



Minutes

Extraordinary Meeting of Council

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 23 April 2012

All minutes are subject to confirmation at a subsequent meeting.

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The Extraordinary Meeting of Council was held in the Council Chambers, Town Hall, Manly, on Monday 23 April 2012. The meeting commenced at 9.20 PM.

PRESENT

Her Worship, The Mayor, Councillor Jean Hay AM, who presided
 Councillor B Aird
 Councillor H Burns
 Councillor L Elder
 Councillor C Griffin
 Councillor A Heasman
 Councillor D Murphy
 Councillor C Whitting

ALSO PRESENT

Henry Wong, General Manager
 Stephen Clements, Deputy General Manager, Executive Manager, Landuse & Sustainability
 Ross Fleming, Deputy General Manager, People, Place & Infrastructure
 Anthony Hewton, Executive Manager, Corporate Support Services
 Jenny Nascimento, Chief Financial Officer
 Beth Lawsen, Divisional Manager, Human Services and Facilities
 Chris Barnett, Manager Business and Economic Development
 Melinda Aitkenhead, Manager Governance
 Helen Lever, Manager General Managers Office
 Secretariat Officer

APOLOGIES

Apologies were tendered on behalf of Councillors A Le Surf, Dr P Macdonald OAM, R Morrison, and M Norek for non-attendance.

MOTION (Whitting/Burns)

That the apologies received from Councillors A Le Surf, Dr P Macdonald OAM, R Morrison, and M Norek be accepted.

65/12 **RESOLVED: (Whitting / Burns)**

That the apologies received from Councillors A Le Surf, Dr P Macdonald OAM, R Morrison, and M Norek be accepted.

For the Resolution: Councillors Hay, Aird, Burns, Elder, Griffin, Heasman, Murphy and Whitting

Against the Resolution: Nil

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

| Name: | Item Number: | Nature of Interest: |
|--------------------------|--|---|
| Councillor Cathy Griffin | General Managers Reports No. 6 & 7 Corporate Services Report No. 10 | Cllr Griffin resides in the area and left the Chamber at 9.25pm |

Councillor Griffin having declared an interest in the following items left the Chamber.

CONFIDENTIAL COMMITTEE OF THE WHOLE

General Managers Division Report No. 6

Addendum Report - Draft Exhibition Documents being Updated Delivery Program 2011 to 2015 (including Revenue and Financial Plan and Fees and Charges 2012 to 2013), Operational Plan and Budget 2012 to 2013, and Updated Long Term Financial Plan 2012 to 2022

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

General Managers Division Report No. 7

Draft Exhibition Documents being Updated Delivery Program 2011 to 2015 (including Revenue and Financial Plan and Fees and Charges 2012 to 2013), Operational Plan and Budget 2012 to 2013, and Updated Long Term Financial Plan 2012 to 2022

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

Corporate Services Division Report No. 10

Amendments to Council Loan Borrowing 2011/2012

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

CLOSED SESSION

MOTION (Burns / Heasman)

That the meeting move into Closed Session to consider the above items.

The Chairperson, the Mayor, Councillor Hay asked if any members of the public gallery objected to the matter being heard in closed Session.

It was noted that no representations were received from the public gallery.

66/12 **RESOLVED:** (Burns / Heasman)

That the meeting move into Closed Session to consider the above items.

For the Resolution: Councillors Hay, Aird, Burns, Elder, Griffin, Heasman, Murphy and Whitting

Against the Resolution: Nil

OPEN COUNCIL RESUMED

Upon resuming into Open Council, the Chairperson advised the meeting of the decisions made in Closed Session.

General Managers Division Report No. 6

Addendum Report - Draft Exhibition Documents being Updated Delivery Program 2011 to 2015 (including Revenue and Financial Plan and Fees and Charges 2012 to 2013), Operational Plan and Budget 2012 to 2013, and Updated Long Term Financial Plan 2012 to 2022

MOTION (Burns / Aird)

1. The report be received and noted; and
2. Council adopt the proposed Loan Borrowings for 2012-2013 as resolved in Closed Session.

67/12 **RESOLVED:** (Burns / Aird)

1. The report be received and noted; and
2. Council adopt the proposed Loan Borrowings for 2012-2013 as resolved in Closed Session.

For the Resolution: Councillors Aird, Burns, Murphy and Whitting

Against the Resolution: Councillors Hay, Heasman and Elder

Councillor Griffin was not in the Chamber when the voting took place.

General Managers Division Report No. 7

Draft Exhibition Documents being Updated Delivery Program 2011 to 2015 (including Revenue and Financial Plan and Fees and Charges 2012 to 2013), Operational Plan and Budget 2012 to 2013, and Updated Long Term Financial Plan 2012 to 2022

MOTION (Aird / Burns)

1. That pursuant to Sections 403, 404 and 405 of the *Local Government Act, 1993*, Council adopt for the purposes of public exhibition the following draft documents:
 - i. Updated Delivery Program 2011 to 2015 (including the Revenue and Financial Plan and Draft Schedule of Fees and Charges 2012 to 2013),
 - ii. Operational Plan and Budget 2012 to 2013, and

- iii. Updated Long Term Financial Plan 2012 to 2022.
2. That Council give notice of its intention to:
 - i. Make and levy an Ordinary Rate to comprise a minimum rate and ad valorem rating structure for both Residential and Business categories of rates on all rateable land for 2012-2013, as set out in the Report;
 - ii. Make and levy two Special Purpose Rates on land within the defined Manly Business Centre and Balgowlah Business Centre; and
 - iii. Increase rates income by 3.6% in 2012-2013 in accordance with the permissible rate increase set by IPART.
 3. That the Budget be varied to include provision for \$50,000 for making the Community Park at Little Manly a reality, including the demolition of the building(s) on 36 Stuart Street Manly, making the site safe and available for open space purposes.
 4. That the Draft Domestic Waste Management charge of \$495.00 for residential property be adopted for the 2012/2013 Budget.

68/12 **RESOLVED: (Aird / Burns)**

1. That pursuant to Sections 403, 404 and 405 of the *Local Government Act, 1993*, Council adopt for the purposes of public exhibition the following draft documents:
 - i. Updated Delivery Program 2011 to 2015 (including the Revenue and Financial Plan and Draft Schedule of Fees and Charges 2012 to 2013),
 - ii. Operational Plan and Budget 2012 to 2013, and
 - iii. Updated Long Term Financial Plan 2012 to 2022.
2. That Council give notice of its intention to:
 - i. Make and levy an Ordinary Rate to comprise a minimum rate and ad valorem rating structure for both Residential and Business categories of rates on all rateable land for 2012-2013, as set out in the Report;
 - ii. Make and levy two Special Purpose Rates on land within the defined Manly Business Centre and Balgowlah Business Centre; and
 - iii. Increase rates income by 3.6% in 2012-2013 in accordance with the permissible rate increase set by IPART.
3. That the Draft Budget for Exhibition be varied to include provision for \$50,000 for making the Community Park at Little Manly a reality, including the demolition of the building(s) on 36 Stuart Street Manly, making the site safe and available for open space purposes.
4. That the Draft Domestic Waste Management charge of \$495.00 for residential property be adopted for the 2012/2013 Budget.

For the Resolution: Councillors Murphy, Burns, Whitting and Aird

Against the Resolution: Councillors Hay, Heasman and Elder.

Councillor Griffin was not in the Chamber when the voting took place.

Corporate Services Division Report No. 10

Amendments to Council Loan Borrowing 2011/2012

MOTION (Burns / Aird)

That:

1. Council resolve to approve the loan borrowing as resolved in Closed Session.
2. Council submit a revised Loan Borrowing Return to the Division of Local Government for 2011-2012;
3. Council invite expressions of interest from the major banks for the borrowings;
4. The General Manager be delegated authority to accept the interest rate and terms most advantageous to Council; and
5. The Common Seal of Council be affixed to the appropriate loan deeds as required.

69/12 **RESOLVED: (Burns / Aird)**

That:

1. Council resolve to approve the loan borrowing as resolved in Closed Session.
2. Council submit a revised Loan Borrowing Return to the Division of Local Government for 2011-2012;
3. Council invite expressions of interest from the major banks for the borrowings;
4. The General Manager be delegated authority to accept the interest rate and terms most advantageous to Council; and
5. The Common Seal of Council be affixed to the appropriate loan deeds as required.

For the Resolution: Councillors Murphy, Burns, Whitting and Aird

Against the Resolution: Councillors Hay, Heasman and Elder

Councillor Griffin was not in the Chamber when the voting took place.

CLOSE

The meeting closed at [10.40pm](#)

The above minutes were confirmed at an **Ordinary Meeting** of Manly Council held on [14 May 2012](#).

MAYOR

***** **END OF MINUTES** *****