

## Minutes

### Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

**Tuesday 12 June 2007**

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



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**TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:**

The Planning and Strategy Committee, having met at 7:50pm on Tuesday 12 June 2007, in the Council Chambers, Town Hall, Manly, to consider the various matters referred to it, now reports the decisions reached and the recommendations made which are stated hereunder.

The decisions taken and indicated by the prefix "Resolved" as distinct from "Recommendations" made to the Council, were taken pursuant to authority delegated to this Committee vide Minutes Number 535 of 19th September, 2005.

**PRESENT**

His Worship, The Mayor, Councillor Dr P Macdonald  
Deputy Mayor, Councillor B Pedersen  
Councillor B Aird, Chairperson who presided  
Councillor P Daley  
Councillor J Evans  
Councillor A Heasman, Deputy Chairperson  
Councillor J Lambert, AM  
Councillor R Morrison  
Councillor D Murphy  
Councillor M Norek

**ALSO PRESENT**

Henry Wong, General Manager  
Jim Hunter, Executive Director, Major Projects  
Ross Fleming, Chief Financial Officer  
Elayne Becker, Minute Taker

**APOLOGIES**

Apologies were tendered on behalf of Councillor J Hay and Councillor S Cant, for non-attendance.

**MOTION (Lambert / Heasman)**

That the apologies received from Councillor J Hay and Councillor S Cant be accepted and leave be granted.

**PS43/07 RESOLVED: (Lambert / Heasman)**

That the apologies received from Councillor J Hay and Councillor S Cant be accepted and leave be granted.

**For the Resolution:** Councillors Aird, Daley, Evans, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Nil.

**LEAVE OF ABSENCE**

Nil.

**DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

Nil.

## CONFIRMATION OF MINUTES

### MOTION (Lambert / Heasman)

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 14 May 2007, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

### PS44/07 RESOLVED: (Lambert / Heasman)

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 14 May 2007, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

**For the Resolution:** Councillors Aird, Daley, Evans, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Nil.

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## CORPORATE SERVICES DIVISION

Corporate Services Division Report No. 12

### Manly Surf Club Incorporated - Request for financial assistance

#### SUMMARY

The Manly Surf Club Incorporated (the Club) is the registered owner of a strata parcel of land at lot 102 DP 791179 known as 8 South Steyne, Manly. The property comprises 2 levels of stratum within the Radisson Kestrel Hotel (now The Sebel Hotel) building and is currently used as a Clubhouse comprising a small meeting area, office, change rooms, showers and locker facilities for club members.

The property is categorised for rating purposes in accordance with sections 514 and 518 of the Local Government Act, as Manly Business and rates notices have been levied on the Club.

Council is now in receipt of a request from the Club for either exemption from rating; an Ex Gratia donation towards the rates; or a change in category for the rates from Manly Business Rate to Residential Rate.

### MOTION (Macdonald / Evans)

That:

1. The application from The Manly Surf Club Inc for exemption from land rates be refused, as the property at 8 South Steyne Manly does not qualify for exemption from rating under either S.555 or 556 of the Act;
2. The application from the The Manly Surf Club Inc for a change in categorisation from Business to Residential be refused, as the property at 8 South Steyne Manly does not meet the criteria for categorisation as "residential" land under S.516 of the Act.
3. The application from the The Manly Surf Club Inc for an ex gratia payment under S356 of the Act, be refused, as the Club does not qualify for financial assistance under Council's **Policy for Financial Assistance to Cultural Groups**.

PS45/07 **RESOLVED: (Macdonald / Evans)**

That:

1. The application from The Manly Surf Club Inc for exemption from land rates be refused, as the property at 8 South Steyne Manly does not qualify for exemption from rating under either S.555 or 556 of the Act;
2. The application from the The Manly Surf Club Inc for a change in categorisation from Business to Residential be refused, as the property at 8 South Steyne Manly does not meet the criteria for categorisation as “residential” land under S.516 of the Act.
3. The application from the The Manly Surf Club Inc for an ex gratia payment under S356 of the Act, be refused, as the Club does not qualify for financial assistance under Council’s **Policy for Financial Assistance to Cultural Groups**.

**For the Resolution:** Councillors Aird, Evans, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Councillor Daley

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## PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 21

### Report on Shared Path - Manly Cove between Manly Art Gallery and Manly Yacht Club

#### SUMMARY

At the Ordinary Meeting of Council held on the 19 March 2007, Council resolved the following in relation to the Proposed East/West Cycle link.

23/07

“That:

1. *in view of significant opposition (due to safety concerns) of the Little Manly Precinct, Fairlight Precinct, Community Safety Committee, Access Committee and the broader community, Council investigate the alternative to a shared pathway along the southern side of East and West Esplanades as part of the East/West link, with a report to include estimated costs and provide comment on a dedicated cycleway between the roadway and the existing walkway.*
2. *The implementation of a shared pathway not be postponed whilst reports are being compiled.*
3. *In preparing a report staff include consideration of available path width and safety of cyclists.”*

#### MOTION (Pedersen / Lambert)

That Council:

1. Retain the existing “Shared Path” on the Manly Cove Foreshore pathway, between Manly Art Gallery and Manly Yacht Club, as approved by Council on 19 March 2007.

2. Undertake a review in nine months time with full consultation with the affected precincts and relevant committees to effectively assess the operation of the "Shared Path".
3. Receive a further report for consideration, following the nine month review, including any community feedback received during the nine month period.
4. After the nine months trial Council, in consultation with the relevant precincts, consider whether to progress the other Options.

**AMENDMENT (Macdonald / Heasman)**

That Council:

1. Retain the existing "Shared Path" on the Manly Cove Foreshore pathway, between Manly Art Gallery and Manly Yacht Club, as approved by Council on 19 March 2007.
2. Undertake a review in nine months time to effectively assess the operation of the "Shared Path".
3. Receive a further report for consideration, following the nine month review, including any community feedback received during the nine month period.
4. Continue to progress Option 3 in terms of viability, costs, engineering issues and heritage impacts.

*Councillor Daley left the chamber at 8.28pm and took no part in the voting.*

**For the Amendment:** Councillors Heasman, Macdonald, Norek and Aird

**Against the Amendment:** Councillors Evans, Lambert, Morrison, Murphy and Pedersen

The **AMENDMENT** was declared **LOST**

**FORESHADOWED AMENDMENT (Aird / Heasman)**

That Council:

1. Prepare a path from the Art Gallery to the Wharf as per option 3 being *A two (2) metre wide 'Shared Path' along the back of the kerb (where feasible) between Manly Art Gallery and Manly Yacht Club as a cycleway.*
2. Receive a further report for consideration covering the Eastern Esplanade.

**For the Foreshadowed Amendment:** Councillors Heasman, Norek, Macdonald and Aird

**Against the Foreshadowed Amendment:** Councillors Lambert, Murphy, Morrison, Pedersen and Evans

The **FORESHADOWED AMENDMENT** was declared **LOST**

PS46/07 **RESOLVED: (Pedersen / Lambert)**

That Council:

1. Retain the existing "Shared Path" on the Manly Cove Foreshore pathway, between Manly Art Gallery and Manly Yacht Club, as approved by Council on 19 March 2007.
2. Undertake a review in nine months time with full consultation with the affected precincts and relevant committees to effectively assess the operation of the "Shared Path".

3. Receive a further report for consideration, following the nine month review, including any community feedback received during the nine month period.
4. After the nine months trial Council, in consultation with the relevant precincts, consider whether to progress the other Options.

**For the Resolution:** Councillors Evans, Lambert, Morrison, Murphy, Pedersen

**Against the Resolution:** Councillors Heasman, Norek, Macdonald and Aird

*Councillor Daley returned to the chamber at 8.33pm*

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Planning And Strategy Division Report No. 22

**Australian Institute of Police Management, North Head, Manly**

### **SUMMARY**

An amendment to State Environmental Planning Policy (Major Projects) 2005 was gazetted on 25 May 2007. It declares the land on which the Australian Institute of Police Management (AIPM) is located a "State significant" site.

It also extends the provisions of Part 3A of the *Environmental Planning and Assessment Act, 1979* (EP&A) to development of the site, establishes development controls for that land and identifies exempt development provisions.

The gazettal is effective immediately, without consulting the Council or community.

It is recommended that Council provide input to the Director General's requirements for environmental assessment of the proposed redevelopment, and also make a submission to the exhibition of the application under Part 3A at the appropriate time. And also make representations to the Minister for Planning in respect of the proposed redevelopment of the AIPM site and its potential impacts on the environment and heritage of North Head.

### **MOTION (Pedersen / Heasman)**

That Council:

1. Provide input to the Director-General's requirements for environmental assessment of the proposed redevelopment of the AIPM site.
2. Make a submission to the exhibition of the application under Part 3A of the *Environmental Planning and Assessment Act, 1979*.
3. Make representations to the Minister for Planning, in respect of the proposed redevelopment of the AIPM site, and its potential impacts on the environment and heritage of North Head.
4. As a matter of urgency contact the Developer and the Minister for Planning to provide Council with a scale model of the proposal and accurate photomontages for public consultation.

**PS47/07 RESOLVED: (Pedersen / Heasman)**

That Council:

1. Provide input to the Director-General's requirements for environmental assessment of the proposed redevelopment of the AIPM site.
2. Make a submission to the exhibition of the application under Part 3A of the *Environmental Planning and Assessment Act, 1979*.
3. Make representations to the Minister for Planning, in respect of the proposed redevelopment of the AIPM site, and its potential impacts on the environment and heritage of North Head.
4. As a matter of urgency contact the Developer and the Minister for Planning to provide Council with a scale model of the proposal and accurate photomontages for public consultation.

**For the Resolution:** Councillors Aird, Daley, Evans, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Nil.

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Planning And Strategy Division Report No. 23

**Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees**

**1. Minutes of Meetings without recommendations of a substantial nature:**

- (i) Sydney Water & Manly Council Partnership – 12 April 2007
- (ii) Manly Community Environment Committee – 19 April 2007
- (iii) Heritage Committee – 2 May 2007
- (iv) Manly Sustainability Strategy Management Group – 8 May 2007

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

**(i) Manly Scenic Walkway – 24 April 2007**

**Item 5.1 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal**

Recommendation

That Council notes the Manly Scenic Walkways Committee supports the Walking Volunteers proposal to establish a walking trail within the confines of North Head as per the attachment in the minutes) but notes that all relevant stakeholders / landowners through which the route passes will need to be consulted and required to also give their approval.

**Item 5.2 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal**

Recommendation

That until approvals on the above can be obtained the Manly Scenic Walkway Committee recommends the alternate route that should be used is the recently completed Blue Fish Track which starts at Shelley beach headland and connects with Blue Fish Drive and goes to Collins Beach Road and onto Collins Beach where it joins the established scenic walkway.



**(ii) Climate Change Working Group – 3 May 2007****Item 6.1 Climate Change Projects Recommendations –  
Organics Waste Pick-Up**Recommendation

That the Executive Director Environmental Services report back to the Climate Change Working Group on the greenhouse gas emissions associated with organics waste pick-up/disposal options. The report should address the following:

- greenhouse gas emission issues associated with transportation of organics to disposal facilities;
- the greenhouse potential of methane from landfill disposal versus carbon dioxide from composting; and,
- whether greenhouse gases emitted during disposal/decomposition will be captured (e.g., methane capture for energy generation at landfill sites).

Moved: Barbara Aird      Seconded: Judy Lambert

**Divisional Manager's Note:**

It is as yet unclear if there is currently scientific data readily available to undertake the assessment requested. Further advice will be provided to Councillors in due course.

**Item 6.2 Climate Change Projects Recommendations -  
Sustainability Incorporated into Rates Calculation**Recommendation

That Council staff prepare a report on the incorporation of energy efficiency into the determination of the rate levy for properties within the Manly LGA. The report should consider a scheme involving a combination of the *Ad Valorem* system combined with the Building and Sustainability Index (BASIX) rating.

Moved: Barbara Aird      Seconded: Judy Lambert

**Divisional Manager's Note:**

The feasibility of implementing such a scheme may not be legally possible within the current legislative framework as it applies to rateable properties. Formal advice is being obtained and will be provided to Council in due course. Council may consider the possibility of raising the issue of 'energy efficiency and rating' through the Local Government and Shires Associations of New South Wales (LGSA), at this year's LGSA Conference.

**Item 6.5 Climate Change Projects Recommendations –  
Sustainability Design Awards**Recommendation

The Climate Change Working Group recommends the commencement of a Manly Council Sustainability Design Award.

**Item 6.6 Climate Change Projects Recommendations – Sustainability –  
Solar Demonstration Event**Recommendation

Council investigate the potential for holding an exhibition event demonstrating solar panel technology in The Corso.

**Divisional Manager's Note:**

It is proposed this exhibition will be undertaken as part of Council's Ocean Care Day event scheduled to be held in December 2007.

**Item 8 Carbon Trading**Recommendation

That Council immediately become an active participant in the voluntary Local Government Emissions Trading Scheme (LGETS) as a matter of priority.

Moved: Judy Lambert Seconded: Sarah Weate

**(iii) Manly Sports Facilities Committee – 4 May 2007****Item 7 Manly Oval Lighting Update**Recommendation

7.1 That Council commit to matching only grant funding obtained in the future to undertake these works and to continue efforts of support from the new Local member and Federal member.

7.2 That the Energy Efficient grant application also be lodged by Council.

**Item 8 LM Graham Masterplan**Recommendation

That a steering committee be set up to drive the Master Plan for LM Graham Reserve and that the committee consist of a member of the Manly Sports Facilities Committee as well as a representative from relevant sporting clubs.

Representatives from Sporting Clubs being:

- Sean Rout - Manly Rugby/Cricket Club
- Sam Mesite - Brookvale Football Club
- Tony Pecar - Manly Warringah Junior Cricket

**(iv) Bicycle Committee – 10 May 2007****Item 12 Termination of Spit Bridge Widening**Recommendation

The committee recommends that Council lobbies the NSW State Government for the widening of the western footway of the Spit Bridge, (which currently serves as a narrow shared bike-pedestrian lane), to a safe shared minimum width of 3.2 metres to enhance and encourage active transport on the only access point in the Northern Beaches Peninsular and so reduce motor vehicle use and dependence.

**(v) Landscape Management and Urban Design – 16 May 2007****Item 4.1 Taylor Cullity Lethlean – Stage 1 The Corso Upgrade – Progress Report**Recommendation

That the report into the paver problem once completed by Professor Shackle be distributed to all Landscape Management and Urban Design Committee members.

**MOTION (Macdonald / Heasman)**

That:

1. That the recommendations of Minutes of Meetings, as listed in Item 1 above, being 1(i) to 1(iv), be adopted.
2. (i) That the minutes of the **Manly Scenic Walkway – 24 April 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 5.1 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal
  - Item 5.2 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal
- (ii) That the minutes of the **Climate Change Working Group – 3 May 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 6.1 Climate Change Projects Recommendations – Organics Waste Pick-Up
  - Item 6.2 Climate Change Projects Recommendations – Sustainability Incorporated into Rates Calculation
  - Item 6.5 Climate Change Projects Recommendations – Sustainability Design Awards
  - Item 6.6 Climate Change Projects Recommendations – Sustainability – Solar Demonstration Event
  - Item 8 Carbon Trading
- (iii) That the minutes of the **Manly Sports Facilities Committee – 4 May 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 7 Manly Oval Lighting Update
  - Item 8 LM Graham Masterplan
- (iv) That the minutes of the **Bicycle Committee – 10 May 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 12 Termination of Spit Bridge Widening
- (v) That the minutes of the **Landscape Management and Urban Design – 16 May 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 4.1 Taylor Cullity Lethlean - Stage 1 The Corso Upgrade - Progress Report

**PS48/07 RESOLVED: (Macdonald / Heasman)**

1. That the recommendations of Minutes of Meetings, as listed in Item 1 above, being 1(i) to 1(iv), be adopted.
2. (i) That the minutes of the **Manly Scenic Walkway – 24 April 2007**, be **adopted** including the following recommendations of a substantial nature:
  - Item 5.1 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal
  - Item 5.2 Correspondence Received – Walking Volunteers North Head Walking Trail Proposal

- (ii) That the minutes of the **Climate Change Working Group – 3 May 2007**, be **adopted** including the following recommendations of a substantial nature:

- Item 6.1 Climate Change Projects Recommendations – Organics Waste Pick-Up
- Item 6.2 Climate Change Projects Recommendations – Sustainability Incorporated into Rates Calculation
- Item 6.5 Climate Change Projects Recommendations – Sustainability Design Awards
- Item 6.6 Climate Change Projects Recommendations – Sustainability – Solar Demonstration Event
- Item 8 Carbon Trading

- (iii) That the minutes of the **Manly Sports Facilities Committee – 4 May 2007**, be **adopted** including the following recommendations of a substantial nature:

- Item 7 Manly Oval Lighting Update
- Item 8 LM Graham Masterplan

- (iv) That the minutes of the **Bicycle Committee – 10 May 2007**, be **adopted** including the following recommendations of a substantial nature:

- Item 12 Termination of Spit Bridge Widening

- (v) That the minutes of the **Landscape Management and Urban Design – 16 May 2007**, be **adopted** including the following recommendations of a substantial nature:

- Item 4.1 Taylor Cullity Lethlean - Stage 1 The Corso Upgrade - Progress Report

**For the Resolution:** Councillors Aird, Daley, Evans, Heasman, Lambert, Morrison, Murphy, Norek, Pedersen and Macdonald

**Against the Resolution:** Nil.

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## CLOSE

The meeting closed at 9.01pm

The above minutes were confirmed at a **Planning and Strategy Committee** of Manly Council held on 16 July 2007.

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**CHAIRPERSON**

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