



Agenda

Planning and Strategy Committee

Notice is hereby given that a Planning and Strategy Committee of Council will be held at Council Chambers, 1 Belgrave Street, Manly, on:

Monday 13 November 2006

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

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

*Copies of business papers are available at the Customer Services Counter at Manly Council, Manly Library and Seaforth Library and are available on Council's website:
www.manly.nsw.gov.au*

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CLOSED COMMITTEE ITEMS

CONFIDENTIAL COMMITTEE OF THE WHOLE

Corporate Planning And Strategy Division Report No. 58

Tender for Provision of Community Car Share Service in Manly

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

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

TO: Planning and Strategy Committee - 13 November 2006
REPORT: General Managers Division Report No. 35
SUBJECT: Stuart Street, Manly - Properties 38 and 40
FILE NO:

SUMMARY

- Council has called for a Discussion Paper in relation to 38 and 40 Stuart Street, Manly.
- A Confidential Discussion Paper is **circulated under separate cover** for the information of Councillors.

REPORT

The Confidential Discussion Paper has been prepared in response to Council’s resolution on 13 March 2006 when dealing with a request to rezone properties Nos. 38 and 40 Stuart Street, Little Manly from Zone No 6 Open Space to Zone No 2 Residential. At the meeting it was resolved:-

“That Council defer consideration of the request to rezone properties Nos. 38 and 40 Stuart Street, Little Manly from Zone No 6 Open Space to Zone No 2 Residential for the purpose of preparing a discussion paper for community consultation covering matters such as:-

- *The history of rezoning to open space in the 1960’s;*
- *Local expectations regarding rezoning;*
- *Financial arguments;*
- *Benefits/requirements for additional open space;*
- *Possible future uses if returned to open space, including benefits verses risks; and*
- *Preliminary negotiations with the owner and the Executors of No 38 Stuart Street as to the feasible width of an access corridor to the rear of their properties.”*

The **circulated** Discussion Paper is now submitted in response to the above Council resolution.

RECOMMENDATION

1. That Council make urgent representation to the State Government, via the Local State Member, for funding to acquire the subject properties.

ATTACHMENTS

<p>AT- \Discussion Paper 38 and 40 Stuart Street Manly - 1 CONFIDENTIAL ATTACHMENT - for the information of Councillors</p>	<p>25 Pages</p>	<p>Circulated Separately</p>
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***** End of General Managers Division Report No. 35 *****

TO: Planning and Strategy Committee - 13 November 2006
REPORT: General Managers Division Report No. 36
SUBJECT: Manly Town Centre - Proposal for Additional Public Toilet Facilities
FILE NO:

SUMMARY

- In keeping with the other Town Centre improvements, there is a need to provide additional public toilet facilities.
- Council has received a submission from J C Decaux regarding advertising funded infrastructure.
- This method of funding has been adopted by Council in the roll out of approximately 90 new bus shelters in Manly.
- The general philosophy is that advertising is not out of character against a commercial backdrop where other commercial signage is prevalent.

REPORT

Council currently is contracted to J C Decaux to provide and maintain bus shelters throughout the Manly Local Government area. The shelters in the residential areas have no advertising. The shelters on main roads and in the commercial precincts have advertising and this funds the total programme.

The arrangement has an additional benefit in that all of the 90 shelters are maintained and cleaned weekly by J C Decaux. This in turns saves Council considerable cost in maintenance, and in the event of any breakage, J C Decaux does repairs.

The roll out of the bus shelters has proved to be a valuable complementary service to the new Hop Skip and Jump Bus in that people who are minded to use the public service have some weather protection to encourage them to utilise public transport.

The issue of exploring the option of providing additional toilet facilities in Manly via this sponsored programme is motivated by the desire to add to the infrastructure upgrade that has been funded by the commercial sector, particularly centering on The Corso Upgrade. Council will be aware that much effort has gone into improving the infrastructure in Manly as well as working with other bodies such as the Police and the Alcohol Accord to try to improve the general presentation and respect for the infrastructure provided by Council.

With increasing tourism patronage and perhaps greater use of the public open space in Manly by local residents and visitors, the need for additional toilet facilities is becoming critical.

The lack of conveniently located and visible toilet facilities has been sited as a reason for some of the anti social behaviour which occurs in Manly, particularly late at night.

In keeping with the desire to meet the reasonable needs and expectations of residents and visitors to Manly, a survey has been done of the potential sites for installation of new toilet facilities and the criteria that have been considered in arriving at the list hereunder include:-

- (a) The toilet facilities need to be reasonably close to and have line of sight from the major pedestrian thoroughfares within Manly.

General Managers Division Report No. 36 (Cont'd)

- (b) Preferably the toilet facilities should be visible from but not directly on the major pedestrian thoroughfares through the Manly Central Business District (CBD).
- (c) The toilet facilities should be located such as to cater to known trouble spots or potential trouble spots.

Based on the criteria above, the following locations have been identified as most closely aligning with the criteria:-

1. Location close to and perhaps incorporated with the taxi rank in front of the Manly Town Hall.
2. In Darley Road on an extended footpath width, adjacent to the first pine tree on the eastern side.
3. Sydney Road, adjacent to the entry to the Central Avenue Plaza. At this location is a rather odd slip lane arrangement which was designed and installed many years ago for the purposes of setting down passengers from tourist coaches associated with the Waterside Apartments operation as a motel.
4. In Belgrave Street, at the corner of Raglan Street, servicing the late night taxi rank and bus service for Manly After Midnight patrons.

These four locations, plus improvements to the Council's present toilet arrangements on the Ocean Beach, will provide a comprehensive upgrade of facilities in Manly and a much improved visibility.

Presently the toilets in location such as downstairs in the Manly Wharf complex, toilets in the Peninsula Building, toilets in the Whistler Street Car Park and toilets in Gilbert Park are generally so far removed from sight and from convenient access that they do not satisfy the criteria outlined above.

The Sponsored Facilities Programme

Under the Sponsored Facilities Programme, the company providing these facilities will install and maintain regularly and consistently to a very high standard all the infrastructure provided. The advertising exposure that compensates for the installation and maintenance of these facilities is four panels of advertising per toilet structure.

Given that each toilet structure generally has two sides facing the public domain, it means that two other panels need to be accommodated either within taxi shelters or bus shelters in Manly or as one side of community notice boards which could be installed in appropriate locations, i.e. Wentworth Street or in The Corso Stage 2 or perhaps on the Wharf forecourt, if such a community notice board was considered appropriate. It should be noted that two of these types of notice boards which have commercial advertising are already in The Corso, one immediately opposite the Wharf outside the Rion Café and another close to the intersection of Sydney Road and Belgrave Street.

Further details of the proposed locations and type of toilet facilities will be presented at the meeting.

As part of The Corso Stage 1, Council has negotiated the reduction of the number of public telephones in The Corso area and it is now proposed that in The Corso Stage 1 there only be one location of telephones (four phones, two facing east and two facing west) and the designers of The Corso, Taylor Cullity Lethlean, have expressed a view that this J C Decaux type unit is a more attractive unit than the typical Telstra model. The J C Decaux type installation has an advertising panel on the reverse of the cabinet and Council needs to determine its attitude to this installation

General Managers Division Report No. 36 (Cont'd)

as well. The alternative would be to revert to a Telstra type cabinet which has a Telstra logo and typical Telstra colour scheme.

It should be noted that elsewhere in the Agenda, the issue of the sponsored advertising of infrastructure was referred to the Landscape Management and Urban Design (LMUD) Committee. Even though the LMUD Committee did not have a quorum, those present expressed reservations as to location and also on heritage grounds (see Minutes of LMUD Committee elsewhere).

It should also be noted that the LMUD Committee is purely concerned with aesthetic issues and the Council more generally has to take into account the provisioning of essential utility services, as well as economic and social implications such as anti social behaviour, etc.

Please note that in keeping with the general upgrade of the CBD, this matter is considered a top priority and a lot of effort is being put into trying to arrive at a comprehensive strategy for managing the CBD of Manly in terms of hours of operation of night time activities, transport issues and lighting levels and provision of adequate toilets, etc.

RECOMMENDATION

1. That Council acknowledge the need to provide extra toilet facilities within the Manly CBD as outlined in the report.
2. That Council agree to the acquisition of the necessary utilities by way of a contra commercial arrangement, based on the incorporation and installation of advertising panels in appropriate locations.
3. That the matter proceed by way of assessment and approval through the normal process, including notifications and referral to Precincts, etc.

ATTACHMENTS

There are no attachments for this report.

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***** End of General Managers Division Report No. 36 *****

TO: Planning and Strategy Committee - 13 November 2006
REPORT: Corporate Planning And Strategy Division Report No. 56
SUBJECT: Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans
FILE NO:

SUMMARY

The amended Noxious Weed Act requires the local control authority, in this case Manly Council, to develop Weed Control Management Plans for all declared Class 4 weeds. In general Class 4 noxious weeds are 'environmental' weeds eg privet, asparagus fern, morning glory and lantana. There are currently 28 Class 4 weeds in the Manly LGA.

Amendments to the Noxious Weed Act 1993 have resulted in a new noxious weed list for Manly Council and the formation of weed control classes replacing the 'W' categories. The legal requirements for Class 1, 2, 3 & 5 weeds are set down in the Act. The Class 4 Weed Control Management Plans must specify (a) the measures for how the growth and the spread of a weed is to be controlled and (b) the legal and known methods for controlling this weed. The Class 4 Weed Control Management Plans give Council increased flexibility to develop a plan that suits the individual situation. The proposed Class 4 weed control measures take into consideration the ecology of the weed and the problems that this weed currently pose. Once ratified by council the proposed Weed Control Management Plan becomes legally enforceable.

This report recommends that Council ratify the proposed Class 4 weed control measures and delegate to the General Manager the authority to ratify Class 4 Weed Control Plans.

REPORT

As of 1 March 2006 amendments to the Noxious Weed Act 1993 came into force. There have been a number of changes, the most significant being the new control categories. All of the previous "W" categories for noxious weeds have been reclassified into weed classes, with each class having a specific objective for controlling this weed.

- Class 1 - State Prohibited Weeds - "The plant must be eradicated from the land and the land must be kept free of the plant."
- Class 2 - Regionally Prohibited Weeds - "The plant must be eradicated from the land and the land must be kept free of the plant."
- Class 3 - Regionally Controlled Weeds - "The plant must be fully and continuously suppressed and destroyed."
- Class 4 - Locally Controlled Weeds - "The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority."
- Class 5 - Restricted Plants - "The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with"

In addition there have been changes to the noxious weed list for all local control authorities with the addition of statewide weeds - mainly aquatic weeds and plants available for sale that are either not known to be present or not widely spread throughout the Sydney region. Aside from these state-wide declarations there have only been minor changes to the noxious weed list for Manly Council, including movement of a few weeds between the classes to reflect the prior work undertaken by the Sydney North Regional Weeds Committee to implement a consistent noxious weeds list for the region. Attached is a full list of declared noxious weeds for Manly Council.

A requirement of the amended Noxious Weed Act is that all Councils develop a Weed Control Management Plan for each Class 4 noxious weed. This provides local control authorities in NSW with more flexibility in specifying how these weeds will be controlled allowing councils to tailor the

Corporate Planning And Strategy Division Report No. 56 (Cont'd)

plans with consideration of the local environment and the problems that the weed poses. The Class 4 plan must specify (a) the measures for how the growth and the spread of a weed is to be controlled and (b) the legal and known methods for controlling this weed. In general Class 4 weeds are the environmental weeds that are quite widespread.

Attached is a summary of proposed control measures for each Class 4 weed along with an example of a Class 4 Weed Control Management Plan. The objective of these proposed Class 4 weed control measures is to:

- Develop consistent weed control measures with adjoining councils. For the majority of Class 4 weeds, the proposed control measures have been standardised across councils in the Sydney North region to provide consistency across council boundaries
- Put in place realistic, effective and workable weed control measures for landholders that will achieve a positive outcome without being overly onerous
- Minimise the negative impact of noxious weeds on the environment and the community

It is not anticipated that the proposed Weed Control Management Plans will increase the current workload of staff enforcing the Act.

Once the Class 4 Weed Control Management Plans are ratified they become legally enforceable and will be published on council's website for public display.

It is also proposed that Council delegate to the General Manager the authority to ratify Class 4 Weed Control Plans. This will simplify the process of amending the Class 4 plans if required, including the preparation of plans for any new Class 4 weed declarations.

RECOMMENDATION

It is recommended that Council:

1. Ratify the proposed Class 4 weeds control measures.
2. Endorse the new Noxious Weeds list for Manly Council.
3. Delegate to the General Manager authority to ratify Class 4 Weed Control Management Plans

ATTACHMENTS

AT- 1	Table of proposed control measures for all Class 4 weeds	3 Pages
AT- 2	List of Noxious Weeds in Manly LGA	4 Pages
AT- 3	Example of Weed Control Class 4 Management Plan	2 Pages

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***** End of Corporate Planning And Strategy Division Report No. 56 *****

ATTACHMENT 1

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

Table of proposed control measures for all Class 4 weeds

CLASS 4 WEEDS - PROPOSED CONTROL MEASURES	
Name of Weed	Proposed Control Measures
Asparagus Fern	This weed must be prevented from growing within 1 metre of a property boundary. The weed must be prevented from forming seed and fruit. If the above measures are not continuously maintained, then the entire plant must be removed / destroyed.
Balloon Vine	This weed must be continuously prevented from climbing and spreading within 1 metre of a property boundary or 20 metres of a watercourse (natural or manmade, permanent or ephemeral). The weed must be prevented from forming seed. If the above measures are not continuously maintained, then total removal will be required.
Blackberry	Individual specimen and small infestations (< 10m ²) of this weed must be totally eradicated. Medium infestations (more than 10m ²) must be prevented from flowering and seeding and the size of the infestation must be reduced by 50% annually.
Cape Ivy	This weed must be continuously prevented from climbing and spreading within 1 metre of a property boundary. If the above measures are not continuously maintained, then total removal will be required.
Castor Oil Plant	Individual specimens and small infestations must be completely removed. Large infestations (i.e. greater than 20 plants per hectare) must be reduced by 50% annually. Establishment of new infestations must be prevented
Cats Claw Creeper	This weed must be prevented from seeding and from spreading into existing canopy and from growing within 1 metre of a property boundary. If the above measures are not continuously maintained, then total removal will be required.
Chilean Needle Grass	On privately owned land less than 600sqm in area, the weed must be eradicated. On privately owned land 600sqm or greater in area, a weed management plan for the site must be completed and implemented by the landholder once approved by the Council.
Climbing Asparagus Fern	This weed must be prevented from growing within 1 metre of a property boundary. The weed must be prevented from forming seed and fruit. If the above measures are not continuously maintained, then the entire plant must be removed / destroyed.
Cockspur Coral Tree	For small infestations (<20 plants greater than 4 metres in height or 150mm in diameter at breast height) on privately owned land all plants must be removed / destroyed unless continuously prevented from flowering and fruiting. For larger infestations the spatial extent must be reduced by 25% annually and establishment of new infestations must be prevented.
Crofton Weed	Small infestations (< 10m ²) of this weed must be totally eradicated. Medium infestations (more than 10m ²) must be prevented from flowering and seeding and the size of the infestation must be reduced by 50% annually.
Giant Reed	This weed must be prevented from flowering and fruiting and prevented from growing within 3m of the property boundary. If removal of flowers and seeds is not possible or the plant is not continuously prevented from growing within 3m of a property boundary, the entire plant must be removed / destroyed.

ATTACHMENT 1

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

Table of proposed control measures for all Class 4 weeds

Harrisia Cactus	Biological controls must be released on all infestations / plants. If biological control agents are not available or cannot be accessed, the plant must be removed / destroyed
Lantana	Individual specimens must be completely removed. For larger infestations (more than 100m ²), the weed must be prevented from spreading and the extent gradually reduced, with due consideration to impact on native fauna habitat. A weed management plan for larger infestations must be completed and implemented by the landholder, as approved by the local Council. This plan will take into account any impacts on erosion, native or desirable surrounding vegetation and fauna that will be affected by the control of the lantana.
Madeira Vine	This weed must be continuously prevented from climbing into existing canopy and spreading within 1 metre of a property boundary or 20 metres of a watercourse (natural or manmade, permanent or ephemeral). All aerial and ground tubers must be removed and disposed of in garbage bin. If removal of tubers is not possible or the plant is not continuously prevented from growing within 1 metre of a property boundary or 20m of a watercourse, the entire plant must be removed / destroyed.
Morning Glory (blue)	This weed must be continuously prevented from climbing and spreading within 1 metre of the property boundary. If the above measures are not continuously maintained, then the entire plant must be removed / destroyed.
Morning Glory (coastal)	This weed must be continuously prevented from climbing and spreading within 1 metre of the property boundary. All fruits and seeds must be removed. If the above measures are not continuously maintained, then the entire plant must be removed / destroyed.
Ochna	For small infestations (<20 plants) on privately owned land all plants must be removed / destroyed unless maintained as a formal hedge where all flowering and fruiting is continuously prevented. For large infestations (ie 20 plants or more), the spatial extent must be reduced by a minimum of 25% annually and establishment of new infestations must be prevented.
Pellitory	All plants must be removed / destroyed on properties with an area less than 600sqm. For properties 600sqm or larger in area a weed management plan must completed and implemented by the landholder, as approved by the local Council.
Prickly Pear	Biological controls, Cactoblastis moth and/or Cochineal beetle, must be released on all infestations / plants. If biological control agents are not available or cannot be accessed, the plant must be removed.
Privet (broad-leaf & narrow-leaf)	For small infestations (<20 plants greater than 4 metres in height or 150mm in diameter at breast height) on privately owned land, all plants must be removed / destroyed unless maintained as a formal hedge where all flowering and fruiting is continuously prevented. For larger infestations, the plants must be prevented from flowering and fruiting and the spatial extent must be reduced by a minimum of 25% annually.

ATTACHMENT 1

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

Table of proposed control measures for all Class 4 weeds

Rhizomatous Bamboo	This plant must be prevented from growing within 3m of the property boundary. If the plant is not continuously prevented from growing within 3m of a property boundary, the entire plant must be removed/ destroyed.
Rhus Tree	Individual specimens and small infestations must be completely removed. Large infestations (i.e. greater than 20 plants per hectare) must be prevented from fruiting and flowering and must be reduced by a minimum of 50% annually. Rhus plants that are adjacent to public thoroughfares or where people may reasonably come into contact with the plant must be removed entirely for reasons of public safety.
Senna	For small infestations (<20 plants per hectare) on privately owned land, all plants must be removed / destroyed unless continuously prevented from flowering and fruiting. For larger infestations must be prevented from flowering and fruiting and the spatial extent must be reduced by a minimum of 25% annually.
Serrated Tussock	Small infestations (single plants up to 20m ²) must be totally eradicated. Larger infestations must be prevented from seeding and the size of the infestation reduced by 50% per year.
St John's Wort	Small infestations (single plants up to 20m ²) must be totally eradicated. Larger infestations must be prevented from seeding and must be reduced by a minimum of 50% annually. A weed management plan for the site must be completed and implemented by the landholder, as approved by the local Council.
Trad	This plant must be prevented from growing within 1 metre of the property boundary and two metres from any watercourse (natural or manmade, permanent or ephemeral). Approved erosion control techniques must be used, contact your local Council for advice. If the above measures are not continuously maintained, then total removal of the entire infestation will be required.

ATTACHMENT 2

**Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans
List of Noxious Weeds in Manly LGA**

Common Name	Scientific Name	Class	Declaration Area
African feather grass	<i>Pennisetum macrourum</i>	5	Whole of NSW
African turnip weed	<i>Sisymbrium runcinatum</i>	5	Whole of NSW
African turnip weed	<i>Sisymbrium thellungii</i>	5	Whole of NSW
Alligator weed	<i>Alternanthera philoxeroides</i>	3	Manly Council
Anchored water hyacinth	<i>Eichhornia azurea</i>	1	Whole of NSW
Annual ragweed	<i>Ambrosia artemisiifolia</i>	5	Whole of NSW
Arrowhead	<i>Sagittaria montevidensis</i>	5	Whole of NSW
Artichoke thistle	<i>Cynara cardunculus</i>	5	Whole of NSW
Asparagus fern	<i>Asparagus densiflorus</i> (<i>Asparagus aethiopicus</i>)	4	Manly Council
Athel tree/Athel pine	<i>Tamarix aphylla</i>	5	Whole of NSW
Balloon vine	<i>Cardiospermum grandiflorum</i>	4	Manly Council
Bear-skin fescue	<i>Festuca gautieri</i>	5	Whole of NSW
Bitou bush	<i>Chrysanthemoides monilifera</i> subspecies <i>rotundata</i>	3	Manly Council
Black knapweed	<i>Centaurea nigra</i>	1	Whole of NSW
Blackberry	<i>Rubus fruticosus</i> aggregate species except cultivars	4	Whole of NSW
Boneseed	<i>Chrysanthemoides monilifera</i> subspecies <i>monilifera</i>	3	Manly Council
Bridal creeper	<i>Asparagus asparagoides</i>	5	Whole of NSW
Broomrapes	<i>Orobanche</i> species except the native <i>O. cernua</i> variety <i>australiana</i> and <i>O. minor</i>	1	Whole of NSW
Burr ragweed	<i>Ambrosia confertiflora</i>	5	Whole of NSW
Cabomba	<i>Cabomba caroliniana</i>	5	Whole of NSW
Cape broom	<i>Genista monspessulana</i>	3	Manly Council
Cape ivy	<i>Delairea odorata</i>	4	Manly Council
Castor oil plant	<i>Ricinus communis</i>	4	Manly Council
Cat's claw creeper	<i>Macfadyena unguis-cati</i>	4	Manly Council
Cayenne snakeweed	<i>Stachytarpheta cayennensis</i>	5	Whole of NSW
Chilean needle grass	<i>Nassella neesiana</i>	4	Manly Council
Chinese violet	<i>Asystasia gangetica</i> subspecies <i>micrantha</i>	1	Whole of NSW
Climbing asparagus fern	<i>Asparagus plumosus</i>	4	Manly Council
Clockweed	<i>Gaura lindheimeri</i>	5	Whole of NSW
Clockweed	<i>Gaura parviflora</i>	5	Whole of NSW

ATTACHMENT 2

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

List of Noxious Weeds in Manly LGA

Cockspur coral tree	<i>Erythrina crista-galli</i>	4	Manly Council
Corn sowthistle	<i>Sonchus arvensis</i>	5	Whole of NSW
Crofton weed	<i>Ageratina adenophora</i>	4	Manly Council
Dodder	All <i>Cuscuta</i> species except the native species <i>C. australis</i> , <i>C. tasmanica</i> and <i>C. victoriana</i>	5	Whole of NSW
East Indian hygrophila	<i>Hygrophila polysperma</i>	1	Whole of NSW
Espartillo	<i>Achnatherum brachychaetum</i>	5	Whole of NSW
Eurasian water milfoil	<i>Myriophyllum spicatum</i>	1	Whole of NSW
Fine-bristled burr grass	<i>Cenchrus brownii</i>	5	Whole of NSW
Fountain grass	<i>Pennisetum setaceum</i>	5	Whole of NSW
Gallon's curse	<i>Cenchrus biflorus</i>	5	Whole of NSW
Giant reed /Elephant grass	<i>Arundo donax</i>	4	Manly Council
Glaucous star thistle	<i>Carthamus glaucus</i>	5	Whole of NSW
Golden thistle	<i>Scolymus hispanicus</i>	5	Whole of NSW
Green cestrum	<i>Cestrum parqui</i>	3	Manly Council
Harrisia cactus	<i>Harrisia</i> species	4	Whole of NSW
Hawkweed	<i>Hieracium</i> species	1	Whole of NSW
Horsetail	<i>Equisetum</i> species	1	Whole of NSW
Hygrophila	<i>Hygrophila costata</i>	2	Manly Council
Hymenachne	<i>Hymenachne amplexicaulis</i>	1	Whole of NSW
Karoo thorn	<i>Acacia karroo</i>	1	Whole of NSW
Kochia	<i>Bassia scoparia</i> except <i>B. scoparia</i> subspecies <i>trichophylla</i>	1	Whole of NSW
Lagarosiphon	<i>Lagarosiphon major</i>	1	Whole of NSW
Lantana	<i>Lantana</i> species	4	Manly Council
Lantana	<i>Lantana</i> species	5	Whole of NSW
Long-leaf willow primrose	<i>Ludwigia longifolia</i>	3	Manly Council
Long-leaf willow primrose	<i>Ludwigia longifolia</i>	5	Whole of NSW
Ludwigia	<i>Ludwigia peruviana</i>	3	Manly Council
Madeira vine	<i>Anredera cordifolia</i>	4	Manly Council
Mexican feather grass	<i>Nassella tenuissima</i>	1	Whole of NSW
Mexican poppy	<i>Argemone mexicana</i>	5	Whole of NSW
Miconia	<i>Miconia</i> species	1	Whole of NSW
Mimosa	<i>Mimosa pigra</i>	1	Whole of NSW

ATTACHMENT 2

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

List of Noxious Weeds in Manly LGA

Morning glory (coastal)	<i>Ipomoea cairica</i>	4	Manly Council
Morning glory (purple)	<i>Ipomoea indica</i>	4	Manly Council
Mossman River grass	<i>Cenchrus echinatus</i>	5	Whole of NSW
Ochna	<i>Ochna serrulata</i>	4	Manly Council
Onion grass	All <i>Romulea</i> species and varieties except <i>R. rosea</i> var. <i>australis</i>	5	Whole of NSW
Oxalis	All <i>Oxalis</i> species and varieties except the native species <i>O. chnoodes</i> , <i>O. exilis</i> , <i>O. perennans</i> , <i>O. radicata</i> , <i>O. rubens</i> , and <i>O. thompsoniae</i>	5	Whole of NSW
Pampas grass	<i>Cortaderia</i> species	3	Manly Council
Parthenium weed	<i>Parthenium hysterophorus</i>	1	Whole of NSW
Pellitory	<i>Parietaria judaica</i>	4	Manly Council
Pond apple	<i>Annona glabra</i>	1	Whole of NSW
Prickly acacia	<i>Acacia nilotica</i>	1	Whole of NSW
Prickly pear	<i>Cylindropuntia</i> species	4	Whole of NSW
Prickly pear	<i>Opuntia</i> species except <i>O. ficus-indica</i>	4	Whole of NSW
Privet (Broad-leaf)	<i>Ligustrum lucidum</i>	4	Manly Council
Privet (Narrow-leaf/Chinese)	<i>Ligustrum sinense</i>	4	Manly Council
Red rice	<i>Oryza rufipogon</i>	5	Whole of NSW
Rhizomatous bamboo	<i>Phyllostachys</i> species	4	Manly Council
Rhus tree	<i>Toxicodendron succedaneum</i>	4	Whole of NSW
Rubbervine	<i>Cryptostegia grandiflora</i>	1	Whole of NSW
Sagittaria	<i>Sagittaria platyphylla</i>	5	Whole of NSW
Salvinia	<i>Salvinia molesta</i>	2	Manly Council
Sand oat	<i>Avena strigosa</i>	5	Whole of NSW
Senegal tea plant	<i>Gymnocoronis spilanthoides</i>	1	Whole of NSW
Senna	<i>Senna pendula</i>	4	Manly Council
Serrated tussock	<i>Nassella trichotoma</i>	4	Manly Council
Siam weed	<i>Chromolaena odorata</i>	1	Whole of NSW
Smooth-stemmed turnip	<i>Brassica barrelieri</i> subspecies <i>oxyrrhina</i>	5	Whole of NSW
Soldier thistle	<i>Picnomon acarna</i>	5	Whole of NSW
Spotted knapweed	<i>Centaurea maculosa</i>	1	Whole of NSW
St. John's wort	<i>Hypericum perforatum</i>	4	Manly Council

ATTACHMENT 2

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans

List of Noxious Weeds in Manly LGA

Texas blueweed	Helianthus ciliaris	5	Whole of NSW
Trad/Wandering Jew	Tradescantia fluminensis	4	Manly Council
Tussock paspalum	Paspalum quadrifarium	3	Manly Council
Water caltrop	Trapa species	1	Whole of NSW
Water hyacinth	Eichhornia crassipes	2	Manly Council
Water lettuce	Pistia stratiotes	1	Whole of NSW
Water soldier	Stratiotes aloides	1	Whole of NSW
Willows	Salix species except S. babylonica, S. x reichardtii, S. x calodendron	5	Whole of NSW
Witchweed	Striga species except native species and Striga parviflora	1	Whole of NSW
Yellow burrhead	Limnocharis flava	1	Whole of NSW
Yellow nutgrass	Cyperus esculentus	5	Whole of NSW

Control Measures

Class 1 (State Prohibited Weeds) - *"The plant must be eradicated from the land and the land must be kept free of the plant."*

The control objective for weed control class 1 is to prevent the introduction and establishment of those plants in NSW.

Class 2 (Regionally Prohibited Weeds) - *"The plant must be eradicated from the land and the land must be kept free of the plant."*

The control objective for weed control class 2 is to prevent the introduction and establishment of those plants in parts of NSW.

Class 3 (Regionally Controlled Weeds) - *"The plant must be fully and continuously suppressed and destroyed."*

The control objective for weed control class 3 is to reduce the area and the impact of those plants in parts of NSW.

Class 4 (Locally Controlled Weeds) - *"The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority."*

The control objective for weed control class 4 is to minimise the negative impact of those plants on the economy, community or environment of NSW.

Class 5 (Restricted Plants) - *"The requirements in the Noxious Weeds Act 1993 for a notifiable weed must be complied with."*

The control objective for weed control class 5 is to prevent the introduction of those plants into NSW, the spread of those plants within NSW or from NSW to another jurisdiction. The aim is to prevent their sale, propagation and distribution.

ATTACHMENT 3

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans Example of Weed Control Class 4 Management Plan

WEED CONTROL CLASS 4 MANAGEMENT PLAN (DRAFT)

The control objective for weed control class 4 is to minimise the negative impact of those plants on the economy, community or environment of NSW.

NAME OF WEED: Asparagus Fern

Common name: Asparagus Fern **Scientific name:** *Asparagus densiflorus*

The above mentioned weed is a noxious weed declared under section 7 of the Noxious Weeds Act 1993.

AREA OF OPERATION & PHONE NUMBER FOR LOCAL CONTROL AUTHORITY:

Manly Council

9976 1500

PLAN PERIOD

Starting date: 1st March 2006 **Completion date:** 28th February 2011
(Unless otherwise revoked)

CONTROL MEASURES FOR THE WEED AS PER ORDER 19

Class 4: "The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed".

CONTROL REQUIREMENTS FOR THIS WEED IN THE AREA OF OPERATION

This weed must be prevented from growing within 1 metre of a property boundary. All plants must be prevented from forming seed and fruit.

If the above measures are not continuously maintained, then the entire plant must be removed / destroyed.

On publicly owned or managed land, the weed will be strategically controlled and reduced according to available resources.

Note: The above control requirements will normally be met through applying the following control measures.

Manual control.

Locate centre of the plant and using a sharp knife or mattock remove the woody crown – the roots and attached water tubers can be left in the soil. Manual control is suitable in areas where infestations are light to medium, where native vegetation is present or if there is a potential for natural regeneration. Remove all fronds with berries and bag for disposal. Follow up treatment is required to remove seedlings or sections of crown that have resprouted.

ATTACHMENT 3

Corporate Planning And Strategy Division Report No. 56 - Amendments to the Noxious Weed Act 1993 and Class 4 Weed Control Management Plans Example of Weed Control Class 4 Management Plan

Herbicide control.

Spot spray with a registered herbicide when growth is active between flowering and fruiting period (flowering usually commences in October and continues until February or March). The plant may take up to 2 to 3 months to die off after spraying. Spraying is suitable when infestation is dense or if infestation occurs on a steep slope where erosion may be an issue.

General information on control methods for this weed can be found in the most recent edition of the annual *Noxious and Environmental Weed Control Handbook* www.dpi.nsw.gov.au or at www.sydneyweeds.org.au

Before commencing any chemical control program contact your local council's weeds officer for advice tailored to your situation.

All herbicide use should be undertaken with a registered herbicide as specified on the herbicide product label or relevant off-label permit published by the Australian Pesticides & Veterinary Medicines Authority.

LINKAGES TO OTHER PLANS, STRATEGIES (Local, Regional, State and National):

Sydney North Regional Weeds Strategy
Draft Asparagus Fern Regional Management Plan 2005
Sydney Metropolitan Weeds Strategy (currently being developed)

SECTION 12 OBLIGATIONS (from the Noxious Weeds Act 1993)

Private occupiers of land must control noxious weeds on land.

An occupier (other than a public authority or a local control authority) of land to which a weed control order applies must control noxious weeds on the land as required under the order.

Maximum penalty: 40 penalty units.

Note: If an occupier fails to comply with obligations under a weed control order, those obligations may be enforced against the owner of the land as well as the occupier by a weed control notice issued under section 18.

PLAN ENDORSEMENT

This plan is endorsed by each Local Control Authority in the area of operation.

Signed by:

Position:

Or, ratified at the meeting of _____ Council, dated

Please note: this document is only binding when reproduced in entirety April 2006

TO: Planning and Strategy Committee - 13 November 2006
REPORT: Corporate Planning And Strategy Division Report No. 57
SUBJECT: Items for Brief Mention - Minutes for Adoption by Council - Special Purpose Committees and Joint Committees
FILE NO:

1. Changes to Environmental Planning and Assessment Act, 1979:-

On 3 April 2006, Council considered a report on the changes to the Environmental Planning and Assessment Act 1979 (EP&A Act). These changes are now in force. Council at that meeting resolved the following:

1. *That Council endorse the report and that representations be made to Local, Federal and State Ministers and members of parliament regarding the implications of the changes to the planning laws of NSW for local government and community.*
2. *That Council investigate the constitutional validity of the legislation and seek the support of the LGSA in further pursuing this matter.*

Letters were sent to the Minister for Planning, Minister for Local Government and the LGSA.

A response has been received from the Office of the Minister for Planning, (see Attachment 1).

It is recommended that Council receive and note the response.

2. Australian Institute of Police Management Re-development at North Head:-

Council has continued to pursue the matter of land tenure with regards to the Australian Institute of Police Management site as well as the former School of Artillery site. Council's solicitor advised that the best course of action was to make strong in-person representations to the Premier of NSW. On 11 July 2006 Council wrote to Mr David Barr MP Independent Member for Manly seeking his assistance in making these representations.

Council is in receipt of a letter from Mr David Barr MP dated 4 October 2006 outlining his efforts to assist Manly Council.

This letter is attached (see Attachment 2) for the information of Council.

It is recommended that Council receive and note the information.

3. Minutes of Meeting:-

- (i) Manly Bicycle Committee – Minutes of Meeting held on 10 August 2006.
- (ii) Manly Coastline Management Committee – Minutes of Meeting held on 23 & 31 August 2006.
- (iii) Manly Community Environment Committee – Minutes of Meeting held on 21 September 2006.
- (iv) Playground Management Committee – Minutes of Meeting held on 28 September 2006.
- (v) Heritage Committee – Minutes of Meeting held on 4 October 2006.

Corporate Planning And Strategy Division Report No. 57 (Cont'd)

- (vi) Manly Sports Facilities Committee – Minutes of Meeting held on 6 October 2006.
- (vii) Manly Scenic Walkway Committee – Minutes of Meeting held on 10 October 2006.
- (viii) Manly Sustainability Strategy Management Group – Minutes of Meeting held on 10 October 2006.
- (ix) Manly Bicycle Committee – Minutes of Meeting held on 12 October 2006.
- (x) Manly Social Plan Implementation Committee – Minutes of Meeting held on 17 October 2006.
- (xi) Playground Management Committee – Minutes of Meeting held on 19 October 2006.
- (xii) Land Use Management Committee – Minutes of Meeting held on 1 November 2006.
- (xiii) Manly Harbour Foreshore Management Committee – Minutes of Meeting held on 17 October 2006.
- (xiv) Manly Community Environment Committee – Minutes of Meeting held on 19 October 2006.

4. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:-

- (a) Manly Harbour Foreshore Management Committee – Minutes of Meeting held on 17 October 2006.

Item 4.7.1 Application for Membership on Harbour Foreshores Management Committee

Recommendation:

- That Sylvia Bell's membership request is accepted as the North Harbour Precinct representative of the Harbour Foreshores Management Committee.
- Staff to facilitate Sylvia Bell's membership upon the Harbour Foreshores Management Committee.

Corporate Planning And Strategy Division Report No. 57 (Cont'd)

- (b) Manly Community Environment Committee – Minutes of Meeting held on 19 October 2006.

Item 8 North Head Issues

Recommendation:

This committee recommends that Manly Council write to the Department of Environment and Conservation (in relation to the North Head and surrounding Little Penguin colony) insisting that they provide the most recent monitoring data to support their recent claims in the media of 60 pairs.

Moved: Ray Mathieson. Seconded: Keelah Lam.

- (c) Manly Community Environment Committee – Minutes of Meeting held on 19 October 2006.

Item 12 Transport

Recommendation:

During the forthcoming state election campaign, this committee calls for a more holistic transport debate that focuses on strategies that are less reliant on car based solutions. The committee calls for the debate to move more towards public transport solutions, such as better bus networks and dedicated bus lanes, light rail systems, the restoration of the ferry service to former levels, better public transport interchanges, etc. and also the provision of cycle path networks.

Moved: Clr. Pedersen Seconded: Richard Hewitt.

RECOMMENDATION

1. It is recommended that Council receive and note the response.
2. It is recommended that Council receive and note the information.
3. That the recommendations of Minutes of Meetings, as listed in Item 3 above, being 3(i) to 3(xiv), be adopted.
4. That in relation to all matters of a substantial nature listed in Item 4 above, being 4(a) to 4(c), be adopted as per the recommendation of the Committees.

ATTACHMENTS

- AT- 1** Response letter from the Office of the Minister for Planning 2 Pages
AT- 2 Response letter from D Barr MP re AIPM land at North Head 1 Page

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***** End of Corporate Planning And Strategy Division Report No. 57 *****

ATTACHMENT 1

Corporate Planning And Strategy Division Report No. 57 - Items for Brief Mention - Minutes for Adoption by Council - Special Purpose Committees and Joint Committees Response letter from the Office of the Minister for Planning



NEW SOUTH WALES

Office of the Hon Frank Sartor MP
Minister for Planning
Minister for Redfern Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

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

D06/2841

16 AUG 2006

Dear Mr Wong

I refer to your letter to the Hon Frank Sartor MP, Minister for Planning, concerning the Environmental Planning and Assessment Amendment Act 2006 (the Act). Minister Sartor has asked me to respond to your representations.

As you would be aware, the Act commenced on 30 June 2006. The Act is an important part of the Government's reforms to the planning system. It will deliver benefits to the community, such as better coordination of State and local planning controls and infrastructure provision, and reduced delays and costs in local development assessment.

The provisions of the Act will be used in exceptional circumstances only. The Government recognises that most councils, do a good job in preparing local plans and assessing development applications. However, if a council has a systemic problem, the Act will allow the Minister for Planning to step in, to the extent necessary, to solve that problem. Importantly, panels or administrators will be appointed to solve the problem at the local level. Also, they will have to act as if they were the council by following the *Local Government Act 1993* and, for panels, meeting in public.

The first steps in implementing these provisions will be to Gazette heads of consideration for the appointment of panels and administrators. Performance reporting data collection systems are also being prepared in consultation with local government and other stakeholders, which recognise the complexities of councils' responsibilities.

The Government also recognises that councils generally do a good job in preparing development control plans and contributions plans. However, the provisions of the Act will help the Government respond to the few cases where such plans conflict with regional or State objectives.

Finally, the provisions of the Act on special infrastructure contributions will ensure the Government can transfer some of the value created by rezoning land to help deliver essential infrastructure to service those areas. It is not intended to limit councils' ability to deliver local amenities and services. However, the total amount of

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ATTACHMENT 1

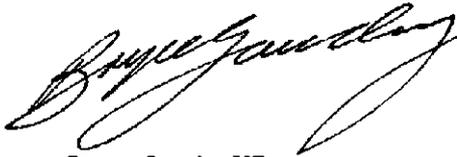
Corporate Planning And Strategy Division Report No. 57 - Items for Brief Mention - Minutes for Adoption by Council - Special Purpose Committees and Joint Committees
Response letter from the Office of the Minister for Planning

State and local levies needs to be contained to limit impacts on the community. It should also be noted that the Act includes provisions to ensure an appropriate level of public involvement in the determination of special infrastructure contributions and the declaration of new special contributions areas.

In regard to your comments about spot rezoning, the Department of Planning recently issued a circular clarifying the Department's current position on this issue. This circular and others concerning the EP&A Amendment Act are available on the Department of Planning's website (www.planning.nsw.gov.au).

The Minister has asked me to thank you for writing on this important matter.

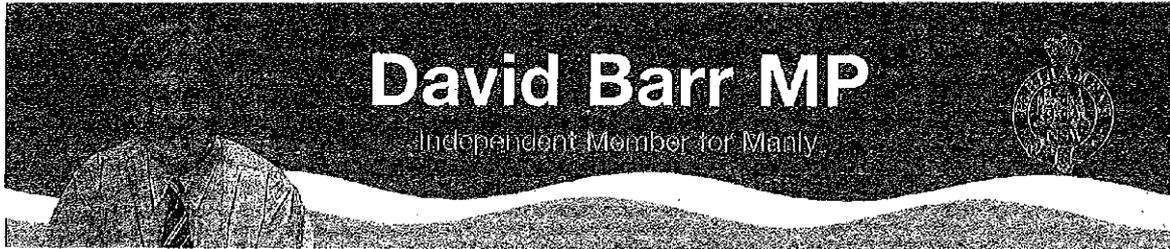
Yours sincerely



Bryce Gaudry MP
Parliamentary Secretary

ATTACHMENT 2

Corporate Planning And Strategy Division Report No. 57 - Items for Brief Mention - Minutes for Adoption by Council - Special Purpose Committees and Joint Committees Response letter from D Barr MP re AIPM land at North Head



4th October 2006

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

Dear Henry

On 12th July 2006 I wrote to the Premier seeking a meeting with him, including the Mayor and yourself, concerning the AIPM site at North Head.

The Premier's Office passed it on to the Police Minister whose office did organise a meeting with the Minister's staff. However I did not see the value of such a meeting as the issues surrounding the redevelopment of the AIPM site relate to ownership and the appropriate consent authority.

According to the AIPM Annual Report the redevelopment is a Commonwealth Project on Commonwealth land owned by the Federal Department of Finance with a lease to the Australian Federal Police. However the Cabinet Office advised the Police Minister that the NSW Crown Solicitor is of the opinion that the land is NSW Crown land which is therefore subject to the Crown Lands Act 1979. The Cabinet Office has also further advised the Police Minister that if the land is considered to be State Crown land, the Minister for Planning has authority under Part 3A of the Environment Planning and Assessment Act 1979 to call it in as a major project.

I have written to the Planning Minister to get a meeting for the three of us with him.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Barr".

David Barr MP
Independent Member for Manly

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