinations by the Local Government Remuneration Tribunal, Council, as policy, set the Mayors’ and Councillors’ remuneration fees at the maximum level determined by that body.”*

**Budget Implications**

There are no implications for the Budget as an allowance had been included for anticipated increases in the Mayors’ and Councillors’ fees.

It is recommended that Council resolve as follows:

**RECOMMENDATION****That:**

Council reaffirm its previous policy adopted in July 1998, that pursuant to s.248 and 249 of the *Local Government Act, 1993*, Council set the Mayors’ and Councillors’ remuneration fees for the period 1 July 2012 to 30 June 2013 at the maximum level determined by the Local Government Remuneration Tribunal, with the following fees to apply:

Mayor Allowance - \$37,230

Councillors Fees - \$17,060

**Tabled**

Remuneration Tribunal Report

OM040612CSD\_2

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Corporate Services Division Report No. 17  
**SUBJECT:** Approval to Write-off Bad Debts  
**FILE NO:**

---

## **SUMMARY**

The purpose of this report is to obtain Council's approval to write off a bad debt for Cristal's Restaurant of 90 The Corso, Manly amounting to \$108,651.33 (inc. GST).

## **REPORT**

Clause 213 of the Local Government (General) Regulation 2005 specifies the condition that if a debt is not lawfully recoverable it may be written off.

The former owners of Cristals Restaurant, Mr Konstantinos and Mrs Janice Karras, directors of Karras Enterprises Pty Limited T/as Cristals Restaurant, 90 The Corso, Manly, have been declared bankrupt and the debt for the Outdoor Dining Licence fees from October 2007 to March 2010 is no longer recoverable.

Accordingly, it is now appropriate to write this amount off as a bad debt.

## **Financial Impact**

A provision for this bad debt has already been made so there is no further financial impact on budget.

## **Policy Impact**

Council at its' Planning & Strategy Meeting of 7 June 2010 delegated to the General Manager in accordance with Clause 131(1) of the Regulations authority to write off debts up to \$2,000. As this debt is over that limit a Council resolution to write off the amount is required.

## **Report**

The former owners of Cristals Restaurant, Mr Konstantinos and Mrs Janice Karras, directors of Karras Enterprises Pty Limited T/as Cristals Restaurant, 90 The Corso, Manly, have been declared bankrupt and the debt for the Outdoor Dining Licence fees of \$108,651.33 is no longer recoverable.

The debt for outdoor dining licence fees is no longer collectable due to the bankruptcy of owners, and the debt is larger than the General Manager's delegated bad debt write off limit, therefore Council approval for the write-off is sought.

Cristals Restaurant utilised an area of 63.5 square metres of road reserve on The Corso, for the purpose of an outdoor eating area. The occupation of the area under the current licence commenced on 8 January 2008 and was due to expire on 7 January 2013. (As Council would be aware Cristals Restaurant has had an outdoor eating area on The Corso since at least 2001). The Licence was revoked in April 2010 due to non-payment of the licence fee.

The licence fee was \$46,076.00 per annum including GST, payable by monthly instalments of \$3,839.72 in advance. Payment plans were put in place with the owners over the years on a number of occasions. Council did receive a number of payments up to May 2008, however as no



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

additional payments were received, the debt was passed to Council's debt collection agency, and the licence was revoked in April 2010.

On 19 July 2010 the company was placed into liquidation, with Dean-Willcocks Shepard appointed as liquidator. On 7 March 2012, the liquidator advised that liabilities exceed assets by some \$3,861,714 and as there was no chance of recovery the company was to be wound up.

Clause 213 of the Local Government (General) Regulation 2005 specifies conditions in which bad debts may be written off specifically:

- (a) If the debt is not lawfully recoverable, or
- (b) As a result of a decision of a court, or
- (c) If the Council or the General Manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective.

Where it is required that the bad debt be written off, specific details regarding the outstanding debts must be disclosed.

Clause 213(4) requires that:

"A resolution or order writing off a debt to a council must:

- (a) Specify the name of the person whose debt is being written off, and
- (b) Identify the account concerned, and
- (c) Specify the amount of the debt.

Or must refer to a record kept by the Council in which those particulars are recorded".

Details have been provided below in a form compliant with Clause 213(4). It is recommended that Council approves the write-off of bad debts totalling \$108,651.33 (Including GST) as detailed below:

Debtor Reference	Debtor Account 934.50 Mr Konstantinos and Mrs Janice Karras, Karras Enterprises Pty Limited T/as Cristals Restaurant, 90 The Corso, Manly
Date Debt Incurred	8 January 2008 to 15 April 2010
Amount (inclusive of GST)	\$108,651.13
Description	Outdoor dining licence fees
Comments	Debt sent to Council's debt collection agency. Company placed into liquidation. Owners since declared bankrupt.

**RECOMMENDATION**

That Council approve writing off of the debt of \$108,651.33 (Including GST) against Mr Konstantinos and Mrs Janice Karras, directors of Karras Enterprises Pty Limited T/as Cristals Restaurant, 90 The Corso, Manly.

**ATTACHMENTS**

There are no attachments for this report.

OM040612CSD\_3

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

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Corporate Services Division Report No. 18  
**SUBJECT:** Report on Next Steps for Feasibility Study for Boardwalk at Harbour Pool, Manly Council  
**FILE NO:**

---

## SUMMARY

At its meeting of 12 March 2012, following the Notice of Motion (Report No. 11) Council resolved to examine the feasibility of restoring the Harbour Pool in Manly Cove, and obtain agreement from NSW Department of Transport, Roads and Maritime (RMS) on the proposal.

This report outlines the preliminary advice from the RMS on the proposal and the various next steps that Council would be required to undertake if it wishes to develop the proposal. A copy of advice letter is attached to this report.

## REPORT

The original Manly "Wonder" pool was created in 1931 by the Port Jackson and Manly Steamship Company Ltd. It connected Manly Wharf to the foot of the steps at Federation Point. As a result of storm damage in 1974, it was demolished. Council has been requested to undertake a pre-development feasibility study to restore the Harbour Pool Boardwalk at Manly Cove.

## RMS Advice

The advice from the RMS is summarised as the following:

- that as landowner of the relevant submerged lands, it will consider Council's proposal to re-establish the boardwalk and pool;
- that should the proposal succeed, an appropriate occupancy arrangement between Council and RMS would be required;
- that from a navigation perspective, small boat access to the outside of the board walk is needed to replace direct access to the beach;
- that the fendering system for the Manly ferry would also require modification; (Note: A fender system is some form of structure or installation used to absorb shock between a boat and a jetty structure);
- that Council should also engage with all relevant stakeholders, including potential and actual users of the waterway; and
- that detailed investigations would also be required on the known environmental sensitivities of the area (e.g. sea grasses, little penguins, as well as, the social context surrounding the different users of the area (recreational vessels, passive boating craft, etc).

Grant funding through the Better Boating Program could be available for recreational boating projects that benefit a cross-section of the boating public that have the support of Council and the community. The eligibility of these works would need to be discussed with RMS at the concept design stage.

## Next Steps

Preparation of a design brief, including preliminary concepts and indicative costs of construction should be prepared by Council as per the resolution of March 2012. The brief should be prepared

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

to include a full environmental, social and economic analysis of the impact of a boardwalk as proposed by Council in March 2012. This should also consider the planning and legislation surrounding such a development proposal, as well as indicative cost and estimates of construction from a preliminary design. This brief could be prepared by Council staff or a specialist consultant.

As Council lacks 'in-house' expertise in these matters, it will need to engage and select a number of consultants to undertake the work and prepare a preliminary feasibility study. It is suggested that Council undertakes and manages this process.

It is estimated that such a feasibility study would be in the order of \$50,000 to prepare an initial study that will then require detailed design, engineering and planning documents to be prepared.

The results of this would be reported to Council for information and decision on whether to proceed or not.

**Financial Considerations:**

The abovementioned proposed feasibility study would enable an indicative cost estimate to be established for Councils consideration. While not directly comparable recent works undertaken by Woollahra Council have a similar function as that proposed at Manly and give a guide to the level of expenditure.

In 2010 Woollahra Council renovated its historic harbour pool in Watsons Bay to include a new Olympic-size pool with two floating turning board/sunbathing pontoons, boardwalk, better seating, Australia's first deep water wheelchair access to a tidal harbour pool and increased views of the harbour. These works costed \$2,000,000.

It should be further noted that these costs are not factored into Council's Draft Long Term Financial Plan or Annual Operational Plan (also before Council tonight for adoption).

**RECOMMENDATION**

1. That Council receive and note this report.

**ATTACHMENTS**

**AT- 1** Letter from Director Maritime 2 Pages  
**AT- 2** Letter from Minister for Roads and Ports 1 Page

OM040612CSD\_5

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

## ATTACHMENT 1

### Corporate Services Division Report No. 18 - Report on Next Steps for Feasibility Study for Boardwalk at Harbour Pool, Manly Council Letter from Director Maritime



**Transport**  
Roads & Maritime  
Services

DCEMS12/57  
W92/1174

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



Dear Mr Wong

Thank you for your correspondence of 23 March 2012 regarding a proposal to conduct a feasibility study into reinstatement of a boardwalk and Harbour pool at Manly Cove.

Roads and Maritime Services (RMS) is the landowner of the relevant submerged lands and will consider any formal proposal from Manly Council to re-establish a boardwalk and pool. Should the proposal proceed, Council would need to enter into an appropriate occupancy arrangement with RMS for a community facility. Annual rent under any such arrangement would be at the RMS minimum concessional rent, currently \$498 per annum.

From a navigation perspective there would need to be some form of small boat access to the outside of the boardwalk to replace the existing direct access to the beach. This could be in the form of pontoons or by other means to be decided through the feasibility study. The existing fendering system for the Manly ferry is also likely to require modification.

As proponent of the development, Manly Council would need to engage with all relevant stakeholders. Improved public access to the foreshore and waterway would be encouraged; therefore, all users of the waterway would need to be considered.

Due to locality characteristics and the known environmental sensitivity of the area, the proposal is likely to require detailed investigations and studies (e.g. sea grass, little penguins etc.). From a social context, investigations into impacts on existing/future users of the area, such as recreational vessels, passive craft etc. would need to be considered.

RMS provides grant funding, through the Better Boating Program (BBP) for recreational boating projects that benefit a broad cross-section of the boating public and have the support of Council and community. The provision of infrastructure for use by recreational vessels, as a component of the boardwalk and pool development, may be eligible for grant funding under the BBP. The eligibility of any works would need to be discussed with RMS at the concept design stage.

Roads & Maritime Services

James Craig Road, Rozelle Bay NSW 2039 | Locked Bag 5100, Camperdown NSW 1450  
T 02 9563 8511 | F 02 9563 8856

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 13 12 56

## ATTACHMENT 1

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### Corporate Services Division Report No. 18 - Report on Next Steps for Feasibility Study for Boardwalk at Harbour Pool, Manly Council

#### Letter from Director Maritime

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Council may also be eligible for funding through the Sharing Sydney Harbour Access Program administered by the Department of Planning and Infrastructure.

If you require any further information, please contact Michael Wright, General Manager Maritime Property, Planning and Infrastructure at RMS, on (02) 9563 8660.

Yours sincerely



Tony Middleton  
Director, Maritime

1.5.12

**Corporate Services Division Report No. 18 - Report on Next Steps for Feasibility Study for Boardwalk at Harbour Pool, Manly Council**  
**Letter from Minister for Roads and Ports**



**The Hon. Duncan Gay MLC**  
Deputy Leader of Government in the Legislative Council  
Minister for Roads and Ports

M12/2251

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



Dear Mr Wong

Thank you for your correspondence regarding a proposal to conduct a feasibility study into reinstatement of a boardwalk and Harbour pool at Manly Cove.

I note that you have also written directly to Roads and Maritime Services (RMS) regarding the proposal. I understand that RMS has provided a detailed response direct to you regarding its views on the project including advice regarding any grant funding that may be available.

If you require any further information, please contact Michael Wright, who is General Manager Maritime Property, Planning and Infrastructure at RMS, on (02) 9563 8660.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Duncan Gay".

22 MAY 2012

**Duncan Gay MLC**  
Deputy Leader of Government in the Legislative Council  
Minister for Roads and Ports

cc Mr Mike Baird MP  
Member for Manly

**TO:** Ordinary Meeting - 4 June 2012  
**REPORT:** Civic and Urban Services Division Report No. 5  
**SUBJECT:** Barrabooka Street and Ogilvy Road – No Stopping parking restriction  
**FILE NO:**

---

## SUMMARY

For Council to consider the implementation of a traffic management scheme in Barrabooka Street and Ogilvy road, Clontarf.

## REPORT

### Background

On the 14 May 2012 Council, in considering the minutes of the Manly Local Traffic Committee of the 5 April 2012. Council resolved that:

*“77/12 RESOLVED: (Heasman / Elder)*

*That the matter be deferred to allow amendments to Option 2 and include options on traffic calming devices e.g. medium strip; and be brought back to the sub-committee of the Traffic Committee and a report be brought back to the next Ordinary Meeting of Council.”*

### Proposals

This report presents two revised Option 2 proposals:

1. **Option 2a** – includes some parking on the east side of Barrabooka Street, the addition of a STOP sign along with concrete median islands at the Ogilvy Road/Barrabooka Street intersection (refer to Attachment 1).
2. **Option 2b** includes a narrow central concrete median around the bend in Barrabooka Street and retains some parking on both sides of Barrabooka Street. This option also includes a STOP sign and median islands at the Ogilvy Road/Barrabooka Street intersection (refer to Attachment 2).

Barrabooka Street is approximately 7.9 metres wide. This is a narrow cross section within which to accommodate two traffic lanes and a parking lane. The sections where parking and two lanes of traffic are proposed would have traffic lanes of 2.7m in width and a 1.8m wide parking lane. Normal traffic lane widths are between 3m and 3.75m and parking lane widths between 2m and 2.5m. However, the reduced widths are acceptable and would be a formalisation of the current situation. The reduced lane widths could require some larger vehicles to straddle the centre line and to allow for this a broken centre line is recommended.

The design for parking on the west side of Barrabooka Street (outside number 33) is constrained to the south west by the location of the driveway access to Number 14 Barrabooka Street opposite. To the north the parking on the western side is constrained by the need to provide adequate lateral movement.

Barrabooka Street is not sufficiently wide to accommodate both a central median and kerbside parking. Both proposed options provide some parking on both sides of Barrabooka Street, constrain traffic speed and improve vehicle alignment on the bend in the road.

Option 2a retains three parking spaces outside number 33 Barrabooka Street as well as 6 spaces on the east side of Barrabooka Street between Cutler Street and Ogilvy Road. This option would cost approximately \$3,000.



**Civic and Urban Services Division Report No. 5 (Cont'd)**

Option 2b retains two parking spaces outside number 33 Barrabooka Street and four spaces on the east side of Barrabooka Street between Cutler Street and Ogilvy Road. This option, however, provides physical separation of traffic on the bend. This option would cost approximately \$5,000.

Option 2b could be modified further by removing the northern most section of the central median. This would preserve approximately two additional parking spaces on the east side of Barrabooka Street. This would also reduce the cost of this option.

**Traffic Committee Comments**

The short duration between Council meetings has not given time for a Traffic Committee to be held so comments via email were sought from the Traffic Committee voting members. The comments received are tabulated below:

Committee representative	Comment
Roads and Maritime Service (RMS)	The RMS's preferred option is Option 2a. This option is preferred because it has a lesser impact on parking. RMS does not consider a central median necessary.
Police	The Police remain in support of the original Option 2 proposal reported to Council 14 May 2012. The police did not feel the introduction of a concrete median was necessary.
Mike Baird's Office	No comment received.
Traffic Committee Chair Councillor Adele Heasman	The Options were discussed with the Traffic Committee Chair who advised that her preference would be for Option 2b as this would address the safety concerns of Ogilvy Road residents whilst minimising parking impact on the residents of the affected section of Barrabooka Street.

**Conclusion**

Both proposed options are feasible, would provide some parking on both sides of Barrabooka Street, would improve vehicle alignment around the bend, make obvious to drivers where parking is located and are likely to restrain vehicle speeds.

The cross section of Barrabooka Street is not sufficiently wide to provide a central median and kerbside parking.

Option 2a is supported by both the Roads and Maritime Service and the Police and could be implemented at a lower cost than Option 2b.

Option 2b provides some parking spaces on both sides of Barrabooka Street and provides physical separation of traffic, and thus improved safety, on the sharp bend on Barrabooka Street. This option could be modified further with the removal of the upper section of central median. This would reduce the cost and reduce the loss of parking.

The traffic committee did not reach a consensus as to the preferred option so the recommendation provided is that broadly supported by the Police and RMS.

**RECOMMENDATION**

That Council implement the proposed traffic management measures shown on the Sketch Plan for Option 2a as set out in Attachment 2.

**ATTACHMENTS**

**AT- 1** Barrabooka Option 2a - Excluding Central Median 1 Page

**AT- 2** Barrabooka Option 2b - Including Central Median 1 Page

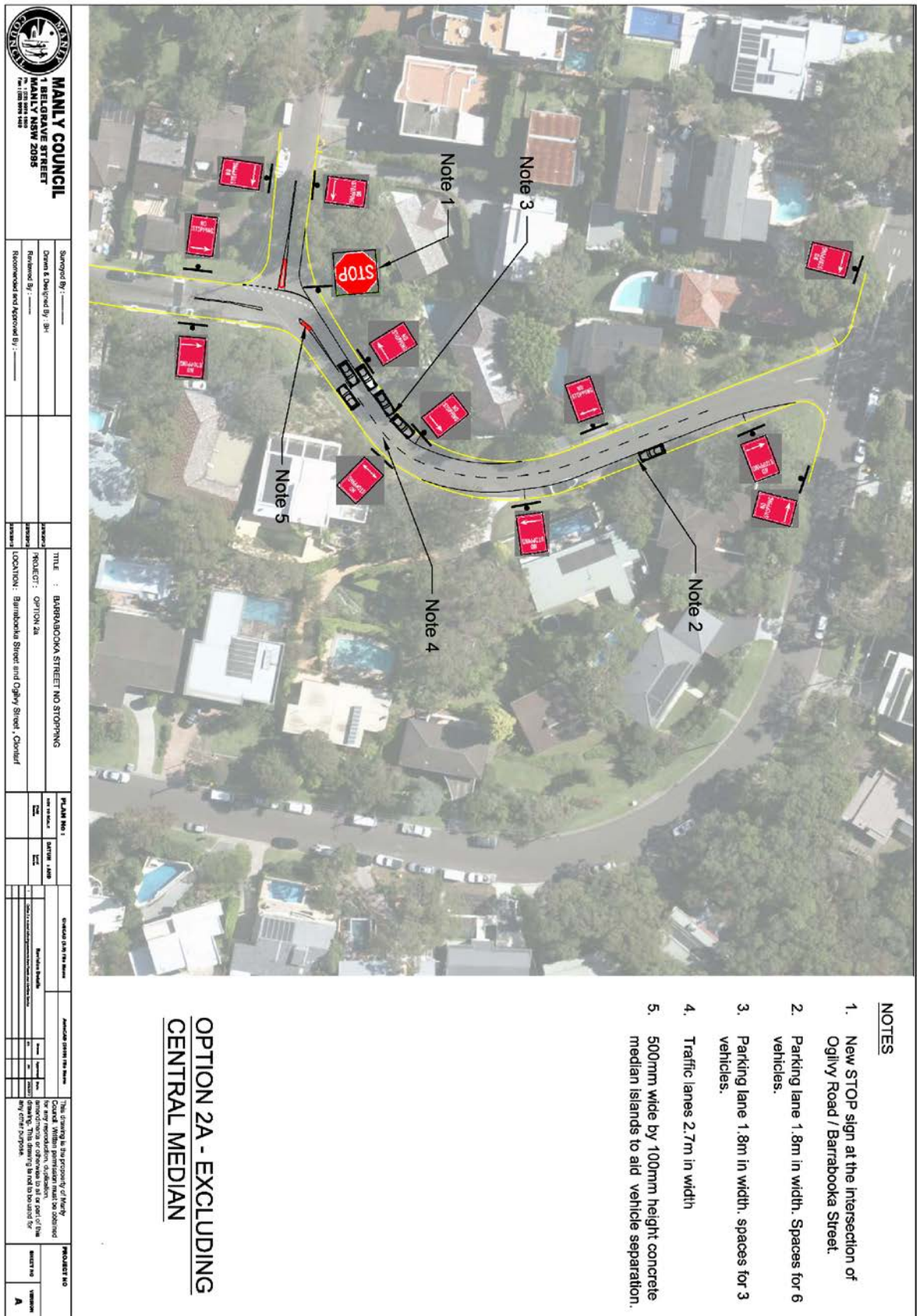
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\*\*\*\*\* End of Civic and Urban Services Division Report No. 5 \*\*\*\*\*



# ATTACHMENT 1

## Civic and Urban Services Division Report No. 5 - Barrabooka Street and Ogilvy Road – No Stopping parking restriction Barrabooka Option 2a - Excluding Central Median



## ATTACHMENT 2

### Civic and Urban Services Division Report No. 5 - Barrabooka Street and Ogilvy Road – No Stopping parking restriction Barrabooka Option 2b - Including Central Median

