

Manly Council

Minutes

Planning and Strategy Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

Monday 18 August 2008

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TO THE MAYOR AND COUNCILLORS OF THE COUNCIL:

The Planning and Strategy Committee, having met at 10.55pm on Monday 18 August 2008, 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 M Norek
Councillor B Aird, Chairperson who presided
Councillor P Daley
Councillor J Hay, AM
Councillor A Heasman, Deputy Chairperson
Councillor J Lambert, AM
Councillor D Murphy
Councillor B Pedersen

ALSO PRESENT

Stephen Clements, Deputy General Manager, Executive Manager, Environmental Services
Ross Fleming, Divisional Manager Corporate Services
Anthony Hewton, Divisional Manager, Corporate Planning & Strategy
Liz Rich, Minute Taker

APOLOGIES

Apologies were tendered on behalf of Councillors Cant, Evans and Morrison for non-attendance.

MOTION (Aird / Daley)

That the apologies received from Councillors Cant, Evans and Morrison be accepted and leave be granted.

PS68/08 RESOLVED: (Aird / Daley)

That the apologies received from Councillors Cant, Evans and Morrison be accepted and leave be granted.

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

Against the Resolution: Nil.

DECLARATIONS OF PECUNIARY INTEREST / CONFLICT OF INTEREST

Nil.

ITEMS FOR BRIEF MENTION

Item For Brief Mention Report No. 11

Items for Brief Mention - Minutes for Adoption by Council - Special Purpose and Joint Committees**1. Reports:****\$1.6 Million Grant Funded Effluent Re-Use Project - Progress Report**

In July 2007, Council approved the signing of a Memorandum of Understanding between Council and Sydney Water to progress the \$1.6m grant funded effluent reuse project to enable the re-use of 500,000 litres per day of 'surplus' high quality treated effluent produced from North Head STP.

Sydney Water commenced a Land Suitability Assessment (LSA) in early September 2007 at their expense to assess the capacity of the Manly "environment" at the designated end-uses to accept recycled effluent in the long-term. Arris who undertook the assessment for Sydney Water presented the final report to Council on 17 July 2008. The LSA report has indicated that the receiving lands are suitable for the treated effluent for the next 30 years in principle. Sydney Water will draft an irrigation management plan and all users are required to sign a management agreement for using the treated effluent.

In response to the unexpected failure of the performance of the proposed treated effluent pipeline in pressure tests, Sydney Water has initiated an investigation. Sydney Water indicated that at their last North Side Storage tunnel entry a valve was inserted in the pipeline just past the point where the vertical borehole will enter the tunnel and be connected. During this entry some damage to the pipeline's brackets was observed and assessed. Parts have been ordered to repair the brackets and pipeline. Entry for repairs and pressure testing is scheduled for mid August. The cost of the repair will be met from Sydney Water's operational expenditure.

The unexpected failure of the unused returned pipeline within the Tunnel, which was proposed to transport the treated effluent from North Head Sewage Treatment Plant, has been the key issue of the delay of the project. The funding body has indicated the project is required to be finished by 2009. Stakeholders view the pressure testing in mid August a crucial indicator of the viability of the project.

It is recommended that Council receive and note the report.

2. Minutes of Meetings without recommendations of a substantial nature:

- i) Manly Lagoon Catchment Coordinating Committee – 12 June 2008
- ii) Project Manly LEP Working Group – 9 July 2008
- iii) LM Graham Reserve Committee – 24 July 2008
- iv) Manly Traffic Committee - 28 July 2008

3. The following Minutes contain recommendations of a substantial nature requiring formal Council adoption as follows:**i) Manly Coastline Management Committee – 8 July 2008**

- a) **Item 5.1.1 Pine Street Stormwater Outlet Works Proposal**

Recommendation

- i) That a tangible example of a similar project to the proposed Pine Street stormwater trial be provided to the Committee.
- ii) That a comprehensive Statement of Environmental Effects be undertaken prior to any trial being undertaken.
- iii) That the Pine Street stormwater trial be conducted over a period of time which ensures that a range of storm and coastal events are monitored allowing for better assessment of the success (or otherwise) of the trials design parameters.
- iv) That quarterly reports be provided to the Coastline Management Committee detailing response of system during monitoring period.
- v) That information on the volume of storage capacity (in mL) within the Pine Street catchment is provided to the Coastline Committee.
- vi) That the report developed by Cardno on seawall stability in relation to the proposed Pine Street stormwater trial be provided to the members of the Coastline Committee.

ii) Manly Bicycle Committee – 10 July 2008**a) Item 6 Bicycle Strategy and Action Plan for Manly LGA**Recommendation

Develop a new Cycle Strategy and Action Plan, modeled on relevant aspects of the widely supported Plan recently developed by City of Sydney, and providing links with the Warringah Plan currently being developed.

b) Item 6 Bicycle Strategy and Action Plan for Manly LGARecommendation

Convene a workshop of Manly Bicycle Committee members and relevant staff to set the framework for a brief to develop such a Strategy and Action Plan.

c) Item 6 Bicycle Strategy and Action Plan for Manly LGARecommendation

Explore opportunities for external funding from sources including the RTA, and the DECC's climate change program.

iii) Landscape Management and Urban Design Committee – 16 July 2008**a) Item 5 Architects' Presentations Redevelopment Options for the Land Bounded by Whistler Street and Market Lane, Manly.**Recommendation

That Choi Rophia Architects and Tony Caro Architects both be asked to take their proposals to the next stage and then make a presentation to Council.

iv) Manly Community Environment Committee – 17 July 2008

a) **Item 5.2 Environmental Levy Project Site Visit – Burnt Bridge Creek**

Recommendation

The committee ask that their thanks be conveyed to the Bushcare staff for their tour of Burnt Bridge Creek and acknowledge the excellent work over the long term which has produced an excellent outcome.

MOTION (Pedersen / Macdonald)

1. That Council receive and note the report on the progress of the Effluent Re-Use Project.
2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i to 2x**, be **adopted**.
- 3 i) That the minutes of the **Manly Coastline Management Committee – 8 July 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5.1.1 Pine Street Stormwater Outlet Works Proposal**

- i) That a tangible example of a similar project to the proposed Pine Street stormwater trial be provided to the Committee.
 - ii) That a comprehensive Statement of Environmental Effects be undertaken prior to any trial being undertaken.
 - iii) That the Pine Street stormwater trial be conducted over a period of time which ensures that a range of storm and coastal events are monitored allowing for better assessment of the success (or otherwise) of the trials design parameters.
 - iv) That quarterly reports be provided to the Coastline Management Committee detailing response of system during monitoring period.
 - v) That information on the volume of storage capacity (in mL) within the Pine Street catchment is provided to the Coastline Committee.
 - vi) That the report developed by Cardno on seawall stability in relation to the proposed Pine Street stormwater trial be provided to the members of the Coastline Committee.
- ii) That the minutes of the **Bicycle Committee -10 July 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Develop a new Cycle Strategy and Action Plan, modeled on relevant aspects of the widely supported Plan recently developed by City of Sydney, and providing links with the Warringah Plan currently being developed.

b) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Convene a workshop of Manly Bicycle Committee members and relevant staff to set the framework for a brief to develop such a Strategy and Action Plan.

c) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Explore opportunities for external funding from sources including the RTA, and the

DECC's climate change program.

- iii) That the minutes of the **Landscape Management and Urban Design Committee – 16 July 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 5 Architects' Presentations Redevelopment Options for the Land Bounded by Whistler Street and Market Lane, Manly.**

That Choi Rophia Architects and Tony Caro Architects both be asked to take their proposals to the next stage and then make a presentation to Council.

- iv) That the minutes of the **Manly Community Environment Committee – 17 July 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 5.2 Environment Levy Project Visit – Burnt Bridge Creek**

The committee ask that their thanks be conveyed to the Bushcare staff for their tour of Burnt Bridge Creek and acknowledge the excellent work over the long term which has produced an excellent outcome.

PS69/08 **RESOLVED: (Pedersen / Macdonald)**

1. That Council receive and note the report on the progress of the Effluent Re-Use Project.
2. That the recommendations of **Minutes of Meetings**, as listed in **item 2**, being **2i to 2x**, be **adopted**.

- 3 i) That the minutes of the **Manly Coastline Management Committee – 8 July 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 5.1.1 Pine Street Stormwater Outlet Works Proposal**

- i) That a tangible example of a similar project to the proposed Pine Street stormwater trial be provided to the Committee.
- ii) That a comprehensive Statement of Environmental Effects be undertaken prior to any trial being undertaken.
- iii) That the Pine Street stormwater trial be conducted over a period of time which ensures that a range of storm and coastal events are monitored allowing for better assessment of the success (or otherwise) of the trials design parameters.
- iv) That quarterly reports be provided to the Coastline Management Committee detailing response of system during monitoring period.
- v) That information on the volume of storage capacity (in mL) within the Pine Street catchment is provided to the Coastline Committee.
- vi) That the report developed by Cardno on seawall stability in relation to the proposed Pine Street stormwater trial be provided to the members of the Coastline Committee.

- ii) That the minutes of the **Bicycle Committee -10 July 2008** be **adopted**, including the following recommendations of a substantial nature:

- a) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Develop a new Cycle Strategy and Action Plan, modeled on relevant aspects of the

widely supported Plan recently developed by City of Sydney, and providing links with the Warringah Plan currently being developed.

b) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Convene a workshop of Manly Bicycle Committee members and relevant staff to set the framework for a brief to develop such a Strategy and Action Plan.

c) **Item 6 Bicycle Strategy and Action Plan for Manly LGA**

Explore opportunities for external funding from sources including the RTA, and the DECC's climate change program.

iii) That the minutes of the **Landscape Management and Urban Design Committee – 16 July 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5 Architects' Presentations Redevelopment Options for the Land Bounded by Whistler Street and Market Lane, Manly.**

That Choi Rophia Architects and Tony Caro Architects both be asked to take their proposals to the next stage and then make a presentation to Council.

iv) That the minutes of the **Manly Community Environment Committee – 17 July 2008** be **adopted**, including the following recommendations of a substantial nature:

a) **Item 5.2 Environment Levy Project Visit – Burnt Bridge Creek**

The committee ask that their thanks be conveyed to the Bushcare staff for their tour of Burnt Bridge Creek and acknowledge the excellent work over the long term which has produced an excellent outcome.

For the Resolution: Councillors Aird, Daley, Hay, Lambert, Murphy, Norek, Pedersen and Macdonald

Against the Resolution: Nil.

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

PLANNING AND STRATEGY DIVISION

Planning And Strategy Division Report No. 24

Manly Local Heritage Fund - Allocation of Grants - 2008/09

SUMMARY

Three submissions have been received for the Local Heritage Assistance Grants Scheme 2008/09, for conservation projects on heritage listed property. The submissions are considered to have merit and it is recommended that Council endorse funding for the heritage conservation projects.

MOTION (Pedersen / Hay)

1. That subject to public notice under Section 356(2) of the Local Government Act, the allocated grant funds be awarded by the Manager Planning and Strategy, after satisfactory completion of the project.

2. That Council write to the applicants informing them of Council's resolution, after public notice has been carried out as required under resolution 1 above.

PS70/08 RESOLVED: (Pedersen / Hay)

1. That subject to public notice under Section 356(2) of the Local Government Act, the allocated grant funds be awarded by the Manager Planning and Strategy, after satisfactory completion of the project.
2. That Council write to the applicants informing them of Council's resolution, after public notice has been carried out as required under resolution 1 above.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 25

Exhibition on exposure draft of the State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008

SUMMARY

The Department of Planning recently exhibited an exposure draft of State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. This report considers the implications of the proposed new planning policy for Manly and recommends that a submission be prepared in response to the matters raised in this report.

MOTION (Lambert / Heasman)

That:

1. Council receive and note the report;
2. Support the preparation of a submission to the Department of Planning raising concerns as outlined in this report, including:
 - i.the draft SEPP including the need for resources and guidelines to assist Council in its referral processes and assessment procedures and under the EP&A Act 1979;
 - ii.concern over the watering down of Masterplan provisions and reinforcing the advantages of retaining the requirement for a Masterplan of the St Patrick's Estate, as well as protection of aboriginal sites of significance, heritage items and coastal areas.

PS71/08 RESOLVED: (Lambert / Heasman)

That:

1. Council receive and note the report;
2. Support the preparation of a submission to the Department of Planning raising concerns as outlined in this report, including:
 - i.the draft SEPP including the need for resources and guidelines to assist Council in its referral processes and assessment procedures and under the EP&A Act 1979;

ii.concern over the watering down of Masterplan provisions and reinforcing the advantages of retaining the requirement for a Masterplan of the St Patrick's Estate, as well as protection of aboriginal sites of significance, heritage items and coastal areas.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 26

**Australian Institute of Police Management, Collins Beach Road North Head, Manly -
Proposed Redevelopment**

SUMMARY

It is understood that the Australian Federal Police are preparing revised plans for the former Seamen's Isolation Hospital (Australian Institute of Police Management site) on North Head. This report recommends the council makes further representations to protect the heritage values and environmental qualities of the site.

MOTION (Lambert / Heasman)

That:

1. Council makes further representations to the NSW Minister for Environment; the NSW Minister for Planning; and Federal Ministers for Families, Housing, Community Services and Indigenous Affairs; Finance and Deregulation; Environment, Water, Heritage and the Arts; and Home Affairs to request a process of notification and consultation for consideration prior to any determination on the revised plans for the redevelopment of the former Seamen's Isolation Hospital site which is part of the 1833 Quarantine Reserve.
2. Council strongly supports consideration of the former School of Artillery site as a permanent home for the Australian Federal Police and the Australian Institute of Police Management.

PS72/08 **RESOLVED: (Lambert / Heasman)**

That:

1. Council makes further representations to the NSW Minister for Environment; the NSW Minister for Planning; and Federal Ministers for Families, Housing, Community Services and Indigenous Affairs; Finance and Deregulation; Environment, Water, Heritage and the Arts; and Home Affairs to request a process of notification and consultation for consideration prior to any determination on the revised plans for the redevelopment of the former Seamen's Isolation Hospital site which is part of the 1833 Quarantine Reserve.
2. Council strongly supports consideration of the former School of Artillery site as a permanent home for the Australian Federal Police and the Australian Institute of Police Management.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 27

Draft operational agreement between Manly Council and NSW Department of Environment & Climate Change (DECC) for management of Aquatic Reserves - endorsement for public exhibition.

SUMMARY

The Coastline Management Committee, at its meeting of 18th September 2007, supported the development of a Draft Operational Agreement between Council and NSW Department of Environment and Climate Change (DECC), development of Aquatic Reserve Management Plan and establishment of a community Working Group.

The Manly Coastline Management Committee has overseen the process, and supports the approval of the agreement. Once executed by the General Manager, the document will be presented to the Director General of NSW Department of Environment and Climate Change for endorsement.

MOTION (Pedersen / Macdonald)

1. That Council endorses the execution of an MOU between DECC and Council enabling co-operative management of Manly's Aquatic Reserves.
2. That Council extends to the NSW Department of Environment and Climate Change its appreciation regarding the active partnership for the co-operative management and planning of Manly's Aquatic Reserves.

PS73/08 RESOLVED: (Pedersen / Macdonald)

1. That Council endorses the execution of an MOU between DECC and Council enabling co-operative management of Manly's Aquatic Reserves.
2. That Council extends to the NSW Department of Environment and Climate Change its appreciation regarding the active partnership for the co-operative management and planning of Manly's Aquatic Reserves.

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

Against the Resolution: Nil.

Planning And Strategy Division Report No. 28

Manly Lagoon Catchment Management - Update report

SUMMARY

This report aims to update The Council on progress that has been made between staff at Warringah and Manly Council in terms of re-committing to and the ongoing implementation of the key actions and objectives of the Manly Lagoon and Catchment Integrated Catchment Management Strategy (ICMS) produced in 2003.

MOTION (Pedersen / Murphy)

1. That Council receives and notes the report.
2. That the points agreed by staff on immediate priorities relating to the Management of Manly Lagoon be conveyed to the next Manly Lagoon Catchment Coordinating Committee for its comment and input.

PS74/08 **RESOLVED:** (Pedersen / Murphy)

1. That Council receives and notes the report.
2. That the points agreed by staff on immediate priorities relating to the Management of Manly Lagoon be conveyed to the next Manly Lagoon Catchment Coordinating Committee for its comment and input.

For the Resolution: Councillors Aird, Daley, Hay, Heasman, Lambert, Murphy, Norek and Macdonald

Against the Resolution: Nil.

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

CONFIDENTIAL COMMITTEE OF THE WHOLE

Civic Services Division Report No. 1

Contract 01/2005: Road Construction Materials and Services

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

CLOSED SESSION

MOTION (Heasman / Hay)

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

Councillor Aird asked if any members of the public gallery objected to the matters being heard in Closed Session.

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

PS75/08 **RESOLVED:** (Heasman / Hay)

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

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

Against the Resolution: Nil.

OPEN COUNCIL RESUMED

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

Civic Services Division Report No. 1

Contract 01/2005: Road Construction Materials and Services

PS76/08 **RESOLVED:** (Heasman / Hay)

THAT Council enter into a contact for the provision of Road Construction Materials and Services, with Boral Asphalt and Work Infrastructure Pty Ltd for a period of up to six months to 31 December 2008, without inviting public tenders, on the ground of extenuating circumstances, pursuant to section 55(3) of the *Local Government Act 1993* (NSW).

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

Against the Resolution: Nil.

CLOSE

The meeting closed at 11.19pm.

The above minutes were confirmed at a **Land Use Management Committee** of Manly Council held on 1 September 2008.

CHAIRPERSON

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