



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 10 October 2005

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

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

TO: Planning and Strategy Committee - 10 October 2005
REPORT: General Manager's Office Report No. 28
SUBJECT: Tower Hill Permit Parking Scheme
FILE NO:

SUMMARY

The Tower Hill Permit Parking Area was established some years ago. The scheme signage was installed at that time and unlike the newer parking scheme areas, some of the streets were only signposted with parking restrictions on one side of the street and the parking hour and time restrictions vary throughout the area.

REPORT

A number of residents in the area and also the Fairlight Precinct Committee requested that a review of the scheme signage be undertaken in order to provide greater consistency throughout the scheme area and improved access to parking for residents.

The Precinct conducted a survey in their June 2005 newsletter. They surveyed a total of 800 residences from the 1172 residences in the existing scheme area and also some residences in streets outside the Tower Hill permit area. A total of 47 surveys were completed – or 5.9%.

The survey results have been analysed by Council and indicate that a majority of respondents would prefer that:

1. The parking restrictions in James Street, George Street, Griffin Street and The Crescent to be changed from 4 hour parking resident permit holders excepted from 8.30am-6pm Monday to Friday on one side of the streets and unrestricted parking on the other, to 2 hour parking resident permit holders excepted from 8am-10pm seven (7) days a week on both sides of the streets.
2. The parking restrictions in Camera Street and Tower Street be changed from the existing – ie 4 hour parking resident permit holders excepted from 8.30am-6pm Monday to Friday only on one side of the streets only to both sides of the street.

These changes would bring the parking restrictions more into line with restrictions throughout the other parking scheme areas and provide greater access to parking for residents.

RECOMMENDATION

1. The parking signs in James Street, George Street, Griffin Street and The Crescent to be changed to 2 hour parking resident permit holders excepted from 8am-10pm seven (7) days a week on both sides of the streets.
2. The parking restrictions in Camera Street and Tower Street be changed to 4 hour parking resident permit holders excepted from 8.30am-6pm Monday to Friday on both sides of the street.

ATTACHMENTS

AT-1 The Fairlight Precinct Tower Hill Permit Parking Area survey results. 2 page(s)
PS101005GMO_1

***** End of General Manager's Office Report No. 28 *****

ATTACHMENT 1

**General Manager's Office Report No. 28
Tower Hill Permit Parking Scheme
The Fairlight Precinct Tower Hill Permit Parking Area survey results.**

TOWER HILL PARKING SURVEY SUMMARY

(To be circulated back to all contributors by email or post)

Questions summarised

1. 2 hours (not 4 hours) parking for non-residents without a permit displayed
2. 4 hours (unchanged) parking for Manly resident without a permit displayed
3. Parking restrictions 8am-10pm (not 8.30am to 6pm)
4. Restrictions: 7 days a week (not 5)
5. Restrictions: both sides of road (not 1) unless too narrow.

Q1 Q2 Q3 Q4 Q5
Y-N Y-N Y-N Y-N Y-N

SUMMARY OF RESULTS

21-6	25-2	22-5	25-2	25-2		A. George, Griffin, James, Fairlight, The Crescent, Commonwealth Parade - 27 responses
4-6	10-0	3-7	5-5	6-4		B. Camera & Tower Sts - 10 responses
25-12	35-2	25-12	30-7	31-6		Tower Hill Scheme total, ie A + B - 37 responses
4-6	10-0	5-5	6-4	7-3		C. Outside Tower Hill Area (ie "If in Sch" N) - 10 responses
29-18	45-2	30-17	36-11	38-9		Grand Total - 47 responses

Note - no responses from Eustace, Gilbert, West Esplanade

PROPOSED PREAMBLE & RESOLUTION FOR PRECINCT MEETING

Council had intended to tighten up restrictions in the Tower Hill Parking Scheme area to bring them into line with Manly CBD in June. However, they agreed Precinct request that we first conduct a survey. Every dwelling in the scheme area got the simple, prominently displayed questions. Despite the easy return options and a follow up email request, only 37 dwellings out of about 800 responded, ie nearly 5%. Maybe that is 10% or more of the people who are affected by parking issues, assuming many people either have no car or adequate off-street parking? The results appear reasonably clear cut for those streets (George, James, Griffin, The Crescent, Commonwealth Parade) west and south of James St, ie Tighter restrictions are the majority view by votes ranging from 21-6 to 25-2 on various issues in those streets. Tower & Camera St expressed a different view & Eustace, Gilbert, West Esplanade no view.

Proposed Resolution

Precinct recommends Council act on the majority views from survey responses and

1. Alter parking rules in James, George, Griffin, The Crescent to 2 hours for non-residents, both sides of road, 8am to 10pm, 7 days a week.
2. Review Eustace, Gilbert, West Esplanade as part of the Corso segment of the Tower Hill scheme, ie Fairlight Precinct has no opinion on any changes here.
3. Leave the rules & signage for Camera & Tower St unchanged for the time being - this should cause little confusion in view of their separation up the hill.
4. Precinct to conduct a further survey in 6 months to see if opinions change as summer parking and tighter restrictions elsewhere take effect.

DETAILED ANSWERS TO QUESTIONS

Q1	Q2	Q3	Q4	Q5	If in Sch	Street	COMMENTS
N	Y	Y	Y	Y	Y	Commonwealth Parade	4 hours is enough to eliminate the commuter. 2 hours is too restrictive for family & friends
Y	Y	Y	Y	Y	Y	Commonwealth Parade	Resident parking with permit 24 hours 7 days a week
Y	Y	Y	Y	Y	Y	Fairlight St	Want a limit on permits where off street parking exists. Prevent unlimited permits at any one residence. Return to vehicle specific permits.
Y	Y	Y	Y	Y	Y	Fairlight St	Enforcement of the scheme.
N	N	N	Y	Y	Y	Fairlight St	Taxis (& others) go wrong way up - signage needed. Drivers do U turns at George / Fairlight
Y	Y	Y	Y	Y	Y	George St	Very much oppose any installation of parking machines or ticket machines or permanent allocation of parking areas to households or street groups.
Y	Y	Y	Y	Y	Y	George St	
Y	Y	Y	Y	Y	Y	George St	
Y	Y	Y	Y	Y	Y	George St	
Y	Y	Y	Y	Y	Y	George St	
Y	Y	Y	Y	Y	Y	George St	

ATTACHMENT 1

**General Manager's Office Report No. 28
Tower Hill Permit Parking Scheme
The Fairlight Precinct Tower Hill Permit Parking Area survey results.**

N	Y	N	N	N	Y	George St	Current system works well. Should continue to help day tourists and commuters to park. Consider all costs and benefits. Worry that commuters might switch to cars if too difficult. At present, I can rarely park in my street day / night 7 days pw
Y	Y	Y	Y	Y	Y	George St	
Y	Y	Y	Y	Y	Y	George St	
N	Y	N	N	N	Y	George St	
							Too restrictive
Y	N	Y	Y	Y	Y	Griffin St	There is a parking section at end Griffin St cul-de-sac which does not currently have restrictions. This appears to be used by ferry commuters. Ideally, signage needs to be placed here. Cars are also left long term. I feel 3 permits per residence is too many in this area, given number of units & lack of parking space. Surely 2 would be more reasonable. Agree new proposals provided rangers actually monitor. Current restrictions not enforced. Many cars in Griffin / George are parked weeks / months, many often unregistered. Calls to Council of no avail. RESTRICTIONS MUST BE MONITORED TO BE EFFECTIVE. Longer hours will affect my parking
Y	Y	Y	Y	Y	Y	Griffin St	
Y	Y	N	Y	Y	Y	James St	2 hours too short - maybe 3 hours. 8am-10pm too harsh Difficult to have visitors if only 2 hours
Y	Y	Y	Y	Y	Y	James St	
Y	Y	Y	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	The Crescent	
N	Y	N	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	The Crescent	
N	Y	Y	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	The Crescent	
Y	Y	Y	Y	Y	Y	Tower St	Upper Gilbert St is dangerous because of poor parking on both sides of street We shouldn't make it impossible for people to visit Manly & visit family & friends etc.
N	Y	N	Y	N	Y	Tower St	10pm too late. Lot of friends. Nearly always space. Ok as it is.
N	Y	N	N	N	Y	Tower St	
Y	Y	N	Y	Y	Y	Tower St	
N	Y	N	N	Y	Y	Tower St	
Y	Y	Y	Y	Y	Y	Tower St	
N	Y	N	N	N	Y	Tower St	Time too late - won't be monitored for adherence. Taxis don't like coming to street, extended parking would make chaotic. Already pretty dreadful at weekends. Make 3 hours. Guests of residents need 4 hours parking time The current system in Camera St is adequate.
Y	Y	Y	Y	Y	Y	Tower St	
N	Y	N	N	Y	Y	Tower St	
N	Y	N	N	N	Y	Camera St	
N	Y	N	Y	Y	N	Bolingbroke Parade	Guests need more than 2 hours. Access for all.
Y	Y	N	N	Y	N	Clifford Ave	
							There will still not be enough spaces for all residents in streets like The Crescent, Fairlight Cres where numerous units & so problem will not go away. There is usually parking available in Tower St during the day, so why extend scheme to both sides & more hours. Maybe only do 6-10. For people going into city at night can park at 5.30, which is before residents come home, and stay all night so won't solve problem (I can't believe there will be rangers at 9.30 pm) Also scope for abuse of system and should be vehicle specific permit.
N	Y	N	N	N	N	Hilltop Crescent	2 hours too short. Longer so kids can visit. Various other issues including angle parking in Hilltop - Council correspondence declining - and request for footpath repairs in Hilltop.
N	Y	N	N	Y	N	Jackson St	
Y	Y	Y	Y	Y	N	Lauderdale Ave	
N	Y	N	N	N	N	Lauderdale Ave	
Y	Y	Y	Y	N	N	Lauderdale Ave??	
N	Y	Y	Y	Y	N	Sydney Rd	People who live in Manly have adequate transport. Some who visit don't so let's give them more access. Lives at 67 Sydney Rd - would like to be in Tower Hill scheme
Y	Y	Y	Y	Y	N	Sydney Rd	
N	Y	Y	Y	Y	N	Sydney Rd	

TO: Planning and Strategy Committee - 10 October 2005
REPORT: Corporate Planning and Strategy Division Report No. 53
SUBJECT: Manly Environment Centre Working Party - Matters Arising from Council Resolution of 25th July, 2005
FILE NO:

SUMMARY

- The Manly Environment Centre Working Party reported back to Council at its meeting of 25th July, 2005.
- Council resolved to pursue a number of matters arising from the report of the Working Party.
- This report addresses those issues.

REPORT

Council at its meeting of 25th July, 2005, resolved:-

- "1. That the recommendations of the Manly Environment Centre Working Party of 31st May, 2005 be received and noted.
2. That planning for the future operation of the Manly Environment Centre from a purpose-built, sustainability-designed facility at level three of the Manly Library proceed, with details to be finalised in two to three months, once advice is received on the success of Council's grant funding application.
3. That in the interim period, no action be taken in relation to relocation of the Manly Environment Centre shop front operations.
4. That the matter be further reviewed in approximately three months.
5. That the Statement of Intent document be the subject of further discussion and community consultation, including input from the Environment Committee, and that a report be brought to Council to resolve it's operating purpose, roles and responsibilities within the next three months, including a critique role on matters of Council policy."

Point four of the resolution required that the matter be reported back in approximately three months. This report provides that review and update.

In relation to point two of the resolution, Council has engaged in discussions with Feiko Bouman, the original architect for the Library Building, in relation to the preparation of a development application.

In relation to the grant funding application, Council is continuing to progress this with the grant bodies.

In relation to the operations of the Manly Environment Centre, Council has renewed the lease on the existing Manly Environment Centre shop front for a further period of two years, with a one year option.

Corporate Planning and Strategy Division Report No. 53 (Cont'd)

By resolution of 25th July, 2005, the Council requested a report back on the Statement of Intent document after consultation with the Manly Community Environment Committee.

The Statement of Intent document was considered by the Manly Community Environment Committee on 18th August, 2005 and its resolution in relation to the Statement of Intent is set out hereunder:-

"The Committee strongly recommends removal of the following objective from the Statement of Intent:-

"To challenge Council's policies, decisions and recommendations, based on sound research, validated statements in writing and provision of source references within agreed protocol."

This amendment has been made in the draft **attached** to this report.

The ultimate objective is to get a Statement of Intent which is acceptable and to have Council sign off on that Statement. The Statement of Intent document is now basically in a form that can be recommended by Senior Staff subject to a few minor changes. These minor changes are in recognition of the fact that the MEC is in fact (at law) another Council operational unit.

The wording has been changed slightly to confer a Mission and Objectives on the MEC and to clarify its advisory role as being through staff and/or the Manly Community Environment Committee.

As Council has already conferred these advisory roles to the General Manager and to the Manly Community Environment Committee (via its Charter), it is not appropriate to have a further and perhaps overlapping advisory role conferred via this Statement of Intent.

The revised Statement of Intent for the MEC, modified to accord with the recommendation hereunder is **attached**.

RECOMMENDATION

1. That Council receive and note the report and endorse the modified Statement of Intent (as circulated), which enunciates the Mission, Vision and Objectives conferred by Council on the Manly Environment Centre.
2. That Council notes the lease renewal of the premises for the Manly Environment Centre location in Belgrave Street, Manly for a further period of two years, with a one year option.

ATTACHMENTS

AT-1 Draft Statement of Intent for MEC 3 page(s)

PS101005CPSD_6

***** End of Corporate Planning and Strategy Division Report No. 53 *****

ATTACHMENT 1

Corporate Planning and Strategy Division Report No. 53
Manly Environment Centre Working Party - Matters Arising from Council
Resolution of 25th July, 2005
Draft Statement of Intent for MEC



Draft - Statement of Intent for MEC (31 May 2005)

For the operation of the

Manly Environment Centre

Since 1991 the Manly Environment Centre (MEC) has played a key role in protecting and advocating for the environment in the Manly area and beyond. Being positioned as an important interface between Council and the community, the MEC is a relatively unique venture. Through its work as a resource centre, an advocate and research centre, and an environmental educator, the MEC enables and encourages broad community involvement and goodwill in protecting the environment that makes Manly a special place for both residents and visitors.

This document was developed to provide a clear understanding of the role of the MEC and a consistent approach to its future management,

Manly Environment Centre Mission:

The quality of life on our planet in this century will be directly proportional to the understanding we have – or lack - of our relationship with the environment today. The Manly Environment Centre aims to disseminate environmental knowledge to all stratas of our society, contributing to making citizens and tourists more aware of their rights and duties towards the environment.

Manly Environment Centre Vision:

To ensure the future health of residents by seeking to eliminate land, air, water, noise and visual pollution and by restoring and protecting the natural environment.

Manly Environment Centre Objectives:

- Recognise, appreciate and enhance the natural environment of Manly;
- Provide leadership and environmental expertise to all stakeholders;
- Continue to maintain and promote a visible and readily accessible environmental presence;
-

ATTACHMENT 1

Corporate Planning and Strategy Division Report No. 53 Manly Environment Centre Working Party - Matters Arising from Council Resolution of 25th July, 2005 Draft Statement of Intent for MEC

Maintain environmental advocacy role even when this may vary from Council's position on certain issues;

- Provide factual and unbiased information to Councillors when required;
- To continue to collect, hold and maintain a diverse environmental library and knowledge base relevant to the centres Mission and Funtion;
- Maintain professional working relationships with Council, sponsors and colleagues in order to:
 - Ensure that Ecological Sustainability (ES) and Total Catchment Management (TCM) principles are recognised and valued in all areas under Council control;
 - Model best environmental practices, the principles of ES and TCM through the ongoing daily operations of the centre and Manly Council;
 - Via Staff and/or the Manly Community Environment Committee, assist and continue to create opportunities for Council to maximize the expertise and specialist services offered by the centre on a day to day basis;
 - Via Staff and/or the Manly Community Environment Committee, comment on significant development applications of environmental significance;
 - Via Staff and/or the Manly Community Environment Committee, comment on Council business management plans, etc;
 - Research issues, validate statements and provide reference sources on a variety of issues;
 - Provide education, training and information for local government, non-government organizations and community members;
 - Increase community awareness of relevant issues;
 - Facilitate community consultation, including community networking, participation and action on environmental matters;
 - Organise and implement local environmental events; design innovative programs, projects and events to facilitate long-term positive behavioural change;
 - Seek and secure funding for identified operational costs and projects through appropriate submissions;
 - Seek sponsorship consistent with Council's Ethical Policy;
 - Harness human resources and goodwill to implement special projects;
 - Encourage volunteer involvement in conservation works;
 -

ATTACHMENT 1

**Corporate Planning and Strategy Division Report No. 53
Manly Environment Centre Working Party - Matters Arising from Council
Resolution of 25th July, 2005
Draft Statement of Intent for MEC**

- Maintain a position as a centre of excellence promoting educational facilities on environmental issues, for the benefit of future generations;
 - Forge and strengthen links between local, national and global organisations;
 - Promote the concept of the Centre and its projects to outside organisations;
 - Via Staff and/or the Manly Community Environment Committee, comment on significant environmental matters.
- Maintain Council and Community awareness of environmental issues in Manly through close working relations with the Manly Community Environment Committee, which will continue to liaise with and provide ongoing support for the MEC.

* * *

TO: Planning and Strategy Committee - 10 October 2005
REPORT: Corporate Planning and Strategy Division Report No. 54
SUBJECT: Manly Oval/LM Graham Reserve Maintenance Service Agreement 05/19
FILE NO:

SUMMARY

Open tenders were recently advertised for a performance based maintenance service agreement/contract for maintenance of Manly Oval and LM Grahams Reserve sporting fields. Tenders have been assessed and a recommendation for acceptance of a tender is the subject of this report.

REPORT

Tenders for the maintenance of Manly Oval and LM Grahams Reserve closed at 4pm on the 15th September 2005. Five conforming tender submissions were received and have been assessed in accordance with the stated selection criteria. The assessment spreadsheet is attached as a **Confidential Attachment**.

This proposed contract involves the full maintenance of the grounds at Manly Oval and LM Grahams Reserve including the maintenance of the turf wickets. The lump sum contract is for a period of two years with an option for a further two year extension, CPI adjusted, subject to mutual agreement and satisfactory performance.

The lowest tender was received from Green Options for the lump sum of \$230,400 excluding GST for the two year period. A check with nominated referees has revealed that this company is very capable of performing the work required under this proposed contract and considered suitable to provide a quality of work to meet the needs of the user groups. The tenderer has provided evidence of adequate resources and experience to fulfil the requirements of the Service agreement.

The annual budget for Sporting Grounds Maintenance is \$187,000. This contract is to be funded from the Sporting Grounds maintenance budget for Manly Oval and LM Graham Reserve. Surplus funds will be utilised for additional ground improvements during the financial year.

RECOMMENDATION

That the tender of Green Options for the lump sum of \$230,400 excluding GST for a two year term be accepted by Council.

ATTACHMENTS

AT-1 The Tender assessment spreadsheet is attached as a Confidential Attachment. - *CONFIDENTIAL ATTACHMENT - for the information of Councillors* 1 page(s)

PS101005CPSD_3

***** End of Corporate Planning and Strategy Division Report No. 54 *****

TO: Planning and Strategy Committee - 10 October 2005
REPORT: Corporate Planning and Strategy Division Report No. 55
SUBJECT: Draft Manly Local Environmental Plan (Amendment No. 73) - 3 Oyama Avenue, Manly
FILE NO:

SUMMARY

Following the Council resolution of the Planning & Strategy Committee Meeting on 12 September 2005, this report seeks a formal resolution from Council to amend *Schedule 4 – Items of the Environmental Heritage* of the *Manly Local Environment Plan 1988* for the heritage listing of the property at 3 Oyama Avenue, Manly in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

REPORT

Council considered a report in relation to the 3 Oyama Avenue, Manly (known as 'Casa Mia') at the Planning and Strategy Committee meeting of 12 September 2005, which is **attached** outlining the results of the heritage assessment carried out by Clive Lucus and Stapleton. At that meeting, Council made the following resolutions:

That Council resolves to list "Casa Mia" 3 Oyama Avenue, Manly as an item of local significance under Council's LEP for the following reasons:

The building:

- *is a unique example of residential design by Kaberry;*
- *is an impressive large scale Hollywood design in a prominent Harbour position;*
- *has strong local heritage committee and Historical Society support;*
- *is a rarity - one of the few "Marine Villas" in that local area; and*
- *has a strong and positive Harbour-front aesthetic impact.*

A Development Application seeking external and internal changes to Casa Mia has been received and is under review by Manly Council Development Control Unit.

In order to proceed with the listing of the property, a formal Council resolution is required to prepare the LEP amendment **attached** in accordance with Section 54(i) of the *Environmental Planning and Assessment Act 1979*.

Council has received a letter from the new owners of the property dated 20 September 2005 objecting to the proposed listing (a copy of this letter is **tabled** for the information of Councillors). This will be considered when reporting on submissions received.

RECOMMENDATION

It is recommended that Council give effect to the resolution of the Planning & Strategy Committee Meeting on 12 September 2005, and:

1. Resolve, pursuant to Section 54 of the *Environmental Planning and Assessment Act 1979*, prepare a local environmental plan, to amend Schedule 4 of the *Manly Local Environment Plan 1988* in respect of land at 3 Oyama Avenue, Manly, also known as Lot 14, DP 1049394 and Lot 1, DP 955121, in order to add the property as an Item of Environmental Heritage; and advise the Department of Planning accordingly;
2. Consult, as required by Sec 62 the *Environmental Planning and Assessment Act 1979*, with

Corporate Planning and Strategy Division Report No. 55 (Cont'd)

relevant Government and other authorities; and

3. Following the issue of a Certificate under Section 65 of the Environmental Planning and Assessment Act 1979, exhibit the draft local environmental plan pursuant to Section 66 of the *Environmental Planning and Assessment Act 1979*.

ATTACHMENTS

- | | | |
|-------------|---|-----------|
| AT-1 | Council Resolution of 12 September 2005 - Report No. 50 Resolution on the Heritage Significance of "Casa Mia" 3 Oyama Avenue, Manly | 1 page(s) |
| AT-2 | Draft Manly Local Environmental Plan 1988 (Amendment No. 73) | 3 page(s) |

PS101005CPSD_4

***** End of Corporate Planning and Strategy Division Report No. 55 *****

ATTACHMENT 1

**Corporate Planning and Strategy Division Report No. 55
Draft Manly Local Environmental Plan (Amendment No. 73) - 3 Oyama Avenue,
Manly
Council Resolution of 12 September 2005 - Report No. 50 Resolution on the
Heritage Significance of "Casa Mia" 3 Oyama Avenue, Manly**

ATTACHMENT 1

Planning & Strategy Committee Meeting of 12 September 2005

Corporate Planning and Strategy Division Report No. 50

Heritage Significance of "Casa Mia" 3 Oyama Avenue, Manly

SUMMARY

- A heritage assessment was carried out following Council's resolution to investigate the heritage significance of the Hollywood Spanish style residence "Casa Mia" at 3 Oyama Avenue, Manly.
- This report makes recommendations based on that assessment, which found the item to be unsuitable for listing at this time.

MOTION (Macdonald / Pedersen)

That Council resolves to list "Casa Mia" 3 Oyama Avenue, Manly as an item of local significance under Council's LEP for the following reasons:

The building:

- is a unique example of residential design by Kaberry;
- is an impressive large scale Hollywood design in a prominent Harbour position;
- has strong local heritage committee and Historical Society support;
- is a rarity - one of the few "Marine Villas" in that local area; and
- has a strong and positive Harbour-front aesthetic impact.

RESOLVED: (Macdonald / Pedersen)

That Council resolves to list "Casa Mia" 3 Oyama Avenue, Manly as an item of local significance under Council's LEP for the following reasons:

The building:

- is a unique example of residential design by Kaberry;
- is an impressive large scale Hollywood design in a prominent harbour position;
- has strong Local Heritage Committee and Historical Society support;
- is a rarity - one of the few "Marine Villas" in that local area; and
- has a strong and positive harbour-front aesthetic impact.

For the Resolution: Councillors Hay, Heasman, Lambert, Cant, Murphy, Daley, Pedersen, Aird, Evans, Norek and Macdonald.

Against the Resolution: Nil.

ATTACHMENT 2

**Corporate Planning and Strategy Division Report No. 55
Draft Manly Local Environmental Plan (Amendment No. 73) - 3 Oyama Avenue, Manly
Draft Manly Local Environmental Plan 1988 (Amendment No. 73)**

**Manly Local Environmental Plan 1988
(Amendment No 73)**

Under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (insert Department's file number)

FRANK SARTOR, M.P.,
Minister for Planning

ATTACHMENT 2

Corporate Planning and Strategy Division Report No. 55
Draft Manly Local Environmental Plan (Amendment No. 73) - 3 Oyama Avenue, Manly
Draft Manly Local Environmental Plan 1988 (Amendment No. 73)

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 73)

Manly Local Environmental Plan 1988 (Amendment No 73)

under the

Environmental Planning and Assessment Act 1979

1. Name of plan

This plan is *Manly Local Environmental Plan 1988 (Amendment No 73)*

2. Aims of plan

This plan aims to add the building on the land to which this plan applies as an item of the environmental heritage in Schedule 4 to *Manly Local Environmental Plan 1988*.

3. Land to which plan applies

This plan applies to land known as Lot 14, DP 1049394, and Lot 1, DP 955121, being 3 Oyama Avenue, Manly, as shown coloured brown and edged heavy black on the map marked "Manly Local Environmental Plan 1988 (Amendment No 73)" deposited in the office of Manly Council.

4. Amendment of Manly Local Environmental Plan 1988

Manly Local Environmental Plan 1988 is amended as set out in Schedule 1.

ATTACHMENT 2

Corporate Planning and Strategy Division Report No. 55

Draft Manly Local Environmental Plan (Amendment No. 73) - 3 Oyama Avenue, Manly

Draft Manly Local Environmental Plan 1988 (Amendment No. 73)

Clause 1 Manly Local Environmental Plan 1988 (Amendment No 73)

Amendments

Schedule 1

Schedule 1 Amendments

[1] **Clause 7 Interpretation**

Insert in appropriate order at the end of the definition of *item of the environmental heritage* in clause 7 (1):

Manly Local Environmental Plan 1988 (Amendment No 73)

[2] **Schedule 4 Items of the environmental heritage**

Insert in alphabetical order of street name, and in appropriate order before any unnumbered entries for Oyama Avenue, Manly, under the headings *Architectural and Archaeological Items* and **(A) Alphabetical Entry by Street** in the Schedule:

House 3 Oyama Avenue, Manly (Lot 14, DP 1049394 and Lot 1, DP 955121)

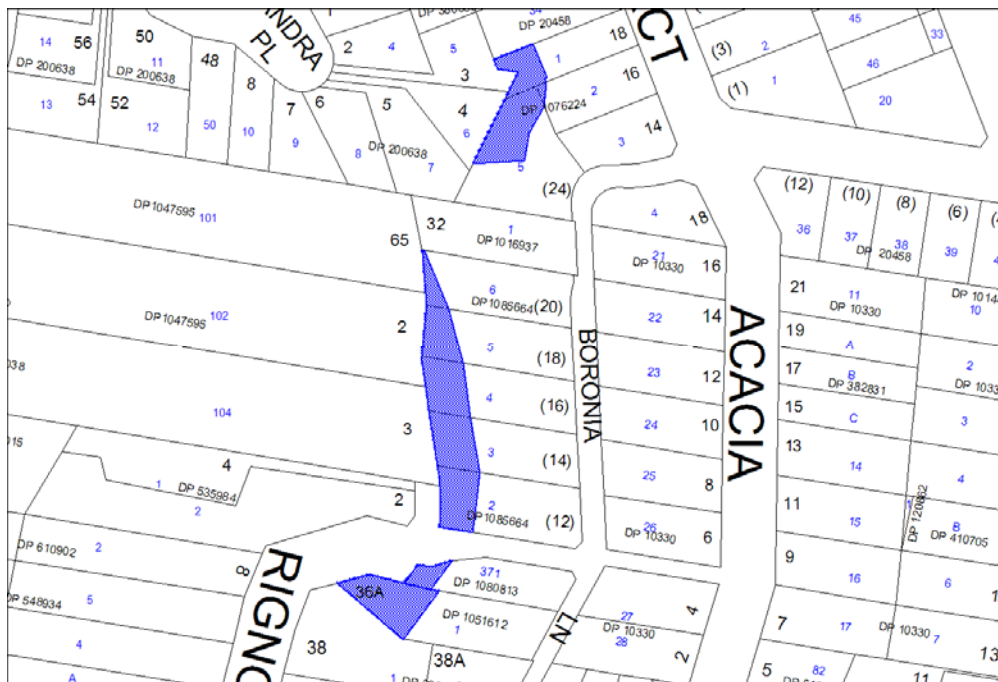
TO: Planning and Strategy Committee - 10 October 2005
REPORT: Corporate Planning and Strategy Division Report No. 56
SUBJECT: Draft Residential Development Control Plan (DCP) Amendment 2
FILE NO:

SUMMARY

- Certain properties in the vicinity of Rignold Street Seaforth are subject to easements which restrict the use of the escarpment and bushland for development.
- The proposed amendment seeks to exclude the area contained within the easements from the site area of the affected allotments for the purpose of calculating floor space ratio under the Residential DCP.

REPORT

The area around Castle Circuit, Boronia Lane and Rignold Street is currently zoned Residential and is within Density Sub-zone 7. Remnant native bushland exists along the escarpment. These lots are currently subject to easements, which prevent development on the escarpment area. This area is shown shaded in Figure 1.



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Figure 1: Area of Easement

The area of easement and the affected properties are listed in the following table:

Address (Lot/DP)		Area of Easement
18 Castle Circuit	1/1076224	194.1 m ²
16 Castle Circuit	2/1076224	15.5 m ²
24 Boronia Lane	4/1076224	391.5 m ²
20 Boronia Lane	6/1085664	83.64 m ²
18 Boronia Lane	5/1085664	221.2 m ²
16 Boronia Lane	4/1085664	295.4 m ²
14 Boronia Lane	3/1085664	293.8 m ²
12 Boronia Lane	2/1085664	288.4 m ²
N/A	371/1080813	87.48 m ²
36A Rignold Street	1/1051612	415.2 m ²

This amendment proposes to exclude the area of the restrictive easements from the affected allotments of the site area for the purpose of calculating the floor space ratio of future development permitted on the land, with Council approval. This provision will have the affect of reducing the bulk and scale of development in this scenic location.

The draft DCP amendment (Clause 4.4) can be found at Attachment 1.

RECOMMENDATION

The proposed amendment to Manly Development Control Plan for the Residential Zone – 2001 be exhibited for a period of 28 days and comment invited.

2. That a further report be brought forward following the exhibition.
3. That the owners of the affected allotments be advised of the proposed amendment.
4. That the proposed amendment be consolidated in Draft Manly Development Control Plan for the Residential Zone 2005

ATTACHMENTS

AT-1 Draft Residential DCP (Amendment No. 2) extract 2 page(s)

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

ATTACHMENT 1

Corporate Planning and Strategy Division Report No. 56
Draft Residential Development Control Plan (DCP) Amendment 2
Draft Residential DCP (Amendment No. 2) extract

PROPOSED AMENDMENT

4.4 BORONIA LANE, RIGNOLD STREET AND THE IMMEDIATE AREA, SEAFORTH

4.4.1 Objectives

- To reduce the bulk and scale of development.
- To ensure development does not dominate the escarpment and bushland

4.4.2 Site Area and Setbacks

This clause applies to the lots identified in Column 1 of Table 8.

Notwithstanding any other provisions of this plan, the shaded areas identified in Figure 47(a) shall be excluded from the site area of the affected allotments for the purpose of calculating the applicable floor space ratio. Column 4 to Table 8 indicates the applicable area.

Setback calculations for each allotment shall be made from the eastern boundary of the area shown shaded on the plan in figure 47(a).

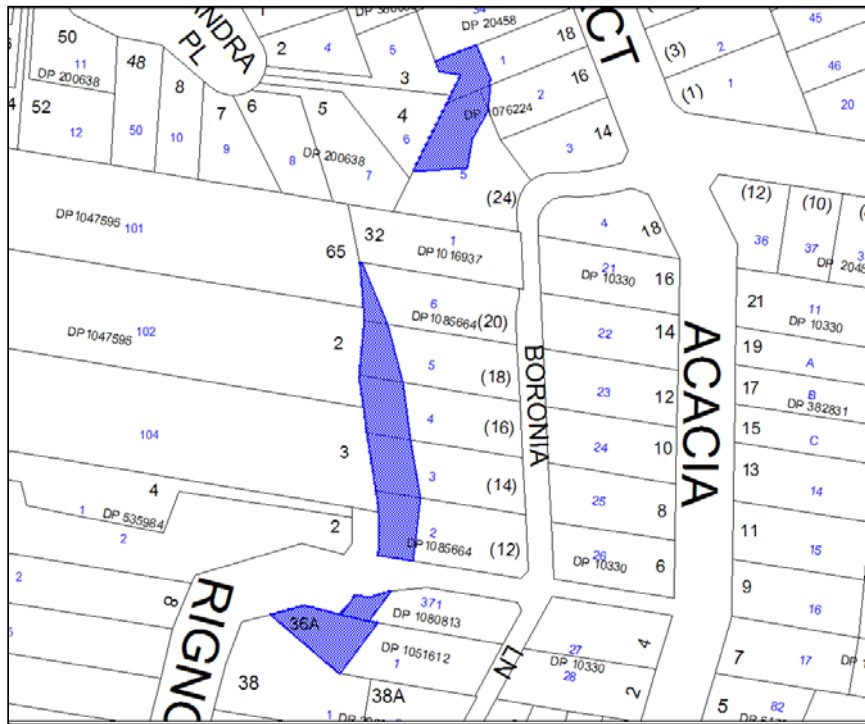


Figure 47(a):
Restriction of Use

Refer to Clause 4.4.2

ATTACHMENT 1

**Corporate Planning and Strategy Division Report No. 56
Draft Residential Development Control Plan (DCP) Amendment 2
Draft Residential DCP (Amendment No. 2) extract**

Column 1 Address (Lot/DP)	Column 2 Total Site Area (m²)	Column 3 Shaded Area (m²)	Column 4 Remaining Area (m²) Column 2 – Column 3
18 Castle Circuit (1/1076224)	752.9	194.1	558.8
16 Castle Circuit (2/1076224)	756.1	15.5	740.6
24 Boronia Lane (5/1076224)	1,342	391.5	950.5
20 Boronia Lane (6/1085664)	1,041	83.64	957.36
18 Boronia Lane (5/1085664)	1,051	221.2	829.8
16 Boronia Lane (4/1085664)	1,063	295.4	767.6
14 Boronia Lane (3/1085664)	1,022	293.8	728.2
12 Boronia Lane (2/1085664)	1,122	288.4	833.6
N/A (371/1080813)	777.3	87.48	689.82
36A Rignold Street (1/1051612)	1,299.6	415.2	884.4

Table 8: Site Area Calculation

Refer to Clause 4.4.2

TO: Planning and Strategy Committee - 10 October 2005
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. Brief Report

Burnt Bridge Creek Deviation - Execution of Deed Under Council Seal

The Roads and Traffic Authority compulsorily acquired land to build the deviation. All land transfers were executed at the time, except for a small parcel now finalised (see Recommendation 1 below).

2. Minutes Of Meeting:

- (i) Manly Social Plan Implementation Committee - Minutes of Meeting Held on 16th August, 2005.
- (ii) Manly Aboriginal and Torres Strait Islander Committee - Minutes of Meeting Held on 22nd August, 2005.
- (iii) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th August, 2005.
- (iv) Manly Heritage Committee - Minutes of Meeting Held on 7th September, 2005.
- (v) Manly Scenic Walkway Committee - Minutes of Meeting Held on 13th September, 2005.
- (vi) Landscape Management & Urban Design Committee - Minutes of Meeting Held on 14th September, 2005.
- (vii) Manly Council Community Environment Committee - Minutes of Meeting Held on 15th September, 2005.

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

- (a) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th August, 2005

Item 3.1 - Manly Lagoon & Catchment Integrated Catchment Management Strategy (ICMS)

Recommendation:

"That Manly and Warringah Councils update the 5 year Action Matrix to include time frames and distribute to Committee members for discussion at the next Committee meeting."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (b) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th

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

August, 2005

Item 3.2 - Manly Lagoon Rehabilitation Works

Recommendation:

"That Manly Council proceeds to seek approval from NSW Department of Primary Industries (DPI) for the removal of sediment from the lagoon entrance at least within the limits of the existing licence while investigating an extension of the dredging limits (depth, area and volume)."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (c) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th August, 2005

Item 3.3 - Appointment of a Manly Lagoon Catchment "Champion"

Recommendation:

"That Manly Council proceeds to seek approval from NSW Department of Primary Industries (DPI) for the removal of sediment from the lagoon entrance at least within the limits of the existing licence while investigating an extension of the dredging limits (depth, area and volume)."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (d) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th August, 2005

Item 3.4 Proposed Netball Courts at Passmore and Nolan Reserves

Recommendation:

1. That the Committee, charged with the responsibility of the protection of the Lagoon, reaffirms its opposition to Nolan and Passmore Reserves as the preferred site on the basis of the environmental sensitivity of Manly Lagoon and for reasons stated at the Committee meeting held on the 17 February 2005.
2. That the Committee encourages Warringah Council's Administrator, Mr Dick Persson to develop a new site rather than using an existing site and displacing existing use groups, such as JJ Melbourne Hills Reserve, Terrey Hills or the Women's Sportsfield Reserve, Myoora Road, Terrey Hills.
3. That the Committee encourage the Administrator to review his decision for the aggregation of 40 netball courts at a single site."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (e) Manly Lagoon Catchment Coordinating Committee - Minutes of Meeting Held on 25th

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

August, 2005

Item 4.2 - Kelp Blockage of Low Flow Pipes

Recommendation:

"That Warringah Council report back at the next Committee meeting the cost of replacing the wave deflector and planned management of the low flow pipes."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (f) Manly Heritage Committee - Minutes of Meeting Held on 7th September, 2005.

Item 3.1 - 30 Alexander Street

Recommendation:

"That the Committee supports the listing of 30 Alexander Street on the LEP, and asks Council to reconsider our earlier request to have the streetscape of Alexander Street listed."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (g) Manly Heritage Committee - Minutes of Meeting Held on 7th September, 2005.

Item 7.3 - Review of DCP

Recommendation:

"It is recommended that a representative of the Heritage Committee be invited to join the DCP Review Committee, and that Gail Lynch be the Committee's nominated representative, with Terry Metherell as alternate and Ian Shields-Brown as second alternate."

Divisional Manager's Note:

It is not considered appropriate for a Committee of Councillors and Staff to have the Committee expanded to include external representatives. Consultation with various interested groups is being undertaken.

Divisional Manager's Recommendation:

"That this item be received and noted."

- (h) Manly Council Community Environment Committee - Minutes of Meeting Held on 15th September, 2005.

Items 4 & 5 - Manly Environment Centre

Recommendation:

" This Committee:

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

1. Warmly welcomes and supports the Council decision to take out a two year lease with a one year extra option on the current MEC premises.
2. Notes the requested removal, following this Committee's recommendation of the sentence in regard to "challenging Council's policies" in the draft MEC Statement of Intent, and asks that the appropriately revised Statement of Intent be immediately brought before Council for adoption.
3. Strongly recommends that people volunteering to assist the MEC be working in MEC premises, to support and assist the Manager of the MEC and the MEC's operations and projects, and not be redirected to work in Council offices.
4. Reiterates its support for a robust advocacy role for the MEC.
5. Recommends strongly the convening of an MEC Working Group, involving the Manly Council Community Environment Committee (MCCEC), Councillors (including the Mayor), MEC staff, Council staff, and FOMEC to develop a co-operative marketing and promotion strategy for the MEC to increase its effectiveness and support base, and community awareness, and to determine ways of adequately funding the implementation of the strategy.
6. Recommends strongly that all stakeholders, particularly MEC staff be included in any discussions and planning processes for any future development or new or upgraded MEC premises and facilities, including a street-level shopfront facility.
7. While understanding it is the General Manager's role to allocate and position staff, recommends he consider the benefits of locating two Waste Education Officers and the Noxious Weeds Officer in the current MEC Belgrave Street premises."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (i) Manly Council Community Environment Committee - Minutes of Meeting Held on 15th September, 2005.

Item 7(iv) - Penguins

Recommendation:

"The Committee expressed dismay at the Council's refusal to properly enforce the conditions of approval, especially the NPWS concurrence."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (j) Manly Council Community Environment Committee - Minutes of Meeting Held on 15th September, 2005.

Item 13 - Publications Prepared with Environment Levy Funding

Recommendation:

"This committee requests

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

1. That a report be prepared on the publications which have been prepared and those in preparation using levy funding.
2. Input at concept stage to any publications prepared with levy funding."

Divisional Manager's Recommendation:

"That this item be received and noted."

- (k) Manly Council Community Environment Committee - Minutes of Meeting Held on 15th September, 2005.

Item 14 - General Business

Recommendation:

"That Gareth Johnston be invited to join the Committee."

Divisional Manager's Recommendation:

"That this item be received and noted."

RECOMMENDATION

1. That Council authorise execution of the Deed of Release in respect of Lot 19 DP 776891 to conclude this matter (Burnt Bridge Creek Deviation - Deed of Release).
2. That the recommendations of Minutes of Meetings, as listed in Item 2 above, being 2(i) to 2(vii), be adopted.
3. That in relation to all matters of a substantial nature listed in Item 3 above, being 3(a) to 3(k), be received and noted.

ATTACHMENTS

There are no attachments for this report.

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