

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 13 February 2006

*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*



TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 7:43 PM on Monday 13 February 2006, 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 Aird, Chairperson who presided
Councillor P Daley
Councillor J Evans
Councillor J Hay, AM
Councillor A Heasman, Deputy Chairperson
Councillor J Lambert
Councillor R Morrison (arrived at 7.45pm)
Councillor D Murphy (arrived at 7.45pm)
Councillor M Norek
Councillor B Pedersen

ALSO PRESENT

Henry T Wong, General Manager
Jim Hunter, Executive Director, Major Projects
Rachael Levey, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillor Cant, for non-attendance.

MOTION (Lambert / Macdonald)

That the apology received from Councillor Cant, be accepted and leave be granted.

RESOLVED: (Lambert / Macdonald)

That the apology received from Councillor Cant, be accepted and leave be granted.

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

Against the Resolution: Nil.

LEAVE OF ABSENCE

Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Name:	Item Number:	Nature of Interest:
Councillor Aird	P&S 3	Resides in one of the streets mentioned in the report.
Councillor Pedersen	P&S 1	Resides near the Manly Rowing and Sailing Club.

CONFIRMATION OF MINUTES**MOTION (Aird / Macdonald)**

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 12 December 2005, having been furnished to each member of the Committee, be taken as read and confirmed as a true record of proceedings of such meeting.

RESOLVED: (Aird / Macdonald)

That copies of the Minutes of the Meeting of the Planning and Strategy Committee held on Monday 12 December 2005, 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 Macdonald, Hay, Heasman, Lambert, Daley, Pedersen, Aird, Evans and Norek.

Against the Resolution: Nil.

STANDING ORDERS (Aird / Macdonald)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Corporate Planning & Strategy Division Report No. 4, Proposed Amendment to Manly Residential DCP 2001- Boronia Lane, Seaforth.

RESOLVED: (Aird / Macdonald)

That Standing Orders be suspended to allow for consideration of Items of public interest, being Corporate Planning & Strategy Division Report No. 4, Proposed Amendment to Manly Residential DCP 2001- Boronia Lane, Seaforth.

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

Against the Resolution: Nil.

Councillor Murphy and Councillor Morrison entered the Chamber at 7:45pm

Corporate Planning And Strategy Division Report No. 4

Proposed Amendment to Manly Residential DCP 2001- Boronia Lane, Seaforth

SUMMARY

The draft amendment to Manly Residential DCP 2001 was exhibited between 22 November 2005 and 20 December 2005 and comment invited.

The Seaforth Precinct Community Forum and affected owners were notified.

20 submissions lodged – 18 in support of the proposed amendment and two (one from Department of Planning) opposed to the proposed amendment.

The recommendation is for the amendment to Manly Residential DCP 2001 be adopted.

PUBLIC ADDRESSES:

The following persons addressed the meeting in relation to this item:

Objector: Mr Doug Price, who spoke on behalf of the Department of Planning.

Supporter: Mr Roger Whittaker, who spoke on behalf of the local Seaforth residents.

MOTION (Macdonald / Pedersen)

1. That pursuant to Clause 21 of the Environmental Planning and Assessment Regulations, the Council adopt Draft Residential Control Plan Amendment No.2 and it be incorporated in Manly Development Control Plan for the Residential Zone 2001.
2. That an additional paragraph be added to Clause 4.4.2. of the amendment viz. "Areas indicated in Table 8 are to be verified by a registered surveyor prior to the preparation and lodgement of a development application. Verified areas are to be used for determining floor space ratios."
3. That the amendment to Manly Residential DCP 2001 to become effective on publication of a Notice under Clause 21 of the EPA Regulation.
4. That the amendment be incorporated in Draft Manly Development Control Plan for the Residential Zone 2006, which is under preparation.
5. That all persons who made submissions to the Amendment to Manly Residential DCP 2001 be thanked for their contribution.

AMENDMENT (Murphy / Daley)

1. That pursuant to Clause 21 of the Environmental Planning and Assessment Regulations, the Council adopt Draft Residential Control Plan Amendment No.2 and it be incorporated in Manly Development Control Plan for the Residential Zone 2001.
2. That an additional paragraph be added to Clause 4.4.2. of the amendment viz. "Areas indicated in Table 8 are to be verified by a registered surveyor prior to the preparation and lodgement of a development application. Verified areas are to be used for determining floor space ratios."

3. That the amendment to Manly Residential DCP 2001 to become effective on publication of a Notice under Clause 21 of the EPA Regulation.
4. That the amendment be incorporated in Draft Manly Development Control Plan for the Residential Zone 2006, which is under preparation.
5. That all persons who made submissions to the Amendment to Manly Residential DCP 2001 be thanked for their contribution.
6. That notation be provided in the adopted Development Control Plan which holds exempt the current legal owners of 36a Rignold St, Seaforth Lot 1 DP1051612 and 18 Castle Circuit, Seaforth Lot 1 DP1076224 from the requirements of this DCP.

FORESHADOWED AMENDMENT (Aird)

1. That pursuant to Clause 21 of the Environmental Planning and Assessment Regulations, the Council adopt Draft Residential Control Plan Amendment No.2 and it be incorporated in Manly Development Control Plan for the Residential Zone 2001.
2. That an additional paragraph be added to Clause 4.4.2. of the amendment viz. "Areas indicated in Table 8 are to be verified by a registered surveyor prior to the preparation and lodgement of a development application. Verified areas are to be used for determining floor space ratios."
3. That the amendment to Manly Residential DCP 2001 to become effective on publication of a Notice under Clause 21 of the EPA Regulation.
4. That the amendment be incorporated in Draft Manly Development Control Plan for the Residential Zone 2006, which is under preparation.
5. That all persons who made submissions to the Amendment to Manly Residential DCP 2001 be thanked for their contribution.
6. That the current Development Applications at 36a Rignold St, Seaforth Lot 1 DP1051612 and 18 Castle Circuit, Seaforth Lot 1 DP1076224 be exempt from the changes outlined in Residential Control Plan Amendment No.2 and that reasonable modifications at these properties be allowed, as assessed by staff.

The Foreshadowed Amendment was withdrawn.

For the Amendment: Councillors Hay, Heasman, Murphy, Daley, Morrison and Norek.
Against the Amendment: Councillors Macdonald, Lambert, Pedersen, Aird and Evans.

The **Amendment** became the **Motion** and was put and declared **Carried**.

RESOLVED: (Murphy / Daley)

1. That pursuant to Clause 21 of the Environmental Planning and Assessment Regulations, the Council adopt Draft Residential Control Plan Amendment No.2 and it be incorporated in Manly Development Control Plan for the Residential Zone 2001.
2. That an additional paragraph be added to Clause 4.4.2. of the amendment viz. "Areas indicated in Table 8 are to be verified by a registered surveyor prior to the preparation and lodgement of a development application. Verified areas are to be used for determining floor

space ratios.”

3. That the amendment to Manly Residential DCP 2001 to become effective on publication of a Notice under Clause 21 of the EPA Regulation.
4. That the amendment be incorporated in Draft Manly Development Control Plan for the Residential Zone 2006, which is under preparation.
5. That all persons who made submissions to the Amendment to Manly Residential DCP 2001 be thanked for their contribution.
6. That notation be provided in the adopted Development Control Plan which holds exempt the current legal owners of 36a Rignold St, Seaforth Lot 1 DP1051612 and 18 Castle Circuit, Seaforth Lot 1 DP1076224 from the requirements of this DCP.

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

Against the Resolution: Councillors Lambert and Aird.

STANDING ORDERS (Aird / Macdonald)

That Standing Orders be resumed.

RESOLVED: (Aird / Macdonald)

That Standing Orders be resumed.

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

Against the Resolution: Nil.

GENERAL MANAGERS DIVISION

General Managers Division Report No. 1

The Corso Upgrade Project - Progress Report

SUMMARY

Progress report from the Executive Director of Major Projects on The Corso Upgrade project.

MOTION (Macdonald / Heasman)

That the report be received and noted.

AMENDMENT (Norek)

1. That the report be received and noted;
2. That Council inform the Corso Precinct of the intended works involved in the Corso upgrade, particularly in regard to noise and light.

*Due to the lack of a Seconder, the **Amendment Lapsed**.*

RESOLVED: (Macdonald / Heasman)

That the report be received and noted.

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

Against the Resolution: Nil.

CORPORATE PLANNING AND STRATEGY DIVISION

Corporate Planning And Strategy Division Report No. 1

Manly Local Heritage Fund - Allocation of Grants - 2004/2005

SUMMARY

1. Four properties have been selected for receipt of grants from the 2005 program.
2. It is recommended the Council endorse the funding recommended for the listed projects.

MOTION (Macdonald / Heasman)

That subject to Section 356(2) of the Local Government Act, allocated grant funds be awarded to the four properties listed in this Report.

RESOLVED: (Macdonald / Heasman)

That subject to Section 356(2) of the Local Government Act, allocated grant funds be awarded to the four properties listed in this Report.

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 2

Greenhouse Program - Response to Various Council Resolutions

SUMMARY

Council has made several resolutions over the past year regarding response to climate change. This report seeks to advise Council of the responses received from correspondence sent to various Ministers and additionally to respond to matters where a further report was requested by Council.

MOTION (Pedersen / Evans)

1. That Council refer the matter regarding placement of solar energy units on heritage listed properties to the Heritage Committee and seek the advice of Leichhardt Council prior to being referred to the LEP/DCP Councillor working group for its endorsement.
2. That Councillors be kept up to date with the progress on reported matters through the General Manager's monthly reports.

RESOLVED: (Pedersen / Evans)

1. That Council refer the matter regarding placement of solar energy units on heritage listed properties to the Heritage Committee and seek the advice of Leichhardt Council prior to being referred to the LEP/DCP Councillor working group for its endorsement.
2. That Councillors be kept up to date with the progress on reported matters through the General Manager's monthly reports.

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

Against the Resolution: Nil.

At 9:55pm, having previously declared an interest in Item 3, Councillor Aird vacated the Chair and left the Chamber and Deputy Chairperson Councillor Heasman assumed the Chair.

Corporate Planning And Strategy Division Report No. 3

Pacific Parade & Alexander Street, Manly**Streetscape - Nomenclature and Implications of Streetscape Heritage Listing****SUMMARY**

This report addresses the meaning and the implications of a streetscape heritage listing or conservation area for Pacific Parade and Alexander Street, Manly.

MOTION (Pedersen / Evans)

1. That Council note that the nomenclature for a 'streetscape heritage listing' is Conservation Area for any identified heritage significant streets and that the alternative to heritage listing is 'streetscape character area' which can be identified in a Development Control Plan, with specific planning controls.
2. That Council note that any property with a heritage listing requires a development application with specific heritage considerations for most new works.

AMENDMENT (Norek / Murphy)

That the matter be deferred until the resident survey is distributed and residents have more information regarding the positive and negative aspects of a 'streetscape heritage listing' and 'streetscape character area'.

For the Amendment: Councillor Norek.

Against the Amendment: Councillors Macdonald, Hay, Heasman, Lambert, Murphy, Daley, Morrison, Pedersen and Evans.

RESOLVED: (Pedersen / Evans)

1. That Council note that the nomenclature for a 'streetscape heritage listing' is Conservation Area for any identified heritage significant streets and that the alternative to heritage listing is 'streetscape character area' which can be identified in a Development Control Plan, with specific planning controls.

2. That Council note that any property with a heritage listing requires a development application with specific heritage considerations for most new works.

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

Against the Resolution: Nil.

At 10:17pm, Deputy Chairperson Councillor Heasman vacated the Chair and Councillor Aird re-entered the Chamber and resumed the Chair.

Corporate Planning And Strategy Division Report No. 5

Sydney Coastal Council's Group's Draft Strategic Plan 2005-2008

SUMMARY

The Sydney Coastal Councils Group (SCCG) has forwarded a draft Strategic Plan 2005-2008 for consideration and support by Council. Its intention is to document and highlight the Sydney Coastal Councils Group focus for the next three years.

Staff have reviewed the Plan and outlined issues which need to be addressed by the Sydney Coastal Councils Group Secretariat.

This report recommends that Council support the Plan with the identified amendments confirming Council's ongoing support and commitment to the objectives of SCC Group.

MOTION (Pedersen / Lambert)

1. That the following amendments be made to point 1 and 3 of the report:

The words "Local Government Area" to be inserted in point 1, as follows:

- "1. Manly **Local Government Area** has the longest harbour foreshore of any LGA, with 94% of the LGA bounded by water";

The last sentence of point 3 be amended to read as follows

- "3. The site contains the only remaining ancient sand dune systems in **the** Sydney Harbour **vicinity**".

2. That Council write to Sydney Coastal Councils Group to advise them to include points 1 to 4, including the amendments outlined in 1. above, to amend this report and to ensure Manly Local Government Area (LGA) is clearly notified.
3. That Council endorse the Sydney Coastal Councils Group Draft Strategic Plan 2005-2008 and confirm Manly Council's ongoing commitment to the Group.

RESOLVED: (Pedersen / Lambert)

1. That the following amendments be made to point 1 and 3 of the report:

The words "Local Government Area" to be inserted in point 1, as follows:

- “1. Manly **Local Government Area** has the longest harbour foreshore of any LGA, with 94% of the LGA bounded by water”;

The last sentence of point 3 be amended to read as follows

- “3. The site contains the only remaining ancient sand dune systems in **the** Sydney Harbour **vicinity**”.

2. That Council write to Sydney Coastal Councils Group to advise them to include points 1 to 4, including the amendments outlined in 1. above, to amend this report and to ensure Manly Local Government Area (LGA) is clearly notified.
3. That Council endorse the Sydney Coastal Councils Group Draft Strategic Plan 2005-2008 and confirm Manly Council's ongoing commitment to the Group.

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

Against the Resolution: Nil.

The Mayor, Councillor Macdonald, was not in the Chamber when the Motion was put.

Corporate Planning And Strategy Division Report No. 6

Heritage Review For Manly LGA

SUMMARY

This report provides Council with current information on the Heritage Review for Manly. The Heritage Review is required to update the 1986 Heritage Study, address gaps, engage the community and present a timetable for completion.

MOTION (Pedersen / Heasman)

1. That Council receive and note the strategy and time frame contained in this report;
2. That Council make a submission in response to the draft Productivity Commission expressing concerns in relation to constraints on local protection of heritage items.

RESOLVED: (Pedersen / Heasman)

1. That Council receive and note the strategy and time frame contained in this report;
2. That Council make a submission in response to the draft Productivity Commission expressing concerns in relation to constraints on local protection of heritage items.

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

Against the Resolution: Nil.

The Mayor, Councillor Macdonald and Councillor Daley were not in the Chamber when the Motion was put.

Corporate Planning And Strategy Division Report No. 7

Pittwater Road Development Control Plan

SUMMARY

This report makes recommendations on the future of the process of adopting a DCP for the Pittwater Road Conservation Area and recommends that this process be discontinued and instead be addressed as part of the broader DCP review.

MOTION (Norek / Heasman)

1. That the process of adopting a DCP for the Pittwater Road Conservation Area be discontinued;
2. That any specific controls to retain and enhance the heritage character of the Pittwater Road Conservation Area be incorporated into existing DCPs,

RESOLVED: (Norek / Heasman)

1. That the process of adopting a DCP for the Pittwater Road Conservation Area be discontinued;
2. That any specific controls to retain and enhance the heritage character of the Pittwater Road Conservation Area be incorporated into existing DCPs,

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

Against the Resolution: Nil.

Corporate Planning And Strategy Division Report No. 8

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

1. Brief Report to Council

Council at its Planning & Strategy Meeting of 18 July 2005 resolved:

“That Council receives and notes this report. That Council continue to pursue it’s concerns as previously resolved. Further that council seek clarification from the Minister Infrastructure Planning and Natural Resources in relation to how the reforms will take effect without compromising the Environment, given that “major development projects” and “critical infrastructure” will be exempt from numerous Acts including the Coastal Protection Act, Fisheries Management Act, Heritage Act, National Parks and Wildlife Act, Native Vegetation Act, Rural Fires Act, Threatened Species Conservation Act, etc.”

A response has been received from the Parliamentary Secretary and can be viewed as **Attachment A** for the information of Councillors.

2. Minutes of Meetings:-

- (i) Manly’s Future Forum Steering Committee – Minutes of Meeting held on 6th December, 2005
- (ii) Manly Heritage Committee – Minutes of Meeting held on 7th December, 2005

- (iii) Manly LEP & DCP Review Working Party - Minutes of Meeting held on 8th December, 2005
- (iv) Manly Sustainability Strategy Management Meeting - Minutes of Meeting held on 13th December, 2005
- (v) Manly Coastline Management Committee - Minutes of Meeting held on 14th December, 2005
- (vi) Manly Playground Management Committee - Minutes of Meeting held on 16th December, 2005
- (vii) Social Plan Implementation Committee - Minutes of Meeting held on 20th December, 2005

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

- (a) Manly Heritage Committee – Minutes of Meeting held on 7th December, 2005

Item 3.1 – Committee Membership

Recommendation:-

"That Jennifer Jary be appointed to fill the vacancy on the Heritage Committee."

- (b) Manly Heritage Committee – Minutes of Meeting held on 7th December, 2005

Item 7.1 – Pacific Parade Petition

Recommendation:-

"That the Heritage Committee supports the preservation of the character of Pacific Parade and Alexander Street."

- (c) Manly Heritage Committee – Minutes of Meeting held on 7th December, 2005

Item 7.6 – Surfexion premises, corner The Corso and Steyne

Recommendation:-

"The Heritage Committee is opposed to the proposed shade structure, on grounds of visibility and precedent. The proposals detract from the heritage value of the façade and from the spirit of the principles of The Corso DCP. The Committee notes that nothing further should be built without approval."

- (d) Manly Heritage Committee – Minutes of Meeting held on 7th December, 2005

Item 10.1 – The Corso Plan

Recommendation:-

"The Heritage Committee is opposed to removal of the dominant central planting of The Corso, as this is an enduring original feature of The Corso's development; and is also opposed to any permanent shade structure as a detraction from the parapet line of The Corso."

- (e) Manly Playground Management Committee - Minutes of Meeting held on 16th December, 2005

Item 5.1 - North Harbour Reserve

Recommendation:-

1. That a sign be installed at the playground showing what the fence will look like and asking residents to comment.
2. That signage advising dog owners to keep their pets at least 10 metres away from the playground be installed in the interim.
3. That Council consider the petition from local North Harbour residents to install the fence around the Playground at North Harbour reserve.

- (f) Manly Playground Management Committee - Minutes of Meeting held on 16th December, 2005

Item 6.1 – Fromelles Playground Seaforth

Recommendation:-

"That the Committee consider the project and make recommendation to Council and secure a commitment for the extra funding required prior to going to tender early in the new year."

- (g) Social Plan Implementation Committee - Minutes of Meeting held on 20th December, 2005

Item 7 – Update Metro North HACC Action Plan

Recommendation:-

- "1. That Manly Council seek the support of the other SHOROC councils in regard to concern over the negative social impacts of the amalgamation and centralisation of State Departments, (Health, Department of Community Services, Department of Ageing, Disability and Home Care and Centrelink) the withdrawal of services and resulting in diminished accessibility to those in need.
2. To seek prior advice and consultation before these changes are made with a view to examining options to retain decentralised services in future."

MOTION (Macdonald / Heasman)

1. That the information be received and noted.
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(f), be adopted as per the recommendation of the Committees;
4. That point 2 in Item 3(g) above be amended so it reads:
 - "2. That Manly Council seek from State agencies prior advice and consultation before amalgamation and centralization changes are made with a view to examining options to retain decentralised services in future."

RESOLVED: (Macdonald / Heasman)

1. That the information be received and noted;
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(f), be adopted as per the recommendation of the Committees;
4. That point 2 in Item 3(g) above be amended so it reads:
 - “2. That Manly Council seek from State agencies prior advice and consultation before amalgamation and centralization changes are made with a view to examining options to retain decentralised services in future.”

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

Against the Resolution: Nil.

CLOSE

The meeting closed at [10:57pm](#).

The above minutes were confirmed at the **Planning and Strategy Committee** of Manly Council held on [13 March 2006](#).

CHAIRPERSON

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