

# Manly Council

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## Minutes

## Extraordinary

## Land Use Management Committee

Held at Council Chambers, 1 Belgrave Street Manly on:

**Monday 13 March 2006**

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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 Extraordinary Land Use Management Committee, having met at 7:47 PM on Monday 13 March 2006, in the Council Chambers, Town Hall, Manly, to consider the various matters deferred from the meeting of 6 March 2006, 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 19<sup>th</sup> September, 2005.

**PRESENT**

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

**APOLOGIES**

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

**MOTION (Macdonald / Heasman)**

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

**RESOLVED: (Macdonald / Heasman)**

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

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

**Against the Resolution:** Nil.

***Resumption of Land Use Management Committee Meeting of 6 March 2006.***

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**ENVIRONMENTAL SERVICES DIVISION**

Environmental Services Division Report No.7

**30 - 38 Ethel Street, Seaforth  
Balgowlah RSL Club (DA480/05)**

**Application Lodged:** 7 November 2005  
**Applicant:** Paynter Dixon Pty Ltd  
**Owner:** Balgowlah RSL Memorial Club  
**Estimated Cost:** \$5 million  
**Zoning:** Manly Local Environmental Plan, 1988 - Business  
**Surrounding Development:** Shops, offices and Child Care Centre  
**Heritage:** Not Applicable

**SUMMARY:**

1. DEVELOPMENT CONSENT IS SOUGHT FOR ALTERATIONS AND ADDITIONS TO THE EXISTING BALGOWLAH RSL CLUB.
2. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING PROPERTIES AND WAS ALSO ADVERTISED IN THE MANLY DAILY.
3. THE APPLICATION WAS REFERRED TO THE SEAFORTH PRECINCT COMMUNITY FORUM FOR COMMENTS.
4. THE APPLICATION IS PRESENTED TO LAND USE MANAGEMENT COMMITTEE MEETING AT THE REQUEST OF COUNCILLOR NOREK.
4. SITE INSPECTION IS RECOMMENDED.
5. THE APPLICATION IS RECOMMENDED FOR CONDITIONAL APPROVAL.

**MOTION (Macdonald / Hay)**

That Development Application No. 480/05 for alterations and additions to the existing RSL Club at 30 - 38, Ethel Street, Seaforth be dealt with under the delegated authority of the General Manager when the applicant has resolved the question of owner's consent.

**RESOLVED: (Macdonald / Hay)**

That Development Application No. 480/05 for alterations and additions to the existing RSL Club at 30 - 38, Ethel Street, Seaforth be dealt with under the delegated authority of the General Manager when the applicant has resolved the question of owner's consent.

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

**Against the Resolution:** Councillor Pedersen

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Environmental Services Division Report No. 8

**51 Stuart Street, Manly  
Section 96 Modification (DA250/04)**

**Application Lodged:** 5 December 2005  
**Applicant:** Blackmore Design Group  
**Owner:** Mr & Mrs R L Blackmore  
**Estimated Cost:** \$700,000  
**Zoning:** Manly Local Environmental Plan, 1988 - Residential Within Foreshore Scenic Protection Area.  
**Surrounding Development:** Two storey dwellings and three storey residential flat buildings.

**Heritage:** n/a

**SUMMARY:**

1. COUNCIL AT ITS PLANNING AND STRATEGY METING OF 12 SEPTEMBER 2005 GRANTED CONSENT FOR THE DEMOLITION OF THE EXISTING DWELLING AND ERECTION OF A NEW TWO STOREY DWELLING WITH BASEMENT GARAGING.
2. COUNCIL IS NOW IN RECEIPT OF AN APPLICATION TO MODIFY THE CONSENT UNDER SECTION 96(1A) OF THE ENVIRONMNETAL PLANNING AND ASSESSMENT ACT 1979.
3. THE APPLICATION WAS NOTIFIED TO NEABY AND ADJOINING PROPERTY OWNERS WITH ONE (1) SUBMISSION RECEIOVED.
4. THE APPLICATION IS PRESENTED TO COUNCILS LAND USE MANAGEMENT COMMITTEE MEETING AT THE REQUEST OF COUNCILLOR NOREK.
5. THE APPLICATION IS RECOMMENDED FOR APPROVAL.

**PUBLIC ADDRESSES**

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

**Objector:** Mr William Donaldson

**MOTION (Aird / Macdonald)**

That Development Application 250/04 Section 96(1A) application to modify development consent 250/04 for demolition of the existing dwelling and erection of new two storey dwelling with rooftop terrace and basement garaging at No.51 Stuart Street, Manly be **refused** for the following reasons:

- The proposal will adversely impact on views from adjoining and nearby properties.
- The proposal will adversely impact on the privacy of adjoining properties.
- The proposed building will present excessive visual bulk and scale and exceeds the maximum floor space ratio permissible in Council's Residential Development Control Plan.
- The proposal is not in the public interest.

**RESOLVED: (Aird / Macdonald)**

That Development Application 250/04 Section 96(1A) application to modify development consent 250/04 for demolition of the existing dwelling and erection of new two storey dwelling with rooftop terrace and basement garaging at No.51 Stuart Street, Manly be **refused** for the following reasons:

- The proposal will adversely impact on views from adjoining and nearby properties.
- The proposal will adversely impact on the privacy of adjoining properties.
- The proposed building will present excessive visual bulk and scale and exceeds the maximum floor space ratio permissible in Council's Residential Development Control Plan.
- The proposal is not in the public interest.

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

**Against the Resolution:** Nil.

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Environmental Services Division Report No. 9  
**Development Applications Currently Being Processed**  
**SUMMARY**

Development Applications Currently Being Processed During March 2006.

**MOTION (Macdonald / Aird)**

That the information be noted.

**RESOLVED: (Macdonald / Aird)**

That the information be noted.

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

**Against the Resolution:** Nil.

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Environmental Services Division Report No. 10  
**Appeals List for March 2006**  
**SUMMARY**

List Of Appeals Received And Their Current Status For Councillors Information

**MOTION (Macdonald / Aird)**

That the information be noted.

**RESOLVED: (Macdonald / Aird)**

That the information be noted.

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

**Against the Resolution:** Nil.

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**CLOSE**

The meeting closed at [8:33pm](#).

The above minutes were confirmed at an **Land Use Management Committee** of Manly Council held on [3 April 2006](#).

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**CHAIRPERSON**

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